



# Agenda

## Greenville City Council

August 11, 2014  
6:00 PM  
City Council Chambers  
200 West Fifth Street

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### **I. Call Meeting To Order**

### **II. Invocation - Council Member Smith**

### **III. Pledge of Allegiance**

### **IV. Roll Call**

### **V. Approval of Agenda**

- **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.

### **VI. Consent Agenda**

1. Minutes from the City Council Planning Retreat held on January 24-25, 2014, regular City Council meetings held on March 17, March 20, April 7, May 5, May 8, May 19, June 9 and June 12, 2014, and a Joint City Council/Greenville Utilities Commission meeting held on April 21, 2014
2. Disclosure of conflict of interest related to a family member living in a home located at 2708 Webb Street and an exception request to HUD's Conflict of Interest Rule
3. Approval of access easements on the Greenville Utilities Commission Wastewater Treatment

Plant Property to Piedmont Natural Gas

4. Resolution approving the First Amendment to a Licensing Agreement between Greenville Utilities Commission and Cellco Partnership, d.b.a. Verizon Wireless
5. Reimbursement resolution for Greenville Utilities Commission Capital Projects
6. Agreement with Pitt County and the Pitt-Greenville Airport Authority relating to construction of an airplane hangar
7. Municipal Agreement with the North Carolina Department of Transportation for construction of pedestrian improvements
8. Acceptance of North Carolina Department of Commerce Rural Division Grant
9. Purchase order request for one Jet/Vacuum Sewer Cleaner Truck to be assigned to the Public Works Department/Streets Division
10. Purchase order request for sixteen Ford Interceptors to be assigned to the Police Department
11. Report on bids and contracts awarded
12. Various tax refunds greater than \$100
13. Budget ordinance amendment #1 to the 2014-2015 City of Greenville budget and an ordinance establishing the Street Improvement Capital Project Fund

**VII. New Business**

14. Presentations by Boards and Commissions
  - a. Historic Preservation Commission
  - b. Recreation and Parks Commission
15. Presentation on the Town Creek Culvert Drainage Study
16. Alcohol Policy for City Parks and Recreation Facilities
17. Ordinance Amending City Code Provisions Relating to Consumption of Alcoholic Beverages in Public and Ordinance Amending the Manual of Fees Establishing an Application Fee for Sale and Consumption at Recreation and Parks Facilities
18. Update of the Right-of-Way Asset and Pavement Condition Survey
19. Discussion of noise permit for gospel concert

**VIII. Review of August 14, 2014, City Council Agenda**

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

**X. City Manager's Report**

**XI. Adjournment**



# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

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- Title of Item:** Minutes from the City Council Planning Retreat held on January 24-25, 2014, regular City Council meetings held on March 17, March 20, April 7, May 5, May 8, May 19, June 9 and June 12, 2014, and a Joint City Council/Greenville Utilities Commission meeting held on April 21, 2014
- Explanation:** Proposed minutes from the City Council Planning Retreat held on January 24-25, 2014, regular City Council meetings held on March 17, March 20, April 7, May 5, May 8, May 19, June 9 and June 12, 2014 and a Joint City Council/Greenville Utilities Commission meeting on held April 21, 2014 are presented for review and approval
- Fiscal Note:** There is no direct cost to the City.
- Recommendation:** Review and approve proposed minutes from the City Council Planning Retreat held on January 24-25, 2014, regular City Council meetings held on March 17, March 20, April 7, May 5, May 8, May 19, June 9 and June 12, 2014 and a Joint City Council/Greenville Utilities Commission meeting held on April 21, 2014.
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Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

**Attachments / click to download**

- [Proposed Minutes of the January 24 25 2014 City Council Planning Retreat 982746](#)
- [Proposed Minutes of March 17 2014 City Council Meeting 979844](#)
- [Proposed Minutes of the City Council s March 20 2014 Meeting 978661](#)
- [Proposed April 7 2014 City Council Meeting Mintues 981643](#)

- [📄 Proposed Minutes May 5 2014 City Council Meeting 979858](#)
  - [📄 Proposed May 8 2014 City Council Meeting Minutes 980859](#)
  - [📄 Proposed Minutes of the May 19 2014 City Council Meeting 982137](#)
  - [📄 Proposed Minutes of June 9 2014 City Council Meeting 982018](#)
  - [📄 Proposed Minutes June 12 2014 City Council Meeting 982631](#)
  - [📄 Proposed Minutes of April 21 2014 Joint City GUC Meeting 985086](#)
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PROPOSED MINUTES  
ANNUAL PLANNING SESSION  
GREENVILLE CITY COUNCIL  
JANUARY 24-25, 2014

Having been properly advertised, the Annual Planning Session of the Greenville City Council was held on Friday and Saturday, January 24-25, 2014, on the third floor at City Hall, with Mayor Allen M. Thomas presiding. Mayor Thomas called the meeting to order at 4:30 p.m. on Friday, January 24, 2014. The Friday evening session was held in the Third Floor Gallery.

Those Present:

Mayor Allen M. Thomas, Mayor Pro-Tem Calvin R. Mercer, Council Member Kandie Smith, Council Member Rose H. Glover, Council Member Marion Blackburn, Council Member Rick Smiley, and Council Member Richard Croskery

Those Absent:

None

Also Present:

City Manager Barbara Lipscomb, City Attorney David A. Holec, and City Clerk Carol L. Barwick

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**APPROVAL OF THE FRIDAY EVENING AGENDA**

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Upon motion by Council Member Blackburn and second by Council Member Glover, the City Council unanimously approved the agenda.

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**FRIDAY'S SESSION**

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City Manager Barbara Lipscomb referenced the "vision" for Greenville's future that she read at last year's retreat, and said that this year, City Council will have the opportunity to develop that vision. She mentioned that there are several projects currently planned for Greenville's Uptown area, including the parking deck, the Taft student housing project, the Federal Bankruptcy Court, GoScience, and GTAC, which total over \$50 million. Additionally, City Manager Lipscomb pointed out that the 10th Street Connector, the Dickenson Avenue Study and Streetscape, and the Town Creek Culvert project will bring the total to over \$100 million. She said that amount of local public and private investments will provide the City with an excellent start for moving forward on additional investments. City Manager Lipscomb next introduced new information for the current year. She said that the City is in a strategic partnership with Fountain Works, who will be facilitating this retreat session. City Manager Lipscomb stated that staff has developed a five-year financial forecast model



that will allow City Council to plan beyond its two-year term, as well as a citizen survey, which will serve as a guide to City Council for planning according to citizens' wants and needs. Lastly, City Manager Lipscomb said that staff has drafted a 10-year Facilities Master Plan for existing facilities, in hopes that City Council will be able to focus and determine how to fund deferred maintenance needs of the City.

#### ORIENTATION TO RETREAT

City Manager Lipscomb stated that the 2014 Planning Session will focus primarily on the development of a vision for Greenville and five-year goals. She then introduced Warren Miller of Fountain Works, who would be facilitating the retreat.

#### REVIEW AND ADD TO HISTORY MAP

Mr. Warren Miller began by reviewing the City's History Map, which was included in the retreat materials. He reminded City Council that at the City of Greenville Management Team Strategic Planning Retreat on December 20, 2013, topics of discussion included major milestones, events, and trends that have occurred in the City over the past 15 years. He commended staff on a thorough and thoughtful job during that discussion. Mr. Miller said that the History Map captures the highlights of that discussion, and told City Council that other milestones could also be added. The highlights included in the History Map, as well as the highlights suggested by City Council at the retreat, are as follows:

- Hurricane Floyd -created a sense of community and exposed poor planning and infrastructure decisions made in the past
- Opening of the Convention Center - contributed to establishing Greenville as a "hub" and contributed to the revitalization of a declining area of the City
- 10<sup>th</sup> Street Connector
- Vidant Hospital switching from a county hospital to a private non-profit hospital
- 2004 Bond Referendum - helped build new homes in poor communities, and also addressed streets, Recreation and Parks, stormwater, and revitalization
- Lucille Gorham Intergenerational Center - was purchased through a combination of bond money and private donations, and offers services such as healthcare screenings and afterschool programs



- Economic downturn – Greenville’s building boom of apartments and single family dwellings stopped. However, success stories include First Street Place student apartments and Nathaniel Village
- Lack of funding from state government – affected growth and employment at ECU and Pitt County Schools

Mr. Miller next addressed population growth in Greenville. Council Member Croskery said that he has lived in Greenville for 30 years, and the population has grown steadily at 3% per year since that time. Mayor Pro-Tem Mercer said that Greenville has reached a point in which more of its residents are transplants, rather than natives. Mayor Thomas pointed out that Greenville has changed from a tobacco community to a medical, educational, and technological community.

Mayor Pro-Tem Mercer added that Greenville’s changes are driven by its population shifts. He pointed out that people are moving to Greenville from other cities where certain amenities are expected. He said that adding these amenities make Greenville worthy of being called the “Hub of the East.”

#### RESULTS OF CITIZEN SURVEY

Communications Manager Steve Hawley presented the preliminary results of the citizen survey. He said that staff desired a statistically valid way to gauge citizen satisfaction levels, the importance of, and the desires of the City’s residents related to City services. He stated further that the purpose of the citizen survey is so that it can be utilized for the City Council Strategic Planning Session to help administratively in improving City services and residents’ satisfaction with those services, as well as to identify priorities when putting together the City’s budget. Mr. Hawley stated that staff chose ETC Institute from Kansas to conduct the citizen survey. He explained that ETC provides a standard main survey document that allows Greenville to benchmark against national and state results, benchmark against other university cities, and the ability to customize questions. He pointed out that other university cities in North Carolina, such as Chapel Hill, Durham, Raleigh, Fayetteville, Wilmington, and Winston-Salem, also utilize ETC to conduct citizen surveys. Mr. Hawley said that the citizen survey was mailed out to Greenville’s residents on January 2, 2014, with the option to complete it online. The survey results were then geo-coded and grouped via census tracts to determine the priorities of citizens in different areas throughout the City. Mr. Hawley reported that the City contracted for 800 completed surveys, and has currently received over 400 responses.

Next, Mr. Hawley reviewed the demographics of the survey. He said that the gender demographics are nearly 50/50. In addition, the age demographics tend to be skewed toward older populations because younger people were not as likely to participate in the



survey. As a result, the City's household income is slightly skewed, as younger individuals tend to earn less than their older counterparts. Mr. Hawley reported the following citizen survey results:

- 75% consider Greenville to be a good place to live
- 68% believe that Greenville is a good place to raise children.
- 70% are satisfied with the quality of City-provided services.
- 51% satisfied with quality of life
- 31% of the respondents believe that they are receiving a good value for taxes and fees.

Mr. Hawley noted that although traffic flow was one of the services deemed most important by citizens, it ranked the lowest in terms of satisfaction. He also discussed levels of safety in various situations, and pointed out that although the Uptown business district ranks high during the day, it ranks the lowest at night. Mr. Hawley reported that according to the survey, citizens are satisfied with the performance of Greenville's Recreation and Parks, as well as maintenance activities. However, he said that there seems to be high dissatisfaction for transportation, especially in terms of walkability of the community. With regard to City improvement projects that citizens are most willing to pay an increase in taxes to support, Mr. Hawley stated that citizens placed high importance on funding improvements to police and fire/EMS facilities. Additionally, citizens expressed a willingness to support a bond referendum for the improvement and maintenance of streets and sidewalks, as well as for the improvement of police and fire/EMS facilities. The survey also indicates that citizens regard public safety as the most important focus area for Greenville. Mr. Hawley told City Council that the final report of the citizen survey will be presented in March.

#### CONTEXT MAP – BUILDING ON DISCUSSION AT MANAGEMENT TEAM RETREAT

Mr. Miller presented the context map put together by the management team that reflects key trends in Greenville that City Council should be vigilant of. With regard to future direction, he asked City Council to point out any trends that are not included in the map, as well as those that are the most important to pay attention to. City Council discussed the following key trends that are taking hold in Greenville:

- Loss of Greenville's agricultural economy
- Blending of traditional and culturally diverse values
- Increase of retirees living in Greenville
- Growth of the Hispanic population

Council Member Smiley mentioned that Greenville is beginning to resemble the nation as a whole, and as a result, the cleavages that exist nationally are having a larger impact within



the community. He added that to some extent, those changes have affected citizens' voting behaviors and attitudes toward government.

BREAK FOR DINNER

REVIEW THE MISSION

Ms. Julie Brenman of Fountain Works asked the participants to review the City's current Mission, Vision, and Values. She read the City's current Mission Statement, which states the following:

"The City of Greenville is dedicated to providing all citizens with quality services in an open, ethical manner, ensuring a community of distinction for the future."

Ms. Brenman explained the differences between a mission statement and a vision statement. She said that a mission statement defines an organization's fundamental purpose and primary objectives, describing why it exists and what it does to achieve its vision. Its prime function is internal, because it defines the key to the organization's success. By contrast, a vision statement outlines what an organization wants to be or how it wants the world in which it operates to be. It communicates both the purpose and values of an organization, and looks toward the future. Ms. Brenman mentioned staff's desire to fine-tune the mission statement by defining a community of distinction, and asked participants to provide "gut reactions" to the current Mission Statement, which included the following:

- Continue to state "providing all citizens with quality services" because it describes the City as an inclusive community
- Remove "dedicated" from the mission statement so that it targets actual achievement
- Include means for measurable progress

Next, Ms. Brenman asked the participants for their feedback on the value statement. The group agreed that the Values that have been used in the past were developed as norms for a planning session, but were not adopted as organizational values.

City Manager Lipscomb said that she wants to develop organizational values as part of the strategic planning process. She also suggested that City employees be involved, and said that staff created a list of value statements, titled An Organization's Values, to be distributed to City employees for their input. She said that staff hopes to narrow the list



down to five or six strong value statements, and mentioned that City Council input is welcome. The value statements include the following:

- Accountability
- Commitment to service
- Fairness and equity
- Fiscal responsibility
- Innovation
- Integrity
- Open communication/transparency
- Professionalism
- Respect
- Diversity
- Stewardship
- Teamwork

#### DEVELOP VISION

Next, Mr. Miller discussed the City's Vision. He involved the participants in a cover story vision exercise. The participants were asked to imagine that Greenville is on the cover of a magazine 20 years from now because of its accomplishments as a city. The group was divided into two teams to fill out the sections of the magazine stating what was accomplished, as well as who was quoted and what was said.

Council Member Blackburn said that her group's cover story featured Greenville as a healthy, progressive, vibrant oasis of opportunity for all. She mentioned that the motto was "Greenville: Redefining the South" because the City has become innovative and family centered. Council Member Blackburn pointed out that Greenville's accomplishments include the development of a strong arts and cultural scene, job creation, increase in startup businesses, as well as the growth of the City as an inland port. In addition, Greenville hosted the 2022 Olympics and is home to the NCAA National Basketball Champions of East Carolina University.

Council Member Smiley said that his group's cover story was that Greenville was voted the best city in America to raise a child. He pointed out that achieving that designation is the result of Greenville's improvements in public safety, schools, the economy, jobs, and crime. In addition, he said that Greenville's excellent healthcare services have attracted retirees to the community. Council Member Smiley said that achieving these results was a community effort, because everyone broke down limitations of the past and came together.





passed by unanimous vote. There being no discussion, Mayor Thomas declared the meeting recessed at 8:18 p.m.

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**RECONVENE**

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Mayor Thomas reconvened the meeting at 8:30 a.m. on Saturday, January 25, 2014, in Conference Room 337.

Those Present:

Mayor Allen M. Thomas, Mayor Pro-Tem Calvin R. Mercer, Council Member Kandie Smith, Council Member Rose H. Glover, Council Member Marion Blackburn, Council Member Rick Smiley, Jr. and Council Member Richard Croskery

Those Absent:

None

Also Present:

City Manager Barbara Lipscomb, City Attorney David A. Holec, and City Clerk Carol L. Barwick

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**APPROVAL OF THE SATURDAY AGENDA**

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Upon motion by Council Member Glover and second by Council Member Smiley, the City Council unanimously approved the agenda.

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**SATURDAY'S SESSION**

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**WELCOME AND OPENING**

Mr. Miller welcomed the participants and told them that the session would begin with staff presentations. Immediately after, everyone would move back to the gallery for the remainder of the session.



## CURRENT YEAR FINANCIALS

Financial Services Director Bernita Demery began by providing the participants with a six-month update of the Fiscal Year 2014 financials, as well as an overview of the City's performance in Fiscal Year 2013. She recalled that for Fiscal Year 2013, revenues were slightly less than expenses with a 3% decrease in fund balance. However, the City remained within the 14% Unassigned Fund Balance policy. With regard to the Fiscal Year 2014 mid-year results, Ms. Demery said that revenues over expenses totaled around \$11.95 million as of December 31, 2013. She presented the City's Fiscal Year 2014 mid-year revenue results and projections:

- Property taxes have increased by 7% since Fiscal Year 2013 and are expected to be approximately 1.5% over budget.
- Sales tax as of December 31, 2013, increased by 3% from Fiscal Year 2013 and is projected to meet budget.
- The GUC Transfer increased by 7% from Fiscal Year 2013, but is expected to be down by approximately \$460,000 by the end of the year.
- Investment earnings have decreased by 53% from Fiscal Year 2013 due to the change in reporting requirements.

Ms. Demery next addressed the City's Fiscal Year 2014 mid-year expense results and projections:

- Personnel expenses have remained flat since 2010, and are expected to be approximately \$900,000 under budget over the five-year history due to frozen positions.
- Operations are projected to be \$2.6 million under budget because departments have controlled many of their operating expenses.
- Currently, staff projects to spend 100% of Appropriated Fund Balance for capital projects, but that could change. Staff anticipates allocating approximately \$5.1 million from the Fund Balance.
- Fund Balance is projected to remain within the City's 14% policy

Ms. Demery said that the City will be conducting major capital improvements in Fiscal Year 2014. Those improvements include:



- \$4 million for street improvements
- \$880,000 for multi-facility improvements
- \$2.5 million for Enterprise Resource Planning (ERP) System
- \$4 million for the parking deck

## FIVE-YEAR FINANCIAL PROJECTIONS

Assistant City Manager Chris Padgett presented the General Fund Financial Forecast for Fiscal Years 2014 to 2018. He said that the five-year financial forecast provides a longer view for financial planning for the General Fund, but is not a multi-year budget. He stated further that projections use historic trends and averages, and do not take into account any new debt, tax or fee increases. Mr. Padgett said that the top revenues for the five-year financial forecast include the following:

### Ad Valorem (Property tax)

- Influenced by the tax rate and property valuation
- The decrease in the property tax in 2013 was due to property revaluation
- Property tax revenues are projected to increase by 2% annually

### Sales tax

- Volatile source of revenue because it is influenced by current economic conditions and retail sales
- Retail sales only projected to continue to increase by 1% annually, despite Greenville's continued growth

### Utility Franchise tax

- Collected by the state and distributed to cities quarterly
- Revenues are driven by consumption of electricity and natural gas
- Five-year average growth has been approximately 3.65%
- Will be eliminated as part of the 2013 Tax Reform, but will be replaced with a flat sales tax at 7%, and a portion will be reimbursed to cities
- Projected to grow 2% annually

### GUC Transfers in

- This revenue source is difficult to project because it can change throughout the budget cycle
- City Manager communicated with the GUC General Manager about the need to provide the City with more information for multiple years, so that the City can adequately prepare its budget
- The formula that dictates transfers from GUC to the City is in the GUC Charter and is based on annual net assets and liability



- A key factor in that formula is the timing in which GUC takes on debt

Next, Mr. Padgett discussed the expenses portion of the five-year financial projections. He said that staff examined expenses by department and spending category when determining the projections. According to the expense history, the spending categories have been flat, and are projected to remain flat throughout the next five years. Mr. Padgett said that the main expense categories include the following:

#### Personnel expenses

- Salaries have remained stagnant due to frozen positions
- Staff plans to unfreeze five positions in Fiscal Year 2015, assuming a 2% market rate increase and a greater demand for services due to population growth
- Staff also allocated five additional positions each year into the projection
- Health insurance has increased on an average of 7% over five years, with a projected 8% annual increase

#### Operating expenses

- Items loosely incorporated in operating budget include street lighting, utilities, fuel, fleet service costs, computers, insurance costs (excluding health care), and discretionary funds
- Some of the items are volatile and vary from year to year
- Overall projected increase in expenses of 1.5%

#### Capital improvements

- No consistent historic trend
- Expenses depend on available funds and project prioritization
- Projection for future years is based on current year data plus 1% growth

Mr. Padgett cautioned that the forecast does not include additional funding beyond historic levels for street and sidewalk improvements, facility maintenance needs, increased capital spending, or staffing for new or increased levels of service. He said that if these items are going to be addressed in an ongoing and sustainable manner, they must be thought through and addressed systematically.

BREAK

#### DRAFT TEN-YEAR FACILITIES MAINTENANCE PLAN

Public Works Director Kevin Mulligan said that the 10-year Facilities Maintenance Plan includes all existing City-maintained facilities for all departments of the City. Examples of the components within the Plan include:



- Office buildings
- Parks
- Golf course
- Operational facilities

Mr. Mulligan said that the total square feet of building space maintained by the City is about 550,000 square feet, and is maintained by the Public Works and Recreation and Parks Departments. The estimated value of these facilities is approximately \$75 million. Currently, City staff and contractors provide preventative, predicative, and emergency maintenance to the facilities. Mr. Mulligan said that the lack of a planning process and a funding shortfall have resulted in a backlog of major repair needs for the City's facilities. He pointed out that establishing a Facilities Maintenance Plan will provide the funds necessary to protect and maintain the City's investments. He stated further that preventative and predictive maintenance in conjunction with timely replacement of aging systems will sustain each facility's value and will reduce the number of emergency and reactive repairs, which are more costly. Mr. Mulligan said that this Plan will ensure that the City's facilities remain well maintained and meet the continual needs of Greenville's citizens and City employees. According to Mr. Mulligan, the average annual funding needed going forward is \$1.63 million per year over 10 years for facility improvements and \$650,000 for maintenance, for a total of \$2.28 Million. The average annual CIP/General Fund allocation for facility improvements has been \$1 million, while average annual maintenance funds have been \$650,000. Mr. Mulligan said that the existing shortfall is \$0.63 million annually. He presented two options by which the plan can be funded:

- Option 1: Provide \$5 million to address deferred maintenance problems now and combine the \$1 million from CIP/General Fund with \$650,000 for maintenance into Facilities Maintenance Fund. \$5 million of up-front funding will cover most of the deferred maintenance and allow existing annual allotment to address facility needs.
- Option 2: Increase Operating Budget annually by \$630,000 for Facilities Plan for next 10 years. Annual allotment would increase from \$1.65 million to \$2.28 million. This option would cost the City an extra \$1.3 million over 10 years. The \$1.3 million is the cost of not addressing the immediate needs in the first two to three years.

Mr. Mulligan pointed out that either option equates to a little more than a penny increase per \$100/Assessed Property Value. He also mentioned that this Plan does not address immediate needs, so the costs could increase. He said that staff's recommendation is for City Council to approve the concept of the 10-Year Facilities Maintenance Plan beginning with Fiscal Year 2014-2015, and give staff feedback on methods of funding the Plan in the future. He stated further that staff will bring back the Plan as part of the Proposed Fiscal Year 2014-2015 and Fiscal Year 2015-2016 Budget for consideration.



Upon conclusion of the presentation on the draft 10-Year Facilitates Maintenance Plan, City Council and the retreat participants moved into the Gallery.

#### SPOT MAP – STRENGTHS, PROBLEMS, OPPORTUNITIES, THREATS – OMITTED BY CONSENSUS DUE TO SCHEDULING CONCERNS

#### GOALS

Ms. Brenman instructed the participants to narrow down their larger goals from last night into smaller goals that can be accomplished in the short term. She began by examining the City's goals from last year, and reviewed staff's recommended revisions:

- **Economic Development:** To develop an economic climate that supports tax base growth and living wage jobs to foster fiscal sustainability for the delivery of City service
- **Infrastructure/combined with Public Transportation:** To promote a sustainable and accessible City through quality, efficient and well-maintained infrastructure
- **Neighborhood Quality:** To provide an environment that produces and maintains high quality neighborhoods that are attractive, well designed and sustainable, providing citizens a variety of housing choices
- **Quality of Life:** To build upon and enhance the quality of life of all citizens and visitors so that there is variety and equally accessible parks, recreation, entertainment, and other activities
- **Safe Community:** To provide citizens, visitors, and businesses with a safe community
- **City Organization:** To be a preferred employer that will attract, value, and retain a professional, motivated, and well-trained workforce
- **Fiscal Sustainability:** To create fiscal sustainability for the City by balancing resource allocation for short and long term needs

Ms. Brenman invited the participants to use clickers to indicate their reactions to the goals and staff modifications. The results were as follows, with the first percentage representing support, and the latter representing support with modifications:

- Economic Development – 86%, 14%



- Infrastructure/Public Transportation – 86%, 14%
- Neighborhood Quality – 86%, 14%
- Quality of life – 71%, 29%
- Safe Community – 100%
- City Organization – 86%, 14%
- Fiscal Sustainability – 86%, 14%

## LUNCH

## PERFORMANCE MEASURES

Ms. Brenman next briefly discussed performance measures with the participants. She pointed out that the City already utilizes performance measures within its departments, as well as when benchmarking against other cities. Ms. Brenman encouraged the participants to tie the use of those performance measures to the City's strategic decision making. Additionally, she instructed the participants to attach performance measures to each of the goal areas as they become more refined in order to gauge achievement. Since some performance measures cannot be completely controlled, Ms. Brenman suggested that the best practice is to have a group of performance indicators that City Council and staff could periodically monitor.

## DECISION FILTERS

Next, the participants developed a set of criteria for use by staff and City Council in deciding whether to move forward with particular tactics. The purpose of decision filters is to help City Council members and staff evaluate and prioritize action items during the strategic planning process, as well as in the ongoing business of the City. The criteria are listed below:

- Alignment with the City's mission, value, and goals
- Cost to implement
- Speed to implement
- Staff time required
- Additional staffing requirements
- Extent of impact on Greenville
- Impact on performance measures
- Long range effect (forward thinking/visionary)
- Citizen demand
- Degree of consensus among staff, experts, and City Council members



Next, she asked the participants to rate each decision filter on a scale of 1 to 7, with 1 being the least important factor in decision making and 7 being the most important factor in decision making. The majority results are as follows:

- Impact on Performance Measures: 6
- Long Range effect/forward thinking: 7
- Citizen Demand: 5,7 (tie)
- Degree of Consensus among staff, experts & council: 4,5,7 (tie)
- Cost to Implement: 4
- Speed to Implement: 4, 5 (tie)
- Staff time required: 5
- Additional staff required: 4
- Impact on City: 7

#### 2014 OPPORTUNITIES

Next, the participants identified the most important things that need to be done in order to accomplish the vision and goals that were set forth. They generated ideas for each of the goals and organized by time horizon between ideas that can be accomplished within the next year and items that can be accomplished over 2 to 3 years. Participants then dot voted to prioritize their ideas. Red dots represented top priorities and green dots represented other priorities. The following ideas were generated:

#### Neighborhood Quality

##### 1 Year Action Items:

- Set aside open park space as part of development (red)
- Neighborhood liaison/ombudsman (green)
- Landlord accountability (green)
- Keep a focus Code Enforcement (green)

##### 2-3 Year Action Items:

- Continue to keep a focus on Code Enforcement
- Policy discussions for neighborhoods
- Public facility and condition improvements
- Sidewalks in older communities
- CEPTED evaluation of neighborhoods
- Bonds for neighborhood improvement
- Evaluate factors and ways to increase homeownership



## Infrastructure

### 1 Year Action Items:

- Southwest Bypass (green)
- 10-year maintenance fund/fund the facilities maintenance fund (green)
- Sidewalk and street lights in older communities (green)

### 2-3 Year Action Items:

- Improve roads and traffic
- Reduce speeds on 10<sup>th</sup> Street (green)
- Review GUC efficiencies (green)
- Town Commons improvements
- Park set aside in new development
- South Greenville Gym project
- Integrate transit

## Forward Looking

### 1 Year Action Items:

- Development Standards (red)
- Town Common Bridge for pedestrians (green)
- Focus on becoming a more “healthy” city
- Maintenance plans

### 2-3 Year Action Items:

- Review traffic planning to prevent creation of congestion on service roads (green)
- Fully connected city with sidewalks and greenways
- Health insurance sustainability
- Bond pattern
- Increase in parks

## City Organization

### 1 Year Action Items:

- Allow City Manager to work with staff on City organization
- Implement progressive personnel policies
- Merit performance measures
- Respectful staff evaluations with accountability
- HR plan for future needs



- Adopt model of excellence

#### 2-3 Year Action Items:

- 4 year staggered City Council terms (green)
- Allow flex time and telecommuting
- Maintain full health benefits
- Offer competitive salary and benefits

#### Quality of Life

##### 1 Year Action Items:

- Town Common improvements (red)
- South Greenville Recreation Center (red)
- Performing Arts Center (DPAC-like), Swim and Dive facility, partner with ECU (green)
- Anti-tether law for dogs
- Expand cultural events throughout the City of Greenville
- Park Master Plan update

##### 2-3 Year Action Items:

- Fund and open State Theater (green)
- Respond to river study recommendations (green)
- Animal welfare emphasis and ordinances
- Addition of more greenways and crosswalks
- Development standards for sidewalks

#### Economic Development

##### 1 Year Action Items:

- Streets and roads (green)
- Connect workforce with jobs through transportation (green)
- Entrepreneur academy
- Establish sustainable businesses north of the river (red)
- Center City growth (green)

##### 2-3 Year Action Items:

- New Business Incubation Partnerships –economic strategic plan (red)
- Prepared resources that businesses can utilize
- Downtown anchor hotel with parking deck



- 1<sup>st</sup> Street promenade

### Fiscal Sustainability

#### 1 Year Action Items:

- Consider bond for parks and sidewalks (green)
- Continue with maintaining 14% fund balance policy
- Fees compared to other cities/gaming fees/fee differential resident versus non-resident/ Privilege fees on Big Box stores (green)

#### 2-3 Year Action Items:

- Find other options to collect revenue from properties not on City's tax rolls
- Benefits strategy
- 16% (2 month reserve)

### Safe Community

#### 1 Year Action Items:

- Education and awareness regarding animal welfare, human welfare, and community caretaking (green)
- Slower traffic on 10<sup>th</sup> Street
- Red light timing
- Improve traffic flow/enforcement
- Improve response times for police and fire/ems
- Increased lighting and cameras
- ROSC (CPR training)
- Youth program inventory
- Improve communication system between City, County, and other municipalities
- Building codes that encourage CPTED

#### 2-3 Year Action Items:

- Reduce City's Part 1 crimes by 10% (2018)
- Fire station in southwest Greenville
- Vehicle storage facility



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**PLANNING SESSION WRAP-UP**

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City Manager Lipscomb thanked Ms. Brenman and Mr. Miller for their facilitating services and thanked the City Council and City staff for their time and attention throughout the Planning Session.

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**ADJOURNMENT**

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There being no further discussion, Council Member Smith moved to adjourn the meeting. Council Member Croskery seconded the motion, which was approved by unanimous vote. Mayor Thomas declared the meeting adjourned at 3:22 pm.

Respectfully submitted,

A handwritten signature in black ink that reads "Carol L. Barwick". The signature is written in a cursive style and is set against a light blue rectangular background.

Carol L. Barwick, CMC  
City Clerk

PROPOSED MINUTES  
MEETING OF THE CITY COUNCIL  
CITY OF GREENVILLE, NORTH CAROLINA  
MONDAY, MARCH 17, 2014



The Greenville City Council met in a regular meeting on the above date at 6:00 p.m. in the Council Chambers, third floor of City Hall, with Mayor Allen M. Thomas presiding. The meeting was called to order, followed by the invocation by Council Member Richard Croskery and the Pledge of Allegiance to the flag.

Those Present:

Mayor Allen M. Thomas; Mayor Pro-Tem Calvin R. Mercer; Council Member Kandie D. Smith; Council Member Rose H. Glover; Council Member Marion Blackburn; Council Member Rick Smiley; and Council Member Richard Croskery

Those Absent: None

Also Present:

Barbara Lipscomb, City Manager; David A. Holec, City Attorney; Carol L. Barwick, City Clerk; and Polly Jones, Deputy City Clerk

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**APPROVAL OF THE AGENDA**

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City Manager Barbara Lipscomb informed the City Council of one change to the agenda, stating that the Affordable Housing Loan Committee has requested the rescheduling of their presentation to April 7, 2014.

Motion was made by Council Member Blackburn and seconded by Council Member Glover to approve the agenda with the requested change. Motion carried unanimously.

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**PUBLIC COMMENT PERIOD**

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No comments were made during the Public Comment Period.

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**CONSENT AGENDA**

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City Manager Barbara Lipscomb introduced the following items on the Consent Agenda:

- Minutes from the March 7, May 9, and May 13, 2013 City Council workshops and the August 8 and September 9, 2013 City Council meetings



- Encroachment agreement with Brentwood Homeowners Association to encroach upon the public street right-of-way of Kirkland Drive to construct two column type subdivision name signs
- Resolution endorsing the negotiation of definitive agreements for the sale of certain generating assets owned by North Carolina Eastern Municipal Power Agency to Duke Energy Progress, Inc. and for power supply (Pulled from the agenda and placed at the beginning of the agenda for discussion) (Resolution No. 011-14))
- Contract award for auditing services
- Report on contracts awarded
- Various tax refunds greater than \$100

Motion was made by Council Member Smith and seconded by Council Member Blackburn to pull the resolution endorsing the negotiation of definitive agreements for the sale of certain generating assets owned by North Carolina Eastern Municipal Power Agency to Duke Energy Progress, Inc. and for power supply from the Consent Agenda and to place this item at the beginning of the agenda for discussion. Motion carried unanimously.

Motion was made by Council Member Blackburn and seconded by Council Member Glover to approve all of the remaining items on the Consent Agenda. Motion carried unanimously.

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**NEW BUSINESS**

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RESOLUTION ENDORSING THE NEGOTIATION OF DEFINITIVE AGREEMENTS FOR THE SALE OF CERTAIN GENERATING ASSETS OWNED BY NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY TO DUKE ENERGY PROGRESS, INC. AND FOR POWER SUPPLY (Resolution No. 011-14)

Council Member Smith stated that she would like to make sure that what the City is doing with this item is explained in detail. The public should not feel that the City is in any way accepting any agreements or terms at this time as far as the purchasing of the City's assets is concerned.

City Manager Lipscomb stated that there are 32 municipalities involved in this situation, and presentations have been made to them. Electricities has asked each of the municipalities to provide the resolution of support for entering into negotiations. No decisions have been made and the adoption of the resolution is only to state that the North Carolina Eastern Municipal Power Agency (NCEMPA) and Duke Energy Progress, Inc. will sit down and discuss potential sale of the nuclear power assets.



Upon being asked about the negative, if all of the cities do not adopt this resolution, City Manager Lipscomb responded that she is unaware of a negative, if all of the cities do not adopt a resolution. In order to move forward with any agreement, all of the 32 communities have to finally approve the agreement.

City Attorney David Holec stated that they are in the process of negotiating, and the resolution gives them some strength to show to DEP that all of the cities that are members of ElectriCities also endorse the negotiation. It is not a commitment towards any agreement that may be reached, and the City still reserves the right to act on that at a later time.

Council Member Smith stated that it sounds as though if the City does not support this resolution, the City does not support the sale. Whether or not the City Council adopts the resolution, NCEMPA and DEP are already negotiating, and that should not be the case.

Council Member Blackburn stated that when the City Council approves the resolution, the City is tacitly agreeing to a conversation about selling its assets. That is an important distinction.

City Attorney Holec stated that the City Council would be adopting a resolution endorsing the discussions and then has the opportunity to evaluate that at a later time. If the negotiations result in something that the City Council considers favorable, it is something that the City Council should consider. The resolution is agreeing for negotiations to go forward so that the City Council has a proposal to consider.

Upon being asked whether that implies that the City Council is approving a conversation about selling the City's assets, City Attorney Holec responded that it more than implies, it states that the City Council is doing that. It agrees to the negotiations with the understanding that if the result of the negotiations is something that is favorable to the City, it would be something that the City Council will consider and potentially approve.

Upon being asked whether the submittal of an adopted resolution from each of the 32 cities is required before a final deal could go through, City Attorney Holec responded yes.

City Attorney Holec read the resolution as requested by Mayor Thomas.

Motion was made by Council Member Croskery and seconded by Council Member Blackburn to adopt the resolution endorsing the negotiation and definitive agreements for the sale of certain generating assets owned by North Carolina Eastern Municipal Power Agency to Duke Energy Progress, Inc. and for power supply. Motion carried unanimously.



## PRESENTATIONS BY BOARDS AND COMMISSIONS

### Affordable Housing Loan Committee

This presentation was withdrawn from the agenda and rescheduled to April 7, 2014.

### Youth Council

Ashish Khanchandani, Chairperson of the Greenville Youth Council and a senior at J. H. Rose High School, stated that this board was created August 11, 2005 for high school students. Members of the Youth Council want Greenville to be a community where all youth can have a voice and will have opportunities to participate in their community. The Youth Council sponsored and/or participated in the following:

1. Regional Science and Engineering Fair is a science fair hosted by East Carolina University. The Youth Council volunteered by ushering students and judges to and from different rooms and helping to setup for the event. It was a rewarding experience that allowed each member to understand the importance of small acts of community service, which is an example that the Youth Council tries to set for the youth in the community.
2. Project Unify - Regional YES Summit is an organization whose purpose is to unite a community in an effort to interact with students with special needs. This initiative is currently only in a handful of schools around the state. Efforts of the Youth Council were to get more schools involved. The Youth and Educators Summit invited numerous schools from Eastern North Carolina to J. H. Rose High School to learn more about Project Unify and how it can be implemented in their schools. The summit consisted of seminars that explained Project Unify and its purpose and activities associated with the initiative. All of the attendees were able to interact with the special needs students by playing kickball and soccer. This initiative displays the true meaning of unity, inclusion and cohesiveness between the community and students with special needs.
3. Family Support Network of Eastern North Carolina is an organization that provides emotional support and resource information for families of children with special health care needs, developmental delays, and for parents who have experienced the death of a child. The Youth Council participated in their Festival of Christmas Trees. The Youth Council's theme was Winter Wonderland and the members decorated a tree with blue and silver ornaments. In addition, the members of the Youth Council raised and contributed \$250 to the organization.
4. Childhood Obesity Awareness Month. September is observed as childhood obesity awareness month. The Youth Council and Dr. David Holder of East Carolina University sponsored a community dialogue to raise awareness on the issues of childhood obesity. One in three children in the United States is overweight or obese. Childhood obesity puts children at risk for health problems that were once diagnosed only in adults, like type 2 diabetes, high blood pressure and heart disease.



Childhood obesity can be prevented if communities, health professionals, and families work together to create opportunities for children to eat healthier and to move more.

RESOLUTION AMENDING THE MEMBERSHIP OF THE YOUTH COUNCIL (Resolution No. 012-14)

Ashish Khanchandani, Chairperson of the Greenville Youth Council, gave the purpose of the Youth Council and presented the recommended changes to the membership of the Youth Council. He stated that when this board was created, appointments were made by the City Council as recommended by the students' respective high schools within Pitt County. The resolution that created the Youth Council was later amended to include students from home schools and one member from each of the four private schools opening in Pitt County at the time which were Trinity Christian School, Greenville Christian Academy, Calvary Christian and the Oakwood School. Since 2005, additional private high schools have been established in Pitt County. However, the participation on the Youth Council by the students from private high schools within Pitt County is limited to the schools. The proposed amendment will allow the appointment of up to five members from any of the private high schools and/or home school students within Pitt County. At their meeting on February 5, 2014, the Human Relations Council voted to recommend the following membership provisions to the Youth Council for their consideration.

1. The Greenville Youth Council shall be composed of 20 members as follows:
  - (a) A total of fifteen (15) representatives from the Pitt County public high schools of which there may be no more than three (3) representatives from each Pitt County public high school;
  - (b) A total of five (5) representatives from private schools, charter schools, and home schools located in Pitt County of which there may be no more than one (1) representative from each school.
2. Students wishing to serve on the Greenville Youth Council shall submit an application seeking appointment. The application shall be signed by the student and the parent or guardian of the student. Additionally, for students seeking appointment as a representative of either a public high school or a private school, the application shall be signed by the principal (or their designee) of the public high school which is being represented by the student or the principal, or equivalent position (or their designee) of the private school which is being represented by the student. City Council makes the appointment.

At its meeting on February 24, 2014, the Youth Council approved unanimously to revise their membership as recommended by the Human Relations Council.



Motion was made by Council Member Glover and seconded by Mayor Pro-Tem Mercer to adopt the resolution amending the membership of the Youth Council. Motion carried unanimously.

### REPORT ON 2013 CITIZEN SURVEY FINDINGS

Communications Manager Steve Hawley presented the final results of the 2013 Citizen Survey, stating that preliminary results were provided to the City Council at the January 2014 Planning Session. A few items are still outstanding, such as the GIS data that staff is expecting back from ETC Institute, which is the company responsible for conducting the survey and doing benchmarking against other communities.

The purpose for the survey was to find out how City government is providing services presently and to find a way to engage satisfaction levels with residents over time and to be able to compare that to other cities. The survey results will serve as a tool to be used in planning, budgeting and administration.

There were some issues with demographics as the survey results were coming in; however, presently the demographics are much better than they were in January 2014. The ages of the respondents are closer to the census data. 6,000 surveys were mailed in order to get at least 800 surveys back, and 843 completed surveys were received. The census data indicates that the City has a larger population that is under 35 years old, and the demographics are older in this survey than they are in the census data. ETC Institute takes the respondents' answers and gives them a little more importance and value to more accurately get a more statistically valid sample. It is at a 95 percent level of confidence, which is the highest that the company can obtain, with a 3.4 percent margin of error. Staff is excited that the demographics for race and ethnicity accurately match up with the census data. In January 2014, the preliminary results of demographics for the respondents' race and ethnicity was 65 percent Caucasian and 27 percent African-American. ETC Institute looked at the data and demographics that were coming in as well as the census tract data and figured out where the City is lacking the right demographics. Then the company made telephone calls actively seeking those demographics to make them work out (56 percent Caucasian and 37 percent African-American). Some of the current survey information is very similar to what was presented in January 2014.

There is a fairly high level of satisfaction with the quality of services that the City of Greenville provides. 63 percent of the citizens are satisfied or "very satisfied" with the *overall quality of the services provided by the City*. *Overall quality of life in the City and appearance of the City* are both at 50 percent. *How well the City is planning for growth* is at 30 percent and 28 percent of the citizens feel satisfied with the *overall value received for City taxes and fees*.

The same questions were benchmarked against communities in the Southeast region (Georgia, Florida, North Carolina, South Carolina, etc.), and Greenville is exceeding national and regional levels as far as *overall quality of City services provided* is concerned. Greenville



is doing better than other cities for the most part. The big disconnect is the *value received for City tax dollars/fees* is at 28 percent and most of the other cities are in the 40 percent range. *Overall quality of life in the City* is below the averages for regional and national levels. Greenville is close at 40 percent with other cities for *how well the City is planning for growth* and is low in *overall appearance of the City* at 50 percent.

Another thing that was done was to compare Greenville to other university communities facing similar challenges. Greenville is certainly not the lowest, but it is below average at 28 percent for *value received for local tax dollars/fees*. Greenville is above average in the *quality of City government services* provided in university communities. However, the City is not doing as well for *how well the City is planning for growth* and *overall quality of life in the City*.

The overall satisfaction with specific services was another question on the survey. The *Fire/EMS Services* ranked the highest at 88 percent; the *quality of trash, recycling and yard waste collection* was up in the 80 percent range; and *customer service* was very high in the 76 percent range. Regionally and nationally, Greenville is close to the percentages of other cities when considering the *maintenance of city streets, sidewalks and infrastructure*. As far as *effectiveness of communication with the public*, Greenville is higher than the regional and national averages. *Management of traffic flow* and congestion is lower than the averages, but one of the things that Greenville does not have much control over is the high number of State roads. *Trash and yard waste services* ranked very high and *stormwater management* is doing fairly well. The City's *parks/recreation programs and facilities* are above the regional average. *Customer service* is high at 70 percent, and citizens are "very satisfied" with how they are being treated by the City staff. The *enforcement of codes and ordinances* is also above the average.

In comparison to those two other university communities, Greenville is appearing to be doing well in government *communication* and *quality of customer service* and is close to the averages for *maintenance of city streets* and the *quality of fire services, parks and recreation programs and facilities* as well. Also, the ETC Institute was able to take that level of satisfaction and combine it with the importance of those services, and citizens were able to rank their top three important services.

The company provided graphs for that data because the City wants to improve its services especially where the level of satisfaction is relatively low and to be aware of whether the importance of those services is relatively high or low. Using the importance-satisfaction assessment matrix, the top choices by the citizens where the City is doing really well are the *Fire/EMS services, trash, recycling, and yard waste collection, and police services*. A high importance and low satisfaction item is *overall management of traffic flow on City streets*. There is still confusion on most people's mind whether a street is maintained by the City or State and the City can work with the State to identify those streets. The lower importance and higher satisfaction items are *overall customer service provided by the City* and *overall quality of the recreation and parks programs and facilities*. Public safety in regards to *how quickly police respond to emergencies* is rated good and there is room for improvement for



the *City efforts to prevent crimes and frequency that police patrol your neighborhood*. This is the type of data that Chief of Police Aden is always talking about using so that how the Greenville Police Department (GPD) delivers its community oriented policing can be specifically targeted. Staff has had discussions with him about sharing this data and it will be extremely helpful especially when staff receives the GIS data, which GPD is already using for their crime statistics. The *walking and bicycling trails in the City* is the one thing in the recreation and parks category that is noted relatively high importance, but not as high with satisfaction. The City is doing very well with the *maintenance and appearance of existing City parks* and the *variety of recreation programs and classes offered*. The City's *maintenance of streets, timing of traffic signals, and how quickly street repairs are made* are rated at a high level of importance and low level of satisfaction.

The City added its own questions to the survey dealing with potential funding and the importance of those investments. The highest reports for continued investments in projects were for *the City's streets and sidewalks, improvements to Police and Fire/EMS facilities* as well as *upgrades to public facilities* (public buildings, parking lots, and stormwater and/or drainage). The survey results for the willingness to support a bond referendum or additional funding for various reasons were "willing" and "very willing". The highest numbers were for *improve maintenance of streets and sidewalks* and *improve Police and Fire/EMS facilities*. Below the 50 percent mark for the "willing" and "very willing" are *improving existing parks and open spaces, upgrading public facilities* and *improving Uptown (downtown) Greenville*.

Communications Manager Hawley stated that the final report with all of this information presented this evening and more will be available on the City of Greenville website starting tomorrow.

Upon being asked once the company reviewed the demographics and called citizens to get more participation in the survey, was that including calling the citizens' cell phone numbers or the company only called their house telephones, Communications Manager Hawley responded that staff told the company that the survey had to be statistically valid and he is unsure of how the company went about doing it. The company used the information in the City's database, which is a different database, to gather telephone numbers, addresses, etc. to make sure that they were getting the right number of people in each census tract. Cell phone numbers are tied to addresses and billing systems, however, he is not 100 percent sure that the company used cell phone numbers.

Upon being asked if staff has a copy of the survey, Communications Manager Hawley responded a copy of the survey will be available at the City's website as part of the final package.

Upon being asked if residents of apartment complexes were included as participants in the survey, Communications Manager Hawley responded yes.



Mayor Pro-Tem Mercer stated that certain geographical areas of the City will have different experiences and issues; therefore, there will be different opinions and responses to an instrument like this.

Upon being asked whether that data is available for the Council Members and public to retrieve by geographical areas, Communications Manager Hawley stated the GIS Technician of ETC Institute had heart surgery in January, and he returned to work recently. That is why staff is waiting for those GIS files because they show the satisfaction levels by census tracts. For example, if Chief of Police Hassan Aden wants to know where do you feel safe or where there is not enough police presence in a neighborhood, the data will be shown by census tracts exactly where satisfaction levels are. That type of information will be extremely helpful for the administration to go through and assess where they can do better with services.

Upon being asked once that information is pulled out will it also be available at the website or upon request, Communications Manager Hawley responded that additional information will be online as well. ETC Institute informed him that the information will be submitted to staff by the end of the week, and it will be published at the City's website by Monday, March 24, 2014.

Upon being asked where at the website will someone be able to access the information, Communications Manager Hawley responded that the information will be placed under the City Manager's Office. Also, staff will create links at the main web page for the public's easy access.

RESOLUTION TO AUTHORIZE AND ISSUE SPECIAL OBLIGATION REVENUE BONDS FOR THE GREENVILLE CONVENTION CENTER RENOVATION AND EXPANSION, RESOLUTION CALLING FOR A PUBLIC HEARING AND MAKING FINDINGS CONCERNING AN INSTALLMENT AGREEMENT TO FINANCE THE CITY'S PARKING DECK, AND A REIMBURSEMENT RESOLUTION WHICH INCLUDES THESE FINANCINGS AND SANITATION EQUIPMENT (Resolution Nos. 013-14, 014-14, and 015-14)

Director of Financial Services Bernita Demery stated that adoption of three resolutions by the City Council are required so that staff may move forward with the process of issuing debt for the Convention Center renovation and expansion, the City's uptown parking deck, and the Sanitation equipment over a three-year period. The Convention Center improvements and expansion are not expected to exceed \$4.2 million. Debt for this project would be repaid by occupancy taxes with no property tax or other governmental revenues going toward the debt service. The amount for the parking deck is not expected to exceed \$4.2 million. The sanitation equipment was primarily the roll-out carts needed to support the five-year plan to eliminate backyard service. Debt would be issued over a three-year period and would be repaid by the Sanitation Fund.

Director of Financial Services Demery asked that the City Council adopt a resolution calling for a public hearing on the parking deck and authorizing her to apply to the Local



Government Commission (LGC) and authorize transactions on behalf of the City for these financings.

Council Member Blackburn stated as a former member of the Convention and Visitors Authority, she is aware of where occupancy taxes are typically spent.

Upon being asked if occupancy taxes were diverted to pay for a \$4.2 million bond and what things typically covered will not be supported, Director of Financial Services Demery responded that \$.04 of the \$.06 occupancy tax has always been committed for debt service, although with recent existing debt, they have been able to use a penny of that for marketing. The remaining \$.03 will be sufficient to pay the debt service because the LGC is allowing this to be set up so that when the debt rolls off from the initial building, more can go toward the principal after that time making the initial cost only about \$200,000 annually. That amount is covered by the \$.03.

Upon being asked if the City has basically retired the debt, Director of Financial Services Demery clarified that the original debt will not be fully retired until 2021, but the new debt will be structured to delay some of the principal on the new renovations to make sure that the City is covering that old debt service.

Upon being asked if this has any impact on the Convention and Visitors Authority money, Director of Financial Services Demery responded it does not, and they will still have \$.02 of the \$.06 to operate, and \$.01 will still be used for marketing.

Council Member Smiley stated he was in a meeting where it was stated there was value engineering going on with regard to the parking deck.

Upon being asked if there is confidence about the construction of the parking deck not being expected to exceed \$4.2 million, City Manager Lipscomb responded that there are a number of options to select from with the parking deck and staff will strive to bring this in within the recommended amount, and if unable to do so, it will come back to the City Council. She stated it will be impossible to know with certainty until all the bids have come in.

City Engineer Scott Godefroy stated that the prefabricated portion of it is about \$1.8 million. The bids are out and will be received tomorrow, and by Thursday, staff will have an idea of where the City stands, but the City's base bid is \$4.2 million and there are other added alternates in the bid. The base bid is being considered first in order to get that under budget, and hopefully, the alternates will come in so that they will be added in the budget as well.

Council Member Croskery stated that there are citizens in his district who live adjacent to the Convention Center site and he has met with them. They are concerned that not only is the City adding bricks, paints, etc. to make it look nice, but there is an intention, and



hopefully the City will fulfill it, to increase the density of the vegetation buffer between that facility and the surrounding neighborhood.

Upon being asked about the debt service on the parking deck and the number of years, Director of Financial Services Demery responded that the City is looking at 15 years on the parking deck knowing that it will last longer. However, that is basically what the banks will probably do and the debt service is \$400,000 a year with principal and interest.

Upon being asked if there is revenue associated with that as well, Director of Financial Services Demery responded that there will be. Hopefully, the revenue will help with some of the minimum upkeep, but it is not anticipated that will be a large contribution toward the debt service.

Upon being asked if this in any way encumbers the City from a voter approval bond or GO bonds, Director of Financial Services Demery responded that it does not. The special obligation bonds are outside of the General Fund and they have their own revenue source. The Sanitation Fund has some revenue so the only thing is the parking deck, but the City is way below its debt capacity at \$30 million and the City's debt capacity has fluctuated up closer to \$65-\$75 million.

Upon being asked with the Sanitation part of the bond, is the debt going to be serviced by Sanitation fees and not the General Fund, Director of Financial Services Demery responded that is correct and there are fee increases in that five-year plan. As far as debt is concerned, the maximum has been \$65-\$70 million at a time and that is not the legal maximum, which is closer to \$300 million and the City does not expect to go anywhere near that.

Motion was made by Council Member Croskery and seconded by Council Member Blackburn to adopt the resolutions approving the proposed financing of the Special Obligation Revenue Bonds for the renovation and expansion of the Convention Center, the Installment Financing Agreement for the City's uptown parking deck, and any reimbursements to the City. Motion carried unanimously.

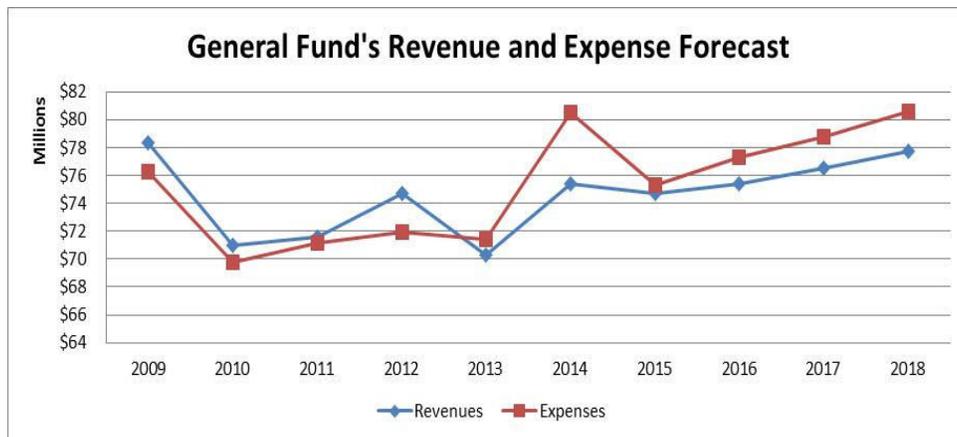
#### PRESENTATION OF DRAFT CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2015 THROUGH 2019

Assistant City Manager Chris Padgett stated that a Capital Improvement Program is a multi-year decision making tool that assists in prioritizing capital needs, guiding capital investments and maximizing limited resources. A capital improvement is equipment greater than \$35,000 with a useful life of at least five years; and capital improvements are all projects that cost more than \$10,000 and have a useful life of at least 10 years. If a particular need does not fall within these criteria, it typically falls back to departmental targets or departmental budgets or what staff calls capital outlay, which is classified a little differently.



Assistant City Manager Padgett described the process that is used to develop the draft of the Capital Improvement Program (CIP), stating it begins with an assessment of needs by the City departments. Many of the departments review plans or documents that they have and rely on their interactions with the public throughout the year. Each project in the CIP has a worksheet associated with it with a lot of thought and detail that goes into it. The departments submit their requests to the Capital Improvement Projects Committee, which consists of the City Manager, Assistant City Manager, and the Director of Financial Services. The CIP Committee reviews the requests and the Financial Services Department spends quite a bit of time formatting and getting those requests into a system where there would be summary pages such as the ones in the City Council’s packets. Then the CIP Committee meets with the departments to discuss and understand what their priorities are or which ones might arise to the level of absolute needs versus desires versus wish list items. The plan is then submitted to the City Council for discussion and consideration and that is the point where the CIP Committee is this evening.

Assistant City Manager Padgett stated that the Committee looked at the City’s traditional spending patterns and tried to project if the City continues to spend the same dollars and provides the same services in the same manner with the same kind of capital outlay, how does this look with the expenses versus the revenues. The following chart shows the projected deficits over the next five years with the deficit growing each year, and this is really from an operational perspective:



This means that the revenues are not growing at a rate to address all of the needs. For the General Fund (GF), there are 4 primary categories of capital improvements:

- Vehicles and Equipment  
Vehicle Replacement Fund
- Transportation  
Street paving, sidewalks, traffic lights, pedestrian crossings, etc.



- Maintenance of Existing Facilities  
Facilities Improvements Plan

- New Capital/Projects

New parks and facilities and various other departmental needs

The City's goal is to have dependable and sustainable funding over time for all of these categories of capital improvements. The City wants to have a system that it can rely upon to be able to fund these categories and at this point it does not have that. Historically, the City has not had the resources to fully fund each of these four categories with the exception being the Vehicle Replacement Fund (VRF), which has been fully funded over multiple years.

The Committee's approach for this CIP is to continue to fund the Vehicle Replacement Fund and to attempt to fund the Maintenance of Existing Facilities including the plan for the facilities improvements. Partial funding would be provided on the Transportation side, but there is no funding showing in this current plan for any of the New Capital/Projects. For Transportation, some funding is shown for street paving, but not near the amount needed for a 20-year resurfacing schedule.

No funding is depicted for new capital from the GF other than funds previously approved (like the Greenville Transportation and Activity Center (GTAC)). There is funding for various projects from the Sanitation and Stormwater Funds which operate outside of the GF and have their own revenue streams.

Assistant City Manager Padgett summarized the proposed funding sources for the various projects, stating that the GF is the City's primary operating fund. The Powell Bill is the dollars received from the State based upon Greenville's population and street miles and those dollars are to be used for various street maintenance activities. The Sanitation Fund is an enterprise fund, in which the City receives fees for service from customers, and it should be a self-sustaining separate fund and the same is for the Stormwater Utility Fund. The VRF is an internal service fund which means that all of these other funds pay dollars into it annually from their budgets to develop the work plan for the VRF year after year. Bonds are a potential financing tool, and ultimately the Debt Service Bonds are paid from one of the previously mentioned funds. The Facilities Improvement Program is a mechanism of capturing a lot of different types of costs and the funding for that particular program is primarily the GF. Then, of course, the City is always looking for grant opportunities (Grants/Other Sources) for capital projects.

Assistant City Padgett explained the CIP Overview for 2015-2019 and then provided information regarding the CIP 2015 and 2016 CIP separately. He stated that at a high level, the five years of the plan include approximately \$99 million of requests. There is a four-year proposal for funding of \$49.9 million leaving \$49.1 million as unmet. The major items included as met are the following:



- Vehicle Replacement Fund - \$18.3M
- Facilities Improvement Program - \$13M
- Town Creek Culvert - \$7.3M
- Greenville Transportation Activity Center - \$7.7M

Capital Improvement Program - 2015

In the first year of the plan, which will be the City's upcoming budget year of 2015, there are \$29.3 million of requests and the Committee is proposing \$20.2 million for funding leaving \$9.1 million unmet. The major items included as met are the following:

- Vehicle Replacement Fund - \$2.9M
- Facilities Improvement Program - \$2.6M
- Town Creek Culvert - \$7.3M
- Watershed Master Plans - \$3.0M
- Other Stormwater Projects - \$704K
- Greenville Transportation Activity Center - \$2.7M
- Street Resurfacing - \$600K

\$11 million of the \$20 million funded are projects funded by the Stormwater Fund. 90 percent of the funding for the GTAC comes in the form of grants, and the Street Resurfacing is funded by the Powell Bill. As far as the GF impact, it is the VRF and the Facilities Improvement Program.

Most of the CIP projects are addressed in the FY 2015 funding for the Facilities Improvement Program. For the first year, there is \$2,626,500 allocated and the following shows how those dollars are allocated by department:

<u>Department</u>	<u>Amount</u>
Fire/Rescue	\$ 50,000
Police	\$ 700,000
Public Works	\$ 250,000
Recreation/Parks	\$1,488,500
Library	<u>\$ 140,000</u>
 Total	 = <u>\$2,728,500</u>

The following list of specific projects of the FY 2015 funding for the Facilities Improvement Program includes everything from roof and HVAC replacements to installing new playground equipment to painting and installing carpet in various facilities:



<b>FY 2015 Funding - Facilities Improvement Program</b>	
<b>Specific Projects</b>	<b>Amount</b>
Roll-up door replacement at Fire Stations 3 and 4.	\$50,000
Police - Fire/Rescue Headquarters generator replacement.	\$700,000
IGC School Building Roof Replacement	\$175,000
Public Works Roof Repairs - Buildings B, C, D and E	\$75,000
Carver Library Carpet	\$45,000
Main Library Envelope, Exterior and Interior Paint	\$95,000
HVAC Equipment Replacement - Boyd Lee Rec. Center, Bradford Creek Clubhouse, Elm Street Center, Eppes Rec. Center, and River Birch Tennis Center	\$82,500
Roof Replacements - Eppes Rec Center, Guy Smith Stadium and	\$150,000
Fencing Replacement - Thomas Foreman Park and Westhaven Park	\$35,000
ADA Renovations - Town Common amphitheater, River Birch Tennis Center, Elm Street Park,	\$211,000
Aquatics and Fitness Center Renovations - Renovate showers and restrooms, carpet and tile replacement, interior plumbing and ADA repairs	\$185,000
Boyd Lee Park/Center Renovations - Replace exterior doors, replace plaza lighting, drainage, and furnishings, parking and drive improvements	\$77,000
Community Pool - Replace primary water line and ADA renovations.	\$39,000
Eppes Recreation Center - Replace concrete stairs and railing, reseal and restripe parking lot, improve drainage, regrade and repave rear access road	\$93,000
Guy Smith Stadium - ADA renovations	\$266,000
Sports Connection Renovations - Replace electrical components of batting machines.	\$14,000
River Park North - Playground replacement, paddleboat dock replacement, park entrance road paving.	\$213,000
Various other facility repairs and renovations	\$40,000

Some of the items that are not funded or partially funded in the above list are the following:

- Street Resurfacing and Sidewalks - \$2.1M
- Town Common Improvements - ???
- Renovation of the Uptown Theater - \$2.5M
- Viper System Upgrade (Police) - \$250K
- Various Technology Needs (IT) - \$404K



- Cotanche to Reade Alley Improvements - \$275K
- Comprehensive Plan Major Review - \$200K
- Various R&P Facility Improvements (R&P) - \$491K

\$600,000 is showing for street resurfacing and sidewalks, but the City still has that deficit and is still not at a sustaining level overtime to meet its needs. So, the City has \$2.1 million unfunded. The Committee was not sure how to put the Town Common Improvements on the list; therefore question marks are showing for that item. The Committee knows that there is a public discussion taking place and the Redevelopment Commission is scheduled to meet soon and will be discussing how big of a sizable amount that the City is looking potentially to take on and if so, how might that be funded. The Community Development Department submitted the Renovation of the Uptown Theater as a CIP project recognizing that the desire to finally move that project forward to fruition. The Police Department requested the Viper System Upgrade as importance and is a part of its communication and currently it is listed as unfunded. There are some technology needs and the Cotanche to Reade Alley improvements recognizing the investment that is being made in that block. A major overview and revision of the City's Comprehensive Plan is scheduled to be initiated in 2015 and the way that will probably be done best would be to have a consultant to work with the community on what they want in a Comprehensive Plan. Some of the various other Recreation and Parks Facility Improvements related to existing facilities that need improvements did not meet the criteria for the Facilities Maintenance Plan, and those are shown on the above list as well.

Capital Improvement Program - 2016

2016 will be the City Council's plan year for the City's biannual budget. Requests have been received totaling \$20.9 million and the proposed funding is \$11.6 million, and \$9.3 million is proposed as unmet. The major items included as met are:

- Vehicle Replacement Fund - \$2.8M
- Facilities Improvement Program - \$2.3M
- Stormwater Projects - \$639K
- Greenville Transportation Activity Center - \$5M
- Street Resurfacing - \$525K

The following list of improvements is by departments with the Recreation and Parks Department receiving most of the dollars:

<u>Department</u>	<u>Amount</u>
Fire/Rescue	\$ 35,000
Police	\$ 330,000
Public Works	\$ 140,000
Recreation/Parks	<u>\$1,768,000</u>
 Total	 = <u>\$2,273,000</u>



Regarding the specific projects listed under the FY 2016 Funding – Facilities Improvement Program, a number of buildings are in need of roof replacements. The secondary cost of leaking roofs is the trouble caused inside the facilities that the City is having to address at the Eppes Recreation Center, Boyd Lee Recreation Center, Green Springs Park Shelter and the Aquatics and Fitness Center. That is \$579,000 worth of roof improvements. As the City develops the greenways, it must take care of them and they are included in this facility plan. Also, a boiler is scheduled for reconstruction as a part of this.

<b>FY 2016 Funding – Facilities Improvement Program</b>	
<b>Specific Projects</b>	<b>Amount</b>
Fire Station 2 – Repave parking lot.	\$35,000
Police - Fire/Rescue Headquarters roof replacement	\$180,000
Police - Fire/Rescue Headquarters garage door replacement	\$150,000
Municipal Building Interior Painting	\$35,000
Public Works Fleet Heating System	\$75,000
Public Works carpet replacement – administrative area	\$30,000
HVAC Equipment Replacement – Barnes-Ebron-Taft Building, Boyd Lee Rec. Center, River Park North, Sports Connection	\$60,000
Roof Replacements - Eppes Rec Center, Boyd Lee Rec. Center, Green Springs Park shelter, Aquatics and Fitness Center	\$579,000
Athletic Facility Lighting – Tennis courts and two softball fields at Evans Street Park	\$378,000
ADA Renovations – ADA restroom renovations at Perkins facility.	\$30,000
Playground Replacement – Peppermint Park	\$90,000
Boyd Lee Park / Center Renovations – Paint interior and exterior, exercise station replacement, ADA renovations	\$102,000
Bradford Creek Public Golf Course – Bulkhead replacement at pumphouse, bank stabilization on holes 6 and 12, fairway drainage repairs	\$133,000
Guy Smith Stadium – Replace portion of stadium roof, paint interior and exterior of facility, caulk interior and exterior of structure	\$153,000
Sports Connection Renovations – HVAC improvements, replace gym flooring system	\$115,000
River Park North – Parker’s Creek bridge renovation	\$35,000
Green Mill Run Greenway – bridge reconstruction	\$85,000
Various other facility repairs and renovations	\$8,000

Major items that are not funded or partially funded in the 2016 CIP are the following projects:



- Street Resurfacing and Sidewalks - \$2.2M
- South Greenville Recreation Center Reconstruction - \$2.2M
- Imperial Center Site Acquisition - \$1M
- Land Acquisition Fund (Recreation and Parks Department) - \$150K
- Various Technology Needs (Information Technology Department) - \$386K

With the street resurfacing and sidewalks, there is a deficit there. The South Greenville Recreation Center Reconstruction is a project that is important to all of the Council Members. The City has the funding to begin the design of that facility reconstruction. Staff is looking forward to collaborating with the Board of Education. Ultimately, there will be a need for the dollars to do the project and right now that is listed as an unfunded need. The City acquired the Imperial Center Site Acquisition property for \$1 and the City is having it cleaned up with a Brownfield grant through the EPA. Once it is cleaned up, it can be reverted back to the property owner or the City has an option to purchase the property and possibly flip it into the hands of a third party, who will then develop it to provide tax base. \$1 million is shown here as an unmet need and all the details will have to be worked out. This request was submitted by the Community Development Department. The Land Acquisition Fund in the amount of \$150,000 is having funds set aside recognizing as the City grows, additional parks will be needed and to be able to identify properties that make sense for and address those needs. There are some various technology needs as well.

Assistant City Manager Padgett summarized the next steps, stating that staff will present the Budget Preview at the City Council's April 7, 2014 meeting. A budget presentation will be given at the May 8, 2014 City Council Meeting which will lead to a public hearing on the Budget on June 9, 2014. Ultimately, the Budget and CIP will be scheduled for adoption on June 12, 2014.

Upon being asked what is the possibility of having a five-year plan to get the City up to par where the City is not worried about road failure, City Manager Lipscomb responded that for some of these projects bonding could be considered as a tool for long term sustainability. At the 2012 Planning Session, staff showed the City Council how some other communities fund their capital projects. About every three to four years, some communities have a bond related to transportation projects and then every so many years they go after some major capital projects. The communities have an agenda. There was a major bond done in Greenville ten years ago. That is something to look at because the City does not have community improvements in the CIP and would have to move in that direction at some point. If the City could move some of the improvements into some type of bonding format, that may free up funds that the City can spend more on the regular improvement of roads. Public Works Director Mulligan said that \$2 million a year is needed for 700 miles of roads.

Upon being asked if that would catch the City up with the maintenance of its roads, City Manager Lipscomb responded that if the City starts doing the new roads and gets them caught up, then the City would be microsurfacing or topping them off on a regular basis as opposed to doing reconstruction of the roads.



Assistant City Manager Padgett stated that roads are the transportation category and there are the street resurfacing and new street improvements. The West Fifth Street Phase II Project is currently being designed and there is no construction dollars to implement that. Also, the City has a sidewalk plan and money is set aside annually and that money is becoming more and more difficult to obtain at a level to make meaningful strides on the City's sidewalk plans. As far as the City's signalization efforts are concerned, the actual structures of the light posts in certain areas have a life cycle. The City needs to start looking at a number of elements as it goes into that transportation piece.

Upon being asked if the proposed \$2 million plus of the GF is a much more substantial capital commitment that has been seen in the past for a given year, Assistant City Manager Padgett responded that the vehicles are a piece that have been out of line for a while and vehicles and equipment are capital expenses that are being shown in the CIP and that may be one difference. The Enterprise Funds are funding a lot of these projects that are not all under the GF, but more could be funded under the GF.

City Manager Lipscomb stated that at some point the City would have to catch up and move up the costs a little bit especially when it is being realized that \$2 million is needed for roads annually.

Upon being asked about the \$3 million allotted for the Watershed Master Plan, City Manager Lipscomb responded that all of the water basins will be looked at in the City and put together in the plan. With one of the projects, the City only tackled one part of it, but the water then started to destroy some other areas. These things need to be worked in together and we must understand the full picture and where to put the resources as opposed to just tackling what is hot tonight or tomorrow.

Upon being asked whether the Watershed Master Plan will be done in-house or by a consultant, City Manager Lipscomb responded that the Plan will be done with consultant help and the funding source is the Stormwater Fund.

Upon being asked about what can be done for less money rather than having \$2.5 million for the Uptown Theater, City Manager Lipscomb responded that the plan in a few weeks is to repair the roof at the Uptown Theater.

Upon being asked if staff has contacted East Carolina about doing cabarets, a performing center or a dinner theater, Community Development Director Merrill Flood responded that staff has constantly been in contact with them as well as other partners. Staff is working with Uptown Greenville to put an RFI on the street to talk about private development options where the City has a public private partnership to develop the Uptown Theater. Staff hopes to have a response back within the month or so to really talk about the reuse of it and redevelopment.



Upon being asked how much has the City spent on that, Community Development Director Flood responded that \$150,000 to repair the fly off from the Redevelopment Commission Bond.

Council Member Blackburn stated that she has a continued concern that during the course of the budget process, there was money allocated for Eastside Park that has been unspent and is not seen in this report. The Master Plan was done, but there was supposed to be some extra dollars for Eastside Park. Perhaps, a full scale ball diamond or a performing arts center cannot be done at Eastside Park, but the trails and parking spaces could be marked off and allowed to be used by the public. Even though it is a tight kind of structure, the City can still have room for visionary projects even if they are funded modestly.

Council Member Smith stated that if the City Council is looking at having to fund anything, the capital improvement projects should come first and foremost in order for the City to maintain as a city. In reviewing items that the City Council has approved or supported, since her tenure as a Council Member, she has found that several have not yet been funded.

Upon being asked if bonding could be used for parks, Assistant City Manager Padgett responded that bonding for parks and recreation improvements is certainly an option that will be available to the City Council.

Council Member Smith stated that she wants to make sure that the City looks at new parks, but there are a lot of existing parks that have issues - namely South Greenville, which is one of the most frequently used parks. That has been a concern of many citizens because they currently use it, but it is not up to par as it should be. Approximately two years ago, the City Council supported a basketball complex, but that has not been funded and there were other things to come up. Currently, the City Council is hearing inquiries about the funding of Eastside Park, therefore, the City Council may have to look at some different options. There will be tough decisions and the City Council Members must make sure that they are doing all that is possible for the City's infrastructure (roads, watershed issues, etc.) because if they don't it is going to press the City more in the hole.

Council Member Smiley stated that staff's presentation at the City Council's January 2014 Planning Session was not televised or widely broadcasted, but some citizens were present. In that presentation, there was mention of approximately \$5 million of maintenance to be done, which in prudence may have been done in previous years, if the money had been there and the City had the capability to do it. This is not criticizing previous City Councils; he is just looking at all of this and seeing what a difficult challenge it is to put together a budget. What was done by previous City Councils brought Greenville to this point and was fine work, and the present City Council has the opportunity to move forward. However, it seems that this City Council is looking at a substantial backlog of work that may be more expensive now because it was not done years ago. For example, streets maintenance is more expensive now because the streets needing repair was not done at that time. Finding and implementing a way to fund a continued maintenance plan with \$13 million over the



next two years should be a high priority for the Council Members as they move forward through the next few months. That is his takeaway for the first time seeing this plan.

Council Member Blackburn stated that such great strides with sidewalks have been made in the last five years and have given such a different profile of Greenville as a city. Presently, the State has made it impossible to receive sidewalk money when the City used to be able to get funding, but it is important as a community to keep the sidewalk project going.

Upon being asked if there are any ideas about the continuance of the sidewalk project, Assistant City Manager Padgett stated it is one of the City's multiple competing needs right now. On the transportation side, staff has identified \$600,000 for street resurfacing. Also, staff has heard some thoughts this evening about ways the City Council may be interested in looking at funding some of these items. When some are funded in one capacity, it may free up dollars to address other needs. Staff will take that direction of finding ways to work the City Council's suggestions into the budget and present them to the City Council this month.

Council Member Blackburn stated that she attended the Urban Design Conference last week where transportation was discussed and how cities will not be able to keep up with the number of cars. Everything cannot be paved and at some point there will be a need for greenways, sidewalks and bike lanes. The City's roads need to be fixed in terms of infrastructure, but the City cannot neglect the sidewalks and hopefully, the City will be able to get those funded.

City Manager Lipscomb stated that the CIP plan is basically a report to show the Mayor and City Council where staff is in the development in terms of the budget and the CIP Program. Hopefully, the City Council is supportive of this type of process of moving from having a full VRF to a Facility Improvements Fund. Then the City Council will need to look at transportation and other things, but there is still going to be a limited number of resources. Staff is looking at the maintenance issues and not putting new dollars in for new capital at this point. She would like reassurance from the City Council that staff is on the right track with the proposal presented this evening. She feels that is the direction that was given at the January 2014 Planning Session when staff presented the facilities program to the City Council. Staff will be moving forward with all of the numbers and information compiled about the improvements needed, which will be placed in a system, unless the City Council has a change in direction that staff should make.

Mayor Thomas stated that the City inherited some of the efficiency approaches that we have tried to take. Funds were dedicated in the last City budget to look at efficiencies in different areas and maybe some consolidation of some capital costs, and combining some capital resources in some areas that may make sense. There might be some operational facility efficiencies as well.



City Manager Lipscomb stated that is correct. For example, the City is getting ready to consolidate some of the buildings and grounds facility people as we move out of the Third Street Maintenance Facility over to Hooker Road and into the Public Works compound.

Upon being asked is it safe to say that the State and Federal monies that the City is getting from various sources are probably on decline and the City needs to be careful about that piece of it, Assistant City Manager Padgett responded that they have declined.

Mayor Pro-Tem Mercer stated that he appreciates the full funding of the VRF, which is very important, and doing whatever maintenance is possible on the City's buildings. He has long advocated for those, and the City cannot do the whole thing on the buildings side right now, but he certainly is supportive of and appreciates that as a goal. In terms of general philosophy, there are some things that the City cannot avoid doing. For example, if the Chief of Police recommends that an upgrade is needed for an item, staff will look very carefully at that request, but obviously it would need to be done. Things that cost more in the future, that we can anticipate and save money certainly make sense. There is a category of things that can be left undone and the City certainly cannot fully fund them, but that is the modest approach, i.e. the Town Common, the Uptown Theater, etc. If the City can do something that gives the public better access and moves the City down the road, it is showing that the City is making progress whether it is incremental and small. He adheres to that philosophy, and an item should not be taken totally off the CIP list because the City cannot fund it completely, which has been referred to as the modest approach.

Upon being asked when staff was talking about good revenue projections was staff talking about solid numbers and not anything that they had not already told the City Council about, Assistant City Manager Padgett responded that staff has confidence in the numbers that were presented this evening.

#### REPORT ON CITY'S PRIVILEGE LICENSE FEE STRUCTURE

Director of Financial Services Bernita Demery stated the following during her presentation:

##### *Timing:*

The privilege license renewal notices are based on 2013 gross receipts, and they will be mailed in the Spring. This will be revenue to support government services for Fiscal Year 2014-2015. The current fee structure for Greenville is \$50 for the first \$25,000 in gross receipts and \$.50 per \$1,000 for additional receipts up to \$3.925 million in gross receipts. In Greenville, the gross receipt cap is \$2,000.

##### *History:*

The privilege license tax is an excise tax on the privilege of conducting a business or service in the City of Greenville. Many cities in North Carolina mandate and adopt their own ordinance levying this tax. Greenville's first ordinance was adopted May 8, 1980 and since that time, in prior years, the City had a \$500 cap on privilege licenses. The last modification was in 2005, and presently, staff is taking a look at a potential modification for Fiscal Year



2014-2015. This potential modification was in the biennial process in the Financial Plan for 2014, and the decision was delayed because of so much discussion during 2013 about statewide tax reform and the possibility of even doing away with some of the State privilege licenses. One potential change being discussed and considered by a legislative committee would involve establishing a \$100 flat tax. There is a committee at the State level now that is going to make a report to the General Assembly in May and privilege licenses may be discussed further.

#### *Comparative Cities*

When looking at Greenville and some of its comparable cities, Greenville will generate about \$640,000 this year in privilege license revenue. Asheville has no cap and generates \$1.7 million; Charlotte with a \$10,000 cap generates \$16.4 million; and Jacksonville generates \$886,000 with no cap. Other cities with no cap include Fayetteville (generates \$1.1 million) and Durham (generates \$2.4 million), etc.

<b>Comparative Cities</b>	
<b><u>MUNICIPALITY</u></b>	<b><u>GROSS RECEIPT CAP</u></b>
ASHEVILLE	NO CAP
CHARLOTTE	\$10,000
CARY	\$ 5,000
DURHAM – RETAIL	NO CAP
FAYETTEVILLE	NO CAP
GREENVILLE	\$2,000
HIGH POINT – RETAIL	\$ 5,000
JACKSONVILLE	NO CAP
RALEIGH	\$20,000
ROCKY MOUNT	FLAT RATE
WILMINGTON	NO CAP
WINSTON-SALEM	\$11,000

#### *Potential Modifications:*

A potential option for Greenville would be to increase the amount of revenue that it receives from privilege licenses. Presently, the City is receiving approximately \$640,000 and if the City went to a \$5,000 cap from the \$2,000 cap, Greenville would generate an additional \$100,000 plus in revenue. If the City went to a \$10,000 cap, it would generate approximately an additional \$200,000 in revenue and \$400,000 with no cap. Some cities have a split between service and retail. Staff is not necessarily recommending that option because Greenville does not have the same level of staff as other cities and there are too many areas of uncertainty regarding service versus retail. Greenville would have to encounter arguments daily with business owners, due to staff asking them whether their business is service or retail, rather than keeping it simple and continuing to use a one cap fee for gross receipts. If a flat rate was used by the State and the City would change its flat rate, the City would come up with an equivalent tax rate because one of the State's discussions would be that this will be effective for 2016. So whatever Greenville's privilege



license fees are in 2015 may or may not generate a hold harmless discussion. But, if the City keeps it rates as low as they are today, then that would be the revenue that the City would expect to recoup. This would be if Greenville had a service cap and a retail cap.

*Internet Sweepstakes:*

The privilege license fee for internet sweepstakes businesses is not set by State Statutes. Each municipality sets its own fee, and Greenville’s current fee is \$250 per location. The taxation of these businesses made headlines when the highest court in North Carolina struck down the privilege taxes levied by Lumberton and Fayetteville on sweepstakes businesses as unconstitutionally high. Some municipalities still continue to charge at the following high rates:

<b>Comparative Cities</b>	
<b><u>MUNICIPALITY</u></b>	<b><u>FEE</u></b>
ASHEVILLE	\$1,500 per location, \$2,500 per machine
CONCORD	\$2,600 per location, \$500 per machine
FAYETTEVILLE	Internet Sweepstakes Not Allowed
HICKORY	\$2,500 per location, \$1,500 per machine
JACKSONVILLE	\$5 per machine
RALEIGH	\$2,500 per location, \$1,000 per machine
ROCKY MOUNT	Internet Sweepstakes Not Allowed
SALISBURY	\$500 per machine
WASHINGTON	\$1,000 per machine
WILMINGTON	\$1,500 per machine
WILSON	\$100 per location, \$1,000 per machine

As some potential modifications for the internet sweepstakes businesses, the City could look at a per location, per machine or some combination fee as other municipalities have done.

**Potential Modifications**

<b>Internet Sweepstakes Business</b>		
<b>NUMBER OF CITY OF GREENVILLE LOCATIONS</b>	<b>FEE OPTIONS PER LOCATION</b>	<b>REVENUE</b>
13	\$250 Current Fee	\$3,250
	\$1,500	\$19,500
	\$2,000	\$26,000
	\$5,000	\$65,000



### *Next Steps*

The next step for the City Council will be to consider modifications tonight and staff can send those out with the renewal notices for July 1, 2014.

Council Member Blackburn stated that she has long been an advocate for changing the privilege license fees because there is a situation where out-of-city and usually out-of-state businesses are taking wealth from our community. That is hurting the small businesses. The City could have a proportionate share of contributions from the larger stores that are taking wealth out of our community.

Director of Financial Services Demery stated that of the existing 1,298 licenses that are currently issued by the City, only 112 of them are affected by the cap. Those 112 are mostly the big chain/box stores.

Upon being asked why does Greenville still have the internet sweepstakes businesses while other cities have banned them, City Manager Lipscomb responded that the City Council had that conversation on several occasions. There are cities that have banned these businesses and there have been some lawsuits. Staff has been working cooperatively with the Greenville Police Department and the Sheriff's and Prosecutor's Offices on these issues. A few weeks ago, staff looked at a number of the electronic machines at businesses throughout the community. The ones that are doing the internet sweepstakes appear to have moved to being legal based on how those businesses should operate under the State Statutes. The City cannot put McDonald's out of business for having a lottery so the internet sweepstakes businesses have updated the computer software, etc. and were not shut down. There are other types of businesses that are similar and those were actually shut down. Staff has been proactive where possible.

Council Member Smiley stated that currently, this cap has no impact on a business, if its revenues are less than \$4 million a year. There are approximately 100 businesses whose revenues are larger than \$4 million a year and those businesses would be charged a \$5,000 or \$10,000 privilege license fee rather than a \$2,000 one, if the cap were increased. Not all of these are from out-of-town because there is a large medical practice in Greenville that probably qualifies as one of these businesses.

Upon being asked what staff wants from the City Council tonight, Director of Financial Services Demery responded if the City Council is planning to make modifications for Fiscal Year 2014-2015, staff would like for the City Council to make recommendations so that staff can incorporate those changes in the ordinances and bring them back for the City Council's consideration in April.

Upon being asked whether the City Council approved a \$5,000 cap last year and then it was retracted to the \$2,000 cap because of the concern about the State revenue, Assistant City Manager Padgett responded that two years ago during the City's biannual budget process, there was discussion about increasing the cap from \$2,000 to \$5,000. Those revenues were included in the second year plan. When staff got around to creating the actual budget for



this year, there was a lot of change including tax reform was at a high level and this was one of multiple targets that the City was seeing bills flow through the legislature on. At that time, the advice of the City Manager was to take the revenues out of our estimate here because there was too much uncertainty. The City still to some degree has some of that uncertainty. There is a legislative subcommittee recommending, at this point, a \$100 flat tax per business which is known as the equitable tax of 2014. \$100 is one proposal that will potentially be considered by the legislature. The draft bill will have an effective date of 2016 so that it would not impact, in its current form, what the City Council could do for next year on the business license tax.

Council Member Croskery stated that it was recommended at the last budget cycle and there probably would have been some sentiment to go ahead and do that and it was retracted because of those concerns. Based on the report given tonight, staff is suggesting it may be a good idea to go ahead and revisit what the City Council probably would have done last year.

Assistant City Manager Padgett stated that there is no staff recommendation on this item, but we do recognize it is something that was anticipated to be done last year and because of the circumstances, the decision was not to do it last year. At that time, there was discussion amongst Council Members about some different options or how this could look in the future. There was some specific conversation about looking into a flat rate and some differences between service and retail. Staff tried to provide that program in a timely manner recognizing that any change that the City Council might want to impact next year's revenues would be needed by staff this evening, so that change can potentially be made by the City Council next month.

Council Member Croskery stated that it is a very good report, which answers many questions about where the City is in relationship with other cities in North Carolina. In addition, it gives a good idea of where we should go.

Mayor Thomas stated that the City counts on this revenue stream annually.

Director of Financial Services Demery stated that is correct, and it would be a penny on the tax rate with \$600,000 at least at a minimum now, if the City was to do away with it.

Mayor Thomas reported that he attended a meeting of the North Carolina Metropolitan Mayors Coalition two weeks ago and business tax was one of the top three topics of concern. There is concern of the larger cities across the State about their future revenue stream and that privilege license taxes are continuing to be an issue. The House of Representatives has indicated that there is a push forward with their subcommittee of a \$100 cap. Some cities may decide not to charge anything for business licenses and putting basically a placeholder in place. They could absolutely move on this flat rate at this session. So we are talking about counting on a penny of revenue as we currently stand and as the City Council is forecasting. Obviously, the City has to calculate that volatility in wherever it goes.



Motion was made by Council Member Blackburn and seconded by Mayor Pro-Tem Mercer to direct staff to proceed with an estimate with the no cap scenario.

Mayor Pro-Tem Mercer stated that he is not prepared to set a privilege license fee for the internet sweepstakes businesses without more and updated information. It would be helpful to know how many machines are in the City because it looks like the way that some cities do it is by location and/or the number of machines at each business. His default mode is to bring Greenville in line with what other cities are doing both on the privilege license fees and the internet sweepstakes businesses. The City Council has a month to this and could get more information on that subcategory of businesses in the City and act on this in April.

City Manager Lipscomb stated that staff may have the information that Mayor Pro-Tem Mercer is looking for, which is a 2013 survey of other communities. Staff made some telephone calls and most of the cities have not changed anything because they are waiting to see what will happen in the legislative session. She is specifically interested in what changes Lumberton and Fayetteville may have made.

Council Member Smiley stated that regarding the privilege license fees, this is a competitiveness issue relating to what extent does the City Council adopt a policy making the City competitive with its peers. It is really kind of a market based approach and what is the market for this sort of thing in similar cities around the State. Considering the scenarios presented to the City Council, the \$10,000 cap is where the market is sitting.

Council Member Blackburn stated that she proposes the no cap because a lot of times there is fear of stopping businesses from coming to Greenville, but at the same time we want Greenville to be competitive. A city like Asheville had booming growth and has no cap, Jacksonville, Durham, and Wilmington (a university community) have no cap, and Greenville is actually among its peers.

Mayor Pro-Tem Mercer stated that the City certainly wants to support its smaller local businesses and for them to pay the same fee as the larger chain/box stores in the City is really unfair. It seems that the motion is a way of bringing some degree of fairness to the fee structure for the City's small businesses.

Council Member Blackburn withdrew her motion to direct staff to proceed with an estimate with the no cap scenario.

Motion was made Council Member Smiley and seconded by Council Member Croskery to direct staff to draft an ordinance which imposes a \$10,000 cap on privilege license fees. The motion passed with a 4:2 vote. Mayor Pro-Tem Mercer and Council Members Smiley, Croskery, and Blackburn voted in favor of the motion and Council Members Glover and Smith voted in opposition.



City Attorney Holec explained that staff will bring an ordinance regarding the privilege license fees back to the City Council for consideration in April. The second issue is the internet sweepstakes businesses.

City Attorney Holec stated that the City Council has information regarding what other cities have charged for internet sweepstakes businesses including Lumberton and Fayetteville. Those two cities were challenged by the businesses and it was based upon a constitutional challenge. The constitutional challenge is a provision in the North Carolina Constitution which requires all local taxes to be "just and equitable". The privilege license taxes levied by Lumberton (\$5,000 per location and \$2,500 per machine) and Fayetteville (\$2,500 per location and \$2,500 per machine) were determined by the appellate courts as being a violation of that constitutional provision. In that decision, the court stated that it will look at each city and each levy on a case by case basis. That gives the City Council guidance as far as their particular factors, but the court will still evaluate the levy, when they have a case, based on each case and will look at two things. One is how much of a percentage increase in the amount of tax, which was previously levied. If you had a tax at a certain amount and you make a large increase, that is something to be looked at. Additionally, what they look at is the disparity between the taxes levied when compared to those levied on different businesses. They are going to look at what you are taxing other businesses to see if there is an equitable treatment in the amount that you are levying. Those are the things to consider with the City having a tax that is based on gross sales.

City Attorney Holec stated that this evening, the City Council established a maximum of \$10,000 with that. That would be a safe harbor for you in consideration if you are looking at a particular level in levying the taxes, but the courts are still going to look at those two factors, the percentage of increase and how it relates to other taxes. He is not aware of the growth sales that these types of establishments generate, but it seems that it could be easiest if you could apply the same standard to them, but it is because of federal legislation which limits the ability to charge a tax on internet services and phone services. Both of those are where you cannot group them in with the gross sales tax. You have to have or establish a separate fee.

Upon being asked if these businesses' revenues were not exempt because of the provisions given by City Attorney Holec, would staff know approximately what their revenues would be, Director of Financial Services Demery responded no, however, if they were reported on gross receipts, staff would know, but staff does not get that information.

Mayor Pro-Tem Mercer stated that part of the issue is that if there is sentiment to increase the cap, evidently the City's current cap is too low. Mayor Pro-Tem Mercer recommended that the City Attorney bring back and present a more precise analysis of the cases and situations that will give a better sense of where the City Council might can go with something that would be acceptable.

City Attorney Holec stated that staff can potentially provide some options and what would be most comfortable for the City and where it starts to get potentially risky.



Motion was made by Mayor Pro-Tem Mercer and seconded by Council Member Blackburn to direct the City Attorney to provide options in April for the City Council's consideration with regard to privilege license fees for the internet sweepstakes businesses. Motion carried unanimously.

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**REVIEW OF MARCH 20, 2014 CITY COUNCIL AGENDA**

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The Mayor and Council reviewed the agenda for the March 20, 2014 City Council meeting.

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**COMMENTS BY MAYOR AND CITY COUNCIL**

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

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**CITY MANAGER'S REPORT**

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City Manager Lipscomb thanked the Recreation and Parks Department for having an open house for the Tar River Study on Saturday, March 15<sup>th</sup>, and she stated that there was a good turnout.

Center City Policing Strategy

City Manager Lipscomb stated that Chief of Police Hassan Aden is present to give the City Council a brief report about the Center City Policing Strategy. This is a project that staff has been working on for some time to realign the Greenville Police Department (GPD) personnel so there would be better coverage in the City Center area.

Chief of Police Aden gave the purpose and described the success of the newly created Center City Unit. He stated that GPD identified the need to rethink its strategies for the uptown area because of the perception that it was unsafe. The Center City Unit's responsibilities were extended to include West Greenville and the University due to other issues in the area. This is really innovation in policing, having three core pieces in its mission: 1) crime reduction, 2) crime prevention, and 3) creative conditions that foster economic development. George Mason University and East Carolina University are helping GPD with devising the actual training program to teach these officers economic development concepts, and how those overlay in creating an area that people would want to establish their businesses or residences.



The officers are specially selected and go through a hardcore interview process and their skills and evaluation were reviewed. All possess certifications in crisis intervention training and all of them will be uptown dealing with young people from Thursday to Sunday. We want to ensure that their temperament is appropriate, and they are skilled to deal with people in crises and various states of intoxication, either drugs or alcohol, and who will not resort to immediate use of force. The Center City Unit has been in operation for a month, contributing to the drastic drop in the uptown incidents. People are feeling safe. The officers still have more training to obtain, but GPD has a lot of people energized and mobilized to help them.

East Carolina University has shown an interest in attaching and funding two full time-officers to this unit under GPD's command patrol and GPD is working with them at this point, which will bring the number of officers up to 10. A big part of their job is community engagement with the business community and they are doing a great job of meeting merchants and people seem to love them.

Chief of Police Aden stated that he is enthusiastic about this unit and the officers are completely enthusiastic about their job. It is great to see them walking around with a huge sense of pride, smiles on their faces and completely engaging people in a different way.

#### Central City Parking Enforcement – Community Services Approach

City Manager Lipscomb stated that the City's newly hired Code Enforcement Manager, Rawls Howard, will give a brief update on parking enforcement and provide some of the changes that the City is making in parking enforcement.

Code Enforcement Manager Howard stated that staff is looking at a community oriented approach to the City's parking enforcement. Positive engagement is the key term for this approach. Currently, two full-time Parking Control Officers and four part-time reserve Parking Control Officers handle 650 parking spaces on patrol watch throughout the City. Also, his staff controls six parking meters and pay stations, as well as the licensing of taxi cab establishments within the City. Staff's focus is trying to get them out of enforcement mode and into engaging with the business owners, particularly downtown. Parking Control Officers are downtown to encourage a lot of vibrant economic activity and be part of the community, not to be seen as a resistant force to the community. As part of that, staff has tasked the Parking Control Officers to go into the businesses, meet and engage the owners and get to know them on a personal level. Staff has adopted a strategy of doing education before enforcement. Their goal is to strike a balance between maintaining a solid, effective and fair enforcement strategy, while being a personable and positive face for the City. Often, these employees are the first face of what people see as the City and, unfortunately, people are receiving a parking ticket from one of these officers. Code Enforcement Manager Rawls displayed a map showing the geographic area that the Parking Control Officers cover.



Mayor Thomas stated that he had a conversation with a resident who had received tickets twice for parking in front of his house. Mayor Thomas asked what staff is doing to communicate to residents that they cannot park in certain areas of the City without a parking permit.

Code Enforcement Manager Howard responded that often staff makes an attempt to locate the owner(s) and talk with them first. If the owner(s) cannot be located, the City is in an unfortunate situation where staff has to tag their vehicles. If there is a complaint driven process, they have people who are expecting service and, unfortunately, staff has to enforce the City's ordinance by issuing a ticket, if an officer cannot locate that person at that time.

City Manager Lipscomb stated that notices were sent out to all of the property owners, but whether individual residents received the notices as well is unknown.

Code Enforcement Manager Howard stated that in the spirit of education, staff is trying to work with the downtown business owners. A business symposium hosted by the City and Uptown Greenville will be held on March 24, 2014 at 3:00 p.m. at Winslow's. The purpose is to look at alternatives of an e-tag program, which is a system that will allow long term parking in certain areas of the City. Staff will reassess that strategy and see how it can be made more accessible and effective. Also, staff will discuss some ideas about the possibility of issuing a patron voucher program to encourage and not penalize people who are patronizing the downtown businesses.

Council Member Smith asked how owners of the parked vehicles are being contacted.

Code Enforcement Manager Howard responded that it is a case by case situation, but typically staff runs the car tags. If it is a student rental type of situation, staff will go up to the door. Also, whether a person receives a ticket depends on if the individual owns multiple cars or is a repeat violator. An example is if the officer runs the tags on someone who has been warned once or twice, a parking ticket is issued because the individual has been informed multiple times that his/her car cannot be parked on the grass.

Council Member Smith stated that she receives a lot of mail and a lot of that mail is unimportant and from solicitors that can easily get caught up into what is important. There was a situation with a young man the other day and she was wondering if staff is knocking on the door, asking if anyone knows the owner of the car and informing them of the policy and what will happen if the car is not moved.

Code Enforcement Manager Howard responded that staff is knocking at the door of the residence, and if the owner of the car is not at home, staff will handle the situation differently.

Council Member Smith asked whether the parking and code enforcement staff is going to the businesses and introducing themselves.



Code Enforcement Manager Howard stated that business cards will be printed for the Paarking Control Officers to hand out to people. He went downtown to eat lunch with his staff and introduced them to the business owners. This was an opportunity for them to associate a face with someone who parking violators and business owners can talk to, and staff can find out what might be wrong with their strategy, what can be done better in the future or how staff can rectify problems.

Council Member Smith asked whether staff rectified the situation with the cars that were towed because of the parking lot being reserved for the St. Patrick's Day Parade. Code Enforcement Manager Howard responded that staff has rectified that issue.

City Manager Lipscomb stated that situation was part of a larger issue and she is planning to get staff together because she saw that email on Saturday and she was not aware of anything going on with that. The City has a coordinating group for events, but staff needs to sit down and really see what is going on because she did not understand why that happened.

Code Enforcement Manager Howard stated that staff will establish a much more streamlined protocol.

Council Member Smith stated that she has been contacted by constituents who feel that the enforcement has not been solid, effective and fair. Someone who is a first time offender should be given a warning and advised what the procedure is, but that has not been the case in her area. She has received complaints that citizens do not know what parking enforcement is. They have never seen the Parking Control or Code Enforcement Officers in their area before, and they are questioning why they are receiving a ticket and not a warning. Everybody should be aware of the City's parking enforcement, even if they are not parking their vehicles in the downtown area.

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**CLOSED SESSION**

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Council Member Blackburn moved to enter closed session in accordance with G.S. §143-318.11(a)(1) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body and with G.S. §143-318.11(a)(3) 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. Council Member Croskery seconded the motion, which passed by unanimous vote.

Mayor Thomas declared the City Council in closed session at 9:01 pm 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 Blackburn and seconded by Council Member Croskery to return to open session. Motion was approved unanimously, and Mayor Thomas returned the City Council to open session at 9:29 pm.

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**ADJOURNMENT**

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Motion was made by Council Member Croskery and seconded by Council Member Blackburn to adjourn the meeting. Motion carried unanimously. Mayor Thomas declared the meeting adjourned at 9:30 p.m.

Respectfully Submitted

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

Polly Jones  
Deputy City Clerk



PROPOSED MINUTES  
MEETING OF THE CITY COUNCIL  
CITY OF GREENVILLE, NORTH CAROLINA  
THURSDAY, MARCH 20, 2014

A regular meeting of the Greenville City Council was held on Thursday, March 20, 2014, in the Council Chambers, located on the third floor at City Hall, with Mayor Allen M. Thomas presiding. Mayor Thomas called the meeting to order at 7:00 pm. Council Member Smiley invited the Reverend Bob Hudack, with St. Paul's Episcopal Church, to deliver the invocation, followed by the Pledge of Allegiance.

Those Present:

Mayor Allen M. Thomas, Mayor Pro-Tem Calvin Mercer, Council Member Kandie Smith, Council Member Rose Glover, Council Member Marion Blackburn, Council Member Rick Smiley, and Council Member Richard Croskery

Those Absent:

None

Also Present:

City Manager Barbara Lipscomb, City Attorney David A. Holec, City Clerk Carol L. Barwick, and Deputy City Clerk Polly Jones

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**APPROVAL OF AGENDA**

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City Manager Barbara Lipscomb stated that the Council Member who requested a discussion on solar energy had asked that the item be removed from the agenda.

Council Member Blackburn made a motion to approve the agenda with the suggested change. The motion was seconded by Mayor Pro Tem Mercer and passed by unanimous vote.



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### APPOINTMENTS TO BOARDS AND COMMISSIONS

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#### Affordable Housing Loan Committee

Council Member Blackburn chose to continue all appointments.

#### Greenville Bicycle and Pedestrian

Council Member Smiley chose to continue all appointments.

#### Historic Preservation Commission

Council Member Smith made a motion to reappoint Sara Larkin to a first three-year term that will expire January 2017. Council Member Blackburn seconded the motion and it carried unanimously.

Council Member Smith continued the reappointment of Allan Kearney and Maury York.

#### Human Relations Council

Council Member Glover made a motion to:

- Appoint Inez Dudley to fill an unexpired term that will expire September 2014, in replacement of Corey Rhodes, who had resigned
- Appoint Adam Caldwell to the East Carolina University seat to fill an unexpired term that will expire October 2014.

Council Member Blackburn seconded the motion and it carried unanimously.

#### Planning & Zoning Commission

Council Member Smith chose to continue the appointment of Kevin Burton's seat.

#### Police Community Relations Committee

Council Member Glover appointed Lennard Naipaul to fill an unexpired term that will expire October 2015 in replacement of Carol Naipaul, who had resigned.

#### Public Transportation and Parking Commission

Council Member Croskery made a motion to reappoint Dave Schwartz to a first three-year term that will expire January 2017. Council Member Blackburn seconded the motion and it carried unanimously.



Council Member Croskery continued the appointment for Rick Smiley's seat.

Youth Council

Mayor Pro-Tem Mercer made a motion to:

- Appoint Jair Ulises Nino-Espino to an unexpired term that will expire September 30, 2014
- Appoint Lilli Rhodes to an unexpired term that will expire September 30, 2014
- Appoint Robert Connor Wood to an unexpired term that will expire September 30, 2014

Council Member Smith seconded the motion and it carried unanimously.

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**APPOINTMENTS TO THE MID-EAST COMMISSION**

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At staff's recommendation, motion was made by Council Member Blackburn to appoint Community Development Director Merrill Flood as a regular member, and Chief Planner Thomas Weitnauer as an alternate, to the Mid-East Commission for a term that would commence January 1, 2014, and expire December 31, 2015. The motion was seconded by Council Member Glover and passed by unanimous vote.

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**NEW BUSINESS**

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**PUBLIC HEARINGS**

**ORDINANCE REQUIRING THE REPAIR OR THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 1306-A MYRTLE STREET - ORDINANCE NO. 14-011**

Code Enforcement Manager Rawls Howard stated that the estimated total value of the property is \$48,712, and the estimated cost of repairs is \$40,914. Taxes owed on the property equate to \$76 to the City of Greenville, and \$5,138 to the County. He stated that there have been 18 code enforcement actions against the property since 2007, and 112 calls made to the Greenville Police Department about the property since 1994. He noted that there is an accessory dwelling that will stay on the lot because it is not a part of the



present hearing. A certified letter was sent to the property owner on September 18, 2013 advising them of a first hearing scheduled for October 21, 2013. The property owner was not present for the first hearing, and a second letter was sent on October 23, 2013, advising them of the present hearing. Staff recommends that the City Council approve the ordinance for demolition or repair.

Council Member Blackburn expressed her concern about the impact on the neighborhood of the loss of several houses.

Code Enforcement Manager Howard said that there were initially seven lots on the original list, but staff had worked with other agencies to see what could be salvaged and three lots were taken off of the list. He stated that properties being brought before the City Council are those that are in the most disrepair.

Council Member Smith asked for clarification of "demolition or repair".

Code Enforcement Manager Howard said that the property owners will have 90 days to repair the property or it will be torn down by the City.

Council Member Smith asked if the owners have made contact with staff.

Code Enforcement Manager Howard said that staff had made contact with the owner of this property and they are aware of the current status of the property.

Council Member Smith asked if the property owner will pay for the demolition.

Code Enforcement Manager Howard stated that the City will front the expenses of the demolition and will recoup the costs by putting a lien on the property.

Mayor Thomas opened the public hearing at 7:16 p.m. and invited anyone present who wished to speak in favor of the proposed ordinance to do so at that time. Hearing no one, Mayor Thomas invited anyone who wished to speak in opposition to do so. Hearing no one, Mayor Thomas closed the public hearing at 7:17 p.m.

Council Member Blackburn asked how the costs would be handled for owners that have acquired ownership through inheritance. She expressed her reluctance to put the burden of cost on those who are not responsible for the condition of the property.

City Attorney David Holec explained that costs that are incurred are paid by the City. The expenses are placed as a lien on the property and the owners are sent an invoice. In the event that the invoice is not paid, the property may be sold or acquired by the City or County.



Council Member Glover said that homes in that state of disrepair are a detriment to surrounding neighbors and the community.

Motion to approve the ordinance requiring the repair or the demolition and removal of the dwelling located at 1306-A Myrtle Street was made by Council Member Smith, seconded by Council Member Blackburn, and unanimously carried.

**ORDINANCE REQUIRING THE REPAIR OR THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 1401-A MYRTLE STREET - ORDINANCE NO. 14-011**

Code Enforcement Manager Howard stated that the estimated total value of the property is \$21,539, and the estimated cost of repairs is \$41,339. Taxes owed on the property equate to \$690 to the County. He stated that there have been 16 code enforcement actions against the property since 1999, and 47 calls made to the Greenville Police Department about the property since 1995. He noted that there is extensive fire-related damage on the interior of the house. A certified letter was sent to the property owner on September 20, 2013 advising them of a first hearing scheduled for October 21, 2013. The property owner was not present for the first hearing, and a second letter was sent on October 23, 2013, advising them of the present hearing. Staff recommends that the City Council approve the ordinance for demolition or repair.

Mayor Thomas opened the public hearing at 7:26 p.m. and invited anyone present who wished to speak in favor of the proposed ordinance to do so at that time. Hearing no one, Mayor Thomas invited anyone who wished to speak in opposition to do so. Hearing no one, Mayor Thomas closed the public hearing at 7:27 p.m.

Motion to approve the ordinance requiring the repair or the demolition and removal of the dwelling located at 1401-A Myrtle Street was made by Council Member Smith, seconded by Council Member Blackburn, and unanimously carried.

**ORDINANCE REQUIRING THE REPAIR OR THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 442 WEST THIRD STREET - ORDINANCE NO. 14-011**

Code Enforcement Manager Howard stated that the estimated total value of the property is \$15,423, and the estimated cost of repairs is \$37,893. Taxes owed on the property equate to \$8,761 to the City, and \$5,138 to the County. He stated that there have been 19 code enforcement actions against the property since 2007, and 15 calls made to the Greenville Police Department regarding the property since 1994. He noted that the utilities have been disconnected since August 13, 2004. He stated that structural issues have prevented staff from thoroughly examining the property due to risk of injury. A certified letter was sent to the property owner on April 11, 2013 advising them of a first



hearing scheduled for April 23, 2013. The property owner was not present for the first hearing, and a second letter was sent on July 27, 2013, advising them of the present hearing. Staff recommends that the City Council approve the ordinance for demolition or repair.

Council Member Smith expressed her concern that this property had been abandoned for 10 years before it was brought before the City Council. She requested that staff take a closer look at properties that have been abandoned for an extended period of time.

Mayor Thomas opened the public hearing at 7:32 p.m. and invited anyone present who wished to speak in favor of the proposed ordinance to do so at that time. Hearing no one, Mayor Thomas invited anyone who wished to speak in opposition to do so. Hearing no one, Mayor Thomas closed the public hearing at 7:33 p.m.

Motion to approve the demolition or repair and removal of the dwelling located at 442 West Third Street was made by Council Member Glover, seconded by Council Member Blackburn, and unanimously carried.

**ORDINANCE REQUIRING THE REPAIR OR THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 1006 WEST FOURTH STREET - ORDINANCE NO. 14-011**

Code Enforcement Manager Howard stated that the estimated total value of the property is \$11,815, and the estimated cost of repairs is \$31,832. Taxes owed on the property equate to \$5,138 to the County. He stated that there have been 24 code enforcement actions against the property since 1998, and 47 calls made to the Greenville Police Department regarding the property since 1992. He noted that the main structure on the property is split into three units with an additional structure on the property that is split into two units. He stated that structural issues have prevented staff from thoroughly examining the property due to risk of injury. A certified letter was sent to the property owner on February 6, 2013 advising them of a first hearing scheduled for February 26, 2013. The property owner was not present for the first hearing, and a second letter was sent on May 21, 2013, advising them of the present hearing. Staff recommends that the City Council approve the ordinance for demolition or repair.

Council Member Blackburn stated that there was a picture included in the presentation depicting a tree on the structure and she asked how long the tree had been there.

Code Enforcement Manager Howard stated that the tree had been displaced during Hurricane Irene.



Council Member Blackburn expressed her concern that these types of issues can be demoralizing for a neighborhood. She asked if there are regulations in place to address these types of issues.

Code Enforcement Manager Howard said that these types of issues could potentially be addressed as a public nuisance.

Council Member Smiley asked for clarification on the amounts owed by the property owner to the City and County.

Code Enforcement Manager Howard said that the amount owed to the County is for unpaid taxes, while the amount due to the City will be for services done on the site.

Council Member Smith asked who determines whether or not the City or the County will acquire the property.

City Attorney Holec said that the County typically takes the lead since the County is responsible for collecting taxes. If both the City and the County have an interest in the property, then the determination is made through a court sale, where the bids submitted are equal to the amounts owed.

Council Member Smith asked if any of the properties that had been presented share a common owner.

Code Enforcement Manager Howard said that to his knowledge, none of the properties that had been presented share a common owner.

Mayor Thomas opened the public hearing at 7:41 p.m. and invited anyone present who wished to speak in favor of the proposed ordinance to do so at that time. Hearing no one, Mayor Thomas invited anyone who wished to speak in opposition to do so. Hearing no one, Mayor Thomas closed the public hearing at 7:42 p.m.

Motion to approve the demolition or repair and removal of the dwelling located at 1006 West Fourth Street was made by Council Member Glover, seconded by Council Member Croskery, and unanimously carried.



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**PUBLIC COMMENT PERIOD**

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Mayor Thomas opened the Public Comment Period at 7:44 p.m. and explained procedures to be followed by anyone who wished to speak.

**Mr. Chris Mansfield – 408 S. Harding Street**

Mr. Mansfield spoke in favor of Council Member Smith’s proposal to create a down payment assistance program in West Greenville. He stressed the advantages of homeownership and he spoke of the success that the program has had in the university neighborhood area. He voiced his opinion as the former chair of the City’s Redevelopment Commission on how the program could help the Redevelopment Commission’s efforts to revitalize West Greenville and benefit the city as a whole.

**Mr. James Harris – 1255 Westpointe Drive, Apt. 2**

Mr. Harris expressed his concern with the current bus route that serves the area near the new VA clinic. He requested that the route be modified so that the bus will stop at the clinic itself, rather than at Fifth and Moye Streets, in order to accommodate the disabled veterans who utilize the City’s transit system. He presented a petition for this request to the City Council.

**Mr. John VanCoutren – No Address Given**

Mr. VanCoutren spoke in favor of the proposed parking deck in the Uptown Area. He stated that the hospitality industry is looking into the possibility of a boutique hotel in the downtown area, and he feels that the parking deck will be vital to this potential project.

**Mr. Jake Srednicki – 136 Jarvis Hall (ECU)**

Mr. Srednicki spoke about the impact of the 4 Unrelated Rule on East Carolina University’s (ECU) students. He expressed his concern that the limits on the area surrounding the university are prohibiting students from living and being comfortable in that area.

**Ms. Bianca Shoneman – Uptown Greenville**

Ms. Shoneman gave her support for the proposed parking deck in the Uptown district. She stated the importance of the parking deck to other potential projects in the area, and she asked that the City Council give heavy consideration to the design of the parking deck because it will be a major focal point of the Uptown district.



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**OTHER ITEMS OF BUSINESS**

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**APPROVAL OF HOME INVESTMENT PARTNERSHIP FUNDS COMMITMENT FOR A MULTI-FAMILY RENTAL HOUSING DEVELOPMENT**

Community Development Director Merrill Flood presented a requested authorization to commit \$150,000 of HOME Investment Partnership funds for a multi-family federal housing development. He said that in December 2013, a Request for Proposal (RFP) was issued by the City to invite developers to apply for \$150,000 that had previously been authorized by the City Council for the development and contribution towards a multi-family tax credit housing development. He said that tax credit applications are highly competitive and are selected based on several scoring factors, such as commitment to the local community. Mr. Flood mentioned that the City has partnered three times before on multi-family developments, including Winslow Point, Nathaniel Village and Crystal Springs. At the submission deadline, only Taft Family Offices came forward with their project, which is located on Johns Hopkins Drive in the Medical District. Mr. Flood pointed out that the proposed site is convenient to the hospital and several local shopping centers, which assisted the applicant in their point process with the North Carolina Housing Finance Agency. Mr. Flood stated that the project will cost approximately \$10.6 million, and will be a great economic investment for the Community. He also mentioned that the project will consist of about 6.3 acres and will involve 98 units of quality affordable elderly housing. The HOME Investment Partnership funds will only be made available if the tax credit application is approved, and would be secured with a development agreement and a promissory note.

Mayor Pro-Tem Mercer asked if Mr. Flood was confident that the application would be approved.

Mr. Flood said that the process is competitive and he could not make any guarantees, but mentioned that he thought the project would score well with the North Carolina Housing Finance Agency.

Council Member Glover asked what percentage per unit of low-income is targeted.

Mr. Flood said that in order for developers to participate in the tax credit program, the project must be marketed towards low to moderate income individuals. He stated further that 100% percent of the units developed in the current project will be available



to households with incomes at or below 60% of the Area Median Income (AMI). The AMI for a family of four at 60% equals approximately \$33,000.

Council Member Smith made a motion to approve the Home Investment Partnership Funds Commitment. Council Member Croskery seconded the motion, which passed by unanimous vote.

### **2014 CITY COUNCIL PLANNING RETREAT MEETING SUMMARY AND DRAFT 2014 STRATEGIC PLAN**

Assistant City Manager Christopher Padgett gave a review of the 2014 Planning Session and outlined the process used by the City Council to form the groundwork for the City's Strategic Plan. City Council and staff reviewed the past ten years of the City's history and identified trends and uncertainties in the City's current environment:



## **Strategic Planning Retreat: Current Environment Scan**

Trends /Uncertainties that deserve the most attention:

Housing Occupancy (62% renter)	State reducing cost-share for programs
Property/Sales Tax Growing Slowly	Fewer number of citizens from here
Federal Funding Decreasing	Different expectations of government
Increased Wealth Divergence	More tax exempt property
Negative press	Cost of healthcare rising
State transportation funding	More Diversity / Progressive values
State taking assets from cities	How to attract business and jobs?

*Find yourself in good company*

The top priorities identified by the City Council include:

- Set aside open park space as part of development
- Development of Standard Review
- South Greenville Recreation Center
- Town Common Improvements
- Economic Development Strategic Plan
- Establish Sustainable Business North of the River

City staff developed draft Vision and Mission Statements, and Goals using the input gathered from the Planning Retreat, and worked with departments to develop performance



measures and Year 1 tactics. Assistant City Manager Padgett presented the proposed Vision and Mission Statements:

***Vision Statement***

*The City of Greenville is a vibrant, innovative, and inclusive community with unique and sustainable neighborhoods; an abundance of first-class arts, cultural and recreational opportunities; well-maintained and cost-effective infrastructure; a diversity of transportation options; and a strong business climate supported by entrepreneurialism and top quality educational institutions.*

***Mission Statement***

*The City of Greenville strives to provide all citizens with high-quality services in an open, inclusive, ethical manner, ensuring a community of excellence for current and future generations.*

The initial draft of Goals includes:

1. Dynamic and Inviting Community

*The City of Greenville will be a dynamic and inviting community with an abundance of arts, cultural and recreational venues, parks and open spaces, greenways, and other transportation alternatives, clean and attractive streetscapes, and well-designed public spaces and private developments.*

2. Economic Development

*Provide a strong economic climate that supports entrepreneurship, innovation, a diversity of businesses that provide a range of employment opportunities, and tax base growth that provides fiscal sustainability for the delivery of high quality city services*

3. Well Managed and Fiscally Sustainable City Organization

*Provide a well-managed City government that utilizes its motivated, qualified and professional workforce to provide innovation and effective methods of service delivery in a forward-thinking and fiscally sustainable manner.*

4. Infrastructure

*Promote a sustainable and accessible city of Greenville through quality, efficient, and well-maintained infrastructure.*

5. Quality Neighborhoods

*The City of Greenville will provide an environment that produces and maintains high quality neighborhoods that are attractive, well-designed, and sustainable providing citizens a variety of housing choices.*



6. Safe Community

*Greenville will collaborate with citizens, businesses, and visitors to provide a safe community.*

Council Member Blackburn commended staff for the work that was put into forming the draft. She noted that animal welfare had been discussed at the Planning Session but had not been included in the presentation.

Assistant City Manager Padgett stated the City is currently doing public information work related to animal welfare. He advised that staff is in the process of gathering information to form a potential tactic.

Council Member Blackburn expressed her approval of designating two park priorities, South Greenville and the Town Common, and requested that staff consider adding “environmentally engaged” as a component in the Vision Statement. She acknowledged that the process may be time consuming and she asked how staff will prioritize accomplishing these goals.

Assistant City Manager Padgett stated that each goal lists a proposed method and what staff anticipates achieving towards that goal.

Council Member Croskery requested that staff use more forceful and concise language in the City’s Mission Statement. He recommended, “The City of Greenville *will* provide all citizens with high-quality services in an open, inclusive, *professional* manner, ensuring a community of excellence *now and in the future.*”

**UPDATE ON PARKING DECK –RESOLUTION NO. 016-14**

Public Works Director Kevin Mulligan stated that the City has committed \$270,000 to the project to date, which had been budgeted for \$4.2 million. He provided design aspects of the project, which included:

- LED Lighting (Interior and Exterior)
- Clock tower
- 240 spaces for regular cars
- Electric car parking, bicycle parking, motorcycle parking
- Security cameras



- Historic look of parking deck (Flanagan Buggy Building that had formally been on the site)

Public Works Director Mulligan stated that bids submitted for the project came in higher than expected in the 5+ million range, which is approximately 23% over the original budgeted amount. He informed the City Council that additional bids would be received the week of March 24<sup>th</sup> and the Design Team would begin to discuss cost saving options at that time. Staff anticipates a cost of \$5.1 million for the current design of the project. He listed factors that had contributed to the higher cost:

- Market factors – there are several large-scale projects in Greenville including Vidant, East Carolina University dorms, Georgetowne Apartment Complex.
- Losing the economy of scale
- Use of specialty contractors
- Brick façade and clock tower

He presented a design alternative that would eliminate the brick façade and clock tower and bring the expected cost to \$4.6 - \$4.8 million. He stated that staff and Barnhill Contracting, the firm hired as the Construction Manager at Risk (CMAR), are currently reviewing sub-contractor bids and anticipate coming to the City Council for approval of a guaranteed maximum price (GMP) in April or May.

City Manager Lipscomb stated that because the City Council had approved an installment loan plan for \$4.2 million at the Monday, March 17, City Council meeting, staff had set a public hearing for April 7 in order to satisfy timeline requirements for approval from the Local Government Commission (LGC) and the state. She advised that the minimum for the project would fall in the \$4.8 million range rather than the previously anticipated \$4.2 million range. She asked that City Council provide direction on whether or not to cancel the April 7 public hearing to work through the estimates. She provided the City Council with another option of moving forward with the discussion and amending the resolution to have a “not to exceed” (NTE) price of \$5.5 million.

Council Member Croskery stated that the structure will be in place for a while and he does not feel that the design alternative would be an enhancement to the Uptown district. He said that debt service is relatively cheap at the moment, and he spoke in favor of building something attractive that vendors and investors will build around.



Council Member Smiley stated that while he was disconcerted that the bids are much higher than the estimate that staff had brought before the City Council earlier this week, he is in favor of finding ways to construct something that the City will be proud of now and in the future.

Council Member Blackburn asked if it will be possible to re-let the bids.

Public Works Director Mulligan advised that it is possible, but there is the risk that the bids may go higher.

Council Member Blackburn said that she feels that public input would be needed on whether or not to remove the clock, brick façade, or make any aesthetic changes.

Council Member Glover said that she is not in favor of the design alternative because so much has been invested in bringing back the historic feel of the downtown area. She stated her reluctance to draw out the process because she feels that the costs may go higher.

Mayor Pro-Tem Mercer stated that he had been aware of the possibility of the bids coming in at a higher rate than what had been expected, but he had not expected the amounts to exceed staff's estimate by such a significant amount. He asked that staff give the City Council adequate time to process feedback before making decisions on projects of this scale. He said that he is in favor of having the parking deck because it will be beneficial to the downtown area, and he stated his opposition to the design alternative.

City Manager Lipscomb said that she understood that the City began to take an earnest view at the idea of a parking deck in 2010. A total of \$3.8 million had been determined at that time and was eventually brought up to \$4.2 million to factor in inflation. Staff had been confident about the pricing, so the financing was brought to the City Council on Monday. Due to the request to have an update on the parking deck placed on tonight's agenda, staff had just received the pricing today. She noted that if the update request had not been placed on the current agenda, staff would have brought the issue back to the City Council in May, after having done the necessary due diligence. She stated that if the City Council would like to stop the current process in order to do an evaluation, she would anticipate a delay of approximately 3 months. She said that if the City Council were to amend the NTE price to \$5.5 million, staff would have enough time to do the necessary due diligence and the City would stay on track with the LGC's timeline requirements.

Mayor Thomas said that he hears a consensus from the City Council that the aesthetics of the structure are important. He asked if moving the meeting with the LGC a month back to June would give staff adequate time to examine the options.



Financial Services Director Bernita Demery said that the City can be added to the LGC's June 3, agenda. City Council would have to make approvals before the LGC's June meeting.

Council Member Smiley noted that even if the full amount of \$5.5 million were approved, the City would not be obligated to build towards the entire amount. He said that rather than change the public hearing date and the meeting with the LGC, the City should present the LGC with a new NTE price.

Mayor Thomas said that a new NTE price would have to be voted on by the City Council.

Council Member Smiley said that he is comfortable moving forward since the City Council will not make the decision on what will be built until next month.

Mayor Pro-Tem Mercer asked if the concept presented by Council Member Smiley was accurate. He voiced his support for the concept as long as it is accurate and will give the City Council adequate time to process feedback.

City Attorney Holec asked when the City would have to inform the LGC what is being financed.

Financial Services Director Demery said that the information would have to be submitted shortly after the City's April 7 public hearing.

City Attorney Holec asked if the City would be required to provide a reasonable estimate, or if the City can say that the project will not exceed \$5.5 million and then come in under the NTE price.

Financial Services Director Demery said that the City will not be required to borrow more than what is needed and will be within guidelines as long as the amount does not exceed the NTE price.

City Manager Lipscomb asked how long the bid prices will be held.

Public Works Director Mulligan said the average is 45 days and most bidders are willing to extend the time upon request.

Mayor Pro-Tem Mercer asked if there is a financial penalty for requesting a loan for \$5.5 million and not using the full amount.

Financial Services Director Demery said that the City would not be penalized for coming under the requested amount. She advised that the timing is better than it was three months ago, but the window may change. She stated that the bank had asked the City for something positive by March 28 to indicate that the City is moving forward.



Council Member Glover said that she feels that the financial conditions are right for making this type of transaction.

Council Member Smiley made a motion to adopt a resolution which increases the not to exceed amount being financed for the parking deck to \$5.5 million and calling for a public hearing on April 7, 2014. Council Member Croskery seconded the motion.

Mayor Pro-Tem Mercer asked for the date that staff will go before the LGC.

City Attorney Holec said that staff will meet with the LGC on May 6.

Mayor Pro-Tem Mercer asked if the City Council would need to have their feedback on design options for staff at the April 7 meeting.

City Attorney Holec answered that is correct.

Council Member Smiley stressed the importance of staying on the timeline for a project of this scope.

Mayor Pro-Tem Mercer said that he supports the motion and he agrees that that staying on a timeline is important.

Hearing the no further discussion, the vote on the motion to increase the not to exceed amount being financed for the parking deck to \$5.5 million and calling for a public hearing on April 7, 2014, was unanimous.

#### **DOWN PAYMENT ASSISTANCE PROGRAM FOR WEST GREENVILLE**

Council Member Smith spoke in favor of developing a down payment assistance program for the West Greenville area. She acknowledged the City's efforts to revitalize West Greenville, and she expressed her belief that the program will help to establish more homeowners in the area.

Community Development Director Merrill Flood summarized the homeownership assistance programs that are currently offered by the City. He noted that both the pool programs and down payment assistance programs have been instrumental in assisting families with homeownership by providing those families with instant equity.

Council Member Smith made a motion to extend the down payment assistance program to the West Greenville area without income qualifiers. Council Member Glover seconded the motion.



Council Member Blackburn stated her support for the program because it will be accessible by individuals with incomes that exceed the maximum criteria for other programs.

Mayor Pro-Tem Mercer said that he is in favor of extending the program to the West Greenville area because he is a proponent of keeping a balance between home owners and renters in all sections of the City. He asked staff what the procedure would be for this item if the City Council were to support the motion.

City Manager Lipscomb stated that staff will amend the programs described by Community Development Director Flood and create guidelines if the City Council approves the motion.

Council Member Glover voiced her support for a program that will aid working class households that would otherwise be ineligible for programs aimed towards low-income households.

Community Development Director asked if the boundaries for this program will cover the certified redevelopment area or the generally accepted West Greenville area.

Council Member Smith stated that the program will cover both areas.

City Attorney Holec stated the statutory authority of the City Council for clarification. The City Council has the authority to create such programs for low and moderate income persons or for the restoration or preservation of older properties or neighborhoods.

Hearing no further discussion, the motion to extend the down payment assistance program to the West Greenville area without income qualifiers passed unanimously.

### **PRESENTATION AND DISCUSSION OF THE TOWN COMMON MASTER PLAN**

Parks Planner Lamarco Morrison gave a review of the Town Common Master Plan. Staff from Community Development and Recreation and Parks formulated a list of planning priorities using feedback gathered through surveys and public input sessions:

1. Pedestrian Bridge to River Park North
2. Public Structures
3. Site Improvements
4. Public Art
5. Gardens
6. Memorials



7. River Access

8. Vendor Spaces

A steering committee comprised of members from the Recreation and Parks Commission, Redevelopment Commission, and citizens from the old downtown neighborhood, selected Cole, Jenest, & Stone as the design consultant for the Town Common Master Plan. The consultant began the process by reviewing existing site conditions, recording the oral history of the park, and forming design principles. A concept plan was created using planning priorities and design principles, and refined into a master plan. The last phase of the plan was to develop a phasing plan to break down the project into smaller phases that can be executed as funding is available. The estimated cost is just over \$10 million.

Mayor Thomas asked about the current estimate.

Parks Planner Morrison stated that the original estimate had been \$13 million, but the amount had been updated this week to factor in the removal of the First Street Streetscape. He noted that Public Works and Community Development will be taking the lead on that project.

Council Member Blackburn asked staff which aspect of the plan will be addressed first. She expressed her hope to see some phase of the project executed by this summer, even if it is smaller in scale, like park benches.

City Manager Lipscomb stated that the process will be driven by the budget.

Council Member Blackburn asked if a discussion could be initiated between the City and other local entities, such as Pitt County Schools, East Carolina University, and local artists, to discuss temporary public art.

City Manager Lipscomb stated that it would be an appropriate conversation to initiate with Emerge Gallery.

Council Member Croskery asked that staff also place an emphasis on restrooms.

Mayor Pro-Tem Mercer stated that he sensed consistency between public sentiment and the components of the master plan. He emphasized the fact that the Town Common had been rated as a top priority at the Planning Session. He asked that staff place an emphasis on public accessibility of the park and the river.

Mayor Thomas acknowledged that the Town Common is unique to the City and is considered as a top priority by some members of the City Council. He stated that the



process is dependent on the budget, and necessities and needs must be balanced with quality of life items.

### **USE POLICY FOR THE TOWN COMMON**

Council Member Blackburn stated that she requested the addition of this item to the agenda because she has received feedback from citizens who said that the City should do more to energize and activate the Town Common. She said that the Town Common would become a more active part of the community if its Use Policy were modernized. She suggested that City Council and staff examine use guidelines for events and concerts in order to attract more events to the Town Common, as well as consider allowing the use of alcohol at events held there.

City Manager Lipscomb said that staff could look into the Town Common's Use Policy, and consider any updates that could be made. However, she pointed out that it is important to consider the cost of an increased number of events, as well as event coordination. She expressed her concern that an increase of events would also result in an increase in overtime for Public Works employees.

Council Member Smiley said that modernizing the Use Policy and attracting more events to the Town Common would not necessarily cost the City much. He pointed out that it is reasonable to aggressively program the existing performance space on the Town Common, and suggested that the City do more to attract private acts to perform there. He stated further that if alcohol contributes to the success of attracting private acts, then the City should not shy away from allowing its use at events held at the Town Common. Additionally, Council Member Smiley suggested that the City utilize the performance space as rental property rather than subsidizing more events there in order to recover losses.

Council Member Croskery suggested that in addition to allowing rental to certain events that do not interfere with City policies, permitting may also be allowed that would assist in recouping the costs for maintenance and clean up.

Council Member Smith said that if City Council considers policy for alcohol use, it must fit across the board for all organizations that may choose to host events at the Town Common. She stated further that a comprehensive policy will prevent situations in which the City is accused of favoritism towards some organizations over others.

### **SOLAR ENERGY – REMOVED FROM THE AGENDA**

### **EAST 10<sup>th</sup> STREET TRAFFIC SITUATION**

Council Member Blackburn stated that this item is in response to ongoing frustration and concern regarding the unsafe traffic conditions of East 10<sup>th</sup> Street. She mentioned that the speed limit on 10<sup>th</sup> Street is primarily 45 to 55 miles per hour in many areas. She stated



further that her particular concern is the intersection of 10<sup>th</sup> Street and Greenville Boulevard in front of Hastings Ford. The intersection has eight lanes of traffic, which makes it dangerous and difficult for pedestrians to cross the street. Council Member Blackburn acknowledged that the intersection is under state jurisdiction, but said that the North Carolina Department of Transportation's (DOT) guiding principle for many years has been to move traffic as fast as possible from one point to the next, which in Greenville's case has been directly to the center of the City.

City Manager Lipscomb updated City Council, stating that after much dialogue with the City, DOT has decided to examine the East 10<sup>th</sup> Street area and is considering the application of a Superstreet design. She invited Public Works Director Kevin Mulligan to explain DOT's plans further.

Mr. Mulligan stated that staff met with DOT in the latter part of 2013, and has since been exchanging letters of support for traffic calming. He said that the two major areas of concern are the College Hill area and the stretch of road between Oxford Road and Greenville Boulevard. Mr. Mulligan stated that one option to address the traffic issues is to implement a Superstreet design, which would improve safety, as well as reduce travel time, construction costs, and impacts on the environment. According to Mr. Mulligan, DOT would fund 100% of the project. He also said that staff is establishing a stakeholders group that will define the scope and parameters of the project.

Mayor Thomas asked how the addition of more crosswalks would fit into the Superstreet design.

Mr. Mulligan said that in order to add more crosswalks, an additional traffic signal would be required.

Council Member Croskery said that for the purpose of slowing traffic down, there is no reason why the City could not ask DOT to add another intersection with a crosswalk. He stated further that the more cost-effective way to address traffic speed is to request that the speed limit be decreased to 35 miles per hour.

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**COMMENTS FROM MAYOR AND CITY COUNCIL**

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Mayor Thomas proclaimed the week of April 19 – 26, 2014, as Animal Control Officer Appreciation Week.

The Mayor, Mayor Pro-Tem, and City Council made general comments about past and future events.



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**CITY MANAGER'S REPORT**

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City Manager Lipscomb noted that the Police Department and the Code Enforcement Division will be providing public education and working with local animal agencies during Animal Control Officer Appreciation Week.

At staff's recommendation, Council Member Blackburn made a motion to cancel the March 24, 2014, City Council Meeting, and add the proposed April 28, 2014, Joint City Council – Greenville Utilities Commission (GUC) meeting to discuss capital projects, to the calendar. Council Member Smith seconded the motion and it carried unanimously.

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**ADJOURNMENT**

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A motion was made by Council Member Blackburn and seconded by Council Member Croskery to adjourn the meeting. There being no further discussion, the motion passed by unanimous vote and Mayor Thomas adjourned the meeting at 10:45 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Carol L. Barwick".

Carol L. Barwick, CMC  
City Clerk

PROPOSED MINUTES  
MEETING OF THE CITY COUNCIL  
CITY OF GREENVILLE, NORTH CAROLINA  
MONDAY, APRIL 7, 2014



A regular meeting of the Greenville City Council was held on Monday, April 7, 2014, in the Council Chambers, located on the third floor at City Hall, with Mayor Allen M. Thomas presiding. Mayor Thomas called the meeting to order at 6:00 p.m. Mayor Pro-Tem Mercer gave the invocation, followed by the Pledge of Allegiance.

Those Present:

Mayor Allen M. Thomas, Mayor Pro-Tem Calvin R. Mercer, Council Member Kandie Smith, Council Member Rose H. Glover, Council Member Marion Blackburn, Council Member Rick Smiley, Jr. and Council Member Richard Croskery

Those Absent:

None

Also Present:

City Manager Barbara Lipscomb, City Attorney David A. Holec, City Clerk Carol L. Barwick and Deputy City Clerk Polly W. Jones

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**APPROVAL OF THE AGENDA**

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City Manager Barbara Lipscomb recommended rescheduling the Community Appearance Commission Report for May.

Council Member Blackburn made a motion to approve the agenda with the recommended change. Council Member Glover seconded the motion, which passed by unanimous vote.

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**PUBLIC COMMENT PERIOD**

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Ryan Killinger – No Address Given

Mr. Killinger stated that he is a vendor for local software companies and shared his opinion regarding privilege licenses for sweepstakes businesses. He said that the sweepstakes industry has been cast in a poor light, and encouraged City Council to make fair and equitable decisions regarding sweepstakes businesses. Mr. Killinger said that like any other business, sweepstakes businesses offer a service, and therefore, they deserve the same respect.



Ebony West-No Address Given

Ms. West spoke on behalf of the non-discrimination ordinance. She acknowledged that the City Council is a diverse group of individuals and is a great representation of the diversity of Greenville's citizens. Ms. West said that because of Greenville's diverse population, it is important to ensure that discrimination has no place in the City's workforce.

Kathleen Daniels – No Address Given

Ms. Daniels stated that the importance of the non-discrimination ordinance extends beyond Greenville. She mentioned that marriage equality is beginning to take hold throughout the nation, and said that Greenville must prepare itself by fostering a work environment that practices non-discrimination. Ms. Daniels pointed out that 17 cities and counties in North Carolina have already taken steps to promote non-discrimination in the workplace. She concluded by saying that it is unfair for individuals to be fired or denied jobs because of who they love or with which gender they identify.

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**CONSENT AGENDA**

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City Manager Lipscomb introduced items on the Consent Agenda, reading out the title of each as follows:

1. Minutes from the September 12 and October 10, 2013, City Council meetings
2. Right-of-way encroachment agreement with University Health Systems of Eastern North Carolina, Inc., doing business as Vidant Health, to encroach upon the public street right-of-way of Hemby Lane to install a below-ground fiber-optic cable in a conduit
3. Resolution declaring Urban Search and Rescue canine Storm as surplus property and authorizing her disposition to Retired Battalion Chief Susan Barrett - (Resolution No. 017-14)
4. Reimbursement Agreement with Greenville Utilities Commission for Design, Easement Acquisition, and Construction of Waterline Relocation for Bridge #421 on King George Road
5. Acceptance of Economic Development Grants from ElectriCities and the Pitt County Development Commission
6. Request by Pitt County Board of Health



7. Various tax refunds greater than \$100

Council Member Croskery made a motion to approve all items on the Consent Agenda. Council Member Blackburn seconded the motion, which passed by unanimous vote.

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**OLD BUSINESS**

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**2014-2015 CITY OF GREENVILLE STRATEGIC PLAN**

Assistant City Manager Chris Padgett provided a review of the 2014-2015 City of Greenville Strategic Plan and feedback received during and after the March 20, 2014 City Council meeting. He said that the feedback has been incorporated into the revised Strategic Plan that is being provided for City Council's consideration. Mr. Padgett pointed out that the most noticeable difference is the formatting of the Strategic Plan, which has changed from an outline document to a plan document. He reviewed the vision and mission statements, and summarized the six goals outlined in the Strategic Plan, which include the following:

- Dynamic and Inviting Community
- Economic Development
- Well Managed and Fiscally Sustainable City Organization
- Infrastructure
- Quality Neighborhoods
- Safe Communities

Mr. Padgett said that staff's recommendation is for City Council to approve the Strategic Plan as provided.

Council Member Blackburn made a motion to adopt staff's recommendation to approve the Strategic Plan. Council Member Glover seconded the motion, which passed by unanimous vote.

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**NEW BUSINESS**

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**PUBLIC HEARINGS**



**RESOLUTION TO EXECUTE AND DELIVER THE INSTALLMENT FINANCING AGREEMENT AND DEED OF TRUST FOR THE CITY'S UPTOWN PARKING DECK- (Resolution No. 018-14)**

Economic Development Director Carl Rees stated that in response to City Council's request, staff has researched the feasibility of constructing a parking deck on the City-owned property at the corner of 4<sup>th</sup> and Cotanche Streets. He recalled that the idea for the construction of a parking deck is the result of feedback from business and property owners in the uptown area who require additional parking resources. Based on citizen concerns expressed at several public meetings, staff conducted a year-long parking review with a report presented to and accepted by City Council in January of 2012. Mr. Rees pointed out that one of the key elements of the report was the review of opportunities for creating parking decks in the uptown area. As part of the parking review, Uptown Greenville conducted a survey of business and property owners in the uptown area. The results demonstrated that most businesses prefer to have parking within two blocks' walking distance, and most respondents were in favor of a central parking deck. Mr. Rees said that six properties were initially identified as being appropriate for a parking deck due to their size and availability. He stated further that City Council chose the site at the corner of 4<sup>th</sup> and Cotanche Streets and then instructed staff to begin hiring construction and design firms. Mr. Rees pointed out that much of the current parking uptown is not accessible to the general public, and also mentioned that the demand for leased parking has increased in recent years. He next invited Public Works Director Kevin Mulligan to discuss the costs associated with the parking deck project.

Mr. Mulligan gave a brief overview of the project and its costs. He said that the City has hired Walker Parking Consultants to be its design engineer, who has been working with local subcontractors. In addition, Mr. Mulligan said that the City also has a Construction Manager At-Risk (CMAR) for the project. He explained that there are several benefits to CMAR. For instance, CMAR increases the speed of the project and strengthens the collaboration between the architect/engineer and the construction manager. Additionally, CMAR has an upper limit cap, and potentially reduces change orders. Lastly, Mr. Mulligan said that CMAR enhances transparency of costs associated with the project. Mr. Mulligan stated that as of the March 20, 2014, presentation, not all bids had been received, but the construction bid was approximately \$5.2 million. To date, the City has committed \$270,000 for the parking deck project. He mentioned several factors have driven the project's cost, including the current market, the small size of the site, the loss of economy of scale due to the small size of the parking garage, and the expense of the materials that the parking garage will be constructed of. Mr. Mulligan said that the revised construction cost is approximately \$4.89 million, and mentioned that re-bidding the plumbing contract resulted in a savings of about \$102,000. Additionally, he said that other cost saving areas include the reduction of pile length, a change of handrail and drainage pipe material, deletion of sealer on non-exposed floors, and pre-cast release. Mr. Mulligan said that the



design team is still reviewing contractor bids in an effort to obtain a lower price. He stated that staff's recommendation is that City Council approve a maximum not to exceed the price of \$5.5 million to be presented to the Local Government Commission (LGC) for approval.

Council Member Blackburn asked if shortening the pile length would compromise the stability of the structure. Mr. Mulligan said that staff has met with the construction manager, a geo-tech expert, and the contractor, who all state that a five-foot reduction of the pile length poses no risk. He stated further that the original estimate of 60 feet was conservative, so scaling the length back to 55 feet will have no impact on the structure.

Council Member Blackburn also asked if the more cost-effective drainage pipe material is less environmentally sound. Mr. Mulligan said that the material was switched from cast iron to PVC, which is extremely durable, and will not pose an environmental risk.

Next, Financial Services Director Bernita Demery addressed the financing for the construction of the parking deck project. She stated that staff requires City Council's approval of the resolution and a Deed of Trust for the Installment Financing Agreement and the Debt Service Schedule in preparation for the May 15, 2014, closing date. Ms. Demery said that staff will make an application to the LGC tomorrow.

Mayor Thomas declared the public hearing open at 7:03 p.m. and invited anyone wishing to speak in favor of the parking deck to come forward.

Hannah Magneson – No Address Given

Ms. Magneson, who stated that she is the Vice President of Operations for Prime Investments and Development, spoke on behalf of John VanCoutren, who was unable to attend the meeting. She read a letter from Mr. VanCoutren, who expressed his support for the uptown parking deck project. Mr. VanCoutren stated in his letter that the parking deck is necessary to position Greenville for continued quality growth. He said that his senior business partner, Tom Glennon has been in communication with City officials, ECU officials, and private stakeholders regarding a potential hotel in the uptown area. Mr. VanCoutren stated that the conversations have become more serious, and capital investments have already been made in the uptown area. He said that without the parking deck, a hotel in the uptown area will not be possible. Mr. VanCoutren encouraged City Council to move forward with a parking deck so that Greenville can achieve its potential as a quality balanced community.

Bianca Shoneman - No Address Given

Ms. Shoneman, who stated that she is the Executive Director of Uptown Greenville, expressed the organization's support for the construction of a parking deck in the uptown area. She said that the vital need for the parking deck is beyond question, and it is the right



project at right time. She stated further that in the last year, Uptown Greenville has reported \$43 million in private investment in uptown area, which has contributed to the creation of 113 full or part-time jobs. Ms. Shoneman said that adequate parking is necessary to accommodate the rapid growth of the uptown area, and she encouraged City Council to consider the larger economic strategy for the City. She urged City Council to move forward with the construction of the parking deck as it was originally designed.

#### Don Edwards – No Address Given

Mr. Edwards, who stated that he is a retailer, property owner, and volunteer in Uptown Greenville, expressed his support for the parking deck. He said that it is important to consider the growth of the uptown area and provide adequate parking for all. He mentioned that several new businesses and projects are coming to the uptown area, including the Wright School of Music, Fitzgerald's Irish Pub, and the new Taft student housing complex. Mr. Edwards pointed out that in order to accommodate the influx of patrons who will flock to the area, parking must become vertical. He mentioned that Wilmington and Asheville already have parking decks, and have profited from them in the long run. Mr. Edwards said that \$8 million will be added to the City's tax base on half an acre as a result of the parking deck. He encouraged City Council to move forward with the parking deck project so that Greenville can grow and thrive.

#### David Carpenter – 127 King George Rd.

Mr. Carpenter stated that in 2004, Don Parrot and the then City Council recognized that parking in uptown Greenville was becoming a problem, and voted to set aside nearly \$4 million to address the issue. However, Mr. Carpenter pointed out that those funds have been picked away for other projects through the years. He said that when Uptown Greenville conducted a parking survey two years ago, the majority of the respondents said that parking was a major deterrent to the growth of the uptown area, and indicated that a parking deck could address the problem. Mr. Carpenter mentioned that at the time of the parking survey, \$1.7 million of the \$4 million was still remaining, however; City Council recently chose to use that amount to fund new computers and to finance 100% of the parking deck. He stated further that private developers have already invested millions of dollars into the uptown area, and plan to continue to do so. Mr. Carpenter said that during recent visits to Durham, North Carolina and Greenville, South Carolina, it became apparent to him that a vibrant downtown area benefits the entire City. He acknowledged that although a parking deck may not be a transformational project by itself, it will play a pivotal role in transforming uptown Greenville.

Hearing no one else who wished to speak on behalf of the parking deck, Mayor Thomas invited comment in opposition.



Marsha Wyly – No Address Given

Ms. Wyly stated that she is in favor of the parking deck, but is opposed to the current process. She said that the uptown parking deck project has grown smaller than it was originally planned, and may not require a Construction Manager at Risk. Instead, she recommended that the City revert to an ordinary contract process to bid the project with local bidders. Ms. Wyly pointed out that many talented architects are involved in the project, as well as an in-house project manager. She said that the end result could be much closer to \$4.2 million.

Carol Collins- No Address Given

Ms. Collins stated that she is not opposed to the parking deck, but expressed her concerns about the financing and timing of the project. She explained that it seems as though the City is rushing into the project by building a parking deck that may be too small for its proposed use. She encouraged City Council to defer the project for a year in order to address the City's infrastructure issues, as well as plan for a better parking deck.

Hearing no one else who wished to speak in opposition, Mayor Thomas closed the public hearing at 7:24 p.m.

Council Member Croskery pointed out that the current investment in the project would not be lost if it were deferred for a year. He pointed out that the City has many projects that must be completed on a restricted budget. He suggested collaborating with the County about the possibility of utilizing the county parking lots near the courthouse until the City's budget can sustain the parking deck project.

Mayor Thomas said that the City is planning now for the future, and taking a different path may stunt the City's potential for growth. He stated further that the current bids will expire and could even be higher in the future if the project is deferred.

Council Member Smith pointed out that the projected cost for the project has already doubled over time, and said that costs will continue to rise if the project is deferred. She stated further that the City should not back out now because the necessary steps to plan for the project have already been taken.

Council Member Smith made a motion to adopt a resolution to execute and deliver the installment financing agreement and Deed of Trust for the City's Uptown Parking Deck and to approve a maximum not to exceed the price of \$5.5 million to be presented to the LGC for approval. Council Member Smiley seconded the motion, which passed by unanimous vote.



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**OTHER ITEMS OF BUSINESS**

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**PRESENTATIONS BY BOARDS AND COMMISSIONS**

**AFFORDABLE HOUSING LOAN COMMITTEE**

Melissa Grimes, who stated that she is the current chair of the Affordable Housing Loan Committee for the upcoming year, presented the Committee's report and recent accomplishments. She introduced the Committee's primary functions, which include the following:

- To approve loans made under the Affordable Bond Programs for first-time homebuyers, down payment assistance, home mortgages, and elderly homeowner rehabilitation loans
- To make recommendations to City Council regarding the purchase of land to be used for affordable housing developments, creation and set up of loan pool mortgage agreements with other financial institutions, and making changes in funding allocations by funding category
- To review other housing related policies and activities as deemed appropriate by the Greenville City Council

Ms. Grimes said that during the past 12 months, the Committee has been instrumental in assisting the City of Greenville Housing Division in its efforts to extend and strengthen partnerships among the public and private sectors. Additionally, she stated that the Committee has contributed to providing decent housing, establishing and maintaining suitable living environments, and expanding economic opportunities throughout the community. She also mentioned the Committee's recent accomplishments, which include the following:

- Approved down payment assistance to 6 homebuyers through the Home Investment Partnership program, the bond fund, and the University Area Program for a total of approximately \$69,265
- Set just compensation for acquisition of properties in West Greenville's 45-block area for a total of approximately \$67,209.99
- Approved Community Development Block Grant (CDBG) Public Service Category Funding, and awarded funds to local non-profit organizations. These organizations



included The Center for Family Violence, The Boys and Girls Club, Literacy Volunteers of Pitt County, and ECU Lucille W. Gorham Intergenerational Center for a total of approximately \$75,000

Ms. Grimes said that 65 files were reviewed for a formal application. Of those applications, 33 were determined to be eligible for assistance. She mentioned that there are 23 applications that have not received assistance and have been put on hold because of title issues, which can consist of delinquent mortgages, delinquent property taxes, and IRS and state liens. Ms. Grimes also pointed out that 10 applications did not receive assistance because the owners were over income, had passed away, or the property was not occupied. She stated further that there are 33 new households added to the waiting list, which currently consists of 45 people who have not been contacted, and an additional 28 citizens still on hold. The cumulative total of the waiting list is 73 households.

**RESOLUTION TO EXECUTE AND DELIVER THE INSTALLMENT FINANCING AGREEMENT FOR THE INITIAL BORROWING ON A THREE-YEAR PLAN FOR THE ACQUISITION OF SANITATION EQUIPMENT - (Resolution No. 019-14)**

Financial Services Director Bernita Demery presented the Installment Financing Agreement for the initial borrowing on a three-year plan to purchase recycling carts. She said that the Installment Financing Agreement is in line with the seven-year plan for the Sanitation Department. Ms. Demery said that staff's recommendation is that City Council adopt the resolution approving the proposed Installment Financing Agreement.

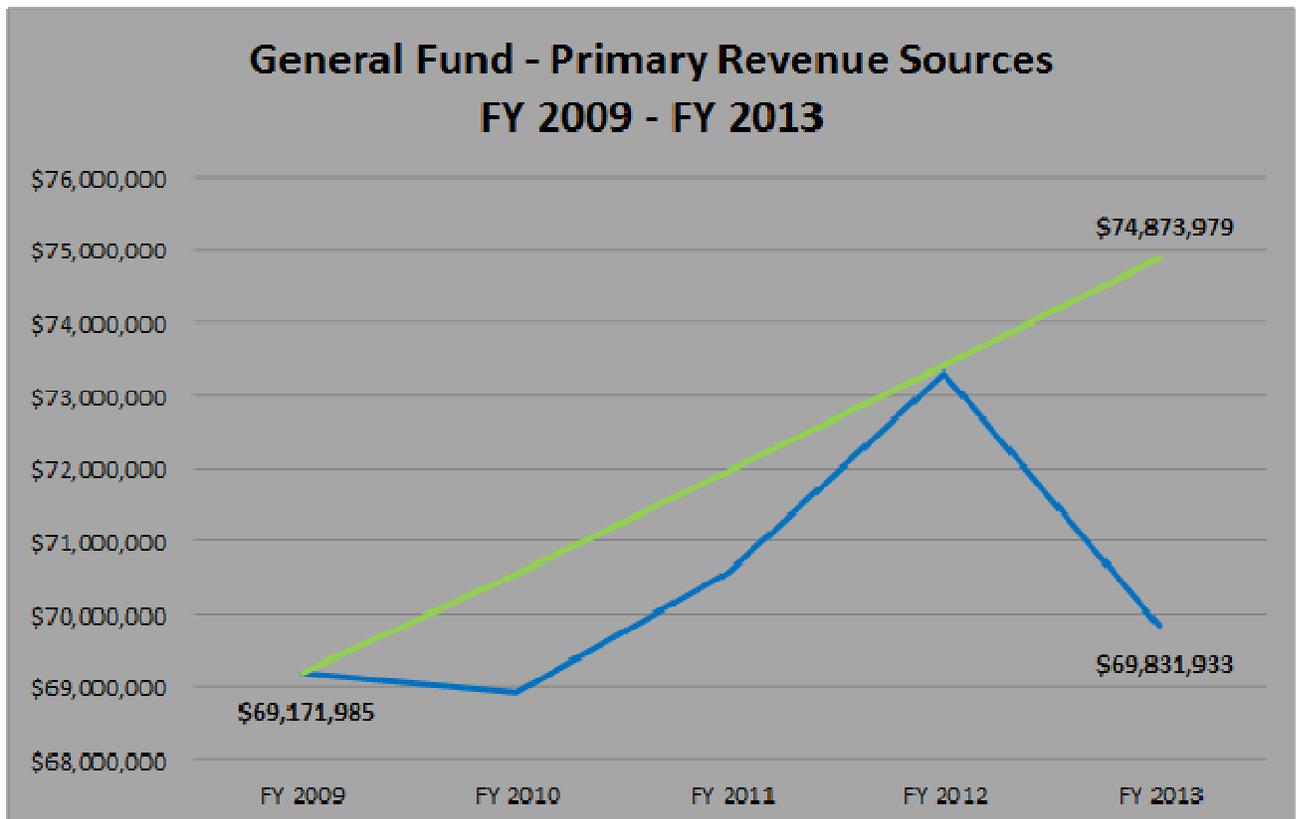
Council Member Glover made a motion to approve the resolution. Council Member Croskery seconded the motion, which passed by unanimous vote.

**PREVIEW OF CITY'S PROPOSED OPERATING BUDGET FOR FISCAL YEAR 2014-2015 AND FINANCIAL PLAN FOR FISCAL YEAR 2015-2016**

Financial Services Director Bernita Demery and Assistant City Manager Chris Padgett gave a joint presentation on the budget preview. Mr. Padgett reviewed the City's current economic conditions and expectations based on Tax Reform and the expected state revenue shortfall. He said that economic recovery is occurring slowly with limited growth in revenues. Additionally, he mentioned that the Tax Reform passed by the General Assembly last year has created legislative uncertainty for municipalities, because it proposes to replace utility franchise tax with sales tax. He also said that potential state revenue shortfall is anticipated and could also create uncertainty, because revenue activity at the state level tends to trickle down to municipalities. Mr. Padgett said that there are five primary revenue sources for the General Fund, which include the following:



- Ad Valorem Taxes  
(Real and Personal Property Taxes)
- Governmental Revenues  
(Sales Tax, Utility Franchise Tax, Motor Vehicle Tax,  
Privilege Licenses, Wine and Beer Tax)
- Other Functional Revenues  
(Fees for rescue services, building permits, R&P programs,  
planning and engineering applications, parking tickets)
- Investment Earnings
- GUC Transfers





Mr. Padgett presented the chart above that depicts the results of the General Fund's five primary revenue sources over a five-year period, with the green line representing a moderate increase in annual revenue collections and the blue line representing actual revenue collections. He pointed out that the revenue sources increased by only \$660,000 between 2009 and 2013, and decreased by over \$3 million between 2012 and 2013. Mr. Padgett said that if the revenues had increased by a modest 2% annually from 2009 to 2013, the City would have received an additional \$5 million in Fiscal Year 2013.

Next, Mr. Padgett gave a budget and plan overview of the General Fund. He said that the budget is based on current revenues, as well as continuing existing levels of service and programs. There are no new employees proposed in the budget for 2014 or 2015. However, there is partial funding available in several areas, including maintenance, transportation, capital needs, and personnel. Mr. Padgett said that the proposed budget for Fiscal Year 2015 is approximately \$8.1 million less than current year budget due to the appropriated fund balance for the General Fund and Powell Bill funds in Fiscal Year 2014. He added that the actual reduction is about \$700,000 when taking the appropriated fund balance out of the equation. He also said that Fiscal Year 2016 is projected to increase by \$400,000 from Fiscal Year 2015.

Mr. Padgett next presented the proposed General Fund revenues for Fiscal Years 2015 and 2016. He said that staff has proposed that the revenues and expenditures for both years are balanced, with a slight surplus each year. He mentioned, however; that several unmet needs will absorb that surplus. For Fiscal Year 2015, Mr. Padgett stated that property tax and sales tax comprise the City's largest revenue sources, totaling 62%. He said that the projected property tax collection is estimated to increase by 2% over the next two years. Next, Mr. Padgett compared Greenville's property tax rate to rates of peer cities. According to the data, Asheville has the lowest property tax rate at \$0.46, Jacksonville has the highest at \$0.54, and Greenville falls in the middle at \$0.52 cents. He noted that the value of one cent must also be examined when determining how much the property tax rate actually generates. Using the same comparable cities, one cent in Asheville will generate approximately \$1.1 million, \$366,049 in Jacksonville, and \$585,769 in Greenville. Mr. Padgett next presented information about the City's sales tax, which he referred to as a volatile revenue stream because it is dependent on the economy and seasonal sales. He said that there was a slight decrease in sales tax collections in 2013, and that they are expected to meet budget in the current year. He also mentioned that staff has budgeted a 1% increase for each of the next 2 years.

Next, Mr. Padgett discussed General Fund expenses. He said that 66% of the General Fund expenses are personnel related, while 21% are allocated for operations. The remaining funds are designated for transfers and capital improvements, which represent 9% and 4% respectively of the General Fund. He stated further that the Public Safety Department represents the largest expenditures by department at 48%. Mr. Padgett said that is a 1%



market personnel increase for Fiscal Years 2015 and 2016, and mentioned that the average compensation increase over the past five years has been 0.8%. The Capital Associated Industries (CAI) index, which has traditionally been used by the City and GUC to gauge the market, is a 2.4% increase. He recalled that for Fiscal Year 2014, the City did not grant a pay increase, but paid 100% of the additional cost for employee health insurance instead. Mr. Padgett said that the City's budget for health care for Fiscal Year 2014 was a \$1.4 million increase. He stated further that staff's advisors expect a 10% increase for the coming year. Mr. Padgett pointed out that the City's revenues have stayed constant while costs have reduced, which places the City in a much better position for the current year. He stated further that the City will have a 1% increase in spending on the current year budget from the first year, and an 8% increase in the second year, due to the increase in claims. He said that City staff and GUC are working through a strategic plan for the health insurance program, so there may be ways to mitigate additional costs that staff anticipates for Fiscal Year 2016. Next, Mr. Padgett discussed Operations, which are projected to decrease by 6% for Fiscal Year 2015 and 3% for Fiscal Year 2016. This decrease is the result of a reduction of contracted services and operational line items in all departments. Mr. Padgett said that capital improvements are projected to decrease from \$6 million to \$3 million, and no fund balance will be used for them. However, Mr. Padgett presented a list of items that are included in the proposed budget preview:

- Facilities Improvement Program (\$800,000) + (\$200,000)
- Street resurfacing and sidewalks (\$750,000)  
(Additional expenditures from appropriated fund balance)
- Viper Radio System (\$125,000)
- New Evidence Storage Building (\$250,000)
- Technology System Improvements (\$105,000)
- Town Common Improvements (\$150,000)
- Comprehensive Plan Re-Write (\$140,000)
- GTAC (\$178,000)

Mr. Padgett also mentioned several unfunded capital needs that are not included in the budget, and said that the City must find a sustainable way to fund them with an eye on future needs. These needs include the following:

- Transportation Maintenance / Improvement Needs:  
Annual investment for full sustainability: \$2.8 million  
Current shortfall: \$2.05 million
- Facilities Improvement Program:  
Annual investment for full sustainability: \$2.2 million  
Current shortfall \$1.2 million



- Personnel:  
Need for Fiscal Year 2015, based upon CAI data, is 2.4% (\$833,000)  
Current shortfall: \$486,000
  
- Select Large Capital Needs:
  - South Greenville Recreation Center - \$2.2 million
  - Town Common Master Plan Improvements - \$10 million - \$13million
  - West 5th Street Phase II Improvements - \$1.7 million
  - 10th Street Connector Sidewalks and Enhancements - \$1.1 million
  - Cotanche to Reade Alley Improvements - \$275,000
  - Dickinson Avenue Improvements (streetscape/ parking) – \$2.2 million
  - State Theater - \$2.5 million

Following Mr. Padgett’s presentation, Ms. Demery reviewed the City’s Other Funds, which include Transit, Fleet, Sanitation, Stormwater, and Housing. She said that the Transit budget is increasing by 14% to offset charges that were not absorbed within Transit in previous years. By recognizing these costs in the fund, Transit will be reimbursed appropriately with additional federal funding.

Ms. Demery stated that the Fleet Maintenance fund has decreased by 4%, and is expected to remain flat for the next two years. She added that the City charges a labor fund of \$60 per hour, parts at 15% markup, and fuel at \$0.15 per gallon. With regard to the Sanitation Fund, Ms. Demery reported that revenues will increase. She said that with increasing rates, Sanitation is able to cover debt service anticipated for the purchase of rollout and recycle carts to be in line with the five-year plan for a more efficient Sanitation system. Additionally, Ms. Demery pointed out that the budget includes funding to complete the multi-family recycling centers. She stated that staff expects by the end of 2015 that revenues and expenses will be more in line. Next, Ms. Demery discussed the Stormwater Fund. She said that in Fiscal Year 2014, the Stormwater Fund has an estimated \$5.3 million allocation to be issued for the Town Creek Culvert. She stated further that with the \$5.3 million isolated out of the Fiscal Year 2014 amount, the change will only be around 10%. She also said that the revenues from the fee increase are the cause for the budget increase in the second year. Ms. Demery stated that funding for the Housing Fund has increased due to federal government cuts, but mentioned that programming has remained consistent. She said that the federal government cuts have resulted in a proposed \$250,000 increase for Fiscal Year 2015 and \$300,000 for Fiscal Year 2016 from Fiscal Year 2014 transfers from the General Fund, which will keep the programming at a relatively consistent schedule.

Council Member Blackburn asked for an estimate for the reduction in the City’s revenues is as a result of not changing the City’s tax rate following a negative revaluation in 2011. Ms. Demery said that the reduction is an estimated \$2.4 million annually.



Council Member Blackburn asked if it would be useful to allocate street improvement funds or funds from the General Fund for sidewalks. City Manager Lipscomb said that usefulness of doing so would depend on the City's priorities. She said that the budget is in balance based on revenues, which are flat, but said that staff can evaluate reprogramming if City Council desires.

Mr. Padgett added that staff will also be aggressive with pursuing grant funding for sidewalks, as well.

**ORDINANCES AMENDING THE CITY'S PRIVILEGE LICENSE FEES - (Ordinance No. 14-015), (Ordinance No. 14-016)**

City Attorney Dave Holec said that at its March 17, 2014, meeting, City Council received a report on the City's Privilege License Fee structure, including alternative fee structure approaches and comparative information from other cities. Following the report, City Council directed staff to prepare an ordinance to raise the maximum cap for privilege license fees based upon gross receipts from \$2,000 to \$10,000. In addition, City Council requested that options be provided for its consideration relating to privilege license fees for sweepstakes businesses. Mr. Holec stated that the ordinance raising the maximum cap based on gross receipts will be effective for privilege licenses commencing on or after July 1, 2014. He stated further that the increase in the maximum cap would result in an estimated \$193,000 in extra revenue. However, due to the federal Internet Tax Freedom Act that prohibits state and local taxes on the sale of internet access, it is necessary to have a separate provision for internet sweepstakes businesses. Mr. Holec stated that North Carolina cities have the authority to levy privilege licenses on internet sweepstakes businesses, but as the result of recent court decisions, the amount taxed is required to be "just and equitable." The evaluation of constitutionality occurs on a case-by-case basis with consideration being given to the percentage increase in the amount of tax previously levied and the disparity between the tax levied when compared to those levied on different businesses. Mr. Holec said that staff recommends that City Council utilize the same maximum cap for internet sweepstakes privilege license fees as the gross receipt tax to equal out the disparity. In addition, Mr. Holec said that staff recommends a gradation of the tax so that it increases based on number of gaming terminals per sweepstakes business. He explained that the proposed ordinance relating to internet sweepstakes would establish a \$750 fee per location, and would charge \$250 per gaming terminal.

Mayor Pro-Tem Mercer expressed his concern that the rate structure of privilege license fees is unfair to small businesses. He asked if removing the \$10,000 cap would equalize the rate that large and small businesses pay. Mr. Holec said that the privilege license fees are based upon a business' gross sales. Therefore, the fee would be \$50 for the first \$25,000 of sales, and would be \$0.50 for each additional \$1,000. Mr. Holec explained further that the cap enables businesses whose sales exceed that amount to pay no more than \$10,000.



Mayor Pro-Tem Mercer made a motion to not increase fees on small business, and to approve the ordinance with the cap removed so that larger businesses will be treated the same. Council Member Blackburn seconded the motion.

Mr. Holec explained that the motion will delete the cap on the fee and the fee will be \$50 for the first \$25,000 of sales and anything above that amount will be charged at a rate of \$0.50 per \$1,000 gross receipts.

There being no further discussion, the motion to approve the ordinance amending the City's privilege license fees which removes the maximum tax for a privilege license determined by the gross receipts method passed by a 4 to 2 vote. Council Members Smith and Glover cast the dissenting votes.

Council Member Blackburn made a motion to approve the ordinance relating to privilege license fees for internet sweepstakes businesses. Council Member Smiley seconded the motion, which passed by unanimous vote.

### **2014 STATE LEGISLATIVE INITIATIVES**

City Attorney Dave Holec stated that the North Carolina General Assembly will reconvene on May 14, 2014. He said that the General Assembly meets in two-year cycles and the 2014 Session is the "short" session. Therefore, matters that may be considered are limited. He stated further that the North Carolina League of Municipalities will assist the City in securing legislation by promoting the City's interests in the General Assembly and monitoring the activities of the state Legislature. Mr. Holec provided seven potential legislative initiatives for City Council's consideration, and stated that based upon direction from City Council at this meeting, he would bring them before City Council for adoption at its next meeting. The potential legislative initiatives include the following:

- Preservation of Municipal Revenue Sources
- Preservation of Municipal Authorities
- Retention of Greenville Water System
- Funding for Southwest Bypass Project
- Local Act for Disposition of Nonconforming Sized Residential Lots
- Economic Development Incentives
- Urban Search and Rescue Funding Source



There was a consensus among City Council to support all seven items. City Council gave direction to City Attorney Holec to bring the seven items to City Council at its next meeting for adoption.

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**REVIEW OF APRIL 10, 2014 CITY COUNCIL AGENDA**

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The City Council did a cursory review of the April 10, 2014, City Council agenda and reviewed public hearings, nominations for appointments to Boards and Commissions, and discussion on the West 5<sup>th</sup> Street Phase II Project.

City Manager Lipscomb requested on behalf of Mayor Thomas to move the public comment period to the beginning of the City Council Meeting.

Council Member Blackburn made a motion to add a discussion to the agenda regarding updates to the City's personnel non-discrimination policy. Council Member Croskery seconded the motion, which passed by unanimous vote.

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**COMMENTS FROM THE MAYOR AND CITY COUNCIL**

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

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**CITY MANAGER'S REPORT**

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City Manager Lipscomb stated that staff will have a Community Input Session for the Tar River Legacy Plan on April 26, 2014, at City Hall. In addition, City Manager Lipscomb mentioned that staff has received over 70 protest petitions relating to the University Neighborhood Ordinances for City Council's Thursday evening meeting agenda. She said that staff is evaluating and verifying the petitions, and will advise City Council of them as soon as possible.



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**ADJOURNMENT**

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Council Member Glover moved to adjourn the meeting, seconded by Council Member Smith. There being no further discussion, the motion passed by unanimous vote and Mayor Thomas adjourned the meeting at 10:14 p.m.

Prepared By:  
Sara Ward, Clerical Assistant  
City Clerk's Office

Respectfully submitted,

Carol L. Barwick, CMC  
City Clerk

PROPOSED MINUTES  
MEETING OF THE CITY COUNCIL  
CITY OF GREENVILLE, NORTH CAROLINA  
MONDAY, MAY 5, 2014



A regular meeting of the Greenville City Council was held on Monday, May 5, 2014, in the Council Chambers, located on the third floor at City Hall, with Mayor Allen M. Thomas presiding. Mayor Thomas called the meeting to order at 6:00 p.m. Council Member Rose Glover gave the invocation, followed by the Pledge of Allegiance.

Those Present:

Mayor Allen M. Thomas, Mayor Pro-Tem Calvin R. Mercer, Council Member Kandie Smith, Council Member Rose H. Glover, Council Member Marion Blackburn, Council Member Rick Smiley, Jr. and Council Member Richard Croskery

Those Absent:

None

Also Present:

City Manager Barbara Lipscomb, City Attorney David A. Holec, City Clerk Carol L. Barwick and Deputy City Clerk Polly W. Jones

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**APPROVAL OF THE AGENDA**

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City Manager Barbara Lipscomb presented the request by Council Member Glover to move the Budget Presentation up on the agenda before New Business.

Council Member Blackburn made a motion to move the discussion of the Budget Presentation up on the agenda. Council Member Smith seconded the motion, which passed by unanimous vote.

Upon motion made by Council Member Croskery and second by Council Member Smith, the agenda was approved with the requested change by unanimous vote.

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**PUBLIC COMMENT PERIOD**

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**PUBLIC COMMENT PERIOD**



Bianca Shoneman – No Address Given

Ms. Shoneman, who stated that she is the Executive Director of Uptown Greenville, said that the organization's Board of Directors supports the construction of a parking deck on the Moseley Lot in Uptown Greenville. Ms. Shoneman said that the parking deck has already fostered substantial investments in the Uptown district. She pointed out that in the last year, Uptown Greenville has reported that over \$43 million in private equity has been committed to construct 300,000 gross square feet in new residential, and 43,000 square feet in new and adaptive office space. Moreover, Ms. Shoneman said that it is estimated 113 new or part time jobs will be created in the Uptown district. She mentioned that the Wright School of Music, which just held its ribbon-cutting, will employ 19 music teachers. She said that the parking deck is necessary for accommodating the continued growth in the Uptown district, and encouraged City Council to continue with its progress on the project.

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**CONSENT AGENDA**

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City Manager Lipscomb introduced items on the Consent Agenda, reading out the title of each as follows:

1. Minutes from the October 7, 2013, November 7, 2013, December 12, 2013, January 16, 2014, February 13, 2014, and February 24, 2014 City Council meetings
2. Resolution amending Article VII, Section 2.0 Holidays of the Personnel Policies - (Resolution No. 029-14)
3. Approval of changes to the Housing Division Policy and Procedure Manual
4. Resolution of support to the North Carolina Department of Transportation for funding the intersection improvements at the intersection of West 5th Street and Memorial Drive - (Resolution No. 030-14)
5. Supplemental Design Agreement for additional services on the South Tar River Greenway Phase 3 Project
6. Contract award for the Municipal Building Roof Replacement and Exterior Waterproofing
7. Various tax refunds greater than \$100
8. Report on Bids Awarded



Council Member Blackburn moved to approve all items on the Consent Agenda. Council Member Glover seconded the motion, which passed by unanimous vote.

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**PRESENTATION OF THE CITY'S PROPOSED FISCAL YEAR 2014-2015 OPERATING BUDGET AND FISCAL YEAR 2015-2016 FINANCIAL PLAN**

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City Manager Lipscomb began by reviewing the General Fund Budget and Plan Overview. She stated that the City has a balanced budget for Fiscal Years 2015 and 2016 based on the current tax rate of \$0.52 per \$100.00, which will allow the City to continue its current service levels and programs. City Manager Lipscomb said that no new employees were included in the budget for both years, but mentioned that partial funding is included for maintenance of existing facilities, transportation, capital, and personnel. The proposed budget is 10% less than the current budget due to the amount of capital projects shown in the budget. City Manager Lipscomb said that property tax and sales tax are the City's largest revenue sources, combining to make up approximately 64% of the proposed revenue for Fiscal Year 2015. She mentioned that property taxes experienced a shortfall from the estimated amount, but privilege licenses made up for the difference by contributing an additional \$479,000 per year. City Manager Lipscomb said that the City is projected to collect a 3% increase in property taxes in Fiscal Year 2014, with a 2% increase over the next two years. She explained that the 3% increase in property taxes for Fiscal Year 2014 was the result of motor vehicle collections and is a one-time windfall. City Manager Lipscomb reported that sales tax history has remained flat, with a 2% increase for Fiscal Year 2014. She said that staff anticipates a 2% increase for Fiscal Year 2015 and a 1% increase for Fiscal Year 2016.

Next, City Manager Lipscomb addressed General Fund expenses. She stated that the two largest General Fund expenses are personnel at 66% and operations at 21%. For personnel expenses, market and merit salary increases have averaged approximately 4.6% from 2005 to 2009. However, salaries have only increased by 0.8% from 2010 to 2014. City Manager Lipscomb noted that in 2014, the City did not increase salaries, but did fund the employee portion of the health insurance program. She said that staff recommends a 1.5% salary increase for Fiscal Year 2015 and an additional 1.25% increase for Fiscal Year 2016. In addition, she said that staff recommends increasing the employee health insurance program by 1% for Fiscal Year 2015 and by 7% in Fiscal Year 2016. City Manager Lipscomb said that City Council has established a goal to increase the City's Other Post-Employment Benefits (OPEB) by \$50,000 per year through Fiscal Year 2016. She also reported that operational expenses have decreased by 5% for Fiscal Year 2014, but are expected to increase by 3% in Fiscal Years 2015 and 2016. City Manager Lipscomb noted that, although capital improvements are decreasing by 30% through Fiscal Year 2016 due



to lack of funding, Capital Reserve funds are available for transportation projects. City Manager Lipscomb presented a list of several unfunded needs below:

- Transportation Maintenance/Improvement Needs:
  - Annual investment for full sustainability: \$2.8 million
  - Current shortfall: \$2.05 million
- Facilities Improvement Program:
  - Annual investment for full sustainability: \$1.6 million (capital only)
  - Current shortfall: \$600,000
- Personnel:
  - Joint Pay and Benefits Recommendation: 2.5%, or \$867,000
  - Current shortfall: \$346,000

City Manager Lipscomb also reminded City Council of several large unfunded capital projects. In particular, she said that the 10<sup>th</sup> Street Connector sidewalks and enhancements will require \$1.1 million. She said that the impact of tax rate adjustments by \$0.01 on the current tax rate of \$0.52 would generate \$597,000 that will fund debt on a \$7 million bond over 20 years.

Financial Services Director Bernita Demery presented the City's other funds. She said that the debt service fund for Fiscal Year 2014 was \$4.5 million. Staff is proposing an additional \$5 million due to construction of the parking deck. She stated that the City's current outstanding debt ratio is approximately 11% of legal capacity. Ms. Demery said that the Public Transportation Fund has decreased due to the fluctuation of capital projects. In previous years, the City has used fund balance for the Public Transportation Fund; however, those funds are not available for the current fiscal year. Ms. Demery said that the Sanitation Fund is somewhat flat, with included increases for the next few years, which are in line with the City's five-year plan to create a more efficient sanitation system. Due to those increasing rates, the Sanitation Fund will be able to cover the debt service anticipated for the purchase of rollout and recycling carts. Additionally, the budget includes funding to complete the multi-family recycling center. Ms. Demery said that the Stormwater Fund is projected to fluctuate from Fiscal Year 2014 to Fiscal Year 2016. This fluctuation is due to moving the Town Creek Culvert into the Capital Project Fund. Fiscal Year 2014 has an estimate of \$5.3 million to be issued for the Town Creek Culvert. With that amount isolated out of the Stormwater Fund, the projected amount of change is only 10%. In addition, Ms. Demery said that there is a multi-year fee increase for the Stormwater Fund, which causes the increase in Fiscal Year 2016. Ms. Demery stated that the Housing Fund has received many federal cuts over the past few years, and as a result, the City must double its contribution to this fund in Fiscal Years 2015 and 2016. However, she pointed out that programming has remained relatively consistent.



Council Member Blackburn asked if the City will be receiving state funding for the Town Creek Culvert. Ms. Demery said that the City received an interest-free loan from the state, which will save the City over \$2 million.

Council Member Smith said that the City should remain within the confines of the current budget and limit the salary increases to 1.5% until the City has identified a source for additional funds.

Council Member Smiley expressed his concern that limiting salary increases to 1.5% continues the City's pattern of deferring challenges to a later time, rather than facing them when they arise. He urged the City Council to formulate a solution to address these challenges, such as salary increases, as deferring them will further drive their cost. He pointed out that if the City continues to resist market-based salary raises, it will no longer remain a competitive employer, and that the services offered to the community will suffer as a result of increasing vacant positions.

Council Member Croskery suggested that it may be necessary for the City Council to consider a marginal raise in taxes in order to fund salary increases and necessary improvements throughout the City. He pointed out that improvements will become more expensive each year that they are put off; therefore, it is important to budget for maintenance in advance. He mentioned that even if taxes were raised by four cents, they would still be lower than they were several years ago.

Council Member Smiley acknowledged that a bond may be a solution to address the City's challenges. However, he stressed that a bond should be used to fund improvements that represent a gain for the City, rather than short-term improvements.

City Manager Lipscomb distributed the Proposed Maintenance Improvement Program for Fiscal Year 2015 and 2016 to the City Council. She said that the City has approximately 10 years of deferred maintenance projects that cost around \$10 million. She pointed out the great need for transportation improvements, and said that a bond may be necessary to remediate the City.

Mayor Pro-Tem Mercer stated that he does not feel comfortable voting for or against a bond until City Council receives feedback from the citizens and stakeholders. He said that it is important to listen to what the community wants because they will be voting on the bond.

Council Member Glover made a motion to direct staff to prepare a bond referendum in an appropriate amount in two parts: (1) to address roads and infrastructure in serious need, and (2) to address the City's needs for upgrading existing facilities to meet safety needs and



for establishing an ongoing facilities improvement program. Council Member Smiley seconded the motion.

Council Member Blackburn asked for more information about the bond, and stated that she did not feel comfortable voting on a bond until she was aware of the amount it would be and what it would be used for. City Manager Lipscomb explained that staff conducted a survey in which voters rated areas in which they would like to see improvement in the City. She said that the highest rated areas were public safety, facilities improvement and transportation. In addition, City Manager Lipscomb mentioned that staff has an extensive list of projects for completion over a 10-year period that total approximately \$1.6 million per year, and suggested that bond funding could jumpstart the improvements.

Council Member Smiley made a friendly amendment to adjust the tax rate by one penny, which would be sufficient to fund the projects on the maintenance list so that they would not need to be included in the bond. Council Member Glover did not accept the friendly amendment because the tax increase and the bond should be separate. She said that she could not support doing both, because both would be taxed.

Council Member Blackburn made a motion to amend the original motion by adding a third component related to parks to the bond. Council Member Croskery seconded the motion, which passed by unanimous vote.

Council Member Smiley made a motion to amend the original motion as amended to add a one-cent tax increase to address maintenance items so that they can be removed from the bond issue. Council Member Blackburn seconded the motion.

Council Member Glover said that she is opposed to a tax increase because even a minimal increase would affect many citizens who live in poverty. Therefore, she suggested that the one-cent tax increase and the bond should be two separate items.

Council Member Blackburn expressed her support of the one-cent tax raise because the City does not currently have the revenue to address its ongoing maintenance needs. She said that the bond and the tax increase are a good combination because the City can address ongoing needs, and also move forward with visionary projects.

There being no further discussion, the motion to amend the original motion as amended to add a one-cent tax increase to address maintenance items so that they can be removed from the bond issue failed by a 3 to 4 vote, with Council Members Glover and Smith and Mayor Pro-Tem Mercer casting the dissenting votes. Mayor Thomas cast the deciding vote against the motion.



There being no further discussion, the original motion, as amended, to direct staff to prepare a two-part bond referendum in an appropriate amount (1) to address roads and infrastructure in serious need, (2) to address the City's needs for upgrading existing facilities to meet safety needs and for establishing an ongoing facilities improvement program, and (3) to address parks needs throughout the City passed by unanimous vote.

Council Member Smith made a motion to incorporate a 1.5% pay increase for employees into the budget for Fiscal Year 2015, along with the additional holiday already approved under the consent agenda. Council Member Croskery seconded the motion, which passed by unanimous vote.

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**NEW BUSINESS**

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**PRESENTATIONS BY BOARDS AND COMMISSIONS**

**PLANNING AND ZONING COMMISSION**

Shelley Basnight, who stated that she is the Chair of the Planning and Zoning Commission, presented its annual report. She said that in the past year, the Commission had 17 rezoning cases that included 114 acres. Under the Future Land Use Plan Map amendment, Ms. Basnight said that the Commission received a request to rezone 36 acres located between Martin Luther King, Jr. Highway and Staton House Road from Industrial to Commercial. She also said that the Commission had preliminary plats located at Charles Boulevard and Signature Drive, and South Memorial Drive and Regency Boulevard. Ms. Basnight said that the Commission recommended several text amendments to City Council, including the addition of rear-yard parking standards in the UNRI Overlay District, outside tire storage and display standards, and removal of the increased occupancy provisions in the UNRI Overlay District. She also mentioned that the Commission recommended an amendment to the Flood Damage Prevention and Stormwater Detention Ordinances, and an Extraterritorial Jurisdiction (ETJ) extension at Martin Luther King, Jr. Highway and Old Creek Road. Ms. Basnight said that the Commission considered the adoption of the Oak Grove Estates subdivision Neighborhood Report and Plan, and the closure of a portion of an alley between Reade Circle and Cotanche Street.

**REDEVELOPMENT COMMISSION**

Mark Woodson, who stated that he is the Chair of the Redevelopment Commission, provided City Council with the Commission's annual report. He reported that in Fiscal Year 2013-2014, the Commission worked on several projects, which were funded through a combination of General Obligation Bonds, grant funds, and general government operating



funds. He also addressed the projects and initiatives that are planned for Fiscal Year 2014-2015, many of which are ongoing items from previous years. Mr. Woodson said that the Commission has allocated the remaining \$1.1 million dollars in Center City Bond funds and \$300,000 in the West Greenville Bond Fund Budget. He stated further that these projects are to be completed at the end of the 2014 calendar year. Mr. Woodson also discussed the future of the Commission beyond 2015. He explained that the Commission could either maintain its status as a fully active board, be called as an advocate for items in the current work plan, or disband. He said that funding has been extended for the current projects; however, City Council and Greenville's citizens must decide the future of the Commission. Regardless of the decision that is made, Mr. Woodson said that the award-winning Small Business Grant Assistance program will be continued. He mentioned that the next application deadline is in July 2014.

### **COMMUNITY APPEARANCE COMMISSION**

Scott Johnson, who stated that he is the Chair of the Community Appearance Commission, provided City Council with an overview of the responsibilities and actions of the Community Appearance Commission (CAC) over the past year. He said that the CAC is composed of 11 members appointed by City Council, who serve three-year terms. Mr. Johnson said that the purpose of the CAC is to encourage beautification and community appearance in the following ways:

- To initiate, promote and assist in the implementation of programs of general community beautification and appearance.
- To seek to coordinate the activities of individuals, agencies, organizations, public and private, and city departments whose plans, activities and programs bear upon the appearance of Greenville.
- To encourage improved community appearance, both on public and private property.

Mr. Johnson stated that the CAC has established an awards process to recognize the exemplary efforts of individuals, businesses, institutions, and community groups that have enhanced the appearance of the City of Greenville. He explained that the awards are given out monthly and biennially to nominees who are located within the City's Extraterritorial Jurisdiction (ETJ). The monthly awards nominations are submitted by the CAC, and are considered based on overall appearance of landscape and design, maintenance and variation of vegetation, property maintenance, and building refurbishment. Monthly award recipients during the previous two years are eligible to be nominated for the CAC's biennial awards. The recipients of the biennial awards are presented with certificates of achievement and signage. Mr. Johnson reported that during the past year, the CAC



recognized 12 property owners and sponsors for their efforts to promote architectural and landscape excellence in the development of their properties. Mr. Johnson mentioned that the CAC also participates in the Adopt a City Street Program. He said that since the beginning of 2014, seven streets have been added to the program. Mr. Johnson also said that the CAC participates in the review and award of Neighborhood Improvement Grants. He reported that in 2014, the CAC has approved three Neighborhood Improvement Grant applications for a total of \$2,250.

### **COUNCIL MEMBER DEPARTURE**

Council Member Glover left the meeting at the conclusion of Mr. Johnson's presentation because she was not feeling well. Mayor Thomas recommended that City Council formally excuse Council Member Glover from the City Council Meeting, so that her vote would not be counted as affirmative. Council Member Smith made a motion to formally excuse her. Council Member Croskery seconded the motion, which passed by unanimous vote.

### **RESOLUTION ACCEPTING A GIFT OF PROPERTY FROM GREENVILLE PRIME INVESTORS, LLC - (Resolution No. 031-14)**

City Attorney Dave Holec advised that the next four items related to the expansion of the Convention Center. He stated that Greenville Prime Investors, LLC, has offered to make a gift of property to the City consisting of approximately 0.644 acres, located between the Convention Center and the Greenville Hilton. Mr. Holec said that the gift of property will allow for the expansion of the Convention Center in this area. According to an appraisal of the land, Mr. Holec stated that it is valued at approximately \$290,000. Mr. Holec told City Council that the adoption of a resolution is necessary to accept the gift.

Council Member Croskery made a motion to approve the resolution to accept the gift. Mayor Pro-Tem Mercer seconded the motion, which passed by unanimous vote.

### **RESOLUTION APPROVING AN AMENDMENT TO THE OPERATIONAL MANAGEMENT AGREEMENT FOR THE GREENVILLE CONVENTION CENTER- (Resolution No. 032-14)**

Mr. Holec stated that Exhibit Hall Managers, LLC is the entity which operates the Convention Center for the City pursuant to a Management Agreement between the City, Exhibit Hall Managers, LLC, the Pitt-Greenville Convention and Visitors Authority, and Greenville Prime Investors, LLC. He said that the Management Agreement provides that if the City determines to expand the Convention Center, that negotiations will occur to amend the agreement to address changes to the Convention Center resulting from the expansion. Since the City has determined to expand the Convention Center, Mr. Holec said that negotiations have occurred and an amendment has been developed. He stated that the amendment increases the area which comprises the Convention Center property to



reflect the gift of property, decreases the area which comprises the hotel property to reflect the gift of property, addresses the vacation of offices in the Convention Center by the Convention and Visitors Authority, provides for negotiation of a new agreement in the event of a future expansion or modification, provides for an option by Exhibit Hall Managers, LLC, to extend the term of the agreement for an additional nine-year period, and addresses the required action in the event the Convention Center is damaged or destroyed by fire or other casualty. Mr. Holec said that the Pitt-Greenville Convention and Visitors Authority approved the proposed amendment at a board meeting on March 20, 2014. Additionally, Exhibit Hall Managers and Greenville Prime Investors have agreed to the terms of the proposed amendment. Mr. Holec stated that staff recommends that City Council approve the amendment to the Management Agreement.

Council Member Blackburn asked where the Visitors' Center will be relocated to. Interim Executive Director Andrew Schmidt of the Convention and Visitors' Authority said that they are interested in a particular site and the Chair has signed a Letter of Agreement, which will be considered at the Board's May 15, 2014 meeting.

Council Member Croskery made a motion to accept staff's recommendation to approve the amendment to the Management Agreement for the Greenville Convention Center. Council Member Smith seconded the motion, which passed by unanimous vote.

#### **CONTRACT AWARD FOR DESIGN-BUILD SERVICES FOR THE GREENVILLE CONVENTION CENTER RENOVATION AND EXPANSION**

Public Works Director Kevin Mulligan stated that in December 2013, the Public Works Department advertised a Request for Qualifications (RFQ) for design-build services for the Greenville Convention Center renovation and expansion. He said that the project will consist of approximately 50,000 square feet of renovations to the existing exhibit hall, prefunction space, lobby, and breakout space. Additionally, the expansion portion of the project will include approximately 11,000 square feet of new breakout/seminar rooms and bathrooms, and a new outdoor terrace area located on the east side of the Convention Center. Mr. Mulligan mentioned that per City policy, the expansion will be LEED Silver Certified. The renovation features include the following:

- Addition of a new entry canopy and signage
- Upgraded lobby and entrance hallway finishes and furnishings
- Upgraded exhibit hall finishes and acoustics
- Consolidation of offices and creation of additional meeting rooms
- Upgraded audio/visual capabilities
- Modified HVAC system to reduce noise levels



Mr. Mulligan said that the Public Works Department received ten (10) submittals in response to the RFQ, which were reviewed and scored by the project team. Three firms were interviewed, and staff selected T.A. Loving as the proposed firm. Mr. Mulligan said that TA Loving has extensive experience working with convention centers and auditoriums, and has also demonstrated the ability to renovate and expand a facility while allowing it to remain operational. He also mentioned that 20% of the design cost would be attributed to local firms, as T.A. Loving has teamed with local firms, such as Ark Consulting Group and J. Morgan Design. Mr. Mulligan said that the current budget for this project is approximately \$4 million. He presented the proposed fees for the project below:

- Design fee: \$339,000
- Preconstruction fee: \$39,000
- Construction fee: 5.5% (construction cost)
- Construction cost: \$3,435,000

Mr. Mulligan said that the project is scheduled to be substantially complete by June 1, 2015, and the Convention Center will remain open throughout the duration of the project. He stated that staff recommends that City Council award a contract for design-build services to T.A. Loving Company for the Greenville Convention Center renovation and expansion.

Council Member Blackburn made a motion to approve staff's recommendation to award the contract to T. A. Loving Company. Council Member Smiley seconded the motion, which passed by unanimous vote.

**BOND ORDER, BOND PURCHASE AGREEMENT, AND SECONDARY TRUST AGREEMENT FOR THE ISSUANCE OF THE CITY OF GREENVILLE'S SPECIAL OBLIGATION REVENUE BONDS, SERIES 2014, FOR FINANCING THE CONVENTION CENTER RENOVATION AND EXPANSION - (Ordinance 14-021)**

City Attorney Dave Holec stated that City Council previously authorized the filing of an application with the Local Government Commission (LGC). He said that the City is issuing an amount not to exceed \$4.2 million in Special Obligation Revenue Bonds to finance the renovation and expansion of the Greenville Convention Center, and will use the revenue stream of the Occupancy Tax to pay the bonds. Mr. Holec said that Capital One Public Funding, LLC, will be financing the project, and mentioned that there is a supplemental trust agreement with The Bank of New York. He stated further that upon City Council approval, staff will present the Bond Order to the LGC at its June meeting. According to Mr. Holec, staff's recommendation is for City Council to approve the Bond Order.

Council Member Blackburn asked if the Bond Order is unrelated to the City's General Fund. Mr. Holec said that all funds for the Bond Order come from the Occupancy Tax, which is 6% of the revenue from transient occupancy. Therefore, no funds will come from City taxes.



Council Member Croskery made a motion to accept staff's recommendation to approve the Bond Order, Bond Purchase Agreement, and Secondary Trust Agreement. Council Member Smiley seconded the motion, which passed by unanimous vote.

**GUARANTEED MAXIMUM PRICE (GMP) AMENDMENT TO CONSTRUCTION MANAGER AT RISK CONTRACT FOR UPTOWN PARKING DECK**

Public Works Director Kevin Mulligan began by reviewing several key aspects of the parking deck project. He said that the parking deck, which will be located at the corner of Fourth and Cotanche Streets, will have 238 spaces and will include parking for electric cars, bicycles, and motorcycles. Its historic façade will incorporate a space for a clock tower, but the parking deck will also employ modern technology, such as LED lighting and security cameras. Mr. Mulligan said that the plaza area will also undergo improvements. These improvements will include permeable traffic grade pavers on the south side of the plaza and brick pavers to the west. The space will also include a large area for events and dining. Mr. Mulligan stated that these updates will be funded by the Redevelopment Commission, and are estimated to total \$189,460. Mr. Mulligan also presented a project cost savings update to City Council, which included the following changes:

- Re-Bid Plumbing Contract - \$102,000
- Reduced Pile Length - \$25,000
- Change Handrail Material - \$10,000
- Delete Sealer on Non-Exposed Floors - \$15,000
- Drainage Pipe Material Change - \$10,000
- Pre-cast Release - \$35,000
- Change elevator type to Hydraulic - \$13,000
- Delete three clocks - \$23,000
- Miscellaneous changes, substitutions, reductions - \$70,000

Next, Mr. Mulligan presented the Guaranteed Maximum Price (GMP) for the construction of the Uptown Parking Deck project, which is \$4,448,286. With additional fees and the financing cost, the total for the Uptown Parking Deck project is estimated to be \$4,997,546. He also stated that the plaza and sidewalk work, which is to be paid for by the Redevelopment Commission, is estimated to total \$189,460. According to Mr. Mulligan, staff recommends that City Council approve amending Barnhill Construction's contract to include a GMP of \$4,448,286 for the construction of the Uptown Parking Deck project.



Council Member Blackburn made a motion to approve staff's recommendation to amend Barnhill Construction's contract to include the GMP. Council Member Croskery seconded the motion, which passed by unanimous vote.

### **CONTRACT AWARDS FOR THE WATERSHED MASTER PLANS**

Public Works Director Kevin Mulligan presented the proposed contract awards for three individual Watershed Master Plan contracts. He explained that the City of Greenville is currently implementing a comprehensive stormwater management program through multiple contracts, which will be undertaken simultaneously. Mr. Mulligan pointed out that the City completed the Meetinghouse Branch Watershed Master Plan in 2013, so now the City must complete the remaining six watersheds in order to comply with the City's stormwater permit. He said that the City does not currently have an inventory of the stormwater in the remaining watersheds, or the condition of the stormwater infrastructure. The information gathered through the master plan will provide the City with a stormwater inventory. Mr. Mulligan explained that the master plan is intended to reduce flooding throughout Greenville through the evaluation of existing infrastructure problems, capital improvements to improve these problems, and stream stabilization projects. Mr. Mulligan presented the following phases of the project, along with the proposed contract awards for each:

- North City Phase: CDM Smith  
Local Subs - Spruill & Associates
- Central City Phase: Hazen & Sawyer  
Local Subs–Wooten; Spruill & Associates
- South City Phase: W.K. Dickson  
Local Subs–Rivers & Associates

According to Mr. Mulligan, the project will take approximately 18 months to complete. He said that the proposed budget for the North City Phase is \$744,490.00, the Central City Phase is \$1,150,905.00, and the South City Phase is \$1,146,716.50. Mr. Mulligan stated that staff recommends that City Council approve the proposed budget and award three professional services contracts for Watershed Master Plans to CDM Smith, Hazen & Sawyer, and W.K. Dickson.

Council Member Smith made a motion to approve staff's proposed budget and recommendation of professional services contract awards for Watershed Master Plan to CDM Smith, Hazen & Sawyer, and W.K. Dixon. Council Member Blackburn seconded the motion, which passed by unanimous vote.



## **PRESENTATION ON THE STATUS OF PRIVATE STREETS WITHIN THE CITY OF GREENVILLE**

Civil Engineer Tim Corley first gave an overview of the status of the City's private streets. He said that there are approximately 16 lane miles of private streets within the City limits, with an additional 17 lane miles within the ETJ. According to Mr. Corley, the estimated cost to repair and accept private City streets is approximately \$6 million to \$10 million. He also pointed out that Powell Bill funds have not been collected over the life of private streets. Mr. Corley next explained the difference between public and private street standards. He said that the current standard is for a 40-foot easement on private streets versus 50-foot right-of-way for a public street, and 24-foot pavement width for private streets versus a 28-foot width for public streets. Another key private street consideration is the allowance of on-street parking stalls, which are not allowed on public streets. In addition, private streets do not require building setbacks, whereas public streets do. Public streets allow encroachments with an agreement, but private streets allow encroachments regardless of an agreement. Lastly, the City is responsible for the maintenance of public streets, while adjacent property owners are responsible for maintaining private streets. Next, Mr. Corley reviewed the City Code Policy for Acceptance of Roadways, which includes the following:

- Must be within the City limits
- Must meet minimum current design standards
- Calculations, inspections and repairs must be completed before acceptance
- All property owners must agree and sign a final plat which dedicates a right-of-way or non-conforming lot
- Must bring road up to City standards in all aspects
- Must revise Powell Bill lane miles for the Department of Transportation (DOT)

Mr. Corley pointed out that benchmark data of peer cities indicates that other jurisdictions have moved to a standard that public and private streets must be built to public street standards to avoid future requests of this nature and their long term financial implications. He also explained developer requirements for public road acceptance. These requirements state that the developer must follow acceptance procedures, and streets must be built to City standards. Additionally, inspections must be performed by City staff to ensure that there are no deficiencies in construction. Mr. Corley also mentioned that the establishment of a public right-of-way will create non-conforming situations with regard to dimensional requirements of the zoning ordinance. This will create several issues because there is no "blanket variance" provision to exempt these structures from the dimensional standards of the City of Greenville Zoning Ordinance such as:

1. Prohibiting the expansion of structures where the non-conformity exists



2. Future property title issues for structures not meeting the City of Greenville Zoning Ordinance property dimensional standards
3. Establishment of public rights-of-way may have the result of rendering properties unusable thus resulting in a property takings without compensation or a form of condemnation.

Mr. Corley stated that the cost for the City to accept all private streets based on required improvements is estimated to be between \$6 million to \$10 million. He said that staff recommends that City Council provide direction on continuing to follow the private street procedure for acceptance with full compliance to public street standards, as well as the omission of the private street standard or make public and private street standards the same for all criteria. He also mentioned that the City could accept all private streets within City limits, or modify acceptance requirement; however, he said that staff would not recommend those options due to cost.

Council Member Smith asked what the cost would be to bring a private street up to public street standards. Mr. Corley said that the cost can vary greatly depending on location and condition, but he estimated that the cost could be \$500,000 per lane mile.

Council Member Blackburn made a motion to omit the private street standard, and make the public and private street standards the same. Council Member Croskery seconded the motion.

Council Member Smith asked if the City has a process through which residents of private streets can partner with the City to address drainage issues and safety hazards. Public Works Director Kevin Mulligan said that the City may not become involved if the issues are related to private or commercial property; however, the City may step in if the drainage issues involve City water.

Council Member Smith asked if staff has a list of companies that it can recommend to neighborhoods that will fix private streets. Mr. Mulligan said that staff would advise the neighborhoods on the steps to take to fix their streets, and then provide the names of recommended contractors who could make the repairs. Mr. Corley added that staff will perform an inspection on the neighborhood and then provide guidance for what must be done.

Council Member Croskery offered a friendly amendment to the original motion to continue to follow current policy for private street procedures for compliance in addition to not creating a new private street standard. Council Member Blackburn accepted the amendment.



Council Member Smith made a recommendation for staff to bring back options for addressing existing private streets, and also educating residents who live on private streets on preventative steps for maintaining streets.

There being no further discussion, the motion to omit the private street standard and to continue to follow current policy for private street procedures for compliance passed by unanimous vote.

**BUDGET ORDINANCE AMENDMENT #7 TO THE 2013-2014 CITY OF GREENVILLE BUDGET (ORDINANCE #13-026), BUDGET ORDINANCE AMENDMENT TO THE UPTOWN PARKING DECK CAPITAL PROJECT FUND (ORDINANCE #13-025), AND ORDINANCES TO ESTABLISH THE CAPITAL PROJECT FUNDS FOR THE WATERSHED MASTER PLANS AND CONVENTION CENTER EXPANSION (PHASE III) - (Ordinance 14-022), (Ordinance 14-023), (Ordinance 14-024)**

Foregoing the staff presentation, Council Member Blackburn made a motion to approve the ordinances and ordinance amendments. Council Member Smith seconded the motion, which passed by unanimous vote.

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**REVIEW OF MAY 8, 2014 CITY COUNCIL AGENDA**

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The City Council did a cursory review of the May 8, 2014 City Council agenda and reviewed nominations for appointments to Boards and Commissions.

City Manager Lipscomb requested continuing the public hearing on the ordinance to annex Conventon Downe, Block G, Lot 12, involving 5.156 acres located along the western right-of-way of Arlington Boulevard and 210+ feet north of Fire Tower Road to the June 12, 2014 City Council Meeting.

Council Member Blackburn made a motion to continue the public hearing to the June 12, 2014 City Council Meeting. Council Member Croskery seconded the motion, which passed by unanimous vote.



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**COMMENTS FROM MAYOR AND CITY COUNCIL**

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The Mayor, Mayor Pro-Tem and Council Members made general comments about past and future events.

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**CITY MANAGER'S REPORT**

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City Manager Lipscomb asked for clarification about the reconvening of the Joint City Council and Greenville Utilities Commission (GUC) meeting related to pay. She recalled that, at the last meeting, it was decided that they would reconvene on May 19, 2014. She suggested that City Council schedule the Joint meeting for that date. Mayor Thomas suggested that City Manager Lipscomb discuss the meeting with the General Manager of GUC, and then schedule the meeting if they determine there is a need.

Mr. Holec said that although City Council is legally not required to do so, the meeting may benefit both City Council and GUC.

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**CLOSED SESSION**

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Council Member Smiley moved to enter closed session pursuant to 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 and 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, said laws rendering the information as privileged or confidential being the Open Meetings Law. Council Member Croskery seconded the motion, which passed by unanimous vote.

Mayor Thomas declared the City Council in closed session at 11:12 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 Smith and seconded by Council Member Croskery to return to open session. Motion was approved unanimously, and Mayor Thomas returned the City Council to open session at 11:50 p.m.



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**ADJOURNMENT**

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Council Member Smith moved to adjourn the meeting, seconded by Council Member Croskery. There being no discussion, the motion to adjourn passed by unanimous vote and Mayor Thomas adjourned the meeting at 11:51 p.m.

Prepared By:  
Sara Ward, Clerical Assistant  
City Clerk's Office

Respectfully submitted,

Carol L. Barwick, CMC  
City Clerk

PROPOSED MINUTES  
MEETING OF THE CITY COUNCIL  
CITY OF GREENVILLE, NORTH CAROLINA  
THURSDAY, MAY 8, 2014



A regular meeting of the Greenville City Council was held on Thursday, May 8, 2014, in the Council Chambers, located on the third floor at City Hall, with Mayor Allen M. Thomas presiding. Mayor Thomas called the meeting to order at 7:00 p.m. Council Member Marion Blackburn gave the invocation, followed by the Pledge of Allegiance.

Those Present:

Mayor Allen M. Thomas, Mayor Pro-Tem Calvin R. Mercer, Council Member Kandie Smith, Council Member Marion Blackburn, Council Member Rick Smiley, Jr. and Council Member Richard Croskery

Those Absent:

Council Member Rose H. Glover

Also Present:

City Manager Barbara Lipscomb, City Attorney David A. Holec, City Clerk Carol L. Barwick and Deputy City Clerk Polly W. Jones

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**APPROVAL OF THE AGENDA**

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City Manager Barbara Lipscomb stated that the ordinance to annex Conventon Downe, Block G, Lot 12, involving 5.156 acres located along the western right-of-way of Arlington Boulevard and 210+ feet north of Fire Tower Road, needs to be continued until June 12, 2014.

Council Member Blackburn made a motion to approve the agenda, with the recommended change. Mayor Pro-Tem Mercer seconded the motion, which passed by unanimous vote.

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**SPECIAL RECOGNITION**

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**2014 CITIZENS ACADEMY GRADUATES**

Mayor Thomas and City Manager Lipscomb recognized the 2014 Citizens Academy Graduates. The Citizens Academy is a six-week course that teaches citizens about city government. The following individuals were recognized as graduates of the program:



- Gregory K. Tucker
- Bobbie A. Staten
- Martha Wing
- Tim Williams
- Ann Hoggard
- Scott Alford
- James C. Woodley
- Herschel J. Watts
- April Spruill
- Kelly Dewald
- Kellie Chappell-Gonzalez
- Sandy Armstrong
- Ken Armstrong

#### **EDWARD EARL LAUGHINGHOUSE, JR. – POLICE DEPARTMENT RETIREE**

Mayor Thomas, City Manager Lipscomb and Police Chief Hassan Aden recognized Edward Earl Laughinghouse, Jr. with the Greenville Police Department for his 29 years and five months of service to the City of Greenville and its citizens and congratulated him on his retirement.

#### **POLICE DEPARTMENT SILVER STAR AWARDS**

Mayor Thomas, City Manager Lipscomb and Police Chief Aden recognized the Greenville Police Department employees who responded to the June 21, 2013, active shooter incident. The officers involved were awarded with the Police Cross. Tonight, the police officers received the national Silver Star Award for bravery from the American Policing Hall of Fame. Chief Aden said that of the 13 Silver Star awards given out throughout the nation within the past year, eight of the recipients were the Greenville police officers who responded to the shooting incident. He presented the Silver Star Awards to the following police officers:

- Officer Craig McCoy
- Officer Mike Sawyer
- Officer Christopher Drueschler
- Officer Sergio Mungia
- Officer Tabatha Johnson
- Sergeant Mike Broadwell
- Officer Emmanuel Moore
- Officer Justin Wooten



### **PRESENTATION BY RELEAF**

Marsha Wyly stated that she is a member and secretary of ReLeaf. She explained that ReLeaf is a community 501(c)(3) nonprofit organization in Greenville that advocates for planting trees throughout the City. ReLeaf plants trees to improve the City's appearance, create a healthier environment, and create a legacy for the City's future. She said that ReLeaf was established in 1990, and since that time, the organization has raised approximately \$300,000 and has planted over 2,000 trees. Ms. Wyly stated that ReLeaf is comprised of a 10-member Board of Directors and a 10-member Advisory Board, as well as a membership of 161 financial supporters. Worthington Farms, a tree farm in Pitt County that has been generous to ReLeaf with its pricing of trees, also has representation on the advisory board. Ms. Wyly mentioned that ReLeaf raises funds and works in partnership with the City of Greenville, specifically with the Public Works Department and the Recreation and Parks Department. She said that ReLeaf trees have been planted in every area of Greenville, and as a result, Greenville has been recognized as a Tree City, USA for its commitment to its future through the planting of trees. Ms. Wyly also discussed the ways ReLeaf works to inform and encourage community members to participate and support in the organization's advocacy for a "greener" Greenville. For example, ReLeaf hosts a Community Tree Day each year. The fourth annual event is being planned within the next week, and volunteers throughout the City will be sought to help replant trees within the College View Neighborhood and 5th Street. ReLeaf also hosts a Membership Drive to raise money for the organization, and participates in Arbor Day at local schools. Ms. Wyly mentioned that in addition to the many events that ReLeaf participates in, the organization also maintains a website and a newsletter to keep members of the community informed and to maintain awareness of the need to plant trees in Greenville.

### **PRESENTATION BY THE SIERRA CLUB**

Dr. Barney Kane spoke on behalf of the Sierra Club in honor of the 45<sup>th</sup> annual Earth Day. He said that Earth Day began in 1970 when the National Environmental Policy Act was passed, which declared that the nation's goal is to use all practical means to create and maintain conditions in which man and nature can exist in productive harmony and fulfill the social and economic requirements of future generations. Mr. Kane pointed out that the City faces more challenges now than in the past, which include the increase in the local population and vehicles that pollute the air. He commended City Council for embracing environmental goals, and for creating a Strategic Plan that encourages a dynamic and inviting community, with clean streetscapes and an abundance of greenways and transportation alternatives. Mr. Kane pointed out that the City would be a richer community if it would continue to reduce citizens' use of cars. In recognition of Earth Day, Mr. Kane presented to Recreation and Parks Department Director Gary Fenton a cross section of a 125-year-old tree that once stood just east of the Colonial Mall at the corner of Highway 43 and Greenville Boulevard. He said that the tree is a Loblolly Pine, or Old Field



Pine, which sprouts when a farm field is left abandoned. He pointed out that the tree stood witness to many changes in Greenville throughout the years, including the rise of the City as a tobacco market, the founding of East Carolina University, and the establishment of the medical school. Mr. Kane said that the tree is a perfect object lesson in the discussion of green space, nature deficit disorder, and other topics related to changing environments.

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## APPOINTMENTS

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### APPOINTMENTS TO BOARDS AND COMMISSIONS

#### Community Appearance Commission

Council Member Smiley made a motion to:

- Reappoint Lucy Fox to a first three-year term that will expire April 2017
- Reappoint Tyler Richardson to a first three-year term that will expire April 2017

Council Member Blackburn seconded the motion and it carried unanimously.

#### Greenville Bicycle & Pedestrian Commission

Council Member Smiley continued the appointment of Liz Brown-Pickren's seat, who had resigned, and Titus Yancey's seat, who had not met attendance requirements.

#### Historic Preservation Commission

Council Member Smith continued the appointment Allan Kearney's seat, who was eligible to serve, and continued the appointment of Maury York's seat, who resigned.

#### Housing Authority

Mayor Thomas appointed Reginald Watson to a second five-year term that will expire May 31, 2019.

Council Member Blackburn continued the appointment to replace Robert Hobgood, who had resigned.

#### Planning & Zoning Commission

Council Member Blackburn made a motion to appoint Ann Bellis to a second three-year term that will expire May 31, 2017. Council Member Smiley seconded the motion and it carried unanimously.

Council Member Smith continued the appointment of Kevin Burton's seat who had resigned.



Council Member Smith made a motion on behalf of Council Member Glover to reappoint Christine Darden to a first three-year term that will expire May 31, 2017. Council Member Blackburn seconded the motion and it carried unanimously.

Council Member Smiley made a motion to reappoint John Weitz to a second three-year term that will expire May 31, 2017. Council Member Blackburn seconded the motion and it carried unanimously.

#### Public Transportation and Parking Commission

Council Member Croskery continued the appointment of Rick Smiley's seat, who had resigned.

#### Recreation & Parks Commission

Council Member Blackburn made a motion to reappoint Debra Garfi to a second three-year term that will expire May 31, 2017. Council Member Smith seconded the motion and it carried unanimously.

Council Member Smith made a motion on behalf of Council Member Glover to reappoint Darin White to a second three-year term that will expire May 31, 2017. Council Member Blackburn seconded the motion and it carried unanimously.

#### Youth Council

Mayor Pro-Tem Mercer continued the appointments to June.

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### NEW BUSINESS

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#### **PUBLIC HEARINGS**

#### **ORDINANCE TO ANNEX GATEWAY WEST, PHASE 2, LOT 2, INVOLVING 5.028 ACRES LOCATED BETWEEN U.S. HIGHWAY 264 AND GATEWAY DRIVE AND 325+ FEET WEST OF STANTONSBURG ROAD - (Ordinance No. 14-025)**

Community Development Director Merrill Flood said that the subject property is located in the western part of the City in Voting District 1 and Vision Area F. The property is currently vacant and is zoned as General Commercial (CG). Mr. Flood said that the proposed land use is for 41,000 square feet of retail space. The total estimated tax value at full development is \$24,053.36. According to Mr. Flood, no population is associated with the annexation. Mr. Flood said that staff's recommendation is that City Council approve the annexation.



Mayor Thomas declared the public hearing open at 7:58 p.m. and invited anyone wishing to speak in favor of the annexation ordinance to come forward. Hearing no one, Mayor Thomas invited comment in opposition. Hearing no one, Mayor Thomas closed the public hearing at 7:58 p.m.

Council Member Smith made a motion to approve the ordinance to annex Gateway West, Phase 2, Lot 2. Council Member Blackburn seconded the motion, which passed by unanimous vote.

**ORDINANCE TO ANNEX LANGSTON COMMERCIAL AND OFFICE PARK, LOT 1, INVOLVING 6.614 ACRES LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SOUTH MEMORIAL DRIVE AND REGENCY BOULEVARD - (Ordinance No. 14-026)**

Mr. Flood said that the subject property is located in the southern part of the City in Voting District 5 and Vision Area E. It is currently vacant and no populations are associated with the proposed annexation. The subject property is currently zoned as General Commercial (CG). Mr. Flood said that the proposed land use is for 42,000 square feet of retail space, and the total estimated tax value at full development is \$26,375.77. Mr. Flood stated that staff's recommendation is that City Council approve the annexation.

Mayor Thomas declared the public hearing open at 7:59 p.m. and invited anyone wishing to speak in favor of the annexation ordinance to come forward. Hearing no one, Mayor Thomas invited comment in opposition. Hearing no one, Mayor Thomas closed the public hearing at 8:00 p.m.

Council Member Blackburn made a motion to approve the ordinance to annex Langston Commercial and Office Park, Lot 1. Council Member Croskery seconded the motion, which passed by unanimous vote.

**ORDINANCE TO ANNEX TAJI ENTERPRISE, INCORPORATED INVOLVING 5.699 ACRES LOCATED ON THE NORTHERN RIGHT-OF-WAY OF EAST 10<sup>TH</sup> STREET AND 275+ FEET EAST OF RIVER BLUFF ROAD - (Ordinance No. 14-027)**

Mr. Flood said that the subject property is located in the eastern part of the City in Voting District 3 and Vision Area C. It is currently undeveloped, and is zoned as General Commercial (CG). According to Mr. Flood, the proposed land use is for 54,600 square feet of retail space. The total estimated tax value at full development is \$34,589.37. Mr. Flood said that staff's recommendation is that City Council approve the annexation.

Mayor Thomas declared the public hearing open at 8:01 p.m. and invited anyone wishing to speak in favor of the annexation ordinance to come forward. Hearing no one, Mayor



Thomas invited comment in opposition. Hearing no one, Mayor Thomas closed the public hearing at 8:02 p.m.

Council Member Blackburn made a motion to approve the ordinance to annex Tai Ji Enterprise, Incorporated. Mayor Pro-Tem Mercer seconded the motion, which passed by unanimous vote.

**ORDINANCE REQUESTED BY THE COUNTY OF PITT TO REZONE 28.975 ACRES LOCATED ALONG THE SOUTHERN RIGHT-OF-WAY OF THE NORFOLK SOUTHERN RAILROAD, 3600+ FEET WEST OF ALLEN ROAD AND NORTH OF ALLEN RIDGE SUBDIVISION, FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO I (INDUSTRY) - (Ordinance No. 14-028)**

City Planner Chantae Gooby stated that the proposed rezoning is located in the western portion of the City adjacent to Pitt County Landfill. The subject property is located in Vision Area F and is currently vacant. It is not impacted by the floodplain associated with Green Mill Run. Ms. Gooby said that under the current zoning, the property can accommodate 110 single-family lots, and under the requested zoning, it could accommodate approximately 277 square feet of mini-storage, warehouse, or industrial uses. She stated further that the Future Land Use Plan Map recommends commercial at the southwest corner of the intersection of Allen Road and Landfill Road transitioning to office/institutional/multi-family (OIMF) to the south and industrial (I) to the west with conservation/open space (COS) to act as a buffer. Ms. Gooby stated that in staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

Mayor Thomas declared the public hearing open at 8:04 p.m. and invited anyone wishing to speak in favor of the proposed rezoning to come forward.

**John Demery – No Address Given**

Mr. Demery, who stated that he is the Solid Waste Director for Pitt County, said that Pitt County is requesting that the property be rezoned to industrial (I) use. He mentioned that the property is behind the old landfill and current transfer station. Mr. Demery said that the rezoning appears to comply with the Horizons: Greenville's Community Plan and Future Land Use Plan.

Hearing no one else who wished to speak in favor of the proposed rezoning, Mayor Thomas invited comment in opposition. Hearing no one, Mayor Thomas closed the public hearing at 8:06 p.m.

Council Member Smith made a motion to approve the rezoning ordinance. Council Member Croskery seconded the motion, which passed by unanimous vote.



**ORDINANCE REQUESTED BY EASTERN AREA HEALTH EDUCATION CENTER TO REZONE 0.757 ACRES LOCATED EAST OF THE INTERSECTION OF WEST ARLINGTON BOULEVARD AND MELROSE DRIVE AND 400+ FEET NORTH OF WEST FIFTH STREET FROM MR (MEDICAL-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) TO MO (MEDICAL-OFFICE) - (Ordinance No. 14-029)**

Ms. Gooby stated that the subject property is located in the central section of the City, specifically north of Fifth Street and west of Treybrooke Apartments in Vision Area F. She said that the proposed rezoning area is a portion of a larger property, so the rezoning will result in matched zoning for the entire tract. Ms. Gooby mentioned that the proposed rezoning classification could generate a net increase of 190 additional trips. The eastern section of the subject site is impacted by the 100- and 500-year floodplains associated with Schoolhouse Branch. Ms. Gooby said that the subject property was incorporated into the City's extra-territorial jurisdiction (ETJ) in 1986, and zoned MD-5, which was later renamed to Medical-Residential (MR). She stated further that the Future Land Use Plan Map recommends office/institutional/multi-family (OIMF) along the northern right-of-way of West Fifth Street between Schoolhouse Branch and Harris Mill Run transitioning to high density residential (HDR) and conservation/open space (COS) toward the Tar River. Ms. Gooby said that in staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

Mayor Thomas declared the public hearing open at 8:09 p.m. and invited anyone wishing to speak in favor of the proposed rezoning ordinance to come forward.

John Day - No Address Given

Mr. Day stated that he was speaking on behalf of Eastern Area Health Education Center (AHEC), a division 501(c)(3) corporation that provides medical continuing education for several counties in eastern North Carolina. He said that Eastern AHEC has a contract to purchase the subject property, and wishes to construct an office building there. However, Mr. Day mentioned that Eastern AHEC discovered that the rear portion of the property was zoned for medical multi-family rather than medical-office, and as a result, the office building would not be able to be constructed there without proper rezoning. Mr. Day said that the construction of Eastern AHEC's building on the property would be a positive asset because the property lies at the gateway entrance to Greenville and the Medical District.

Hearing no one else who wished to speak in favor of the proposed rezoning, Mayor Thomas invited comment in opposition. Hearing no one, Mayor Thomas closed the public hearing at 8:11 p.m.

Mayor Pro-Tem Mercer made a motion to approve the rezoning ordinance. Council Member Blackburn seconded the motion, which passed by unanimous vote.



**ORDINANCE REQUESTED BY MATTHEW HINES TO REZONE 0.36 ACRES LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF DICKINSON AVENUE AND CLARK STREET FROM CDF (DOWNTOWN COMMERCIAL FRINGE) TO CD (DOWNTOWN COMMERCIAL)- (Ordinance No. 14-030)**

Ms. Gooby stated that the subject property is located in the central section of the City in Vision Area G. She said that this rezoning is considered to be part of the Downtown Commercial Focus Area. The Future Land Use Plan Map recommends commercial (C) for the area bounded by Dickinson Avenue, Reade Circle, Evans Street and 10<sup>th</sup> Street. Under the current zoning (CDF), the site can accommodate 3,450 square feet of retail or restaurant space, while the proposed zoning (CD) could yield approximately 15,682 square feet of retail or restaurant space. Ms. Gooby explained that CD does not have setbacks or on-site parking requirements; therefore, the site will have more building space. She said that staff is of the opinion that the rezoning is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map, and the West Greenville 45-Block Revitalization Plan.

Mayor Thomas declared the public hearing open at 8:14 p.m. and invited anyone wishing to speak in favor of the rezoning ordinance to come forward.

**Matthew Hines- No Address Given**

Mr. Hines stated that he is the owner of Crossfit Greenville. He said that his business has outgrown its current location. Mr. Hines stated further that the rezoning of the subject property better suits the business's use of the building, and falls in line with the trend of properties in the surrounding area.

Hearing no one else who wished to speak in favor of the proposed rezoning, Mayor Thomas invited comment in opposition. Hearing no one, Mayor Thomas closed the public hearing at 8:15 p.m.

Council Member Blackburn made a motion to approve the rezoning ordinance. Council Member Croskery seconded the motion, which passed by unanimous vote.

**FINAL PUBLIC HEARING AND SUBRECIPIENT ALLOCATIONS FOR 2014-2015 CDBG AND HOME INVESTMENT PARTNERSHIP PROGRAMS ANNUAL ACTION PLAN- (Resolution No. 034-14)**

Senior Planner Niki Jones stated that the City is a recipient of two Federal Funding sources: the Community Development Block Grant (CDBG) and HOME Investment Partnership Funds (HOME). To fulfill the requirements for these funding sources, the City must prepare an Annual Action Plan each year throughout its 2013-2018 Consolidated Plan, which



outlines planned activities and funding amounts. Mr. Jones said that staff's top priorities for the Annual Action plan include the following:

- Owner-Occupied Home Rehabilitation
- Lincoln Park Neighborhood Redevelopment
- Acquisition and Demolition of Substandard Structures
- West Greenville Commercial/Office Opportunities
- Homeownership
- Educational and Non-Profit Support
- Elimination of Environmental Hazards

Mr. Jones also mentioned that the Affordable Housing and Loan Committee has identified sub-recipients for funding. The sub-recipients are local non-profit organizations that carry out public services and activities that benefit low to moderate income individuals and families. The sub-recipient organizations include Literacy Volunteers, the ECU/Lucille Gorham Intergenerational Center, STRIVE, the Center for Family Violence, and the Boys and Girls Club. Mr. Jones stated further that staff has received the "Notice of Funding" for Fiscal Year 2014-2015, which includes \$383,808 for HOME Investment Partnerships funds and \$840,143 for CDBG funds. Moreover, the total amount requested from the non-profit organizations is \$117,400, and the City has made available \$100,000 through the "Public Service" line item. According to Mr. Jones, staff's recommendation is that City Council hold the final public hearing for the Annual Action Plan, and approve the Annual Action Plan so that it may be forwarded to the U.S. Department of Housing and Urban Development.

Mayor Thomas declared the public hearing open at 8:20 p.m. and invited anyone wishing to speak in favor of the Annual Action Plan to come forward. Hearing no one, Mayor Thomas invited comment in opposition. Hearing no one, Mayor Thomas closed the public hearing at 8:20 p.m.

Council Member Blackburn made a motion to adopt a resolution endorsing the submission of the 2014-2015 Annual Action Plan. Council Member Croskery seconded the motion, which passed by unanimous vote.

**ORDINANCE AMENDING THE FLOOD DAMAGE PREVENTION ORDINANCE TEXT  
DEFINING THE BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS  
WITHIN THE JURISDICTIONAL AUTHORITY OF THE CITY OF GREENVILLE AND  
REDEFINING THE REGULATORY FLOOD PROTECTION ELEVATION - (Ordinance No.  
14-031)**

City Engineer Scott Godefroy said that Greenville became a participating member of the National Flood Insurance Program (NFIP) in July, 1978. Following Hurricane Floyd in 1999, a partnership was established between Federal Emergency Management Agency



(FEMA) and the State of North Carolina to update Flood Insurance Studies for the 100 counties in North Carolina. As a result of the partnership, a revised study was published by FEMA for Pitt County on January 2, 2004. Mr. Godefroy said that in July 2014, FEMA will publish an updated flood study for Pitt County, including all municipalities. He explained that because of its membership in the NFIP, the City is required to adopt the revised Flood Insurance Study and related firms to remain a member in good standing. Mr. Godefroy said that the ordinance amendment includes the acceptance of the updated study and firm maps, as well as a change in freeboard above base flood elevation from one to two feet. Mr. Godefroy said that there are 1,048 flood insurance policies in force within the City's jurisdiction insuring \$214,062,600 of property. In addition, there have been 382 claims since 1978 with total losses paid of \$17,895,263. According to Mr. Godefroy, staff recommends that City Council approve the proposed text amendment to the Flood Damage Prevention Ordinance.

Mayor Thomas declared the public hearing open at 8:28 p.m. and invited anyone wishing to speak in favor of the ordinance to approve the proposed text amendment to the Flood Damage Prevention Ordinance. Hearing no one, Mayor Thomas invited comment in opposition. Hearing no one, Mayor Thomas closed the public hearing at 8:29 p.m.

Council Member Blackburn made a motion to approve the proposed text amendment to the Flood Damage Prevention Ordinance. Council Member Croskery seconded the motion, which passed by unanimous vote.

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**PUBLIC COMMENT PERIOD**

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Mayor Thomas opened the public comment period at 8:21 p.m. explaining procedures which should be followed. There being no one present who wished to address the City Council, Mayor Thomas closed the public comment period at 8:21 p.m.

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**OTHER ITEMS OF BUSINESS**

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**RESOLUTION AUTHORIZING CONDEMNATION TO AQUIRE AN EASEMENT ON CERTAIN PROPERTY OWNED BY W.G.B. PROPERTIES, INC. - (Resolution No. 033-14)**

City Attorney Dave Holec stated that the Green Mill Run Phase II Greenway Project extends the greenway from its current terminus on Charles Boulevard to Evans Park on Arlington Boulevard. He said that there are 16 parcels of land where easements were required to be obtained, 15 of which have been acquired. However, the City has been unsuccessful at



reaching an agreement with the owner of the remaining parcel upon which an easement is necessary. Mr. Holec said that the subject parcel of land is owned by W.G.B. Properties, Inc., and is located on the east side of Evans Street north of Clifton Street. He mentioned that the owner has expressed a desire to work with the City on the project, but did not like the location of the easement on his property because of its potential negative impact on the property's developability. Mr. Holec stated that the easement location is located directly adjacent to the Green Mill Run Flood Plain and wetlands at the edge of the developable portion of the property, and was chosen so that the ability to develop the property is not affected. The owner requested that the easement be located closer to Green Mill Run, but after review by the project consultant, it was determined that the owner's request would result in an additional expense for the project of \$375,000. Mr. Holec stated that the owner believes that the fair market value determined by the City is low, and has decided to have an appraisal performed on the property. Although the City will continue to collaborate with the owner, there are time constraints upon the continued availability of grant funds; therefore the City must take action. Mr. Holec said that the funding for this project amounts to \$1,718,000 with 80% from federal funds. Mr. Holec said that the City must give right-of-way certification to the State by July 31, 2014, and if that does not occur, the City could potentially lose the grant funds. Construction on the project is expected to begin in January 2015 and be completed by December 2015. Mr. Holec said that staff's recommendation is for City Council to approve the resolution authorizing condemnation to acquire an easement on certain property owned by W.G.B. Properties, Inc.

Council Member Blackburn made a motion to adopt the resolution authorizing condemnation to acquire an easement on the subject property. Council Member Croskery seconded the motion.

Council Member Smith said that she would not vote in favor of the City using eminent domain. She acknowledged the cost associated with the owner's requested changes, but pointed out that an alternative resolution to eminent domain could be possible since the owner has expressed willingness to collaborate with the City.

Mayor Thomas said that eminent domain should be used as a last resort. He encouraged City Council and staff to resolve the issue with the owner initially, before taking any action.

Council Member Croskery said that he is in favor of the motion due to time constraints and the potential loss of grant funds. He stated further that this project will enhance any development that goes along side it.

Mayor Pro-Tem Mercer expressed his support for the motion because staff has pursued every possible option with no results. He stated further that, although eminent domain may not be the ideal action that the City wishes to take, action must be taken.



There being no further discussion, the motion to adopt the resolution passed by a 4 to 1 vote. Council Member Smith cast the dissenting vote.

## **PRESENTATION OF THE PROPOSED FISCAL YEAR 2015 OPERATING BUDGET AND FISCAL YEAR 2016 FINANCIAL PLAN**

### **PITT-GREENVILLE CONVENTION & VISITORS AUTHORITY**

Interim Executive Director Andrew Schmidt of the Pitt-Greenville Convention and Visitors Authority gave a brief background of the Convention and Visitors Authority's (CVA) mission, which includes the following:

- To create a positive economic impact on our community and hospitality outlets through the attraction of conventions, meetings, events, reunions and leisure travelers
- To service travelers coming into the area for leisure or business purposes
- To serve as an information clearinghouse
- To partner within the community to foster economic growth and development.

Mr. Schmidt stated that Pitt County is ranked 22<sup>nd</sup> out of North Carolina's 100 counties for tourism expenditures, and said that the average person spends about \$160 when visiting Greenville and staying overnight. Therefore, service to travelers will set Greenville apart from its competition. Mr. Schmidt explained that the CVA is governed by a board of 11 members, five whom are appointed by City Council, an additional five whom are appointed by county commissioners, and one who is appointed by the Chamber of Commerce.

Next, Mr. Schmidt explained the CVA's Budget Approval Process. He said that the budget first goes before the CVA Executive Committee, and once passed, the budget is presented to the CVA full Board. Following presentation of the budget before the CVA Executive Committee and full Board, the budget is presented to City Council, and the County Commissioners.

Mr. Schmidt mentioned that the CVA does not receive any revenues from the general fund, City or County supplements, or membership revenue. Instead, all revenues that the CVA receives are from the occupancy tax, and have remained steady in recent years. Mr. Schmidt reported that revenues are up 6.74% this year over previous Fiscal Year collections, and that the 2014-2015 budget year expenditures were calculated with a 2.5% increase in occupancy tax collections. He said that the CVA is under budget for the current fiscal year due to the early retirement of a staff member, and because the CVA did not relocate as had been planned. Therefore, the extra funds were recycled into the next Fiscal Year. Mr. Schmidt stated that the Fiscal Year 2014-2015 budget is set for approximately



\$929,806.94. The occupancy tax collections are projected to reach \$821,200, and the CVA plans to utilize about \$98,606.94 of fund balance.

Mr. Schmidt next introduced several of the Fiscal Year 2014-2015 budget highlights. He said that the completion of re-branding has allowed for several line item decreases. The CVA will increase its use of social and digital media, which will lower costs. Additionally, the printing line item will be lower because the CVA will only print three publications. Therefore, although promotion of the CVA will increase, the amount spent will decrease. Mr. Schmidt said that funds are earmarked to develop and utilize new technology with the goal of marketing and informing, as well as for sponsorships and incentives within the convention and meetings market. He also stated that the CVA's budget will allow for a full-time communications assistant, as opposed to the two part-time positions allocated for in the current budget. The salaries for the two part-time positions will be combined for the full-time salary. Mr. Schmidt explained that the only differentiation component in the budget from the current year involves the addition of benefits. Mr. Schmidt also said that funds have been included for relocation of the CVA offices and visitors center because of the expansion of the Convention Center. He stated that the CVA is currently in a lease negotiation for its future site. Funds not used this past year will be recycled for the relocation. Lastly, Mr. Schmidt mentioned that the budget will include Convention Center Marketing funds. The budget includes receipts from one cent of the occupancy tax collections \$273,900. He explained that the marketing funds are allocated in monthly installments to the Greenville Convention Center management.

### **SHEPPARD MEMORIAL LIBRARY**

Greg Needham, Director of Sheppard Memorial Library introduced Dr. Vivian Mott, Chair of the Sheppard Memorial Library Board of Trustees, who briefly thanked City Council for its longstanding support of the library. Dr. Mott said that City Council's support is essential so that the library is able to accommodate citizens' needs. She pointed out that each year, half a million people visit the library and check out books or other materials. In addition, she said that 50,000 people have attended programs at the library, and there have been over 200,000 various uses for the computers and equipment in the library. Dr. Mott mentioned that the library now offers improved children's services, cutting-edge technology and computer replacement, and computer classes to better serve the public.

Following Dr. Mott's remarks, Mr. Needham gave an overview of the Sheppard Memorial Library 2014-2015 Budget Proposal. He said that the budget request reflects the revenue target provided for the library by the City, including a 1.5% market adjustment in accordance with the City's proposal. This revenue amount will cover increased health insurance costs, workers compensation and unemployment insurance costs, as well as the market adjustment cost. Mr. Needham said that, although the goal for the funding ratio each year is a 1/3-2/3 ratio, with the County providing 1/3 and the City providing 2/3, the



amounts usually vary. He pointed out that the City's Fiscal Year 2014-2015 target is greater than twice the amount of the County Manager's recommendation, so if a strict 1/3-2/3 ratio was applied, the Board would have a shortfall. Mr. Needham said that the Board requests that the City still adopt the targeted funding amount for the library, and explained that the Board can approach the County next year with a request greater than 1/3 of the funding ratio. He noted that the County has already approved the requested CIP funding for the maintenance and repairs for the exterior of the library building, as well as proposed County bookmobile replacement funding, which is projected for Fiscal Year 2016-2017. He presented the revenues and expenditures for the Proposed Budget for Fiscal Years 2014-2015 and the Proposed Financial Plan for 2015-2016, where the amounts total approximately \$2,498,749 and \$2,338,224, respectively. Mr. Needham mentioned several measures that the library is taking to reduce costs in the future. He said that with advances in technology, the library is able to sustain customer service to the growing population without substantially increasing library staff. For example, the library has implemented self-check-out stations and the acceptance of credit and debit cards. Another way the library will save costs is through the installation of LED lights in the main library building in an effort to expend less electricity.

### **GREENVILLE UTILITIES COMMISSION**

Tony Cannon, General Manager and CEO for Greenville Utilities Commission (GUC), presented the proposed Fiscal Year 2014-2015 report. He said that GUC Board's mission is to enhance the quality of life for those it serves by providing safe, reliable utility services at the lowest reasonable cost with exceptional customer service. He stated further that the main components of the budget include the replacement and repair of aging infrastructure, purchased commodities, debt service, regulatory compliance, and general operational expenses.

Mr. Cannon first presented the status of the current Fiscal Year budget, which is projected to be balanced at the end of the year. He said that gas funds have been the driving force in the outcome of the budget, because the decrease in gas prices has allowed GUC to lower its gas rates. According to key performance indicators from debt service coverage dating back to 2010, the Board has budgeted for a decrease in debt service coverage, fund balance, and cash on hand. Additionally, the Board decided to utilize a portion of cash on hand to fund technology projects rather than financing them, because these projects depreciate over a shorter period of time than traditional infrastructure projects. Mr. Cannon said that using cash on hand for these technology projects has resulted in decreased rates.

Next, Mr. Cannon moved on to discuss the proposed Fiscal Year 2014-2015 budget, which is anticipated to be balanced. He reported that the summer and winter electric, water, sewer, and natural gas bills are all projected to be below the median among Greenville's peer cities. Mr. Cannon said that capital planning is a major driver of the budget, and added



that several capital projects are already planned for the next five years. He said that current electric projects rely on increasing transmission reliability throughout the system.

Mr. Cannon next introduced several water projects that are in progress. He said that utilities must be relocated as a result of the 10<sup>th</sup> Street Connector, and also said that GUC is updating its sedimentation basin at the water treatment plant. The largest water project is upgrading the water treatment plant to meet regulations and position it for economic development. Mr. Cannon said that it is crucial for updates to be made to the water treatment plant before the demand increases because of the time it takes to complete, and stated that the updates will begin within the next five years. In addition, Mr. Cannon mentioned that meters must be changed as a result of a regulatory requirement that prohibits lead near water pipes. He said that current meters are soldered with lead, and therefore must be replaced. Next, Mr. Cannon presented wastewater projects that are currently underway. He said that the Westside Pump Station and force main have been relocated and will be replaced. In addition, GUC is replacing its ultraviolet disinfection equipment at the water treatment plant. Mr. Cannon said that since the plant is nearly 30 years old, hard infrastructure improvements must be made in order to meet regulatory requirements. He stated further that these updates will be built into the five-year budget plan. Mr. Cannon next addressed natural gas projects, which are driven by system modeling that showed that GUC was having pressure issues throughout the system. He said that GUC worked with Piedmont Natural Gas to relocate gate stations and to build line improvements. He also said that GUC is increasing the storage capacity of the liquefied natural gas station. Mr. Cannon also addressed other projects, such as improvements to customer care and billing, the addition of asset management meter level, as well as improvements to the downtown building and relocation of the operations center.

Lastly, Mr. Cannon reviewed the key provisions of the proposed Fiscal Year 2014-2015 Budget, which include:

- Increase of 2.2% or \$5.8M when compared to FY 2013-14 adopted budget.
- No rate adjustments (other than purchased gas adjustments as needed)
- Funding for employee merit and market adjustments
- Annual turnover or transfer of \$6,485,183 to the City of Greenville
- Continuation of health and dental plans
- Expanding hours of provider care at Occupational Health Clinic
- Existing positions reallocated, one temporary position added
- Prefunding for Other Post-Employment Benefits (OPEB) increased by \$50,000, bringing total amount for prefunding to \$400,000
- Investment of \$6.9M for capital outlay

Council Member Blackburn asked if GUC had the opportunity to discuss merit and market salary increases. She pointed out that City Council adopted a salary increase of 1.5%, and



said that increases for the City of Greenville and GUC are supposed to be the same. Mr. Cannon said that the GUC Board has not yet had the opportunity to discuss the salary increases, but mentioned that they were allocated for in GUC's proposed budget. He stated further that the GUC Board will discuss the increases at its Commission meeting on Thursday.

Council Member Smith asked Mr. Cannon to explain why the full transfer to the City was not given in the current year, and future plans to prevent this from happening. Mr. Cannon said that the transfer from GUC to the City is 6% of net assets of electric and gas proceeds based on the audit. He explained that GUC did not have the funds to complete the capital outlay in gas, and as a result, had to cut back, which decreased the asset and the transfer. He stated further that the transfer is in accordance with the charter, and the finance staff is working to address the issue so that it is not faced again in the future.

#### **DISCUSSION OF REQUIREMENTS AND APPROPRIATE CIRCUMSTANCES FOR INCREASED RENTAL OCCUPANCY**

Council Member Croskery stated that the matter of increased rental occupancy has not been completely resolved, despite ongoing discussion. He said that although the decision was made to retain the three-unrelated rule, there are certain circumstances in which increased occupancy could reasonably be allowed. Council Member Croskery pointed out that the University Neighborhood, as well as other areas in the community with high rental populations, could benefit from the cost savings associated with increased occupancy, if it is carefully monitored in order to maintain a high level of homeownership, safety and code enforcement. He suggested that the Community Development Department and Planning and Zoning Commission should host a forum to get input from the community about allowing increased occupancy in certain cases. He also shared several considerations for special permitting that would be acceptable. Council Member Croskery said that if the City allows increased occupancy, it should be under a proper set of rules that could be issued by the Community Development Department requiring a fee to offset extra costs for inspections and administrative work. The permit should be reviewed periodically, and should be renewed if the permit requirements have been followed. If there is a change in ownership, permit requirements should be disclosed. In addition, there should be a provision to revoke the permit if necessary. Council Member Croskery also said that the floor plan of high-occupancy residences should be filed, approved, and periodically reviewed by the City's building inspector. Additionally, he said there should be requirements for the appropriate number of tenants based on the number of dedicated bedrooms and bathrooms in a residence, and all tenants should be educated about their rights and occupancy limits. Council Member Croskery also suggested that each property should have an initial safety inspection, followed by repeated safety inspections if multiple code violations occur. He said that the owner or landlord should reside in or near Greenville, or have a local agent, and contact information for the owner or agent should be



registered with the City and prominently posted for the Code Enforcement Office and the property's tenants. Lastly, Council Member Croskery suggested that all leases signed by tenants of high-occupancy residences should be filed with the City.

Council Member Blackburn said that any conversation about increased occupancy should be a public process involving the entire community. She stressed the importance of protecting the rights of students, renters, and homeowners alike.

Council Member Smith expressed her concern about the amount of staff time that will be lost due to the creation of a new policy. She pointed out that City Council and staff have spent a considerable amount of time on the occupancy issue, and said that the time has come to focus on the City's other needs. Council Member Smith said that although it may not be appropriate to address the occupancy issue at this time, City Council could consider it in the future.

Council Member Croskery acknowledged Council Member Smith's concerns. However, he pointed out that the occupancy issue will continue to arise if action is not taken. He stated further that the creation of a policy that addresses the occupancy issue is necessary to ensure that landlords, tenants, and homeowners are well served by City Council.

Community Development Director Merrill Flood said that it would be necessary to evaluate within the new state law. He said that some components are in keeping with the concept of rental registries, but some of the new laws dictate how the City is allowed to administer a rental registry. Mr. Flood said that as a result, arriving at a resolution will take time. He mentioned, however, that staff could explore the rental registry option if that is the will of City Council.

City Manager Lipscomb expressed her concern about staff focus. She mentioned that several other projects have already taken priority for the next year.

Discussion on this matter was concluded without a motion being made.

### **DISCUSSION OF UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI) COMMITTEE**

Council Member Croskery explained that the University Neighborhood Revitalization Initiative (UNRI) Overlay was so strongly opposed because it enforced certain rules on one area of the City that could potentially tip the balance away from homeownership in the University neighborhood. However, he said that the decision was made to keep the UNRI Overlay district in place, thereby maintaining the University neighborhood's special needs. In order to properly address these needs and to provide adequate representation, Council Member Croskery recommended that the UNRI Committee continue and meet quarterly,



with the addition to the committee of a representative of ECU student government who lives in the University neighborhood.

Council Member Blackburn recommended that if City Council reconstitutes the UNRI Committee, that new membership should be allowed. She said also said that there should be an option to reappoint sitting committee members. Council Member Blackburn pointed out that other students who do not serve on student government may also have an interest in this issue, and should have the opportunity to serve on the UNRI Committee, as well.

Council Member Smith stated that the UNRI Overlay still represents a narrowly focused group in one area, and said that staff must also devote its attention to other issues throughout the City.

Mayor Thomas acknowledged that the UNRI Committee had many positive discussions and was productive. However, he pointed out that it was set up with specific beginning and ending dates. Mayor Thomas recommended allowing staff the time to implement some of the committee's suggestions before beginning another process.

Discussion on this matter was concluded. Council Member Croskery stated that he withdrew his motion. Mayor Thomas noted that no withdrawal is necessary because no motion was made.

### **DISCUSSION OF SOLAR ENERGY**

Council Member Blackburn stated that she requested discussion of the item in order to make the vague concept of solar energy more tangible. She said that the discussion will give citizens a better understanding of solar energy.

#### **Jon Weaver- No Address Given**

Mr. Weaver stated that he is from Greenville, and is a current graduate student at ECU. He said that he and his friend John Leonard have started a business together as solar installers. Mr. Weaver said that one of the main benefits of solar energy is the positive economic impact that it will have on the City. By soliciting work from local subcontractors and electricians, money will circulate through the local economy. Mr. Weaver said that solar energy is also cost effective. He explained that implementing a strong solar policy in Greenville will attract businesses and homeowners to locate here and to reap the benefits of saving money on energy costs. Mr. Weaver explained that solar power can be utilized through solar water heating and solar electricity, and also showed City Council an example of a solar panel. He said that his business provides residential and small commercial PV throughout Eastern North Carolina. The upfront cost of a system is approximately \$20,000, and those who purchase a system receive major tax credits that decrease the investment to about \$7,000. The systems generate approximately \$900 of electricity each year and have



a 25-year life span. Mr. Weaver said that Greenville Utilities has a buy-all-sell-all policy in which it purchases electricity that is generated through the solar panels. He explained however, that solar energy in Greenville has not taken off because of the payout discrepancy of the buy-all-sell-all policy. Greenville Utilities charges \$0.13 per kilowatt hour but only pays out \$0.07 per kilowatt hour. Mr. Weaver explained that Greenville Utilities does not currently offer net metering, whereas other parts of the state do.

Council Member Croskery pointed out that Greenville Utilities intends to adopt a net metering policy within the next year.

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**COMMENTS FROM THE MAYOR AND CITY COUNCIL**

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The Mayor, Mayor Pro-Tem and Council Members made general comments about past and future events.

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**CITY MANAGER'S REPORT**

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City Manager Lipscomb said that per City Council direction, she contacted the General Manager/CEO of the GUC Board regarding the status of the May 19, 2014 City Council and GUC Joint Meeting. He responded that it may not be necessary to hold the meeting at this time. Therefore, City Manager Lipscomb suggested that City Council consider the May 19, 2014 Joint Meeting cancelled.

Mayor Thomas pointed out that the meeting should still be held in the near future if possible. Although the reports from the Public Works Department have not been completed, he stressed the importance of still holding the meeting. He suggested instead that the City Council hold two separate meetings; the original joint meeting and a second meeting once the Public Works report is completed.



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**ADJOURNMENT**

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Council Member Blackburn moved to adjourn the meeting, seconded by Mayor Pro-Tem Mercer. There being no further discussion, the motion passed by unanimous vote and Mayor Thomas adjourned the meeting at 11:03 p.m.

Prepared By:  
Sara Ward, Clerical Assistant  
City Clerk's Office

Respectfully submitted,

Carol L. Barwick, CMC  
City Clerk

PROPOSED MINUTES  
MEETING OF THE CITY COUNCIL  
CITY OF GREENVILLE, NORTH CAROLINA  
MONDAY, MAY 19, 2014



A regular meeting of the Greenville City Council was held on Monday, May 19, 2014, in the Council Chambers, located on the third floor at City Hall, with Mayor Allen M. Thomas presiding. Mayor Thomas called the meeting to order at 6:00 p.m. Council Member Rick Smiley introduced Rabbi Nicole Luna of Congregation Bayt Shalom, who gave the invocation, followed by the Pledge of Allegiance.

Those Present:

Mayor Allen M. Thomas, Mayor Pro-Tem Calvin R. Mercer, Council Member Rose H. Glover, Council Member Marion Blackburn, Council Member Rick Smiley, Jr. and Council Member Richard Croskery

Those Absent:

Council Member Kandie Smith

*Mayor Thomas noted that Council Member Smith is on a work assignment in Utah and extends her apologies for being unable to attend.*

Also Present:

City Manager Barbara Lipscomb, City Attorney David A. Holec, City Clerk Carol L. Barwick and Deputy City Clerk Polly W. Jones

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**APPROVAL OF THE AGENDA**

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City Manager Barbara Lipscomb noted the need to add an item for discussion of a potential grant opportunity for "Project Flavor".

Council Member Smiley moved to add discussion of the potential grant opportunity referenced by the City Manager to the agenda as the first item under New Business. Council Member Glover seconded the motion, which passed by unanimous vote.

Mayor Pro-Tem Mercer stated the bond referendum discussion has budgetary implications and asked whether it was appropriate to have budget discussion as well. City Attorney Dave Holec recommended adding an item for budget discussion if City Council wanted to have budget discussion during this meeting.

Council Member Smiley moved to add budget discussion to the agenda under New Business, following the discussion on the bond referendum. Council Member Croskery seconded the motion, which passed by unanimous vote.





Council Member Smiley moved to approve the Consent Agenda. Council Member Croskery seconded the motion, which passed by unanimous vote.

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**NEW BUSINESS**

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**GRANT OPPORTUNITY FOR PROJECT FLAVOR** (Resolution No. 035-14)

Community Development Director Merrill Flood stated that staff has been working with local representatives of two international companies to advance a joint venture between the two companies that would create laboratory and advanced manufacturing space to serve a newly formed business endeavor. The project is expected to occupy an industrial shell building within the City's corporate limits that has been vacant for at least 5 years and create 15-20 new jobs with a capital and equipment investment in excess of \$1.5 million. He asked the City Council to adopt a resolution supporting an application on behalf of Project Flavor to the NC Department of Commerce Rural Economic Development Division Building Reuse Program.

Upon motion by Council Member Glover and second by Council Member Blackburn, the City Council voted unanimously to adopt the requested resolution.

**DISCUSSION OF POTENTIAL BOND REFERENDUM**

City Manager Lipscomb stated staff was directed at the last City Council meeting to develop a potential bond package. Greenville is a large community with a number of diverse needs and interests. There is also a substantial amount of deferred capital maintenance that needs to be addressed, as was discussed at the last meeting during the budget presentation – around \$2 million annually for transportation maintenance needs and \$600,000 annually for facilities maintenance.

Most communities that take a bond referendum to their voters for support do so around large, visionary projects. We have tried to balance both large and small projects, and with regard to parks, to look at areas of the City that do not currently have those facilities.

Assistant City Manager Chris Padgett explained that a bond is the certificate or evidence of debt issued by a governmental unit. The issuance of a General Obligation Bond (GO Bond) requires a vote of the people through a bond referendum, whereby voters decide whether to authorize the sale of bonds and the potential levy of a tax to repay the bonds. Previous GO Bond programs in Greenville included a \$25.5 million issuance in 1992 which included funding for a new Police-Fire/Rescue Facility, Streets, Storm Sewer Drainage Improvements, Housing and Sanitary Sewer Improvements and a \$20.8 million issuance in 2004 which included Street Improvements, Stormwater Drainage, West Greenville Revitalization and Center City Revitalization.



In order to demonstrate the process for a bond referendum, Mr. Padgett reviewed the timeline for the 2004 Bond Program, which began with City Council discussion occurring between December 2003 and February 2004, and concluded with final City Council approval of the resolution relating to authorization of the bonds and authorization to apply for approval by the Local Government Commission (LGC) in June 2004.

He then reviewed the timeline for pursuing a bond in 2014, touching on the following points:



### November 2014 Bond Timeline

DATE(S)	ACTIVITY
May 29	Meet with Financial Advisors
Early June	Pre-application meeting/call with the LGC staff Further refine GO project list. Start selecting Campaign Oversight Committee
June 23	City Council adopts: (1) Resolution directing publication of notice of intent to apply to the LGC; (2) Resolution authorizing the Director of Finance to apply to the LGC; and (3) Resolution making certain findings of fact
Week of June 23	Publish Notice of Intent in the newspaper
Week of July 14	File Application with LGC and prepare Sworn Statement of Debt

*Find yourself in good company*



### November 2014 Bond Timeline

DATE(S)	ACTIVITY
July 21	Introduce the Bond Orders at the City Council Meeting; City Council adopts the Resolution setting public hearing on the Bond Orders on August 11, 2014; File Sworn Statement of Debt with the City Clerk
By July 28	Publish Notices of Public Hearing on the Bond Orders in the newspaper
August 6	Deliver ballot language to Pitt County Board of Elections
August 11	City Council holds public hearing on adoption of the Bond Orders; City Council adopts (1) the Bond Orders at the conclusion of the public hearing and (2) the Resolution setting a Special Bond Referendum
August 12	City Clerk delivers certified copy of the Resolution setting a Special Bond Referendum to the County Board of Elections

*Find yourself in good company*



### November 2014 Bond Timeline

DATE(S)	ACTIVITY
August 18	City publishes Bond Orders as adopted in the newspaper
NLT August 20	Submit notice to Joint Legislative Committee on Local Government
August 25 & September 8	Publish first and second Notices of Special Bond Referendum in the newspaper
October 7	LGC agenda for approval
November 4	Referendum

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Mr. Padgett stressed that bond questions must be developed for one or more specified purposes such as streets, housing, public safety, recreation and parks, storm drainage or libraries. They can include new facilities, improvements to existing facilities or combinations thereof. Mr. Padgett stated it is expected that a tax increase will be required to fund any proposed GO bonds issued in the coming years and explained both the benefit to the city and the impact on taxpayers for various rates of tax increases.

Mr. Padgett reminded the City Council that their initial direction to staff was to prepare a bond referendum that would address the following needs:

- Street Improvement Bonds



- Street Improvements - \$7.9 million – to include resurfacing/micro-surfacing/reconstructing over 65 lane miles of roadway
- 10<sup>th</sup> Street Connector - \$1.2 million – to include betterments not funded by NCDOT such as extra wide sidewalks, decorative LED streetlights, berms at select locations and 9<sup>th</sup> street improvements due to drainage
- Dickinson Avenue Streetscape - \$2.5 million- to include significant streetscape enhancements from Reade to 14<sup>th</sup> Street, such as brick pavers, street trees, and decorative lighting
- Sidewalks - \$2.1 million – to complete 10 Year Plan Program for sidewalk along Evans Street, Dickinson Avenue, Red Banks Road, Charles Boulevard and Memorial Drive
- Soft Costs - \$275,000 –
- Recreation and Parks Bonds
  - South Greenville Recreation Center - \$3.1 million – to complete replacement of recreation center/major gym renovation
  - Town Common - \$1.25 million – to implement Phase 1 Master Plan including design and construction drawings, construction of restrooms/concession building, sprayground, a new pier and designs for future phases
  - Land Acquisition - \$500,000 – to acquire parkland in Westgate neighborhood and in southwest portion of the community
  - New Park Development - \$375,000 – to develop a new park in the Westgate neighborhood
  - South Tar River Greenway Amenities - \$550,000 – to install improvements along the existing greenway such as a shelter, sand volleyball court, mountain bike trail, skateboard area, exercise amenities, additional parking, lake trail, playground and dog park expansion and lighting
  - River Park North - \$375,000 – to improve western portion of park and make accessible to eastern portion of park
  - Boyd Lee Park - \$430,000 – to reconstruct and extend cross country trail, air condition gym, renovate building interior, replace gym floor, add multipurpose field and improve parking
  - Eastside park - \$450,000 – to develop initial phase of park to include trails, water to site, a community garden, road access and possibly a dog park
  - Phil Carroll Property - \$350,000 – to develop park access, install trails, picnic shelter, fishing access and other basic amenities
  - Greenfield Terrace - \$400,000 – to install youth baseball field, walking path to the Boys and Girls Club, sprayground and other site amenities
  - Bradford Creek Soccer Complex - \$375,000 – to install lighting for two fields and purchase adjacent property for overflow parking
  - Paramore Park – \$350,000 – to install a sprayground amenity and a restroom facility



- Bradford Creek Public Golf Course - \$150,000 – to stabilize greens and improve irrigation
- Infrastructure and ADA Improvements - \$1.6 million – for various facility renovations to address known facility needs and ADA compliance issues at Guy Smith Stadium, Peppermint Park, Westhaven Park, Thomas Foreman Park, Elm Street Center, Hillsdale Park and Woodlawn Park
- Soft Costs - \$210,000
- Public Safety Bonds
  - Police-Fire/Rescue Headquarters - \$1.4 million – to include generator replacement, roof replacement, boiler furnace upgrades, HVAC replacement, restroom/lobby/office renovations and garage door replacements
  - Fire Stations 1-6 and Emergency Operations Center (EOC) - \$720,000 – to include improvements at various facilities including Vehicle Exhaust System replacement, roll-up door replacement, exterior lighting replacement, small addition onto Station 3, outfitting the new EOC, Emergency Apparatus Storage Building construction and a new video conferencing system
  - Fire Vehicles - \$1.3 million – to include a new ladder truck and a brush truck
  - Soft Costs - \$70,000

Mr. Padgett stated that the proposed bond program does address some existing facility needs in the areas of public safety and recreation and parks. While this would reduce the annual needs for the facility improvement program, the new facilities proposed as part of the program will require additional operation and maintenance costs. The total fiscal impact can better be determined once a specific bond program is finalized.

Council Member Glover noted that when the proposed budget was presented, it included completion of the second phase of the West Greenville streetscape project. She expressed concern that it remain in the budget because it is a critical need for that community. She further expressed concern about the level of investment at Boyd Lee Park, which she feels serves Winterville more than Greenville.

Council Member Blackburn supported Council Member Glover's comments about the importance of the streetscape project in West Greenville, and added that the one thing she felt was missing from the bond proposal was streetscaping in the University area.

Mayor Pro-Tem Mercer asked when to expect reports on the Dickinson Avenue study and the River study. City Manager Lipscomb replied both are due in August.

Mayor Thomas referred to the number of people who addressed the Aquatics Center during public comment, but noted it was not addressed in the bond presentation. He asked if there is a plan for it.



City Manager Lipscomb stated the list for Recreation and Parks is still incomplete. For tonight's presentation, focus was given to areas with significant deficiencies in basic recreational needs. She indicated she didn't know that she would consider their request a basic need, but if it was the pleasure of the City Council, the staff could certainly take a look at it.

Council Member Smiley stated staff has come up with a number of interesting ideas for the bond, but he also hopes there will be a broad public conversation to generate additional ideas and help determine priorities. He said he does not want the City Council to just sit in isolation to pick and choose.

Mayor Pro-Tem Mercer moved that, at one of the June meetings, each Council Member and the Mayor appoint two people to a 14 member committee to advise the City Council on the content, amount, timing and structure of an advocacy committee and other relevant aspects of a voter bond. Following general discussion about the importance of seeking public input and garnering public support, the City Council voted unanimously to approve the motion to establish a Bond Advisory Committee.

### **BUDGET DISCUSSION**

Mayor Pro-Tem Mercer noted that, in his discussion with community leaders, the bond issue could not be cleanly separated from the City's annual budget because of the direct budgetary impact. It is critically important that the bond be implemented in such a way that it will pass because to have it fail would be a substantial setback for the City. The thinking of local business leaders is that the bond should not contain items of routine maintenance because that will diminish the possibility for success.

Council Member Smiley concurred, stating he has heard from many people who are interested in the bond, but not in covering maintenance with the bond. Addressing maintenance needs now through the budget not only saves money in the long run, it will also help assure passage of the bond.

Mayor Thomas stated there are many needs in the City, all of which cost money. Staff has been made to make difficult decisions on where to focus that money. Much of the maintenance needed now should have been addressed over the past twenty years, which illustrates the need for a maintenance fund to take care of items that can be done as needed at a small cost rather than allowing them to continue to get worse. The City now has maintenance needs where some facilities are near failure and could have a domino effect on other facilities if they continue to be neglected.

Council Member Croskery agrees that citizens do not feel the cost of doing business should be part of a bond, but rather should be budgeted each year. As the items to include in the



bond are determined, it should be kept in mind that new facilities and equipment will require maintenance as well.

Council Member Blackburn said that, while she likes the idea of a bond very much, she is concerned that the City has what she would call an unsustainable model because a previous City Council's decision not to go with the revenue neutral rate following a property revaluation which has effectively reduced the City's revenue stream.

Mayor Pro-Tem Mercer moved to direct the City Manager to prepare a budget with a penny increase on the tax rate to address facilities maintenance. Council Member Blackburn seconded the motion.

Council Member Croskery asked if that would mean the City Council would be considering two different budgets and choosing the best.

City Attorney Dave Holec clarified that the City Manager is required to submit a single budget with the understanding that what is being proposed is based upon City Council direction. The public hearing would be held, then the City Council could take whatever action it deems appropriate.

Mayor Thomas asked if the penny could be allocated to a specific purpose moving forward.

City Attorney Holec stated a motion to do so would only impact the coming year and the second year of the plan but it could be changed by this or another City Council later by a vote.

Mayor Thomas noted that a City Council Member is absent and it is a significant point when the matter on the table is raising taxes.

Mayor Pro-Tem Mercer thanked Mayor Thomas for pointing that out, but noted that Council Member Smith would have the opportunity to weigh in on the matter during budget deliberations in June as the action tonight was only to direct the City Manager in adjusting the budget proposal.

Council Member Glover stated this discussion was an addition to the agenda that Council Member Smith was unaware of. She said she feels the vote should wait out of respect for her.

There being no further discussion, the motion to direct the City Manager to prepare a budget with a penny increase on the tax rate to address facilities maintenance passed by a vote of 4 to 1, with Council Member Glover casting the dissenting vote.



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**COMMENTS FROM THE MAYOR AND CITY COUNCIL**

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

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**CITY MANAGER'S REPORT**

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City Manager Lipscomb had no comment.

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**ADJOURNMENT**

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Council Member Blackburn moved to adjourn the meeting, seconded by Council Member Croskery. There being no further discussion, the motion passed by unanimous vote and Mayor Thomas adjourned the meeting at 8:31 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Carol L. Barwick". The signature is written in black ink on a light blue rectangular background.

Carol L. Barwick, CMC  
City Clerk

PROPOSED MINUTES  
MEETING OF THE CITY COUNCIL  
CITY OF GREENVILLE, NORTH CAROLINA  
MONDAY, JUNE 9, 2014



The Greenville City Council met in a regular meeting on the above date at 6:00 p.m. in the Council Chambers, third floor of City Hall, with Mayor Allen M. Thomas presiding. The meeting was called to order, followed by the invocation by Council Member Richard Croskery and the Pledge of Allegiance to the flag.

Those Present:

Mayor Allen M. Thomas; Mayor Pro-Tem Calvin R. Mercer; Council Member Kandie D. Smith; Council Member Rose H. Glover; Council Member Marion Blackburn; Council Member Rick Smiley; and Council Member Richard Croskery

Those Absent: None

Also Present:

Barbara Lipscomb, City Manager; David A. Holec, City Attorney; Carol L. Barwick, City Clerk; and Polly Jones, Deputy City Clerk

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**APPROVAL OF THE AGENDA**

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City Manager Barbara Lipscomb stated that there are no recommended changes for this meeting's agenda; however, there are agenda changes for the City Council's Thursday, June 12<sup>th</sup> meeting. The discussion of the potential naming of the Tenth Street Connector is recommended for removal from the Thursday night agenda. That item will be replaced by adding the appointment of the Board of Adjustment member after the City Council's consideration of the Board of Adjustment ordinance. The reimbursement resolution for financing the Greenville Utilities Commission's capital projects will be added to that agenda as well.

Motion was made by Council Member Blackburn and seconded by Council Member Smith to approve recommended changes to the agenda for the June 12, 2014 City Council meeting. Motion carried unanimously.

Also, City Manager Lipscomb stated that the resolution for financing the Greenville Utilities Commission's vehicle and heavy equipment purchases with an installment purchase loan is recommended to be added to the agenda for the June 12<sup>th</sup> meeting.

Motion was made by Council Member Croskery and seconded by Council Member Blackburn to approve the additional recommended change to the agenda for the June 12, 2014 City Council meeting. Motion carried unanimously.



Motion was made by Council Member Blackburn and seconded by Council Member Glover to approve the agenda for the June 9, 2014 City Council meeting. Motion carried unanimously.

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**PUBLIC COMMENT PERIOD**  
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No comments were made during the Public Comment Period.

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**CONSENT AGENDA**  
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City Manager Barbara Lipscomb introduced the following items on the Consent Agenda:

- Minutes from the January 13 and April 10, 2014 City Council meetings
- Ordinance enacting and adopting Supplement Number 2014-S5 to the City of Greenville Code of Ordinances (Ordinance No. 14-032)
- Resolution authorizing disposal of outdated records by the City of Greenville in accordance with the North Carolina Division of Archives and Records' Municipal Records Retention and Disposition Schedule dated September 10, 2012, and the subsequent amendment dated August 29, 2013, and authorizing the Mayor and City Manager to enter into a contract with the North Carolina Department of Cultural Resources (Resolution No. 036-14)
- Resolution amending the Assignment of Classes to Pay Grades and Ranges (Pay Plan) (Resolution No. 037-14)
- Authorization to submit a Lead-Based Paint Hazard Control Grant application to the U.S. Department of Housing and Urban Development
- Resolution declaring as surplus and authorizing the disposition by electronic auction of one 2002 Volvo Xpeditor Front Loading Refuse Truck (Resolution No. 038-14)
- Agreement with the Greenville Museum of Art
- Contract for police services between the City of Greenville and the Greenville Housing Authority
- Resolution accepting dedication of rights-of-way and easements for University Medical Park North Revision of Lots 2-10 and 13 (Resolution No. 039-14)



- Abandonment of a landscape easement as requested by Magdy “Mac” Taha and Enji Taha for property located at 1715 Dickinson Avenue
- Resolution approving the grant of a temporary easement in connection with a bridge replacement project on Industrial Boulevard (Resolution No. 040-14)
- Consideration of the purchase of real properties and utility easements for Greenville Utilities Commission
- Grant of easements to Piedmont Natural Gas
- Resolution approving a Licensing Agreement with AT&T Mobility Corporation, Manager of New Cingular Wireless PCS, LLC (Resolution No. 041-14)
- Ordinance amending Greenville Utilities Commission’s FY 2013-2014 Budget for Operations and Capital Projects (Ordinance No. 14-034)
- Budget ordinance amendment #8 to the 2013-2014 City of Greenville budget (Ordinance #13-026), amendment to the Employee Parking Lot Expansion/ Improvement Fund (Ordinance #07-92), amendment to the CD Small Business Loan Fund (Ordinance #98-75), amendment to the Lead-Based Paint Hazard Control Grant Fund (Ordinance #09-24), amendment to the Special Revenue Grant Fund (Ordinance #11-003), amendment to the South Tar River Greenway Phase III Capital Project Fund (Ordinance #12-007.2), amendment to the Convention Center Expansion Capital Project Fund (Ordinance #07-139), amendment to the Storm Drainage Maintenance Improvement Capital Project Fund (Ordinance #09-67), amendment to the Byrne-JAG Grant Recovery Fund (Ordinance #09-79), amendment to the COPS Hiring Recovery Program Grant Fund (Ordinance #09-95), and amendment to the Loss Reserve Fund (Ordinance #94-140) (Ordinance No. 14-033)
- Report on Contracts Awarded
- Various tax refunds greater than \$100

Motion was made by Council Member Blackburn and seconded by Council Member Croskery to pull three items from the Consent Agenda, including the contract for police services between the City of Greenville and the Greenville Housing Authority, consideration of the purchase of real properties and utility easements for Greenville Utilities Commission, and the ordinance amending Greenville Utilities Commission’s FY 2013-2014 Budget for Operations and Capital Projects, for separate discussion, and to approve all of the remaining items on the Consent Agenda. Motion carried unanimously.



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**CONSENT ITEMS FOR SEPARATE DISCUSSION**

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**CONTRACT FOR POLICE SERVICES BETWEEN THE CITY OF GREENVILLE AND THE GREENVILLE HOUSING AUTHORITY**

Council Member Smith asked if there is anything in this proposed contract that is not in the previous contract between the City of Greenville and the Greenville Housing Authority (GHA). City Manager Lipscomb responded that there are revisions to the contract. In the past, four police officers provided services in the designated Housing Authority areas. The GHA provided funding for three of those police officers and the City provided funding for one police officer. The GHA notified the City that due to changes in their funding, they are no longer able to pay the salary and any overtime for three officers, but they possibly could pay for one officer. Staff met with the GHA and both parties agreed on the following:

- The Housing Authority will compensate the City on a cost-reimbursement basis.
- The Housing Authority will provide salary expense and overtime for one officer with a maximum annual expenditure of \$68,060.
- The City will provide salary and benefits for one full-time officer and any expenses beyond the \$68,060 for the second.
- The City will provide equipment and a vehicle for the two officers.

The other two officers will go back into regular patrol and they will be available along with all of the other Greenville Police Department officers to provide police services to the GHA.

Council Member Smith asked whether the GHA is satisfied with the two officers who will be returning to provide police services in the Housing Authority areas and whether they are rotating officers. City Manager Lipscomb responded that one of the four police officers will continue to be with the GHA, a few other officers were considered, and staff and the GHA agreed on assigning a particular officer as the second one. Staff is not looking at additional rotations at this point.

Council Member Smith asked that the names of the officers be provided to the City Council.

City Manager Lipscomb stated that the names of the police officers will be given to the City Council.

Motion was made by Council Member Smith and seconded by Council Member Blackburn to approve the contract with the Greenville Housing Authority for police services for the period of July 1, 2014 through June 30, 2015, as amended by the City Attorney's Office and agreed to by the Executive Director of the Housing Authority. Motion carried unanimously.



CONSIDERATION OF THE PURCHASE OF REAL PROPERTIES AND UTILITY EASEMENTS  
FOR GREENVILLE UTILITIES COMMISSION

Council Member Smith asked staff to provide more information regarding this item.

City Manager Lipscomb stated that the Greenville Utilities Commission (GUC) has contracted with Piedmont Natural Gas (PNG) to relocate Gate Station Nos. 2 and 3 as part of the GUC-PNG Multiple Gas Facilities Project. The proposed sites for both Gate Stations will require the purchase of property for installation of gas metering and regulating facilities and permanent utility easement(s) for the installation of gas main interconnects to GUC's distribution system. Gate Station No. 2 is located on Landmark Street and Gate Station No. 3 is located on MacGregor Downs Road. GUC and PNG have been working together with the installation of the facilities and interconnects so that if one gas company has issues, the other company can interconnect and provide the natural gas.

Council Member Smith asked if it is necessary to have two stations at one time in order to make it work. City Manager Lipscomb responded that relocating the stations together is part of a comprehensive program for the gas main interconnects.

Council Member Smith asked if it is a deal to purchase both of the stations at one time. City Manager Lipscomb responded yes.

Council Member Smith asked if these purchases will increase the utility rates for the various services provided to our constituents. City Manager Lipscomb responded that this is an improvement project and anything in that capital is embedded into the utility rate. It is not an addition that will cause the utility rates to increase.

Council Member Croskery stated that this may also allow having some redundancy so if the gas pressure drops in one part of the City or there is a problem in one part of the City they can reroute. It is important to customer service. These are not large amounts of money, but certainly it is something that is helpful for the change in the utilities that is being looked at.

Council Member Smith stated that she requested that this item be pulled from the Consent Agenda because these although are not large amounts of money, small sums add up and ultimately they reflect on the consumers who are our constituents. It is important for the City Council to make sure that the City is doing due diligence and that it is known why this is being done because apparently GUC was doing something before, and that has been working all of this time. If this is something new, she has concerns about why is it new, was there something negative that happened or is this an opportunity and is that going to cost taxpayers more because the rates were increased in May.

Council Member Croskery stated the property and easement purchases will be able to expand services to areas of commercial development so that the City can be more prepared for growth.



Motion was made Council Member Smiley and seconded by Mayor Pro-Tem Mercer to purchase the proposed properties and easements. Motion carried unanimously.

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**NEW BUSINESS**

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ORDINANCE AMENDING GREENVILLE UTILITIES COMMISSION'S FY 2013-2014 BUDGET FOR OPERATIONS AND CAPITAL PROJECTS (Ordinance No. 14-034)

Council Member Smith asked if there is any cost to the City relating to the requested budget amendments. City Manager Lipscomb responded that there is not any cost to the City. City Manager Lipscomb explained the difference in how staff handles the budget for the City of Greenville and how the Greenville Utilities Commission (GUC) budget is handled, stating that on a regular basis, the City's Director of Finance presents quarterly budgetary amendments to the City Council throughout a fiscal year. The City Council gets a chance to review and vote on those amendments throughout a fiscal year. However, GUC presents a cleanup amendment ordinance at the end of a fiscal year and this is the cleanup ordinance of all of their FY 2013-2014 budgetary changes.

Council Member Smith asked if cleanup means that everything did not balance the way GUC wanted it to and their staff is going back and making those changes. City Manager Lipscomb responded that is correct.

Council Member Smith asked what happens if the ordinance is not approved. City Manager Lipscomb responded these are expenditures approved by the Commissioners of GUC throughout FY 2013-2014 and they are being brought over to the City Council for ratification. GUC would have an issue with their FY 2014-2015 budget, if the City Council disapproves this ordinance amendment.

Council Member Smith asked about receiving information later regarding how the cleanup is done. City Manager Lipscomb stated that staff can make arrangements for her to meet with GUC General Manager Tony Cannon.

Council Member Smith stated that when a cleanup is presented at the end of a fiscal year, the details of what that cleanup is about are not really seen and sometimes that can raise questions, and this is about transparency.

City Manager Lipscomb stated that all of the things that are required to be sent over to the City Council have been distributed to the City Council throughout the fiscal year, but there are several changes that the Commissioners can make directly to GUC's budget during a fiscal year.



Motion was made by Mayor Pro-Tem Mercer and seconded by Council Member Smiley to adopt the ordinance amending GUC's Fiscal Year 2013-2014 budget amendment which includes certain capital project budget amendments. Motion carried unanimously.

## PUBLIC HEARINGS

### PUBLIC HEARING ON PROPOSED FISCAL YEAR 2014-2015 BUDGETS INCLUDING PUBLIC HEARING TO BE HELD CONCURRENTLY ON PROPOSED STORMWATER MANAGEMENT UTILITY RATE INCREASE

#### City of Greenville including Sheppard Memorial Library and Pitt-Greenville Convention and Visitors Authority

City Manager Barbara Lipscomb summarized the Budget Schedule and stated the following during her presentation:

#### *Budget Schedule*

January 24 & 25	City Council Strategic Planning Retreat
March 17	CIP Presentation
April 7	Budget Preview
May 5	City Manager's Budget presentation
May 8	CVA, SML and GUC Budget presentations
May 19	City Council continued budget discussions and provided direction on tax rate
May 28	Revised Budget submitted to City Council
June 9	Public Hearing on FY 15 Budget
June 12	Adoption of FY 15 Budget and FY 16 Financial Plan

The information that will be provided during this budget presentation is essentially the same information that was submitted to the City Council on May 28<sup>th</sup>. That information was based on a \$.01 increase in the property tax rate and removal of the cap on privilege licenses. A few other changes will be discussed this evening: one regarding the Carry Forward and the other being the new information received by staff in the last week relating to privilege licenses.

#### *City Funds*

The following is a summary of all of the City Funds totaling \$107,041,990 after backing out the interfund transfers:

#### City Funds

General Fund	\$76,728,487
Debt Service Fund	\$5,025,316
Public Transportation (Transit) Fund	\$3,246,283
Fleet Maintenance Fund	\$4,485,445



Sanitation Fund	\$7,944,814
Stormwater Utility Fund	\$4,303,401
Community Development Housing Fund	\$1,667,227
Health Fund	\$13,105,469
Capital Reserve Fund	\$25,000
Facilities Improvement Fund	\$1,545,434
Vehicle Replacement Fund	\$2,908,500
SUBTOTAL	\$120,985,376
LESS INTERFUND TRANSFERS	(13,943,386)
TOTAL	\$107,041,990

*Other Funds*

The Other Funds include the Sheppard Memorial Library (\$2,498,749), Convention and Visitors Authority (\$929,807), and Greenville Utilities Commission (\$275,714,552).

*Budget Summary*

The Fiscal Year (FY) 2015 Budget and FY 2016 Financial Plan are balanced, and this is prior to the changes that staff received related to the privilege licenses changes. As the City Council is aware, the General Assembly made changes that have impacted the City's FY 2015 Budget. The revenues in this budget include a \$.01 property tax rate increase from \$.52 to \$.53 per \$100 valuation. The additional revenue from the \$.01 will help to fund the newly created Facilities Improvement Fund. In the past, the City Council has challenged staff to create some type of fund so that City buildings and facilities can be improved. Therefore, at the City Council's direction, that extra penny is to be provided for that fund in this budget. Also, the FY 2015 Budget includes the continuation of current service levels and programs, but there are no new programs because of the new construction that will be done. There are no new employees included in this budget, however, a 1.5 percent market pay increase for FY 2015 as well as a planned 1.25 percent pay increase in Fiscal Year 2016 are included. A sustainable funding level is provided for the maintenance of the City's existing facilities and vehicles. Funding is provided at a less than sustainable level for transportation, i.e. street resurfacing. The FY 2015 Budget focuses on the City Council's Strategic Goals for 2014-2015 and staff has provided the City Council an extensive memorandum in the Budget Message for details. An ambitious capital program is planned for the City over the next year including construction of the Uptown Parking Deck, design and engineering for the Town Creek Culvert, Convention Center Expansion and Renovation Project, Good Roads Initiative, the continuance of the Facilities Improvement Program, and completion of the funding commitment and in-depth planning for the Greenville Transportation and Activity Center (GTAC).

*General Fund*

The proposed General Fund for FY 2015 is \$76.7 million, which is approximately \$8 million less than the current year's budget of \$84.8 million. That is generally due to the fact that the City has less money for capital improvements in the proposed FY 2015 Budget.



*FY 2015: Proposed Capital*

At the January 2014 Planning Session, staff indicated that there was a need for \$1.6 million to make the Facilities Improvement Program sustainable on an annual basis. This budget includes \$1.55 million for that purpose, but it will be up to \$1.6 million when the funds are transferred from the Sheppard Memorial Library’s budget to pay for the improvements at the Library. The Budget includes an additional \$750,000 for street improvements, and that will be added to the monies that are in the appropriated fund balance for street improvements. \$125,000 is budgeted for the Viper Radio System and \$250,000 for the New Evidence Storage Building. Those two items will be paid for from Police confiscated funds. In addition, other capital items included in this budget are the Storage Area Network System (\$105,000), Town Common Improvements (\$150,000), Comprehensive Plan Re-Write (\$140,000) and the GTAC (\$178,000).

*Two Budget Modifications*

The following are two modifications for the proposed FY 2014-2015 Budget:

1. Carry Forward Funding - Each year during this presentation, staff provides the City Council with the Carry Forward amounts for a proposed budget, and these are dollars that were budgeted but are unspent during a current budget year and are proposed as Carry Forward for the next year. The proposed Carry Forward for the General Fund is \$1.7 million. The specific projects are the following:

General Fund Carry Forward Items

Multi-Facility Improvement Project - \$770k	Historic Loan Pilot Project - \$70k
South Greenville Design - \$200k	Façade Grant - \$47k
Fire/Rescue Station 3 Parking Lot - \$140k	Police Supplies (Restricted) - \$11k
City Hall Roof Replacement - \$128k	Traffic Services Building Improvement - \$74k
Municipal Building Roof/Waterproofing - \$110k	City Hall Improvements - \$50k
Powell Bill - \$129k	

The proposed Carry Forward for the Transit Fund is \$472,000 and the \$477,000 for the Stormwater Fund.

2. Change in Privilege License Authority – This is a major change impacting the City as far as the FY 2015 Budget is concerned. Approximately a week ago, the North Carolina General Assembly made a major change for FY 2015 and the City is limited to only charging FY 2014 privilege license rates. During the current budget year, the City had a \$2,000 cap on privilege license taxes. The City Council amended the privilege license rates by deleting the \$2,000 cap and making changes to the privilege license taxes charged to internet sweepstakes businesses. The anticipated additional revenue from these changes is included in the FY 2015 Budget. However, the State has required that the City continue to have the \$2,000 cap. Also, the City



cannot add the additional rates for internet sweepstakes businesses and the City can only collect taxes from businesses located within the City limits. The impact on the proposed FY 2015 Budget is \$592,000. This must be addressed through additional revenues, expense reductions, or some combination thereof. This is major for municipalities throughout the State. This anticipated revenue was budgeted for both FY 2015 and FY 2016, and the FY 2015 Budget needs to be reduced by \$592,000. For the FY 2016 Budget, there is no privilege license tax because the legislators have eliminated that program completely. The Governor and some of the legislators have indicated that next year during the long session of the General Assembly, they will look at some changes to provide replacement revenue, but there is no guarantee presently. Staff has placed the FY 2016 Financial Plan on hold until further notice of what the impact might be after the General Assembly session next year.

To address the \$592,000 deficit, the following are options for the City Council's consideration:

#### **Option 1: Revenue Enhancements**

- \$.01 on the tax rate yields \$588k after collection costs

#### **Option 2: Expense Reductions**

- |  |        |
|--|--------|
| - City Health Fund Contribution  | \$310k |
| - Reduce Capital (\$50k from Town Common and \$25k from Storage Area Network System) | \$75k  |
| - Eliminate a Staff Support Specialist II position in Housing Division               | \$54k  |
| - Reduce transfer to the Facilities Improvement Fund                                 | \$50k  |
| - Reduce Departmental Operating Budgets  | \$32k  |
| - Reduce Computer Replacement Funding  | \$25k  |
| - Reduce Library Transfer  | \$19k  |
| - Eliminate a part-time Collections Clerk position in Collections Division           | \$17k  |
| - Reduce funding for Uptown Greenville contract                                      | \$10k  |

Staff has already been through the operating departments twice in order to make the budget presentation, and those are expense reductions that staff came up with. The total of the reductions would provide the revenue need of the City relating to the \$592,000 loss. There are other options that the City Council can look at such as some projects could be cut from the fund for the Facilities Improvement Program. Transportation funds could be cut from fund balance. To cut the fund balance for the General Fund is an option, but that is difficult to recommend because staff will not know exactly how much excess the City may have in fund balance until after the audit. To cut other eligible Capital Improvement Program projects is another option and any combination of the options given can be considered as well.



Staff needs to prepare the budget ordinance for the June 12<sup>th</sup> City Council meeting in order to meet the Budget Schedule. Direction from the City Council is needed this evening as to how to address this particular deficit concern.

#### *FY 2016 Impact of New Legislation*

The privilege license tax has been eliminated completely. Staff did hear last week that there may be some interest in expanding the sales tax, but staff will not know what the legislature is going to do next year until they meet and make a decision. Staff left the 2016 Financial Plan in place and the City Council will address that next year. The impact of a \$1.2 million revenue deduction would be substantial and would likely require new revenues and/or service level reductions.

#### *Other Funds of Note*

The Sanitation Fund is proposed to be about the same as this year. The City Council approved the increase in the Sanitation rates and the proposed FY 2015 rate for the curbside multifamily service is \$13.50 and \$43.55 for the backyard (premium) service. More customers are leaving the backyard service and some of the City's revenue is declining because of that. The City is continuing the automation program and four new trucks will be used this summer to provide Sanitation service.

The proposed budget for the Stormwater Utility is \$4.3 million. The FY 2014 original budget was unusually large because of anticipated borrowing associated with the Town Creek Culvert Project. The FY 2015 Budget includes a \$.50 per ERU per month rate increase to fund new capital and associated debt service as per the approved Stormwater Utility Plan. \$3.85 is the proposed stormwater rate for FY 2015 as opposed to the current rate of \$3.35.

The following is the proposed Greenville Utilities Commission (GUC) FY 2014-2015 Budget totaling \$275,714,552:

Electric Fund	\$197,645,092
Water Fund	\$17,131,602
Gas Fund	\$41,821,051
Sewer Fund	\$19,116,807
TOTAL	\$275,714,552

City Manager Lipscomb stated that, as a reminder, the GUC increased the water rates by 7 percent and the sewer rates to 8.8 percent effective May 1<sup>st</sup>.

The following are inquiries and comments made by the Mayor and Council Members during the Budget presentation:

Council Member Smiley stated that regarding the 1.5 percent market increase for City staff, if the City would provide the same increase that the market is providing, according to the



metric that the City uses, the City would be providing a 2.5 percent market increase instead. The City is in fact underfunding that.

City Manager Lipscomb stated that she used that terminology instead of stating that there is also a merit increase versus a market increase, and the 1.5 percent increase is money toward the market increase.

Upon being asked about the less than sustainable funding for streets, City Manager Lipscomb responded that Public Works Director Kevin Mulligan provided a number of presentations to the City Council about the City's roads. The amount needed for sustainability in street resurfacing is approximately \$2.2 million a year, and this budget does not include that.

Council Member Blackburn stated that the City has put \$4 million in roads in the last 18 months. Additionally, staff is investigating a potential bond that will add more money to that, and it seems if the City is funding anything sustainably, currently, it is the City's roads.

City Manager Lipscomb stated that the City has a huge level of deferred maintenance to catch up on and during presentations to the City Council, there were indications that the City needed to allocate about \$2.2 million not only for catch up, but for keeping up the City's roads. There are some funds in fund balance to do some road work and the City will be doing that work. Another \$1-\$1.5 million will be spent on roads next year, then a small amount will be added to that amount, but staff is not proposing an additional \$2.2 million in the Budget again this year.

Council Member Blackburn stated that it is good that the City is increasing its greenways and sidewalks because that will help some of those needs down the road.

Mayor Thomas asked for clarification that part of the problem is the City has to plan and do catch up and once the catch up is completed, hopefully, the City will have some efficiency, but, obviously, all of that cannot be done within one year. Staff is looking at a bond for roads because of the 100 miles of roads near failure and needing immediate repair.

City Manager Lipscomb stated that is correct and staff is proposing \$750,000 for streets instead of the \$2.2 million for full sustainability.

Upon being asked how much was received in Powell Bill money, City Manager Lipscomb responded about \$2 million.

Upon being asked in the history of City Manager Lipscomb's career as a city manager and assistant manager, how many times have the policies from the State capitol reduced municipal revenues over \$.5 million in the last week or two before the end of a fiscal year, City Manager Lipscomb responded that she comes from the State of Florida and recalls one year when the State legislators of Florida took it upon themselves to roll back taxes. It took



most of the legislative session for them to do that so it came rather late. She has seen this happen twice in her long career including what is happening presently in North Carolina.

Upon being asked whether any of the City's State representatives or leaders from Raleigh, North Carolina gave staff any specific recommendations on how the City should fill this last minute hole in the FY 2015 Budget, City Manager Lipscomb responded that there are no specific recommendations.

Mayor Pro-Tem Mercer stated that he was out of the country during Town Hall Day, and he was unable to attend to express his opinion. He appreciates staff and the Mayor and other Council Members for being there. He feels that this is a serious problem and there are two issues. One is the whole debate about the fees, which is a legitimate debate, but how to fill this hole at the last minute is really extraordinarily problematic.

Mayor Thomas stated that the City of Greenville was called out specifically by the legislators' Finance Committee in this process and the City was used as an example of going uncapped. One of the House Senate Members referred to it as the Greenville provision when they did the rollback. Keep in mind that what is done in Greenville resonates across the State. He is unhappy with it, especially when it puts municipalities in a very difficult position to be able to hear their people. He is impressed that approximately 500 Mayors and City Council Members were in Raleigh for Town Hall Day. He is also proud of the Greenville Council Members who stood up and spoke to leadership and made a stand on this issue. There is one thing making a stand, and there is another thing about being able to obtain a result, and we need to work with all of our elected representatives from the Governor all the way down for a solution. Paul Meyer, Director of the North Carolina League of Municipalities and Julie White, Executive Director and Lobbyist of the North Carolina Metropolitan Mayors Coalition, are working on this issue and there are no guarantees. It is a tangible impact, and some cities will have slower response times for Fire and Rescue and other services and some cities will have to cut back on them because of all of what has happened.

Mayor Pro-Tem Mercer stated that the City Council instituted a level of fairness for small businesses in the City and he will defend that all day long. The legislators rolled back an action that provides fairness to small businesses and have given vague promises that this issue will be addressed. Municipalities all over the State are concerned and the City Council needs to work with them in order to see that fairness is accomplished. For next year and the future, hopefully, both sides will work in good faith to address this.

Mayor Thomas stated that while the larger cities seem to be the topic of discussion during the Committee process, the 100 plus smaller towns and cities across the State have considerable commercial obligations and might have to raise their property taxes across the board in order to meet their obligations. The face of this is really the small municipalities of North Carolina, i.e., Calabash and Tar Hill, are proportionately being devastated. He is positive about the dialogue on all levels including the Governor and leadership on both sides to try to come back with some type of solution.



Council Member Blackburn stated that the privilege licenses fee allowed the City to recoup the costs of when large out-of-town or out-of-state retailers come to Greenville and the City provides them services and infrastructure. It was something that allowed the City to recoup some of those real costs without burdening the small businesses in the City. Presently, the discussion is in terms of how to make that up, and whether to do that on the back of taxpayers by taxing what is being called a consumer tax, which will be taxes on everything from a haircut to any kind of service that is provided as well as a higher sales tax, which is a regressive tax. It is important to have that context. Of course, as a community, it is hoped that the revenue is made up. She feels that it is important for the public to understand that revenue is coming from the middle class and the poor in a regressive way, based on services and a higher sales tax.

The following are inquiries and comments made by the Mayor and Council Members after the Budget presentation as well as the action taken by the City Council:

Upon being asked what is the Health Fund, what impact does this fund have on the budget, and whether it is sustainable through the year, City Manager Lipscomb responded that is money that was collected this year and each year based on what the City's advisors inform staff what they believe the City's expense level will be. The City has had a very good year and probably \$310,000 can be spent out of the Health Fund without having a major problem. However, there are variations from year to year and there might be catastrophic losses next year, but staff believes that money is available and sufficient for the coming year.

Council Member Croskery stated that he is aware that with health insurance, especially with self-insurance, there can be huge changes from one year to the next, based on what employees are doing.

Upon being asked whether, over the past few years, the City's Health Fund varied by that much from year to year and has there been a year that the Health Fund was \$310,000 less than the year before, Assistant City Manager Chris Padgett responded that the City does have a lot of variation. The City is self-funded so its costs are driven primarily by claims, which can be very volatile. For example, during FY 2013, the Fund sustained a loss operating with a negative of less than \$400,000. When that occurred, consultants informed staff to expect an 8 percent increase the following year, and a substantial adjustment in the funding for the Health Fund had to be made. Our employer based funding from the City and its partners increased about \$1.4 million to ensure that the Fund was on solid ground. This year, when the City has that additional money available, the Health Fund is actually reduced in costs, which is excellent, and there are several reasons for that. It is expected this year to end with about a \$1.8 million fund surplus, and at the end of closing the year that money will be moved into the reserve for the Health Fund. That is what gives staff the confidence to state that the City can probably cut its contributions back in the \$350,000 range recognizing that the consultants have informed staff to expect about a 10 percent increase next year. Those dollars appear to be available for reallocation, if needed.



Council Member Blackburn stated that the City Council is looking at a situation where further cuts are going to be such a hardship. She is concerned about the reduction in services and the identity of the City. If the cuts are continued and even to some of the items in this year's budget, she would not want to see those eliminated. Maybe there is flexibility to do some other things such as taking the \$310,000 out of the Health Fund and the additional \$250,000 out of the General Fund or some other fund so that when looking at making this up in the next budget year, it will be a onetime shift.

Upon being asked if the City could do another onetime shift other than considering Option 2 (Expense Reductions) relating to programs and services, City Manager Lipscomb responded the City could do that, if it is the will of the City Council and being cognizant that the City cannot touch the Powell Bill funds.

Upon being asked whether the 7 percent water and 8.8 percent sewer rate increases will be in effect for the next five years, City Manager Lipscomb responded that is the proposal from GUC.

Upon being asked whether the utility rates that were effective May 1<sup>st</sup> were increased as well, City Manager Lipscomb responded that the water and sewer rate increases were effective May 1<sup>st</sup>. GUC had planned to have those rate increases at the beginning of the last fiscal year, but delayed them to May 1<sup>st</sup>. They were implemented due to the need for debt service coverage and some other factors that could start impacting GUC's bond rating.

Council Member Smith stated considering the City's planned capital projects for the next five years and the impact of the proposed rates on constituents are a lot for constituents to understand. Even though, the City may stress that it is a few dollars, she receives telephone calls about their utility bills and the few dollars could make a difference for someone who is unable to pay for their medication, mortgage or rent, and/or groceries. It is not simply an increase of a few dollars, and she is being challenged by her constituents often about rate increases.

Upon being asked if all of the capital projects have to come at a certain time and what is the vision and is the City focusing on regionalization and how is that affecting the constituents currently, GUC General Manager Tony Cannon responded that as staff went over with the City Council at their last meeting, GUC is looking at this comprehensively over a long period of time to avoid rate shock. GUC has major projects to do in order to have and maintain capacity in the system. The Greenville City Council is focusing on economic development and it is important to have the capacity within the plants and the system to handle what GUC has today. That has grown, and GUC has seen the peaks grow and must be able to handle them. GUC realizes that growth will occur over a period of time and growth will drive increases and upgrades at the Wastewater and Water Plants. Previously, City Manager Lipscomb had asked him what will happen if the projects were pushed back three years without the rate increases, and the response is GUC is still bumping up against the regulatory requirements with the plants and water and electric systems that are mandatory. When those projects are due, and GUC has to cash in that ticket in year three or



year four instead of an annual 7.5 rate increase, that's looking at about a 38 percent increase in water and a 27 percent increase in wastewater. There are projects that will have to be done at that period. GUC takes a measured and deliberate approach to do this over a longer period of time, which is why GUC looks at a five-year forecast.

Council Member Smith stated that it is disturbing when she receives telephone calls from citizens complaining that their GUC bills are extremely high and they are able to make the payment, but not until the following day. However, they are being told by GUC personnel that their service will still be disconnected.

General Manager Cannon responded that GUC offers pay arrangements for customers who are experiencing financial difficulties. GUC works with the Department of Social Services and funds the Neighbor-to-Neighbor Program, which the Department of Social Services administers for GUC, and the Program tracks when and who is receiving assistance. When that program does not work, GUC customer service representatives work with customers who require payment arrangement assistance, when possible. There are various other programs that GUC can recommend to them. GUC has an energy services program with an entire department that is dedicated to helping residents to reduce their utility bills and the service is free. Their personnel will visit a residence and provide recommendations and show citizens how to operate the systems in their homes to help them reduce their utility bills from where they are today. Many people do not realize that there are a lot of energy hogs in their homes that did not exist five years ago. For example, keeping the charger for a cell phone plugged into an outlet indefinitely is using energy when it should not be used. There are little things that can be done to reduce utility bills. If there is housing requiring an upgrade, GUC has programs through the Pitt County/Martin County partnership that is working with customers to do upgrades, and other opportunities are being looked at to try to provide some of those services as well.

Council Member Smith stated that she expects GUC to work with someone who has been in good standing. She is aware that people are not paying their utility bills on a regular basis and is calling GUC for assistance, but most of the calls that she is receiving are from paying customers who are grateful for an extension and are following up to pay the next day. Also, she is aware of the program provided by the Department of Social Services, but she would like to be more proactive and look at other possible programs that can be used to benefit citizens. Information regarding the partnership with Martin County could be mailed with utility bills so people are made aware that is an option. That communication will be a benefit to citizens. Also, landlords should receive information about certain things that they might be willing to do such as to up fit houses and any program that landlords can take advantage of with doing so. She is interested in GUC looking at programs for landlords and tenants in order to promote efficiencies.

General Manager Cannon stated that GUC is interested in receiving ideas from their customers and from Council Members and sharing those ideas can be done by using GUC's website as well. The GUC staff is part of this community and they want to reinvest in this community and make it a better place to live. One way to do that is to make the utility bills



more affordable, but GUC is also responsible for maintaining the utility system and that is a tough balance.

Upon being asked what can GUC do to inform consumers earlier about the rate increases, General Manager Cannon responded that every year, GUC shows the City Council a five-year plan. Staff has shown the rate increases every year within that five-year plan. The good news is that GUC is normally able to come in at a little better than what they forecast because of timing of projects or other things. For example, this past year, as City Manager Lipscomb alluded to, the rate increase was originally scheduled for July 1<sup>st</sup>. GUC was able to hold off on that until May 1<sup>st</sup> saving several hundreds of thousands of dollars by doing that and that is money that will not be collected from their customers. GUC is always looking at opportunities to effect the timing of the increases that are necessary, i.e. new technology. GUC is working with Piedmont Natural Gas presently to enhance the entire natural gas system. By partnering with them on some of the gated stations, GUC is able to achieve the economy of scale of having that one contractor to do that work saving hundreds of thousands of dollars.

Upon being asked if there are any efficiencies that should be looked at between GUC and the City that can also help, General Manager Cannon responded that GUC is always looking at more ways to become more efficient. GUC is operating at a very low gross margin currently. Most utilities are around 25-26 percent on their electric system and GUC is running about 16 percent.

Upon being asked is it projected within GUC's five-year plan that citizens can expect to receive no water and sewer rate increases after the five years, General Manager Cannon responded that it depends largely on what is happening with the economy and the opportunities that GUC may have over that next five years. He cannot report with certainty that five years from now, GUC will not have rate increases.

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

Mayor Thomas commended City Manager Lipscomb and her staff for an outstanding job. He stated two years ago, the City was faced with significant property devaluation in this City and the County. When other areas were raising rates and fees, every City department presented their budget and the City Council was able to create efficiencies that redirected resources towards economic development. The City has seen growth from that – the benefits uptown, economic development zones across the City, leadership in the Police Department and other benefits.

Mayor Thomas made comments about staff's list of potential options, stating that the City has a shared duty and obligation to the Sheppard Memorial Library Fund and Uptown Greenville. The City's libraries are our point of last opportunity for many of those in poverty to have technology access to do distance learning and to seek job opportunities. At a time like this, the Sheppard Memorial Library Fund is the last place to make cuts and the



same is true for the Uptown Greenville component. Rarely, can the City point to a returnable investment with the amount of funds that the City of Greenville, East Carolina University and Vidant put into uptown (between \$80-\$100 million of private investment over the past year and half). Most importantly, the potential reduction that is being mentioned in terms of the City department operational budgets. He has zero stomach for a \$10,000 cut from police or fire/rescue. The City has cut the Police and Fire-Rescue departmental budgets to the bone. He understands the rationale behind some of these expense reductions, but those three in particular are areas where the City has a shared obligation. Wherever it is clear where the City invests a dollar it creates a tremendous return for this community with jobs and opportunities, the City needs to hold the line. Also, the City will protect its staff and will not cut back on services and will allow these employees to be productive. He would encourage the City Council to hold the line on these key areas and send the right message to the City's partners, the County, the University, and the medical center and others that the City will continue to focus on things to create jobs and grow the tax base in this community.

Council Member Blackburn stated that this is a difficult evening and it has been a difficult budget session. The City has a commitment to its community and to remain a livable city. Not only that, but the City is on a road of economic development, there is a lot of new growth, the recession is lifting, and the City is seeing a slow return to life in the community and businesses. Some of what was done this year was a budget of hope. At the last minute, some of the hopefulness that was built into this budget, the City is at risk of losing. One possibility to offer is that the City Council can make a choice that is not a regressive choice that allows the City to share the burden of this revenue reduction that came out of Raleigh. She is proposing to make up the difference rather than continuing to cut to the bone and to take away from safety and some of what was built into this budget that allows Greenville to be a community where people want to move and live in and want to invest in.

Motion was made by Council Member Blackburn and seconded by Council Member Smiley to direct the City Manager to incorporate an additional \$.01 tax rate increase into the proposed Fiscal Year 2014-2015 Budget, which will be presented for approval on June 12, 2014.

City Attorney Holec stated that what the City Council is doing at this time is giving direction to City Manager Lipscomb as to how to adjust the Budget. Whatever action that the City Council makes tonight, City Manager Lipscomb will make those adjustments and will come back to the City Council on Thursday night for action for the adoption of the Budget. The City Council is not actually approving that beyond giving the direction to City Manager Lipscomb to make those changes.

Council Member Smith made comments about her not being able to attend the May 19, 2014 City Council meeting. She stated that at the City Council meeting of December 8, 2011, there were some extreme concerns expressed about Council Members bringing up and voting on items the same night without giving notice to the public because it is imperative for the public to have a chance to speak on certain issues. There was so much



noise and disappointment made about adding the discussion for an economic development officer with the City to the agenda for that meeting. The person who displayed such uproar at the December 8, 2011 meeting is the same person who placed an item on the agenda for the May 19, 2014 meeting. She is disappointed that a peer would decide to go against what they stated that they would be against. Not only did that person place something on the agenda the same night of the May 19 meeting, the item was voted on by Council Members. Her understanding was that they were meeting to discuss the bond and that was what she expected the meeting to be about. As she was watching the meeting while she was in Utah, she was extremely shocked to see what was happening at that meeting because it was her understanding that the purpose of the meeting was to discuss the potential of a bond referendum and not the Budget. A strong message is being sent when deciding to take steps such as that one without the input of the entire City Council, especially knowing that the May 19, 2014 discussion and vote could have been held off until tonight, since it will not be voted on until Thursday, June 12<sup>th</sup>.

Council Member Smiley stated that this is frustrating for him that the City Council has put together a budget that requires trying to find what has resulted in this budget and a great deal of back and forth between staff and Members of the City Council. The Budget was compromised from many different ways, and this action by the legislature really throws a big monkey wrench in that. City Manager Lipscomb is extracting budget cuts from departments for the third time in this cycle. These sorts of cuts are doing real damage to the strength of the City and its services. Cutting the privilege license fees from Greenville's revenue stream is \$1.2 million, and the only way that does not happen is if the State comes through with these additional revenues. The people who he has spoken with would be surprised and grateful if the change that the legislators end up making will actually be to give back half of the money that the City is losing with the privilege licenses. If the City gets half of the money back then the problem will be solved, but he does not know if onetime changes and onetime reductions to the Budget can be used to deal with what is almost certainly a permanent revenue loss from that revenue stream. He supports the motion because the alternatives are poor in a short term. They only solve the problem for this year and do not solve the problem for the coming years, when the problem will certainly reoccur. His support is based on avoiding making significant mistakes now and solving the problem for good rather than solving it for one term.

Council Member Glover stated that she has served on the Joint Pay and Benefits Committee for a long time. The City never knows what will happen with healthcare insurance. She recalls the City's Financial Policy changing from 8 percent to 12 percent, and from 12 percent to 14 percent, so it is how they play with the numbers. If City Manager Lipscomb feels confident about using the Health Fund towards the deficit, that is fine. However, personally, she really does not feel good about it because if anybody believes that legislators will do anything different than to hurt cities and towns by taking away the privilege license tax, they will be disappointed. Staff did a good job, but the City Council cannot continue to change this budget by reducing City services. The City is unable to hire the staff members that are needed. HUD has taken away so much money from housing and put it into community activities and development that there is hardly any money for



building houses in the City right now. Those are dollars that the City looks forward to as well. People without computers are using the libraries to search for jobs, therefore, she looked at maybe using all of the Town Common money and adding it toward the deficit and not transferring anything from the Library Fund. She is unsure if she can vote for an extra penny until the City Council actually decides how it will be used.

City Manager Lipscomb stated that an agreement relating to the City/County partnership for the funding of the Library program could not be found. The County Manager sent her a memorandum that details their understanding of the arrangement and it is a 2/3-1/3 partnership. The reason for reducing the transfer by \$19,000 is that staff is trying to be careful not to impact the Library from getting its State allocations. She is unaware of what the other communities are doing, but the information that staff received from the Library at the May 19<sup>th</sup> meeting was that the County would not be providing their full amount either. It was painful, and she has never had to, at the last minute, go back to departments in order to do this. It is not something that staff anticipated or really wanted to do, but her job is to bring the City Council options to balance the Budget. She has no idea how the Health Fund, etc. is going to be in the future, but there was no other alternative. Staff had already adjusted the rates for the Vehicle Replacement Fund and other funds, and staff had done everything. The Health Fund is the last one standing and if the City Council goes back into the Facilities or Transportation Funds, which are important to provide services in the community, according to the City Council, that is getting to the bone.

Mayor Thomas stated that he would be more inclined to support an approach of going back and looking at an element such as the Town Common improvement piece, which is clearly something that will be addressed in the bond referendum. The money was added, but he still has not heard exactly what it will be used for. That money will recover the cost of protecting the City departments from any more cuts and protecting the Library where the City stands the line. Also, the money will protect Uptown Greenville allowing it to continue to strive rather than adding approximately \$600,000 on our citizens.

City Manager Lipscomb provided additional information on the revenues that would be generated by the property tax increase, stating that a \$.01 property tax increase would give the City \$588,000 and a \$.02 property tax increase would be \$1.19 million. Staff wants to draw the City Council's attention to an additional cent per year would be \$15 and an additional tax per month would be \$1.25 and per week would be \$.29. That is based on a \$150,000 valuation.

Council Member Croskery stated that he would like to consider taking the penny and raising the penny as discussed. This list of expense reductions seem like a nickel and dime thing and they are small amounts of money, but they mean a lot to those particular people and they still add up to barely what is needed. He feels that the Council Members are unanimous about supporting the City departments and libraries and honoring the Uptown Greenville contract. He is still skeptical about the Health Fund, but he is willing to accept that since the City has some carryover and the City has a fund built up. If adding the penny is accepted, maybe the Health Fund contribution can safely be reduced. Perhaps with



giving a little back from the Town Common, since the City has not made specific plans for it, and adding that to our street improvement plan will give the City some breathing room on a bond. A penny is a reasonable consideration and some positive changes can be made to this budget that has been cut to the bone, if the City has that penny. The City has a wonderful advantage of having a lot of great nonprofit contributors to our city, but the City does not derive tax benefit revenue from those for the large amount of acreage in this City. When the City raises a penny of taxes per capita in this City, the City will get back about \$6 or so per capita whereas in many cities in North Carolina, very few of them are where Greenville is and almost none are less. If many of them raise their tax rate a penny, they get \$12 or \$14 or \$16 per capita out of that so the City has to be very efficient compared to other municipalities. The City will get a lot out of a penny if it raises a penny.

Council Member Smith stated that based on her comments made earlier at this meeting, it would be difficult for her to support increasing the property tax for that penny. Especially since the citizens recently received an increase in utilities, water, and sewer rates and an increase in Sanitation fees. All of that together is a tax so it is not only about increasing the property tax rate by \$.01, but it is adding that tax increase on top of these other increases, and many people will be affected by this and not in a positive way. While some of those things that were mentioned by other Council Members should be done and are needed in order to get the City through this situation, economic development is really the solution. It is imperative that as a city, the City Council should stay on track and focused because economic development will increase the City's tax base. She does not want to nickel and dime someone, when the City can make sure that it put what is needed into economic development in order to get the funds to operate the City on an affective budget.

There being no further discussion, the motion to direct the City Manager to incorporate an additional \$.01 tax rate increase into the proposed Fiscal Year 2014-2015 Budget, which will be presented for approval on June 12, 2014, passed with a 4:2 vote. Mayor Pro-Tem Mercer and Council Members Blackburn, Croskery, and Smiley voted in favor of the motion and Council Members Glover and Smith voted in opposition.

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#### OTHER ITEMS OF BUSINESS

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#### PRESENTATIONS BY BOARDS AND COMMISSIONS

##### Neighborhood Advisory Board

Chairperson Brenda Diggs of the Neighborhood Advisory Board (NAB) gave a brief description of the responsibilities, duties and mission of the NAB. Also, she provided a recap of the members' actions and activities for the past year and their goals for 2014.

Chairperson Diggs stated that in May 2008, the City Council recognized the affirming aspect of allowing citizens to be selected by their neighbors, rather than being appointed, to serve as liaisons by establishing the NAB to act as a bridge between neighborhood residents and



the city government. The board is comprised of 10 voting members, two from each City Council district who serve two year-terms; and 5 alternates, one from each district. Members and liaisons already active in their own neighborhoods agree to work together with each other and local government to strengthen and preserve neighborhoods. The NAB pursues its mission by (1) assisting with the formation of new associations, (2) supporting the reactivation of inactive associations, (3) increasing citizen participation in neighborhood organizations, (4) disseminating information important to sustaining secure, healthy, vibrant neighborhoods, and (5) providing a platform for residents and city officials to discuss common concerns and advocate for collective solutions.

Chairperson Diggs highlighted some of the NAB's 2013/2014 achievements, stating along with the Human Relations Council, the NAB co-hosted its signature event, the 4th Annual Imagine! United Neighborhoods. For the first time this year, students from the Planning Department of East Carolina University (ECU) were assigned to work directly with 11 neighborhood associations. Students were required to attend several NAB meetings, do field observations, interviews, design a poster and submit a report as part of their grade. Residents came together to host the 4<sup>th</sup> Annual Symposium with emphasis on programming, publicity, and membership outreach. Breakout sessions were held which encouraged citizen involvement, stimulated ideas and empowered them to begin change process in their community. The NAB recognized the dedication and hard work of neighborhoods by giving the Good Neighbor Award to Betty Hines, and the Neighborhood Improvement/Beautification Award was given to the Forest Hill Neighborhood. The NAB also continued its partnership with the Greenville Police Department, helped reactivate several associations and developed broader participation throughout the City.

The NAB Membership/Outreach Committee designed and distributed surveys to active associations with representation at NAB meetings. The purpose of the survey was to gather information about existing Greenville neighborhood associations for the creation of an informational booklet to guide communities in preservation, strengthening and development of neighborhoods and their associations. A total of 176 surveys were completed. Each neighborhood that participated in this survey is eligible for a report of results to share with their association, upon request. Individual concerns and comments were of particular interest and will be included in those individual reports.

Chairperson Diggs stated the following are the NAB's goals for the upcoming year:

- Create a partnership between real estate agencies and neighborhood associations/homeowners associations to notify when a new family moves into a neighborhood
- Prepare quarterly press release for the Daily Reflector highlighting a specific neighborhood's accomplishment or notable items of interest
- Have representation at citywide community events to provide communication to citizens about benefits of neighborhood associations/homeowners associations
- Partner with Public Information Office to create promotion video for NAB
- Produce a regular program on GPAT-TV on topics of interest to neighborhoods.



### Police Community Relations Committee

Chairperson Shawan Sutton of the Police Community Relations Committee (PCRC) stated that PCRC is working diligently with Chief of Police Hassan Aden. Chief of Police Aden has appointed Deputy Chief of Police Ted Sauls and Sergeant Dale Mills as liaisons to work closely with PCRC, and a new relationship with the community and the Greenville Police Department (GPD) is being built. Some of PCRC's projects are derived from the following six major goals outlined in the GPD's 2014-2016 Strategic Plan:

- Leadership and Ethics
- Optimizing Organizational Structure
- Crime Reduction
- Traffic Safety
- Community Engagement
- Technology/Equipment Needs

Chairperson Sutton stated that whenever members of PCRC are in the community, they share the following GPD's Leadership and Ethics Goal Statement with citizens:

*Goal Statement: We will develop ethical leaders at all levels of the agency by providing an infrastructure that values honesty, integrity and ethical decision-making in our daily work. This is essential in order to provide high quality police service and truly become a community oriented police agency. Through these actions, we will promote and encourage decision-making, initiative, creative problem solving and enhanced trust throughout the department and within our community.*

Citizens are eager to be working with GPD, and PCRC is keeping them abreast of what is happening in Greenville through Twitter, Facebook, press releases and PCRC meetings, which are held monthly every second Wednesday at 6:30 p.m. at City Hall.

Chairperson Sutton stated that the Intergenerational Community Center and Code Enforcement Spring Cleanup along with help from GPD hosted 853 community members and stakeholders. Chairperson Sutton recognized the stakeholders that are working closely with PCRC, stating they are the Neighborhood Advisory Board, East Carolina University, City of Greenville Human Relations Council, Southern Christian Leadership Conference, Vidant Medical Center, Uptown Greenville, Greenville Area Property Management Association, National Association for the Advancement of Colored People, Certain Hope Ministries, and the Greenville-Pitt County Chamber of Commerce.

### "FOCUSED DETERRENCE" PRESENTATION BY THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO RESEARCH AND ECONOMIC DEVELOPMENT STAFF

City Manager Lipscomb stated that because the City is preparing to kick off its focused deterrence program, she invited John Wiel to attend the meeting this evening. The Police Department has contracted with the University of North Carolina (UNC) at Greensboro



Research and Economic Development to work with them on the statistical profile and other items for the program.

Mr. Weil introduced Dr. Stacey Sechrist and stated that both of them are from the North Carolina Network of Safe Communities with UNC at Greensboro working with sites across the country, primarily across North Carolina, on focused deterrence violent crime production strategies. They work a lot with the United States Attorney's Office and all three federal judicial districts in North Carolina and have partnerships as well with local, state and federal law enforcement agencies and communities and resource partners across the state. They will be partnering with GPD and others mentioned to do this type of work in Greenville.

Mr. Weil stated that the preeminence behind focused deterrence is there is research and data showing that a very small percentage of people in communities are responsible for committing a large percentage of the most violent crime. These are data driven strategies used when they partner with agencies, such as in Greenville, to understand what dynamic crime looks like by analyzing crime spikes and what is happening in Greenville. Part of that is Greenville's past three years of homicides and the 18 months of aggravated assaults and armed robberies sequence were looked at. Plus going into more of the details and looking at what that is showing to find out exactly what the most effective strategy is to knock down that violent crime. This strategy is dependent on the partnerships between local, state, and federal law enforcement agencies as well as Greenville's community and resource partners. GPD and the City's partners will try to change the behavior of these violent offenders by understanding who they are. Then actually having them to attend a meeting where they will be confronted with information about making better decisions to cease from this violent crime. Offenders will be offered resources to try to change their behavior or they will be given options other than committing violent crime. The violent offenders will also be given the message about what type of prosecution and punishment can be imposed upon them, if they continue to be involved in violent crime.

Dr. Sechrist explained that the way that this message is communicated is called a notification or call-in meeting. Specific offenders who are known to be committing violent crime within the community will be called in to hear a message that continued criminal behavior will not be tolerated in Greenville. This message is put on by law enforcement as well as resource providers in the community. Law enforcement will inform the offenders of the severe consequences associated with continued criminal behavior. The community will provide resources, if needed, to the offenders such as job assistance, housing, education and a number of other resources available.

Dr. Sechrist informed the City Council of the results of an audit group and an incident review, stating that the audit group consisted of GPD, people of the District Attorney's Office and the United States Attorney's Office, Mr. Weil, and her. She stated that essentially, the audit group identified about 19 groups or gangs that are operating in Greenville representing about 450 gang members. Also, what they understood through looking at about 18 months of homicides as well as Greenville's most recent armed robberies and



aggravated assaults with a firearm is that somewhere around 73 percent of incidents with a known offender, those offenders were known to be associated with a gang or a group. The caveat is that the crime was not necessarily gang or group motivated so the crime was not done to advance the group, but those offenders were known to be associated with a gang or a group. Also, the audit group realized that in about 50 percent of the crimes where the group member was an offender, the victim was also a rival group member and/or the incident was motivated by a gang or a group. Based on this data collection, they came back and talked with the command staff and Chief of Police Aden and decided that a gang/group focused deterrence strategy would probably be most beneficial at least to start out with to reduce violent crime in Greenville. The last thing about the focused deterrence strategy is its adaptable over time. Once your gang/group crime dynamic is squashed through an initial call-in or a few initiative subsequent call-ins, then the City can eventually use the strategy toward more of Greenville's chronic violent offender(s), drug market or any other next dynamic that pops up as being the most significant causes of violent crime.

Dr. Sechrist distributed literature about how this initiative has been applied within the middle district in North Carolina. She stated that the brochure contains statistics that some cities have seen somewhere around a 60 percent reduction through application of these strategies over time. The brochure also provides information about what exactly the call-in is, who is involved and what the partnerships and strategies look like.

Mr. Weil stated that not only does the data approach of these strategies help to understand what Greenville's crime dynamic is and to decide on or look at who are the actual offenders. This is aimed to reduce violent crime, specifically if the City uses the messaging to talk to the offenders who are responsible for committing the most crime. It is not arbitrary or subjective on who gets selected to be part of the messaging. They have to be violent, typically on probation and of a certain age, and their offending and arrest histories are looked at. It is not random on who is available that day to be notified, but it is specifically targeted to those who are committing violent crime or associated with people who are involved with committing violent crime. Targeted offenders will actually hear this message, make a rational decision and then take this particular strategy information back to the other gang or group members informing them that they will be sanctioned as well, if certain offenses take place. Those are typically violent offenses including homicide, armed robberies, shooting into occupied dwellings, aggravated assaults and things of that nature.

Mayor Thomas stated GPD has been good at handling outside crime activity in other municipalities. Mayor Thomas asked Mr. Weil to talk about how to deal with interregional crime issues because Greenville has experienced people who come from certain towns and have created major issues.

Mr. Weil responded that there is a process in Greenville, Pitt County and in other areas and places. Through a two-day process of looking at actual specific incidents in gang groups, there was an indication that some of these offenders had been in Durham, North Carolina and other places where our type of work is done. Those communications will help strengthen the process when Greenville has a transient offender population. Those



networks are working together ideally because they understand what this means and what the strategy means. If there is an offense in Greenville and a partner site is also doing the same type of work, then GPD will use the strength of that collective partnership and, hopefully, to really have serious consequences for that kind of violent offending. As far as smaller municipalities and other areas are concerned, that is part of a larger building of the process. Other agencies and areas are educated about the process and what their roles in this initiative could be and working from there.

Dr. Sechrist stated that regarding the message that the offenders receive, it is not uncommon of the notification for surrounding local agencies to attend the call-in advising the offenders that they are also working with GPD on this initiative and their criminal behavior will not be tolerated, for example, in the County or the adjacent town. It is building the partnerships and getting everybody to sign on and be onboard for working in the common direction.

Council Member Blackburn stated that this step has been used in the Piedmont section of the State.

Upon being asked whether Greenville is the first community in the East to use this step, Mr. Weil responded no, that it has been used at sites all across the State from Asheville to Wilmington and many in the eastern district of North Carolina and some are currently working towards using this step.

Council Member Blackburn stated that GPD has always had a vigorous investigation aspect to police operations. When a suspect is identified or even associated with a crime or a group of crimes, GPD will do its own call-ins. This initiative sounds like it is a more formal, forceful and serious call-in. When someone receives this type of call-in, it is a wake-up call at which time the suspect is presented with options for charges or changes.

Mr. Weil stated that this is the funnel approach. It is really targeted on narrowing down a larger funnel of crime in any given community and really isolate the most violent offenders who are committing the most violent crimes, but it gives the offenders options and information. There is a big education component to help them understand what their offending history looks like and what their exposures are in the criminal justice system. Research has shown over the years that a lot of the offenders are not aware of their history of charges and arrests and what their exposures are in the State and Federal system. This helps them to understand that if they commit any prohibitive or triggered offenses, they can be facing mandatory minimums in a Federal sentence. There is nothing that can be done about that or they can be classified as a habitual felon in the State system, and this could be the type of settings to be looked at when committing these crimes.

Upon being asked is it known how many call-ins will be done and how many individuals will be targeted within the local community, Mr. Weil responded the average is between 2-4 call-ins depending on the volume of offenders in a community.



Dr. Sechrist stated that typically the suggested limit is 15-20 offenders per call-in. During a large call-in, offenders still feel anonymous as they are sitting within the group. You would want a call-in to feel small and targeted so that the offenders feel that messaging is coming directly and more specifically to them.

Upon being asked whether there are raw numbers on how many actual acts of violent crime are related to this group and over what period, Dr. Sechrist responded that when the violent incident review was done, they looked at 20 homicides, which comprised the last 18 months of homicides data as well as the most recent 30 armed robberies and 30 aggravated assaults with a weapon. Those numbers were looked at because they indicate what is going on right now in the community and what is currently driving the violent crime. That is why they have chosen to limit it to that particular window.

CONTRACT FOR SERVICES WITH THE GREENVILLE-PITT COUNTY CHAMBER OF COMMERCE (Contract No. 745 U)

City Manager Lipscomb stated that last year, the City Council requested annual reports from the Greenville-Pitt County Chamber of Commerce (Chamber). Scott Senatore, President of the Chamber, is present to make that annual report.

Mr. Senatore stated the following during his annual report:

Currently, the Chamber has

- 991 Members
- Budget -\$664,246
- 5-Star Accreditation from the United States Chamber of Commerce.  
Only 5-Star Chamber in the State of North Carolina
- 10 committees, in addition to the Board and Executive Committee.

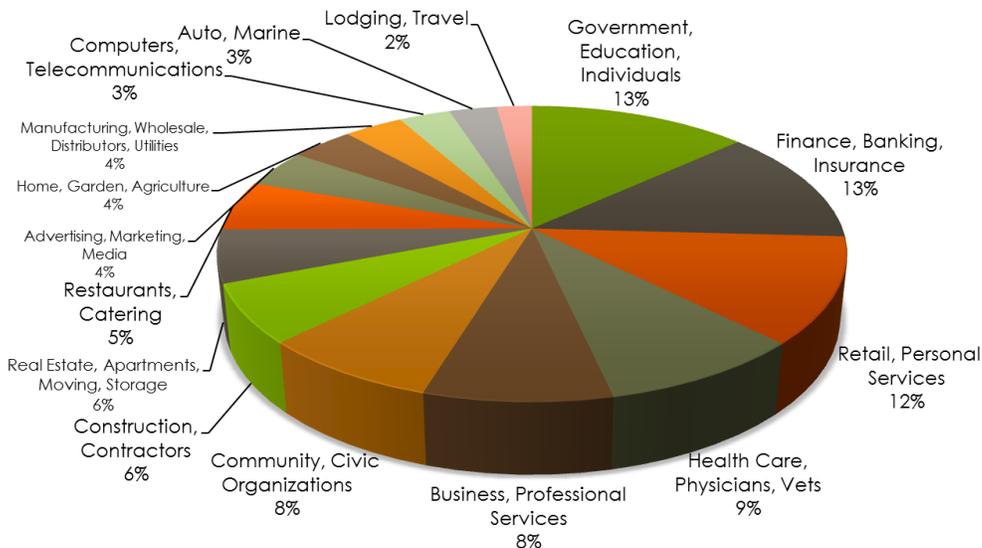
The Chamber's mission is to build the strongest business climate in Eastern North Carolina. In order to achieve that mission, they focus on five areas – connectivity and information, collaboration, advocacy, economic development and workforce development. Their annual report can always tieback to these five initiatives.

Based on the Chamber's membership count the largest sectors are government, education and individuals (13 percent) followed by finance, banking and insurance (13 percent).



## Membership by Category

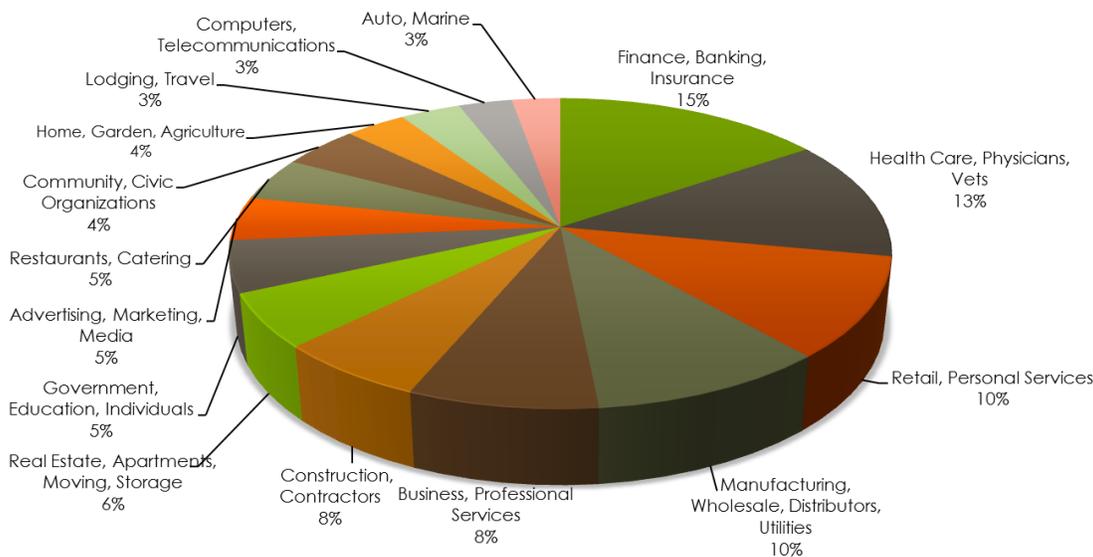
Based on Membership Count



Based on membership dollars and using the same categories, some of the pieces of the pie chart shift and the largest members are finance, banking and insurance (15 percent) followed by health care, physicians and vets (13 percent).

## Membership by Category

Based on Membership Dollars





According to the contract between the Chamber and the City of Greenville, under the work to be performed by the Chamber, one of the leading things that the Chamber is partnering with the City on is the Greenville SEED (Support Economic and Entrepreneurial Development) program. The Chamber shares a passion and interest in developing and enhancing an entrepreneur community. The program is approximately two years old and those first years were somewhat of a pilot to see if Greenville can handle this sort of shared space environment or concept. He is happy to report that the program is growing and moving into a permanent space where entrepreneurs will have access to office space, which will be unveiled soon and the Chamber is working with many partners to do so.

*Glimpse Magazine* is an in-house publication, which is all local and every part of it is done in Pitt County. The Chamber designed *Glimpse Magazine* to be used as a recruitment tool by large industry and to give the general public a sense of what is happening in this area. *Glimpse Magazine* can be found in packages used by large industry to recruit employees and also on coffee tables around the City to help Greenville to share its story.

The Chamber assists in business recruitment as needed. The Chamber is asked quite often to serve in a number of capacities including attending meetings to help share information about Greenville and Pitt County, representing the business community, and assisting wherever possible with welcoming people to Greenville. The Chamber also provides the City with platforms to share information or promote economic development including, but not limited to:

- ChamberGram (an email to Chamber members)
- The Business Partner (an insert in *The Daily Reflector*)
- Business Beat (the Chamber's television show)
- Website-greenvillenc.org (the Chamber's website)
- Power Luncheons
- Pitt County Business Expo
- Issues Committee

The Chamber coordinates events including the annual joint appreciation dinner for law enforcement and fire/rescue professionals, which is designed to thank the City's public safety staff for their outstanding job. These individuals are a very important part of our business community. The Chamber coordinates the annual Community Unity Breakfast and there was a great turnout of 330 attendees this year.

Also, according to the contract between the Chamber and the City, the Chamber supports and promotes the Minority Business Council. In addition to that, the Chamber promotes the Minority Business Roundtable (MBR). This year the Chamber donated a booth to MBR for the Pitt County Business Expo and they had an outstanding turnout and were able to make contacts, and the Expo serves as a good awareness tool for that group. As MBR sends the Chamber information, it is included and promoted in/at Chamber Gram, Business Partner and the Chamber's website where this group has its own web address.



Motion was made by Council Member Smith and seconded by Council Member Croskery to approve the 2014-2015 contract with the Greenville-Pitt County Chamber of Commerce. Motion carried unanimously.

RESOLUTION OF SUPPORT FOR TOBACCO-FREE PARKS IN PITT COUNTY (Resolution 042-14)

Director of Recreation and Parks Gary Fenton stated that he received a notice from Dr. John Morrow, Director of the Pitt County Health Department, informing the City that the Board of Health is considering adoption of a public rule that would prohibit the use of tobacco products including electronic cigarettes (e-cigarettes) in public parks within Pitt County. Since the City of Greenville owns and operates numerous parks within Pitt County, Dr. Morrow is seeking input as to whether the City would support such a rule.

As of April 1, 2014, there were 921 American cities or counties where some or all of the local parks were smoke-free. Eighteen of these communities are in North Carolina including Albemarle, Asheville, Boone, Cabarrus County, Chapel Hill, Concord, Cornelius, Durham County, Harrisburg, Huntersville, Kannapolis, Lowell, Macon County, Morrisville, Mount Holly, Orange County, Troutman, and Valdese. The primary rationale behind making parks tobacco-free is that the City invests in parks and the impacts of secondhand smoke are not limited to an indoor environment. In addition, many of the City parks and parks across the nation are located within proximity to schools. Children learn by modeling adult behavior. Also, tobacco litter is one of the most common forms of litter found in the parks system. The members of the Greenville Recreation and Parks Commission at their May 14<sup>th</sup> meeting voted unanimously to recommend that the Greenville City Council adopt the resolution of support for tobacco-free parks in Pitt County.

Upon being asked about how the City will enforce the rule, Director of Recreation and Parks Fenton responded the enforcement could be difficult in a situation like this. As it is with litter control and graffiti, the City will still have problems in its parks. Adopting the resolution is more of a statement that the City endorses the idea that parks in themselves are hopefully places that have potential to impact positive health for Greenville's citizens. Parks are a gathering place for lots of people, including children, so they have become an inappropriate place for smoking. Obviously, the sirens will not come immediately. If somebody is smoking in a park, hopefully, on a countywide level, it will become an expectation that no one will smoke around other people that are in a park system.

Upon being asked if e-cigarettes emit that much of an impact, Dr. Morrow responded that it is unknown what are in electronic cigarettes at this point. They are not regulated and nobody is required to explain what is in them. Until it is known, the Board of Health has sent out letters informing restaurant owners that they can stop people from using these devices inside their restaurants. There are some studies that show that electronic cigarettes do contain carcinogens and most contain nicotine, and some of them have been shown to leave residue behind that could be harmful.



Council Member Smiley stated that there is some evidence that e-cigarettes do not just draw from smokers who are moving to e-cigarettes, but they may also be disproportionately chosen by people who are not smoking.

Dr. Morrow stated that the Pitt County Board of Health is particularly concerned about the youth's increase in tobacco use. The tobacco use survey data will be released soon by the State. While the good news is that regular cigarette usage is decreasing, unfortunately, total tobacco use is increasing because of youth accessing e-cigarettes and similar devices. They are very attractive and come in flavors and colors so youth have started to use them in a big way, and that is very concerning.

Council Member Croskery stated that it was mentioned that the e-cigarettes do contain nicotine so they are addictive. Although useful, perhaps, as a step down for somebody who is addicted to cigarettes and getting away from the known carcinogens and other health problems that are seen in the tar and residue inhaled in the lungs, e-cigarettes are not a good thing to start on and they are not a good role model for anybody to use.

Motion was made by Council Member Croskery and seconded by Council Member Smiley to adopt the Resolution of Support for Tobacco-Free Parks in Pitt County. Motion carried unanimously.

#### 2014-2015 ECONOMIC DEVELOPMENT INITIATIVES

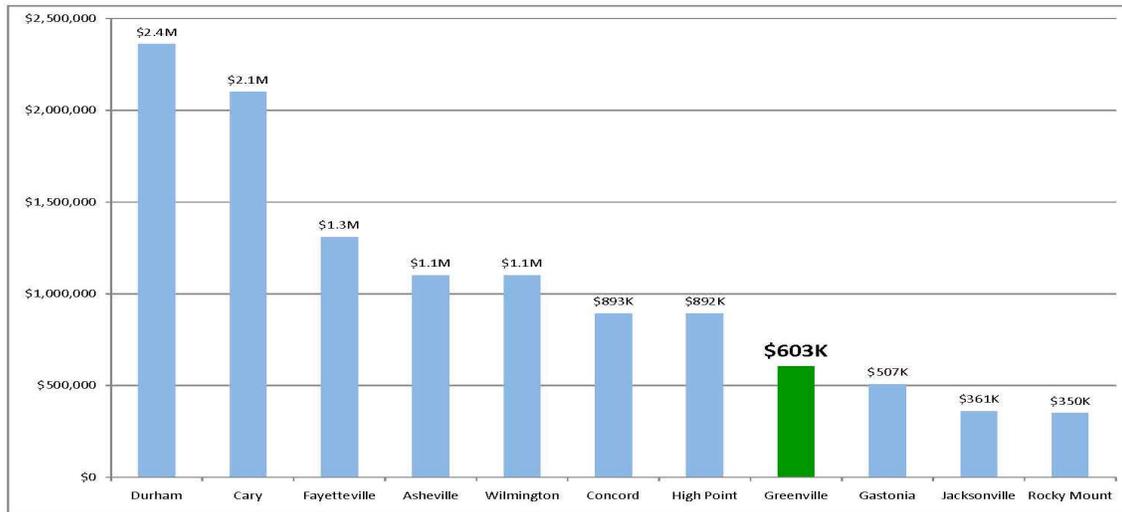
Economic Development Director Carl Rees stated the following during his presentation:

Twenty-six months ago, the City Council instructed staff to reorganize existing resources to help form an economic development office within the City. Part of the driver for that was the City was beginning to exit one of the worst economic downturns in American history since the Great Depression. Additionally, there was consensus on the City Council that there were some fundamental issues within the economy of Greenville that needed to be addressed.

Non-profits, and other non-taxable entities, occupy 18 percent of the property with the City's entire jurisdiction and 26 percent within the City limits, which equates to over \$1.5 billion in potential tax revenue that the City cannot collect. Eliminating the largest cities such as Raleigh, Charlotte, and Greensboro, the following is a chart illustrating the difference that one penny raises in cities and what it does in Greenville:



### Value of One Cent on the Tax Rate in Annual Revenue



FY2013-2014 - Data collected by City of Greenville, NC - Office of Economic Development

Two years ago, the City Council adopted a strategic economic plan. The idea behind the plan was to take the assets that Greenville has, its strong public sector, East Carolina University (ECU) along with Pitt Community College (PCC), private commercial and the public private medical sphere, to drive Greenville towards becoming a top tier university-medical (uni-med) marketplace and being able to access economic activity in the City's target sectors. Those target sectors were established as back office and data processing centers, digital media/software/simulation, pharmaceutical manufacturing, medical device manufacturing, advanced manufacturing (particularly food and beverage) and retail.

Also, requirements for success (what it takes to be able to grow Greenville's economy) were established: workforce, product (e.g., office space), marketing, incentives, infrastructure, partners, and performance metrics. The City needs the help to develop its workforce to be able to bring in companies in the target sectors or to grow existing companies in Greenville. A product (land and buildings) is needed where companies can grow. The City needs to market itself both internally and externally. Sometimes incentives are required in order to close deals and fill gaps to make businesses come to Greenville and grow. Roads, air and rail service, broadband and other infrastructure is needed. There is no project that the Office of Economic Development does without a partner(s) and those are branching out to Wilson County, Beaufort County, Greene County, Wilson, Washington and those are suspected to grow more in the coming months and years. Performance metrics will be used to determine if the City is doing what was set out for it to do and if not, what can be done differently to achieve.

The City is concluding its second year in economic development. During the first year, studies were done to determine what was needed to establish the Office of Economic



Development. This last year is being considered as establishing a baseline. Staff got into the day- to-day business of economic development by going out marketing the City to companies, recruiting, and trying to work through various issues of product development and workforce. *Business North Carolina* featured Greenville and Pitt County in an article highlighting what is being done with Greenville's partners including the Georgetowne Project and Genome ID Group, LLC.

There are various categories in the current year initiatives and business development is one of those categories. The Office of Economic Development is excited about the expansion of One Source Communications with 50 back office and tech jobs. That was completed through a partnership with the North Carolina Rural Center, which is now a part of the Department of Commerce but once was an independent agency. They provided \$250,000 in incentives that were matched by \$12,500 in incentives from the City to help One Source with a \$1.4 million expansion and the hiring of 50 new employees. Through the Small Business Plan Competition, the City helped to recruit and land a small startup company, "E" Audit, which is in the digital media and software sector. They were able to bring three tech jobs to uptown Greenville.

Retail Development is very important to Greenville. For the second consecutive year, staff has been able to go to the largest convention of retail developers and retailers in the country. 35,000 people in the retail industry attended this convention and staff actually recruited developers and retailers and sold them on Greenville and its market. The filling of the former Circuit City's vacant 30,000 square foot building was actually born at this convention in May 2013. At that same convention, a project that will soon be announced to fill another longstanding vacant retail space was concluded this year. Staff also developed, in conjunction with Uptown Greenville, a new retail program called the uptown retail challenge that was unveiled at the Greenville-Pitt County Chamber of Commerce Expo and will make its first retail grand award later this year. Hopefully, during this year and each of the following years, the Office of Economic Development will be able to bring one new retailer to downtown or help one retailer to expand their business.

The Business Retention and Expansion Program is essentially an existing business visitation program. This is the first year that the City of Greenville has ever had this and the goal as set in our initiatives that conclude this year was to do 50 of these. 40 were completed and 50 have not been done not from lack of trying, but because staff discovered, if retailers and restaurants are excluded, there are not that many primary employers in the City of Greenville and North Carolina. Staff fairly consistently heard from businesses the following takeaways:

- Takeaways (40 visits)
  - Concern with the City of Greenville not using local firms and lack of familiarity with City purchasing procedures.
  - Majority of companies commented on hiring issues, not only finding the talent but keeping it here once they hire. Not a strong enough young professional network.



- Big misconception about Uptown, safety and available family events. Preconceived old notion of being unsafe.

Staff works hard on quality of life and believes that all of these economic development issues ultimately can feed in and make Greenville a better place to live. The City is working in partnership with the Arts Council towards development of a civic arts commission that eventually can fund and manage public art in the City. The City applied jointly for a \$150,000 National Endowment of the Arts Our Town Grant which will do two important things for the City. If funded, it will help to put a fairly large public art installation at the 10<sup>th</sup> and Evans Streets gateway that is being worked on through the Redevelopment Commission. Also, they provide an Artist in Residence program for the City. This will be the first one for the City who would not only work with us on that particular project, but would work and devote themselves to providing visibility for the arts and also on how to do additional public arts projects throughout the City.

The construction on the Go Science Center has started and within a few months the building will be opened and they will actually be able to start having some programming. Candidly, it is a slow moving process, but in recent months, conversations were had with ECU about perhaps jointly funding along with private sector partners a feasibility study for a public-private version of the Performing Arts Center. The City is working with Uptown Greenville to find private sector development partners who would be interested in redeveloping the Uptown Theater owned by the Redevelopment Commission as a performance venue. The Office of Economic Development is thrilled that even more private public and nonprofit funding coming in the Uptown District. The United Way plans to provide a grant to Uptown Greenville which will ultimately deliver a wonderful new public space, a courtyard across Fourth Street from Jefferson's.

Regarding talent development, Greenville has many partners in town doing work and staff certainly does not want to get in their way or try to recreate the wheel. Staff tried to find areas where the City could collaborate in workforce development. Perhaps the biggest of these is Operation Re-entry NC with ECU and PCC where they bring in exiting or retired military veterans and try to work them in our workforce in Greenville. Greenville is surrounded by military installations within 2-2 ½ hours and there are about 200,000 members of the military exiting the military every year. Many of them have great talent and are used to being trained and could potentially be great workforce for our business and industry in the City. Staff also completed a workforce study and the results will be available to the City Council in August, but overview, all the news is good from that. There is a lot of talent to call on in this region, although like the retail market it is misunderstood. Staff assessed some of the City's existing business and industry and their workforce issues through our Business Retention and Expansion Program.

If there is a concern, it continues to be product development. There are no buildings and sites in the City of Greenville that can attract business and industry. This continues to be a critical issue and one that will have to be addressed over time. The City is working in some ways to do that and some space in the Dickinson Avenue Corridor might be appropriate for



some light industry called maker space. Moving SEED (Support Economic and Entrepreneurial Development) and doubling the size of that is a step in the right direction, but the City is nowhere near where it needs to be and in the coming years will have to continue working hard on that issue.

Regarding urban revitalization, the Community Smith Redevelopment, Uptown Parking Deck and Georgetowne Project combined is a \$50 million of public and private investment and a 7-1 ratio of private to public investment, \$7 for every \$1 of public investment. This is good economic development, which is great for downtown and the City overall.

Staff has spent a lot of time in the past year on marketing, whether it has been on developing or marketing collateral with the City's new brand. Marketing has been used for recruitment or going out across the State and country to tell the story of Greenville and try to let businesses, industry and retailers know about the City. For the first time ever, staff attended an entrepreneurial initiative of the North Carolina State University including a business plan competition that they had. The winner of the competition is a brilliant company with young people who are interested in Greenville and staff is working to relocate them to Greenville. Asheville is the leader in the microbrewers of beverage sector and staff went there making stops in Charlotte, Greensboro, and Raleigh as well to talk to people who are in this industry about their desire to come to Greenville, and staff was well received. In fact, the North Carolina Craft Brewers Association is meeting right now and a staff member is there marketing once again. We have several projects in the pipeline and hope to land maybe one or two in the next year. In the digital meter and software sector, staff attended the 2014 East Coast Game Conference at the Convention Center in Raleigh and met and talked to companies. It is amazing that many people who successfully exit with a company in this are 19-26 years old and they sell their company for \$20-\$25 million. These are very talented young people and the City already has one of those companies that started up in Greenville.

The Office of Economic Development will be doing much of the same in the coming year. Rather than to go through all and each of every item that they will be doing this year, staff focused on what is new. Economic Development Director Rees summarized the following items scheduled for Fiscal Year 2014-2015:

#### Talent

- Develop employment fair
- Explore veteran oriented transitional housing

#### Business attraction and retention

- Award first round of Retail Challenge
- Establish matching fund for state & other incentives
- Complete a survey of existing retail

#### Product Development

- Develop a "site ready" program



- Explore broadband opportunities
- Develop plan for funding priorities in Dickinson Corridor Study

#### Quality of Life

- Partner regionally on retiree attraction initiatives

#### Urban Revitalization

- Develop downtown market rate residential pipeline projects

#### Marketing

- Host site selector visits

Upon being asked why the City has not pushed for shell buildings more, Economic Development Director Rees responded that economic development is fairly new to the City. The reason that the City Council has not seen anything from staff is because of the tight fiscal climate that we have as a city. If the City wants to get into that part of the business, much less expensively, the “site ready” program might be something that can be done presently, but it may take creatively doing some of that in the future in order to have some buildings available.

City Manager Lipscomb stated that traditionally municipal governments are doing more in terms of the infrastructure and hoping that companies either build a road, sidewalks, streetscapes and all other things that will help the environment, but not necessarily taking the risk of a shell building. When the City Council moves to that point with an economic development program, it may be something to consider, but she is unsure whether the City is at that point presently.

Council Member Smith stated that she asked about the shell buildings because, based on the surveys and other things that the City has done lately, they have stated having something like shell buildings is needed so that the City can be ready for opportunities from companies. So, hearing that feedback, of course, she asked with a direct correlation to what the City is doing.

Upon being asked, if this was the perfect funding climate, what funding resources would be needed by the Office of Economic Development, Economic Development Director Rees responded that the biggest one would be to establish funding for the incentives program. In North Carolina, with the exception of maybe Charlotte and a few other big cities, historically, economic development has been something that counties have done. It is interesting to learn that there are quite a few counties across North Carolina that do not have such a fund. There are advantages for a jurisdiction to be in a position to have a fund established and to move quickly, if its projects merit incentives from the State of North Carolina. All of the departments and offices within the City have had to make some hard decisions over the last few months regarding the City’s budget. The incremental approach is important. If the City grows its programs over time incrementally and adjust as needed, in good fiscal climates, more money is put into what the City is doing, and in tougher fiscal climates, the City will try to keep that baseline.



Council Member Smith stated that even before the City Council had to vote on the direction City Manager Lipscomb should go with the budget, her statement was in order to get the City through its situation, economic development is really the solution. She will push and encourage anything that the City can do to encourage growth within the City. It is a challenging time, but sometimes bold moves are necessary to get the City out of those tough situations. It was a rocky start to get the Office of Economic Development because people could not see the vision. Economic Development Director Rees has done an excellent job with limited resources and she extends thanks to former Council Member Dennis Mitchell for having the foresight to help develop this office. She appreciates former Council Member Mitchell's concern about economic development in the City and making sure that the City is at this point. One of the economic zones is North of the River and she receives calls on that often, and she is encouraged to see what else that the City can do. If there is anything that the Office of Economic Development feels that the City Council can do more of or can provide assistance, especially with increasing the tax base, please do not hesitate to let the City Council know about it.

Upon being asked about the Google connectivity and what the City is doing to eventually get to the status of big pipe access, which is the playground for startups in order for the City to move from an applied technology community to a research technology one, Economic Development Director Rees stated that the City did put in an application or letter of interest for that Google process and the City is in a learning phase. This is a complicated area and there has been some new legislation in North Carolina in the last few years that have made it even more complicated for local government to be involved in this space. But nonetheless, there are some opportunities. The number one best opportunity afforded to the City is that Greenville is one of 16 constituent institutions of the University of North Carolina, which means that there is a very big data pipe that comes through Greenville as it does for the other 15 university towns. The more complex issue is how the City can take advantage of that within the laws of the State of North Carolina. There are a lot of good ideas around, and there has been some hesitancy probably from jurisdictions to test the boundaries of the State law. Nobody wants to be first and be the first in that lawsuit, but that conversation is continued. Staff believes that there are some opportunities and will continue educating themselves because the City has an internal work group that is into this. He is unaware if there will be any recommendations, but staff can come back with some information for the City Council relating to moving toward some opportunities and recommendations in the future.

City Manager Lipscomb stated that staff is also watching the Federal government because they are looking at some deregulation of broadband so that municipalities can participate more. We are being very active and trying to be proactive in moving into this area.

Mayor Thomas stated that ECU is the City's greatest asset because every year they are releasing smarter minds, but the biggest challenge is keeping young professionals in this community and that involves quality of life, things to do and all of this critical mass. The City is getting there and is doing the steps one at a time. Economic Development Director Rees has done a good job with interacting with not just ECU, but with PCC and other



components. The City tries to create that critical mass of those people who are educating and keeping those young minds in Greenville and making this more of a research city.

Motion was made by Council Member Glover and seconded by Council Member Croskery to approve the 2014-2015 Economic Development Initiatives.

Mayor Pro-Tem Mercer stated that there have been various regional efforts to develop sustainable tourism around the incredible and mostly unknown to the world water-based assets in Eastern North Carolina. These initiative efforts have recently crystallized into a nonprofit, North Carolina Land of Water (NLOW). Stan Riggs is one of the leaders in this and the ECU Center of Sustainable Tourism has someone on that board. The NLOW has not come out publicly yet in terms of marketing, but this board is not a secret and has some significant connections. Hopefully, the Office of Economic Development will monitor and stay in touch with that and if anything does develop, the City Council certainly would want to take advantage of whatever benefits can come to the City. He is not suggesting any new initiatives that would take up a lot time, but the City's monitoring and being ready to partnership with them and to have some language related to this in the work plan would be helpful.

Economic Development Director Rees stated that probably Section 1, under the Quality of Life, of the 2014-2015 Economic Development Initiatives would be the appropriate place for something like that.

Motion was made by Mayor Pro-Tem Mercer and seconded by Council Member Croskery to add to the original motion that the City will work with the North Carolina Land of Water Program and other relative organizations to monitor and, as appropriate, partner with them to insure that Greenville participates in regional economic development initiatives pertaining to natural resource-based and sustainable tourism of Northeastern North Carolina.

Council Members Glover and Croskery accepted the amendment to the original motion.

There being no further discussion, the motion passed unanimously to approve the 2014-2015 Economic Development Initiatives with language added to work with the North Carolina Land of Water Program and other relative organizations to monitor and, as appropriate, partner with them to insure that Greenville participates in regional economic development initiatives pertaining to natural resource-based and sustainable tourism of Northeastern North Carolina.

#### 2014-2015 REDEVELOPMENT COMMISSION WORK PLAN AND BUDGET

Economic Development Director Carl Rees stated that each year since 2004, the Redevelopment Commission has developed a work plan and budget that guide their work during a fiscal year. The program of work is presented to the City Council each year for consideration and approval, and this year's work plan is divided up differently than past



years. For the first half of Fiscal Year 2014-2015 (July 1-December 31, 2014), the following are the carryover projects to be completed by the end of calendar year 2014, at which time all of the remaining 2004 General Obligation Bond funds must be spent:

- West 5<sup>th</sup> Streetscape
- Dickinson Avenue Area Market and Planning Study
- Imperial brownfield cleanup and redevelopment
- Go Science Center
- Uptown Theatre RFI
- Evans Gateway Project
- Evans Street Accessway
- Cotanche to Reade Alley Improvements
- Uptown Alley Improvements

There still remains to be some land acquisitions for completion and, of course, there is the Small Business Plan Competition program.

The second half of the year is devoted to what the future role of the Redevelopment Commission would be. The Redevelopment Commission was established in 2002 and the members have served since 2003 on what was thought to be about a 25-year program of urban revitalization. There are certainly more things to be done and the members are seeking guidance from the City Council to establish what their future role would be. During the second half of the fiscal year, maybe the Redevelopment Commission could be charged with new missions and implementation of things that come out of the Dickinson Corridor Plan and other projects, and the Commission could receive some funding to do that. The other option would be to disband the group.

In terms of the budget this year, the remaining funds of \$1,120,000 for Center City are devoted to finishing out projects and \$328,000 for West Greenville bond funds.

<b>Center City Bond Funds</b>		
<b>Item</b>	<b>Amount</b>	<b>Notes</b>
Evans Gateway Project	\$159,000	Public art + payment to DOT
Go Science Center	\$173,000	Owner improvements to building
Uptown Theatre	\$254,000	Capital improvements
Evans Street Accessway	\$233,000	Create public venue and walkway
Cotanche to Reade Alley improvements	\$252,000	Improvements in support of E. 5th Street Redevelopment
Uptown alley improvements	\$49,000	Improvements to Uptown pedestrian alleys
<b>Total</b>	<b>\$1,120,000</b>	

<b>West Greenville Bond Funds</b>		
<b>Item</b>	<b>Amount</b>	<b>Notes</b>
West 5th Streetscape, Phase II design	\$58,000	Additional fees for traffic circle design
Acquisition	\$270,000	Per RDC acquisition policy
<b>Total</b>	<b>\$328,000</b>	



Upon being asked about disbanding the group or having the Redevelopment Commission to continue without any additional funds, Economic Development Director Rees responded that the Redevelopment Commission was given a program of work through the Center City/West Greenville Revitalization Plan. An initial funding of \$5 million each was provided in 2004 for revitalizing those two areas of the City. The Redevelopment Commission has worked through a whole series of projects and to most people the work done is fairly obvious. However, now that money is drying up, there is not really any more programs to manage, with the exception of the remaining Small Business Plan Competition, which is a twice a year event. With the absence of some new direction from the City Council and potentially funding, there is not much of a need for a Redevelopment Commission after the end of this calendar year. On the other hand, the City Council may feel that there are things that the Redevelopment Commission can work on and the City is looking at providing funding through bonds or otherwise in the future. In the second half of the year, collectively the City Council and the Redevelopment Commission should determine the new direction for this group.

Council Member Smiley stated that maybe it would be appropriate for the City Council to aim for discussing this at a January retreat. Obviously, the Redevelopment Commission has a few months of management to do, and staff and the members of the Redevelopment Commission could be thinking about ways to move forward. It seems like something that is an important topic requiring some preparation and then attention to how to execute it.

Council Member Blackburn stated that the presentation for the Dickinson Avenue Corridor today was visionary and exciting. She had visions of what could happen, if the City did manage to attract businesses and residents to the Center City and incorporate the Dickinson Avenue Corridor with the mixed use. Also, to incorporate all the things that can create that kind of critical mass of creativity, business and residential, that will increase the profile of Greenville as a creative community and a place that people really want to visit or relocate. Sometimes people inquire about why is the downtown so important such as the construction of the parking deck. It seems so abstract, but the key is that a downtown is the barometer for an entire community. A healthy downtown really signals a healthy growing community and when people are considering where they are going to locate, they will look at a downtown area. The First Street Corridor Project is the next area focus, and then there are the oldest areas of the community that are being looked at. It seems that the Redevelopment Commission has a really good opportunity to focus on those things in a way that no other board/commission can and shepherd some of these projects without the politics. The Redevelopment Commission could have a purpose in the future.

Motion was made by Council Member Croskery and seconded by Council Member Blackburn to approve the 2014-2015 Redevelopment Commission Annual Program of Work along with the accompanying budget. Motion carried unanimously.



ORDINANCE TO AMEND THE GREENVILLE CITY CODE AND THE MANUAL OF FEES RELATING TO PRIVILEGE LICENSE TAXES TO COMPLY WITH THE PROVISIONS OF SESSION LAW 2014-3 (Ordinance No. 14-035)

City Attorney David Holec stated that this matter is associated with the action of the General Assembly, which spurred the City Council's discussion earlier in this meeting relating to how to fill the revenue gap for the City's upcoming budget. During the last week of May 2014, the General Assembly approved legislation which had an impact on the City's ability relating to privilege license fees affecting both this upcoming fiscal year and the following fiscal year. For the upcoming fiscal year, the legislation required that the City apply the privilege license tax ordinance that was in effect in Fiscal Year 2013-2014. This means that the changes relating to privilege licenses, which were made by the City Council earlier this year, cannot be implemented. This includes the elimination of the \$2,000 cap on the privilege license taxes determined by gross receipts and the change relating to internet sweepstakes businesses.

The second change required by the approved legislation for the upcoming fiscal year was the limitation placed on which businesses in the City can be charged a privilege license tax. A business has to be physically located within the City to be charged. Since those provisions are included in the Manual of Fees and the City Code, an ordinance is necessary in order for the City Code and the Manual of Fees to comply with the provisions of this new legislation.

The other action from that Session Law approved by the General Assembly impacts the City's authority to levy privilege license taxes in Fiscal Year 2015-2016. It repealed the City's authority completely with the exception of beer and wine taxes, which are specifically authorized by statute. As was mentioned during the discussion, the Governor and the leaders in the General Assembly have made a commitment to the League of Municipalities, to the cities and to the City officials. When talking to legislators during Town Hall Day on June 4, 2014, it was indicated that they will review and look for a replacement revenue source in order to address this revenue shortfall.

The ordinance proposed for the City Council's action this evening does not address Fiscal Year 2015 -2016. Staff proposes that the City Council wait and see what happens during the next session of the General Assembly, when the legislators follow through on their commitment which has been made. It is recommended that the City Council approve the ordinance in order to maintain compliance with State Law.

Mayor Pro-Tem Mercer stated that he would support the ordinance because it is the law.

Council Member Blackburn stated that she is in a situation of voting for something that she fundamentally disagrees with. She is tempted to vote against approving the ordinance, but the City Council is obligated to follow the law.



Mayor Thomas stated that all doors are open until the City Council finds some way to recapture this revenue. The City has to stay engaged and try to recapture some of those components, and following the recommendation of the City Council is the next step.

Motion was made by Council Member Smiley and seconded by Mayor Pro-Tem Mercer to adopt the ordinance amending the Greenville City Code and the Manual of Fees relating to privilege license taxes to comply with the provisions of Session Law 2014-3. Motion carried unanimously.

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**REVIEW OF JUNE 12, 2014 CITY COUNCIL AGENDA**

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The Mayor and Council reviewed the agenda for the June 12, 2014 City Council meeting.

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**COMMENTS BY MAYOR AND CITY COUNCIL**

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

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**CITY MANAGER'S REPORT**

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No comments were made by City Manager Lipscomb.

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**ADJOURNMENT**

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Motion was made by Council Member Croskery and seconded by Council Member Blackburn to adjourn the meeting. Motion carried unanimously. Mayor Thomas declared the meeting adjourned at 9:48 p.m.

Respectfully Submitted

Polly Jones  
Deputy City Clerk

PROPOSED MINUTES  
MEETING OF THE CITY COUNCIL  
CITY OF GREENVILLE, NORTH CAROLINA  
THURSDAY, JUNE 12, 2014



A regular meeting of the Greenville City Council was held on Thursday, June 12, 2014, in the Council Chambers, located on the third floor at City Hall, with Mayor Allen M. Thomas presiding. Mayor Thomas called the meeting to order at 7:00 p.m. Mayor Thomas gave the invocation. The Greenville Police Department Honor Guard presented the colors, followed by the Pledge of Allegiance.

Those Present:

Mayor Allen M. Thomas, Mayor Pro-Tem Calvin R. Mercer, Council Member Kandie Smith, Council Member Rose H. Glover, Council Member Marion Blackburn, Council Member Rick Smiley, and Council Member Richard Croskery

Those Absent:

None

Also Present:

City Manager Barbara Lipscomb, City Attorney David A. Holec, City Clerk Carol L. Barwick and Deputy City Clerk Polly W. Jones

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**APPROVAL OF THE AGENDA**

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Council Member Smith made a motion to allow public comment on the budget with no time limit on the period. Mayor Pro-Tem Mercer seconded the motion.

City Attorney Holec asked Council Member Smith to clarify if she was proposing no time limit for the public comment period, or for the individual speakers. Council Member Smith said that she was proposing no time limit for the public comment period, so that anyone wishing to speak would have the opportunity, and would each still have three minutes to do so.

There being no further discussion, the motion to allow public comment on the budget with no time limit on the period passed by unanimous vote.

Upon motion by Council Member Blackburn and second by Council Member Smiley, the agenda was approved as amended by unanimous vote.



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### SPECIAL RECOGNITION

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Mayor Thomas took a moment to honor World War II Veterans who are citizens of Greenville. He recognized Council Member Blackburn for her assistance with organizing the recognitions, and presented a proclamation to the veterans declaring the month of June 2014 as World War II Veterans Appreciation month in the City of Greenville, North Carolina. He called upon residents and businesses to join in honoring these distinguished individuals of the community. Mayor Thomas recognized the following individuals:

- Robert Lee Cherry
- August Dietrich, Jr.
- Hallian Vernal Elks
- Morris Elwood Elks
- Bill Martin
- Bob Ramey
- Scott Smith
- Ray Everett
- Billy Jones
- Hugh Powers
- Ed Cavanaugh
- Robert Franke
- David Jones
- Archibald Manning
- Joseph Swain

Mayor Thomas and City Manager Barbara Lipscomb recognized Thurman Hinnant with the Public Works Department for his 10 years of service to the City of Greenville and its citizens and congratulated him on his retirement.

Mayor Thomas, City Manager Lipscomb, and Community Relations Officer Cassandra Daniels recognized the Fifth Annual Fair Housing Poster Contest winners.

- Grades K-5: Hunter Layton  
School: Chicod Elementary School  
Parents: Mr. and Mrs. Lester Layton  
Teacher: Ms. Kathy Bello
- Grades 6-8: Landen House  
School: Greenville Christian Academy



Parent(s): Mr. Patrick House  
Teacher: Ms. Terry Pritchard

- High School 9-12 Second Place: Dominique Wilson  
School: South Central High School  
Parents: Mr. and Mrs. John Wilson  
Teacher: N/A
- High School 9-12 Winner: Morgan Williamston  
School: Ayden-Grifton High School  
Parent(s): Ms. Mary Shear  
Teacher: Ms. Candi Tucker

Mr. James Harris presented City Council with a Letter of Appreciation for recognizing the veterans.

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#### APPOINTMENTS

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#### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

##### Board of Adjustment

Council Member Croskery made an encompassing motion to:

- Appoint William Johnson, at the nomination of Council Member Croskery, to the Alternate 3 seat for a first three-year term that will expire June 2017 in replacement of Sharon Ferris, who did not wish to seek a second term.
- Reappoint Nathan Frank, at the nomination of Mayor Pro-Tem Mercer, to a second three-year term that will expire June 2017.
- Reappoint Justin Mullarkey, at the nomination of Council Member Smiley, to a second three-year term that will expire June 2017.

Council Member Blackburn seconded the motion and it carried unanimously.

With the appointment of William Johnson to the Alternate 3 seat, the following elevations were enacted by the Order of Elevation process outlined in the City's Boards & Commissions Policy:

- Thomas Taft elevated to a regular member



- Nathan Frank elevated to the Alternate 1 seat
- Kevin Faison elevated to the Alternate 2 seat

#### Community Appearance Commission

Council Member Smiley made a motion to:

- Reappoint Rebecca Powers to a first three-year term that will expire July 2017
- Reappoint Cora Tyson to a first three-year term that will expire July 2017

Council Member Blackburn seconded the motion and it carried unanimously.

#### Greenville Bicycle & Pedestrian Commission

Council Member Smiley made a motion to:

- Appoint Corina Jury to fill an unexpired term that will expire July 2016, in replacement of Henry Robbins, who had resigned
- Appoint Paul Linden to fill an unexpired term that will expire July 2016, in replacement of Titus Yancey, who did not meet attendance requirements.

Council Member Blackburn seconded the motion and it carried unanimously.

Council Member Smiley continued the appointment of Liz Brown Pickren's seat, who had resigned.

#### Greenville Utilities Commission

Council Member Smith made a motion to appoint Dennis Mitchell to a first three-year term that will expire June 2017, in replacement of Stanley Eakins, who was no longer eligible to serve. Council Member Croskery seconded the motion and it carried unanimously.

Council Member Blackburn made a motion to appoint Joel Butler, at the nomination of The Pitt County Board of Commissioners, to serve a first three-year term that will expire June 30, 2017. Council Member Croskery seconded the motion and it carried unanimously.

#### Historic Preservation Commission

Council Member Smith made a motion to appoint David Dennard to fill an unexpired term that will expire January 2017, in replacement of Maury York, who had resigned. Council Member Croskery seconded the motion and it carried unanimously.

Council Member Smith continued the appointment of Allan Kearney's seat, who was eligible to serve.



### Housing Authority

Council Member Blackburn made a motion to appoint Reginald Walton to fill an unexpired term that will commence on June 1, 2014, and expire on May 31, 2017, in replacement of Robert Hobgood, who had resigned. Council Member Richard Croskery seconded the motion and it carried unanimously.

### Pitt-Greenville Airport Authority

Council Member Croskery made a motion to appoint Eric Clark to a first three-year term that will commence on July 1, 2014, and expire on June 30, 2014, in replacement of Donald Taylor, who was no longer eligible to serve. Council Member Blackburn seconded the motion and it carried unanimously.

### Pitt-Greenville Convention & Visitors Authority

Council Member Glover made a motion to:

- Reappoint Dede Carney to a first three-year term that will expire July 2017
- Appoint Ron Feeney to a first three-year term that will expire July 2017, in replacement of Jose Morales, who was no longer eligible to serve.

Council Member Richard Croskery seconded the motion and it carried unanimously.

Council Member Glover continued the recommendation for Kurt Davis' and Christopher Jenkins' seats.

### Planning & Zoning Commission

Council Member Smith made a motion to appoint Margaret Reid to the Alternate 2 seat to fill an unexpired term that will expire May 31, 2015, in replacement of Kevin Burton, who had resigned. Council Member Croskery seconded the motion and it carried unanimously.

With the appointment of Margaret Reid to the Alternate 2 seat, the following elevations were enacted by the Order of Elevation process outlined in the City's Boards & Commissions policy:

- Christine Darden elevated to a regular member
- Terry King elevated to the Alternate 1 seat

### Public Transportation and Parking Commission

Council Member Croskery continued the appointment of Rick Smiley's seat, who had resigned.



### Recreation & Parks Commission

Council Member Croskery made a motion to appoint James Yahnker to fill an unexpired term that will expire May 31, 2015, in replacement of Thorbjorn Gylfason, who was no longer eligible to serve. Council Member Blackburn seconded the motion and it carried unanimously.

### Youth Council

Mayor Pro-Tem Mercer continued the appointments to August.

### **APPOINTMENT OF BOND ADVISORY COMMITTEE**

The Mayor and each Council Member appointed two persons to serve on the Bond Advisory Committee to advise the City Council on content, amount, timing, structure of an advocacy committee, and other relevant aspects of a voter bond. Appointments to the committee are as follows:

Mayor Allen Thomas:

- Will Franklin
- Bill Clark

Mayor Pro-Tem Calvin Mercer:

- Kelly Barnhill
- Tilwanda "Tee" Steinberg

Council Member Kandie Smith:

- Dennis Mitchell
- Alberto Blanco

Council Member Rose Glover:

- Jon Tart
- Terri Williams

Council Member Marion Blackburn:

- Tony Parker
- Ashley Breedlove

Council Member Rick Smiley:

- Tammy Perdue
- Bianca Shoneman



Council Member Richard Croskery:

- Tony Khoury
- Michael Overton

**REQUESTED CHANGES TO AGENDA BY COUNCIL MEMBER**

Mayor Pro-Tem Mercer said that he received communication about a serious family medical situation. He requested that City Council move public comment, budget and bond discussions up on the agenda to allow him the opportunity to leave.

Council Member Smith made a motion to make Mayor Pro-Tem Mercer’s requested changes to the agenda. Council Member Glover seconded the motion, which passed by unanimous vote.

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**NEW BUSINESS**

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**PUBLIC COMMENT PERIOD**

Nancy Colville - 113 Lord Ashley Drive

Ms. Colville stated that she does not support City Council’s approval of the two-cent tax increase and the current discussion for the proposed bond referendum for the November ballot. She pointed out that City Council continues to place a greater importance on projects such as greenways and theaters over the City’s basic infrastructure needs. Ms. Colville asked City Council to stop blaming Raleigh for the City’s budget shortfalls and face reality.

Eric Brestel – 106 Christenbury Drive

Mr. Brestel stated that after the North Carolina General Assembly inadvertently let slip the rule for cities to be able to collect privilege taxes in 2013, Governor McCrory signed a bill to reverse the rule and reinstate privilege taxes for a limited time. He said that it could potentially cost cities across North Carolina approximately \$62.5 million, and could cost citizens of Greenville \$600,000. Mr. Brestel pointed out that although the amount of a property tax increase appears to be costly, the average family of four would only pay about \$40.00 per household. He noted that there is a stigma attached to the word “tax,” and said that it is time for citizens to abandon the notion that all taxes are negative.

Terry Boardman – 213 King George Road

Mr. Boardman stated that City Council has chosen to raise sanitation, stormwater, property, and privilege license taxes, rather than addressing the \$14 million of roads that must be repaired. He pointed out that in addition to the tax increases that City Council has already



decided to implement, the bond that could go into effect in November would add an additional 4% increase to taxes. Mr. Boardman acknowledged that many citizens are unable to afford the continued increases, and urged City Council to reconsider the areas in which they have decided to increase taxes.

Chris Mansfield – 408 S. Harding Street

Mr. Mansfield urged City Council to move forward with the two-cent tax increase. He pointed out that it takes money to build and run a city in which citizens desire to live. He stated further that compared to the property taxes of neighboring counties, Greenville is doing well. Mr. Mansfield said that although it is important to be conservative, a tax increase could make a difference between progress or deterioration of the City.

Hap Maxwell – 1506 E. 5th Street

Mr. Maxwell stated that he was troubled by many actions taken by members of the previous City Council, including excessive spending on studies, depletion of the fund balance, and making decisions that only benefitted a select group of citizens. He said that as a result, the City must now pay for those mistakes. Mr. Maxwell mentioned that he joined a PAC last fall called Common Ground in an effort to elect members to City Council who see clearly and realistically the financial challenges that the City now faces. He thanked the current members of City Council who are willing to face the problems of yesterday by implementing a modest property tax increase.

Ann Maxwell – 1506 E. 5th Street

Ms. Maxwell stated that a two-cent tax increase seems to be the only way that Greenville will be able to afford all necessary improvements. She pointed out that many of the City's issues could have been corrected early on if money had been set aside for improvements, rather than for studies. In addition, she stressed the importance of having a strong health fund for City employees. Ms. Maxwell pointed out that it is responsible to ensure that each fund has an adequate amount of savings, so if the unthinkable occurs, the City can be prepared.

Harry Stubbs/Brad Beggs – 1725 Forest Hill Drive

Mr. Stubbs, who stated that he was speaking on behalf of Friends of Greenville Greenways (FROGGS), said that the organization hopes that City Council will not reduce funding for the Town Common. He pointed out that the greenways are a large factor of Greenville's excellent quality of life, and said that the City's positive image is what attracts people and businesses to relocate here.

Ashley Breedlove – 1108 G2 E. 10th Street

Ms. Breedlove said that in order to compensate for the budget shortfall caused by the state, the City must either raise taxes or make cuts. She pointed out that people and businesses have relocated to Greenville in order to receive some of the very services that have already



been eliminated. She stated further that if the City continues to make deep cuts, it will no longer be a desirable place to live and will lose residents. Ms. Breedlove said that taxes are not inherently negative, as they provide funding for the City's needs. She urged City Council to consider what will be cut next and who will be hit hardest as a result, if the decision is made to forgo the tax increase.

Keith Cooper – PO Box 30103

Mr. Cooper, who stated that he is the Executive Director of Benevolence Corps, said that raising taxes has been proven by numerous economists as a temporary solution to reduce budget shortfalls. He stated further that this approach kicks the can down the road and loses sight of productive ways to increase revenues without slashing vital programs for citizens. Mr. Cooper encouraged City Council to focus on economic development as a way to increase the tax base. He said that the result would be an increase in tax-paying employees, which would ultimately alleviate the necessity to raise taxes in the future. He also pointed out that City residents are already overtaxed and are hurt by recent increases for services. Lastly, he suggested that City Council raise the salaries of all City employees beyond the typical 1% increase. Mr. Cooper stressed the importance of creating a sustainable budget that can accommodate the City's needs, and only consider raising taxes as a last resort. He encouraged City Council to think proactively and develop a long-term plan for the City's success.

Kelly Barnhill – 3001 Westview Drive

Mr. Barnhill thanked City Council for appointing him to the Bond Committee and expressed his concern about the proposed increases to ad valorem taxes and other fees. He stressed the importance that the bond referendum is passed, so that the City can address its multitude of infrastructure needs. He urged City Council to carefully consider whether or not to enact the tax increases, because doing so could jeopardize the passage of the bond referendum.

Bill Clark – 200 E Arlington Boulevard

Mr. Clark urged City Council not to raise the last cent of the two-cent tax increase. He stated that doing so could place the passage of the bond referendum in jeopardy. Like Mr. Barnhill, he said that he also believes in the importance of the bond referendum to Greenville, and encouraged City Council to do everything possible to avoid raising taxes further.

Maria Hammock- No Address Given

Ms. Hammock thanked City Council for its hard work and diligence to address the issues brought on by Raleigh. She acknowledged that City Council is faced with the difficult decision to either raise taxes or decrease services. She also urged everyone to recognize that the situation is not the fault of City Council, but of decisions made in Raleigh at the expense of North Carolina's cities.



Angeline Mitchell- No Address Given

Ms. Mitchell suggested that City Council think carefully before deciding to increase taxes. She pointed out that senior citizens and military personnel have earned their keep and continue to have services taken away from them. She also mentioned that the citizens of Greenville are constantly taxed, and expressed her concern that City Council will increase taxes further if the City succumbs to a financial emergency.

Dennis Mitchell- No Address Given

Mr. Mitchell stated that City Council could have handled the situation differently by keeping the public better informed about the reason taxes were being increased. He said that taxes are not being raised because the previous City Council used excess fund balance to pay for infrastructure improvements, but rather because those improvements were made without a cushion to sustain them. Mr. Mitchell stated further that City Council has diverted attention away from improving the quality of life in Greenville by blaming others for the need to increase taxes. He implored City Council to be honest with Greenville's citizens and take charge of the situation so that Greenville can improve.

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**OTHER ITEMS OF BUSINESS**

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**ORDINANCES ADOPTING BUDGETS FOR THE 2014-2015 FISCAL YEAR AND APPROVING FINANCIAL PLANS FOR FISCAL YEAR 2015-2016**

**CITY OF GREENVILLE INCLUDING SHEPPARD MEMORIAL LIBRARY AND PITT-GREENVILLE CONVENTION AND VISITORS AUTHORITY- (Ordinance No. 14-036)**

City Attorney Holec advised City Council that he received a call from Representative Brian Brown, who stated that he is concerned about City Council proceeding with the adoption of the Budget Ordinance at this time if it includes a tax increase that was not advertised as part of a public hearing. Mr. Holec stated further that Representative Brown said that City Council should advertise and conduct a public hearing before proceeding with the adoption, and that doing so is required. Mr. Holec advised City Council that the additional advertisement and public hearing is not required, and City Council has authority to proceed with action if it so chooses. He clarified that the statute requires City Council to have a public hearing and a public hearing was advised and held. He stated that City Council also extended additional opportunity for the public to provide input to City Council during public comment period at this meeting by amending the public comment period rules. There is no other requirement for an additional public hearing. Mr. Holec also said that the statute states that the adoption of the Budget Ordinance may take place no earlier than 10 days after the budget is presented to the board and no later than July 1. City Council shall adopt a Budget Ordinance making appropriations and levying taxes for the budget year in



such sums as City Council may consider sufficient and proper, whether greater or less than the sums recommended in the budget.

Council Member Smith said that the first one-cent tax increase was passed without her district being represented. She pointed out that the citizens had no communication because the issue was proposed and voted on at the same meeting. She acknowledged that taxes are necessary to maintain the City's essentials, but said that could be accomplished without constantly raising the tax rate. Council Member Smith pointed out that City Council is elected to deal with difficult decisions and maintain a balanced budget, without blaming others.

Mayor Thomas asked Mr. Holec if Representative Brown had been advised by legal counsel of the requirements in question, or if those requirements were his opinion. Mr. Holec said that a legislative staff member advised Mr. Brown of the requirements in question. As a result, Mr. Holec said that he reviewed the statute, but did not see any requirements, as stated. Therefore, he said that City Council could proceed with the tax increase and the Budget Ordinance. Mr. Holec said that although he did not foresee any potential risk, City Council could also advertise and hold another public hearing if it so chooses.

Council Member Smith made a motion to repeal the additional one-cent tax increase, as well as consider other options to balance the budget. Council Member Glover seconded the motion.

Council Member Blackburn said that the City has already made many deep cuts, and is at risk of losing its identity. She mentioned that she proposed the additional one-cent property tax increase because it is not a regressive tax and is shared among all citizens. Council Member Blackburn acknowledged that tax increases should be a last resort, but said that she supported the two-cent increase because it is a way to share the burden in a non-regressive way. She stated further that if City Council neglects its responsibility to create a sustainable budget now, the City will be faced with much more difficult challenges in the next year. Therefore, she said that she could not support Council Member Smith's motion.

There being no further discussion, the motion to repeal the additional one-cent property tax increase and to examine other options to balance the budget failed by a 2 to 4 vote. Council Members Smith and Glover cast votes in favor of the motion.

Council Member Blackburn made a motion to approve the adoption of the budget ordinance as presented. Council Member Smiley seconded the motion.

Council Member Smith asked if City Council could make changes to the items in the Budget Ordinance if the motion passes. City Attorney Holec said that City Council has the authority



to make Budget Ordinance amendments, but cannot change the tax rate unless under special circumstances.

There being no further discussion, the motion to approve the adoption of the budget ordinance as presented passed by a 4 to 2 vote. Council Members Smith and Glover cast the dissenting votes.

**GREENVILLE UTILITIES COMMISSION FISCAL YEAR 2014-2015 BUDGET ORDINANCE- (Ordinance No. 14-037)**

Mayor Pro-Tem Mercer made a motion to approve the adoption of the Fiscal Year 2014-2015 Budget Ordinance for Greenville Utilities Commission (GUC). Council Member Blackburn seconded the motion, which passed by unanimous vote.

**CITY OF GREENVILLE INCLUDING SHEPPARD MEMORIAL LIBRARY AND PITT-GREENVILLE CONVENTION AND VISITORS AUTHORITY FISCAL YEAR 2015-2016 FINANCIAL PLAN**

Council Member Smiley made a motion to approve the Fiscal Year 2015-2016 Financial Plan for the City of Greenville, including Sheppard Memorial Library and the Pitt-Greenville Convention and Visitors Authority. Mayor Pro-Tem Mercer seconded the motion, which passed by unanimous vote.

**GREENVILLE UTILITIES COMMISSION FISCAL YEAR 2015-2016 FINANCIAL PLAN**

Council Member Blackburn made a motion to approve the GUC Fiscal Year 2015-2016 Financial Plan. Mayor Pro-Tem Mercer seconded the motion, which passed by unanimous vote.

**DISCUSSION AND DIRECTION OF THREE SEPARATE BONDS AND RELATED PROCESSES**

Mayor Thomas stated that he requested for this item to be on the agenda because the City has slowly slipped behind in sustaining its sanitation, roads, and infrastructure. He mentioned that over 100 miles of roads throughout Greenville are near failure, and pointed out that the cost to repair failed roads is far greater than the cost to simply repave them. He stated further that the City must make smart investments now in order to curb costs that will only continue to increase if nothing is done. Mayor Thomas pointed out that there are currently three separate bonds that are being discussed: Recreation and Parks, Facilities, and Roads. He mentioned that putting together a Recreation and Parks Bond could take up to two years due to its complexity and the need for input from the public. In addition, Mayor Thomas said that a Facilities Bond may also span over an extended period



of time because of the creation of sustainable structures. By contrast, he pointed out that costs can be measured for fixing roads in days. Therefore, Mayor Thomas proposed that City Council move forward with the Road Bond at the November election.

Council Member Blackburn said that she is hesitant about moving forward with any element of the bond. She pointed out that the committee has just been appointed and should have the opportunity to meet and discuss the best course of action. Council Member Blackburn also pointed out that the timetable does not allow for a November vote. She stated further that each element is important and should not be rushed into, and added that the City currently has funds that can be used to address immediate needs while City Council decides how to move forward with bond funding for other roads.

Assistant City Manager Chris Padgett pointed out that staff is under several time constraints that are mandated by state statute. He said that the latest date that City Council could initiate a bond referendum for the November 2014 election would be July 14, 2014. Mr. Padgett mentioned that City Council does not meet in July, so the next opportunity for a bond referendum would be in November 2015.

Council Member Glover made a motion to move forward with a bond for roads and infrastructure at the November 2014 election. Council Member Smith seconded the motion.

Council Member Smiley said that he is opposed to any efforts that would fast-track any element of the bond. He pointed out that the most consistent feedback he has received from citizens regarding the bond is that it should not be rushed into, but instead, should be done carefully and correctly. Council Member Smiley said that the bond must be vetted and the public must be educated. He stated further that the current motion seems to short-circuit the process.

There being no further discussion, the motion to move forward with the roads and infrastructure bond at the November 2014 election failed by a 2 to 4 vote. Council Members Glover and Smith cast the votes in favor of the motion.

#### **COUNCIL MEMBER DEPARTURE**

Mayor Pro-Tem Mercer requested that City Council formally excuse him from the City Council meeting so that his vote would not be counted as affirmative while he was absent from the remainder of the meeting. Council Member Smiley made a motion to formally excuse Mayor Pro-Tem Mercer. Council Member Blackburn seconded the motion, which passed by unanimous vote. Mayor Pro-Tem Mercer departed the meeting.



## **PUBLIC HEARINGS**

### **ORDINANCE TO ANNEX COVENGTON DOWNE, BLOCK G, LOT 12, INVOLVING 6.170 ACRES LOCATED ALONG THE WESTERN RIGHT-OF-WAY OF ARLINGTON BOULEVARD AND 210+ FEET NORTH OF FIRE TOWER ROAD - (Ordinance No. 14-038)**

Community Development Director Merrill Flood presented the annexation ordinance. He said that the subject property is located in the southeastern portion of the City, which lies in Vision Area D. The subject property is currently vacant and is zoned as CG (General Commercial). The anticipated land use is for approximately 41,000 square feet of retail space, and the total estimated tax value at full development is \$29,381.73. Mr. Flood mentioned that no populations are associated with the proposed annexation. He stated further that staff recommends that City Council approve the annexation ordinance.

Mayor Thomas declared the public hearing open at 10:44 p.m. and invited anyone wishing to speak in favor of the annexation ordinance to come forward. Hearing no one, Mayor Thomas invited comment in opposition. Hearing no one, Mayor Thomas closed the public hearing at 10:44 p.m.

Council Member Glover made a motion to approve the proposed annexation ordinance. Council Member Croskery seconded the motion, which passed by unanimous vote.

### **ORDINANCE REQUESTED BY CHAMPIONS HEALTH AND FITNESS TO REZONE 5.13 ACRES LOCATED 950+ FEET SOUTH OF EAST FIRE TOWER ROAD AND ADJACENT TO WHITEBRIDGE DUPLEXES FROM R6MH (RESIDENTIAL-MOBILE HOME [HIGH DENSITY]) TO CG (GENERAL COMMERCIAL) - (Ordinance No. 14-039)**

City Planner Chantae Gooby presented the rezoning request and stated that the subject property is located in the southern section of the City, which lies in Vision Area D. She said that the property is currently vacant, and could accommodate 40 mobile home units under the current zoning (R6MH). Under the proposed zoning (CG), the property could accommodate approximately 50,000 square feet of retail/conventional restaurant space. Ms. Gooby stated further that the rezoning request could generate a net increase of 953 trips. She also mentioned that the property is impacted by the 500- and 100-year floodplains associated with the Fork Swamp Canal, but said that any issues will be determined at the time of development. According to Ms. Gooby, the Future Land Use Plan Map recommends commercial (C) along the southern right-of-way of East Fire Tower Road between Bayswater Road and Swamp Fork Canal transitioning to high-density residential (HDR) to the south and conservation/open space (COS) to the east. She stated further that in staff's opinion, the request is in general compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.



Mayor Thomas declared the public hearing open at 10:49 p.m. and invited anyone wishing to speak in favor of the proposed rezoning ordinance to come forward.

Greg Lassiter- No Address Given

Mr. Lassiter, who stated that he is the owner of Champions Health and Fitness, said that his business recently celebrated its 30<sup>th</sup> year in Greenville. He recalled that since he presented his 10<sup>th</sup> Street health club project to City Council two months ago, Pitt Community College purchased his existing facility. He said that his contract states that he cannot move his facility more than three miles from its current location; otherwise, he would be forced to refund the location's members. He stated further that the 10<sup>th</sup> Street location is inconvenient for many members who utilize the existing location. Mr. Lassiter said that he wishes to continue the 10<sup>th</sup> Street project and construct a health club in that section of the City, but must make the rezoning his first priority.

Jim Hopf- No Address Given

Mr. Hopf, who stated that he was speaking on behalf of the applicant and property owner, explained that due to economic issues, some businesses require interior lots as opposed to street front lots. He said that Champions Health and Fitness must be developed on an interior lot, however; no interior lots are available in the area and relocation of the business is restricted to a certain distance away from the existing facility. Mr. Hopf pointed out that the applicant's proposal is in line with other development in the area and encouraged City Council to honor this request.

Hearing no one else who wished to speak on behalf of the proposed rezoning ordinance, Mayor Thomas invited comment in opposition. Hearing no one, Mayor Thomas closed the public hearing at 10:53 p.m.

Council Member Croskery made a motion to approve the proposed rezoning ordinance. Council Member Blackburn seconded the motion, which passed by unanimous vote.

**ORDINANCE REQUESTED BY HAPPY TRAILS, LLC TO REZONE 28.534 ACRES LOCATED ALONG THE SOUTHERN RIGHT-OF-WAY OF REGENCY BOULEVARD AND ADJACENT TO SOUTH POINTE DUPLEXES FROM R6S (RESIDENTIAL-SINGLE-FAMILY [MEDIUM DENSITY]) TO R6A (RESIDENTIAL [MEDIUM DENSITY]) - (Ordinance No. 14-040)**

City Planner Chantae Gooby stated that the subject property involved in the proposed rezoning request is in the southern section of the City, which is located in Vision Area E. She said that it is comprised of two parcels of land and is currently vacant. She also mentioned that the rezoning could generate 149 trips onto Regency Boulevard. Under the current zoning (R6S), the subject property could yield approximately 120 single-family lots, and under the proposed zoning (R6A), the site could yield approximately 195 multi-family units. According to Ms. Gooby, the Future Land Use Plan Map recommends



office/institutional/multi-family (OIMF) at the southeast corner of the intersection of Regency Boulevard and South Memorial Drive, transitioning to medium density residential (MDR) in the interior areas. She stated that in staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

Mayor Thomas declared the public hearing open at 10:59 p.m. and invited anyone wishing to speak in favor of the rezoning request to come forward.

Steve Janowski – No Address Given

Mr. Janowski of J.S. Janowski Engineers spoke on behalf of Happy Trail Farms. He explained that the property is bank owned, and is comprised of two-thirds of what was originally a 42-acre tract. He said that the property is an excellent example of transitional zoning, and encouraged City Council to grant the rezoning request.

Hearing no one else who wished to speak in favor of the rezoning request, Mayor Thomas invited comment in opposition. Hearing no one, Mayor Thomas closed the public hearing at 11:01 p.m.

Council Member Croskery made a motion to approve the proposed rezoning ordinance. Council Member Glover seconded the motion, which passed by unanimous vote.

**ORDINANCE TO AMEND THE ZONING ORDINANCE BY REDUCING THE NUMBER OF REGULAR BOARD OF ADJUSTMENT MEMBERS APPOINTED BY PITT COUNTY FROM TWO MEMBERS TO ONE MEMBER- (Ordinance No. 14-041)**

Chief Planner Tom Weitnaur presented the request to amend the zoning ordinance by reducing the number of Extraterritorial Jurisdiction (ETJ) representatives from two County regular members to one, and to retain one County alternate member to more accurately reflect the proportional decrease in the population of the ETJ. He pointed out that since the population of the ETJ has been reduced, it is appropriate to also reduce the number of ETJ representatives. Mr. Weitnaur explained that the lack of qualified applicants has resulted in extended periods of vacancy in two of the three positions on the BOA which are appointed by the Pitt County Board of Commissioners. In order to qualify, a person must be a resident of the ETJ. He said that the size of Greenville's ETJ area is reducing in acreage and in population due to annexations while the outer ETJ limits are not expanding. Mr. Weitnaur reported that on May 20, 2014, the Planning and Zoning Commission unanimously approved the text amendment. He stated that in staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons: Greenville's Community Plan.

Mayor Thomas declared the public hearing open at 11:05 p.m. and invited anyone wishing to speak in favor of the requested amendment to the zoning ordinance to come forward.



Hearing no one, Mayor Thomas invited comment in opposition. Hearing no one, Mayor Thomas closed the public hearing at 11:05 p.m.

Council Member Blackburn made a motion to approve the amendment to the zoning ordinance. Council Member Glover seconded the motion, which passed by unanimous vote.

**ORDINANCE AMENDING THE RESTRICTIONS WITHIN THE SECONDARY FIRE LIMITS-  
(Ordinance No. 14-042)**

Chief Building Inspector Les Everett presented the proposed ordinance. He stated that the Primary and Secondary Fire Limits were established by the City Council in 1971 to limit construction types and materials in order to prevent the spread of fire in areas of close construction. He mentioned that since that time, there have been major advancements in sprinkler system technology. Mr. Everett said that a mixed-use project along Evans Street was discovered to be partially within a Secondary Fire Limits area and partially outside of it. The original design is Type V-A, not Type V-B, and incorporates sprinkler system. He explained that Type V-A is more protected than Type V-B because it constructed with sheetrock and other major structural members, rather than a simple wall covering. Mr. Everett said that evaluations by the City's Interim Fire-Rescue Chief, Fire Marshal, Chief Building Inspector, and Community Development Director show that the amendment to the ordinance to allow Type V construction within the Secondary Fire Limits with sprinkler systems is necessary, and will meet the life safety purpose that was intended by the original creation of the Fire Limits. Additionally, he said that this change will promote cost effective projects that cause reinvestment in the central core of the City and increase economic development within the Secondary Fire Limits of the City. Mr. Everett mentioned that no changes will take place within the Primary Fire Limits as a result of the proposed ordinance. According to Mr. Everett, staff's recommendation is that City Council approve the ordinance to allow the use of Type V construction with sprinkler systems as approved by the Greenville Fire-Rescue Department and Chief Building Inspector and in accordance with the NC General Statutes.

Mayor Thomas declared the public hearing open at 11:09 p.m. and invited anyone wishing to speak in favor of the proposed ordinance to come forward. Hearing no one, Mayor Thomas invited comment in opposition. Hearing no one, Mayor Thomas closed the public hearing at 11:09 p.m.

Council Member Glover made a motion to approve the proposed ordinance amending the restrictions within the secondary fire limits. Council Member Blackburn seconded the motion, which passed by unanimous vote.



**RESOLUTION AUTHORIZING AN APPLICATION TO THE FEDERAL TRANSIT ADMINISTRATION (FTA) FOR A SECTION 5307 GRANT FOR FEDERAL OPERATING AND CAPITAL ASSISTANCE FOR GREENVILLE AREA TRANSIT (GREAT) FOR FISCAL YEAR 2014-2015- (Resolution No. 043-14)**

Public Works Director Kevin Mulligan presented the resolution authorizing the filing and execution of a federal grant application for operating and capital funds designated for the City of Greenville to assist with the operations of the Greenville Area Transit (GREAT) bus system. He said that upon adoption of the resolution by City Council, the City Manager will file and execute the application, as City Council has previously authorized the City Manager to file and execute all Section 5307 grant applications. Additionally, he stated that the total federal amount allocated for the City of Greenville is approximately \$1,697,948. According to Mr. Mulligan, staff's recommendation is that City Council conduct a public hearing to receive comments on the proposed grant application and adopt the attached resolution approving the grant request and authorizing the filing and execution of the application for these federal funds.

Mayor Thomas declared the public hearing open at 11:11 p.m. and invited anyone wishing to speak in favor of the resolution to come forward. Hearing no one, Mayor Thomas invited comment in opposition. Hearing no one, Mayor Thomas closed the public hearing at 11:11 p.m.

Council Member Glover made a motion to approve the resolution authorizing the application. Council Member Blackburn seconded the motion, which passed by unanimous vote.

**APPOINTMENT TO BOARD OF ADJUSTMENT - (Resolution No. 046-14)**

City Attorney Dave Holec presented the companion item to the item reducing the number of County appointees to the Board of Adjustment (BOA). He said that as a result of the reduction, the City gained the extra position that was eliminated from the County. Mr. Holec explained that the Board and Commission Policy must be amended so that it reflects the revised number of appointees. He mentioned that the position would be a rotation position, and for the current vacancy, the Mayor would make the nomination for the BOA. Mr. Holec said that staff's recommendation is that City Council approves the amendment.

Council Member Smith made a motion to approve the resolution amending the Board and Commission Policy. Council Member Croskery seconded the motion, which passed by unanimous vote.

Council Member Croskery made a motion at Mayor Thomas' nomination to appoint Michael Overton to the Alternate 3 seat on the Board of Adjustment to fill an unexpired term that



will expire June 2015. Council Member Smith seconded the motion, and it carried unanimously.

With the appointment of Michael Overton to the Alternate 3 seat, the following elevations were enacted by the Order of Elevation process outlined in the City's Board and Commission Policy:

- Nathan Frank elevated to a regular member
- Kevin Faison elevated to the Alternate 1 seat
- William Johnson elevated to the Alternate 2 seat

### **DISCUSSION OF GREENVILLE'S ANIMAL WELFARE/ANIMAL CONTROL**

Council Member Blackburn stated that she requested the addition of the animal welfare item to the agenda because of the many positive changes to the law regarding companion animals. She pointed out that the state legislature is considering a bill that will regulate puppy mills. Council Member Blackburn said that because of these changes, Greenville should examine its own animal welfare practices and adopt modern approaches that are taking place in other communities. She invited Dr. Ron Allison to share his research, thoughts, and ideas with City Council.

Dr. Allison said that animal control is crucial to the health and safety of people and animals in a community. He commended Greenville on its current leash law, cruelty investigations, and hard-working officers. He also made several suggestions about ways Greenville could improve its animal control program. The suggestions included the following:

- Eliminate 24/7 tethering of animals
- Educate citizens about options instead of providing automatic animal pick up
- Lost and found website that informs the public where recovered animals are located
- Partner with individuals and organizations for adoptions
- Implement a license fee to pay for more officers and enforcement
- Consider a shelter for animals in Greenville and enhance partnership with the county shelter

Dr. Allison stated that according to national experts, license fees are an effective method of controlling costs of animal control enforcement and are also successful at controlling the animal population. He also said that statistics show that spayed and neutered animals are less expensive over time for pet owners and taxpayers. Dr. Allison pointed out that officials throughout North Carolina have already introduced similar proposals with success.



Council Member Blackburn made a motion to create a database on Facebook or the City of Greenville website of photographs of animals that have been picked up by Animal Control. Motion failed due to lack of a second.

City Manager Lipscomb said that it would be best if City Council allowed staff to evaluate Council Member Blackburn's suggestion and determine the best way to work on it.

**REIMBURSEMENT RESOLUTION FOR FINANCING GREENVILLE UTILITIES COMMISSION'S CAPITAL PROJECTS- (Resolution No. 044-14)**

City Manager Lipscomb stated that Greenville Utilities Commission (GUC) adopted the Fiscal Year 2015 Budget and approved establishing projects for the enterprise operations. She said that the GUC Board is expected to adopt a reimbursement resolution, and recommend a similar action by City Council. City Manager Lipscomb reminded City Council that information related to this resolution was distributed at the Monday, June 9, 2014, City Council meeting.

There being no further discussion, Council Member Croskery made a motion to approve the Reimbursement Resolution. Council Member Blackburn seconded the motion, which passed by unanimous vote.

**REIMBURSEMENT RESOLUTION FOR FINANCING GREENVILLE UTILITIES COMMISSION'S VEHICLE AND HEAVY EQUIPMENT PURCHASES WITH INSTALLMENT PURCHASE LOAN- (Resolution No. 045-14)**

Forgoing City Council discussion, Council Member Croskery made a motion to approve the reimbursement resolution. Council Member Blackburn seconded the motion, which passed by unanimous vote.

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**COMMENTS FROM THE MAYOR AND CITY COUNCIL**

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

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**CITY MANAGER'S REPORT**

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City Manager Lipscomb requested to cancel the June 23, 2014, City Council meeting. Council Member Smiley made a motion to accept City Manager Lipscomb's request to



cancel the meeting. Council Member Blackburn seconded the motion, which passed by unanimous vote.

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**ADJOURNMENT**

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Council Member Croskery moved to adjourn the meeting, seconded by Council Member Blackburn. There being no further discussion, the motion passed by unanimous vote and Mayor Thomas adjourned the meeting at 11:41p.m.

Prepared By:  
Sara Ward, Clerical Assistant  
City Clerk's Office

Respectfully submitted,

Carol L. Barwick, CMC  
City Clerk



PROPOSED MINUTES  
JOINT MEETING OF THE GREENVILLE CITY COUNCIL  
AND THE GREENVILLE UTILITIES COMMISSION  
BOARD OF COMMISSIONERS  
MONDAY, APRIL 21, 2014

Having been properly advertised, a joint session of the Greenville City Council and the Greenville Utilities Commission Board of Commissioners (GUC Board) was held on Monday, April 21, 2014 in the GUC Board Room, located on the second floor of the Greenville Utilities Main Office Building at 401 S. Greene Street in Greenville, with Mayor Allen M. Thomas presiding for the City Council and Chair Virginia Hardy presiding for GUC. Mayor Thomas and GUC Chair Hardy called the meeting to order at 6:00 p.m., with a quorum of both boards present.

Those present from the City Council:

Mayor Allen M. Thomas, Mayor Pro-Tem Calvin Mercer, and Council Members Kandie Smith, Rose H. Glover, Marion Blackburn, Rick Smiley and Richard Croskery

Also present from the City of Greenville:

Barbara Lipscomb, City Manager; Dave Holec, City Attorney; and Carol L. Barwick, City Clerk

Those present from the Greenville Utilities Commission Board of Commissioners:

Chair Virginia Hardy, Vice-Chair Stan Eakins, Commissioners John Minges, Phil Flowers, Rebecca Blount, Chip Little, and Barbara Lipscomb. Don Mills was present via telephone

Also present from the Greenville Utilities Commission:

Tony Cannon, General Manager/CEO; Phillip R. Dixon, GUC Attorney; Amy Quinn, Executive Assistant to the General Manager/CEO; Lou Norris, Secretary to the General Manager/CEO

Those absent:

There were no absences from the City Council or GUC Board.

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**CALL TO ORDER**

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Mayor Thomas called the meeting to order and ascertained that a quorum was present. Chair Hardy called the meeting to order and Commissioner Minges ascertained that a quorum was present.



APPROVAL OF THE AGENDA

GUC Chair Hardy requested that a closed session be added to the agenda.

Upon motion by Commissioner Minges and seconded by Commissioner Flowers, the GUC Board unanimously approved the agenda, as amended, adding a closed session.

Upon motion by Council Member Croskery and seconded by Council Member Smith, the Greenville City Council unanimously approved the agenda, as amended, adding a closed session.

Mayor Thomas opened the public comment period and explained the procedures to be followed by anyone who wished to speak.

There being no one present who wished to speak, Mayor Thomas closed the public comment period.

APPROVAL OF MINUTES

Upon motion by Commissioner Little and seconded by Commissioner Flowers, the GUC Board unanimously approved the minutes from the September 30, 2013 Joint Meeting.

Upon motion by Council Member Croskery and seconded by Council Member Blackburn, the Greenville City Council unanimously approved the minutes from the September 30, 2013 Joint Meeting.

The approved minutes from the March 17, 2014 Joint City/GUC Pay and Benefits Committee Meeting were provided for information.

MARKET ADJUSTMENT/MERIT PROGRAM: RECOMMENDATION FROM JOINT COMMITTEE

Mr. Cannon presented to both groups and stated that the Committee met twice to discuss salary adjustments. The joint consensus of both organizations is to continue with the policy of paying employees at market. The Joint Committee recommends a 2.5% pay adjustment. It was noted that the City's proposed budget currently has a 1.5% adjustment, leaving a gap to meet the 2.5% Committee recommendation. The GUC proposed budget currently contains a 3.5% adjustment. Therefore, sufficient funding is available to meet the 2.5% Committee recommendation.



Ms. Lipscomb indicated that the City would need \$400,000 to move forward with the 2.5% adjustment. Council Member Glover stated she had voted at the Committee Meeting to move forward with the pay adjustment in order for it to get to the Joint City Council and GUC Board for discussion and review. She indicated there are shortfalls in the projected revenues for the City for the next budget year and that it is important to listen to the management and the finance staff of the City to see where the money will come from and how this would impact the City. She noted a 1% raise would impact employees differently depending on the salary of each person. She is also concerned about compression issues.

Mr. Cannon reminded the City Council and the GUC Board that the pay plan study is usually performed every 10 years. The last study was conducted in 2010 and in 2011 the Joint Boards agreed to provide a pay plan and policy that maintained employees' salaries at market.

Council Member Blackburn suggested two options: one, have the City Council delay their decision until further budget information is available; or two, tentatively adopt the 1.5% now and revisit this in year two of the budget cycle.

Chair Hardy added a third proposal to move the figure to 2.0% thereby increasing the City's number by 0.5%. Council Member Smiley noted to the group that there is a real cost in falling behind in paying employees at market. He stated that we are allowing good employees to leave and find other jobs. Once they leave, we must hire new employees at market and then there is more training and loss of service while bringing in new people. He added that there needs to be a way to find a balance.

Council Member Mercer supports paying employees at market and would like to see a 2.5% salary adjustment in the budget if there is money. This is a high priority, but there are also other high priorities. He would like to see the City have more time to see what the budget would look like.

Commissioner Little also stated that if it is our financial policy to pay employees at market then it should be a priority in how we structure our budgets.

Council Member Blackburn asked if the City decides they can meet the market and find the money for the recommended 2.5% adjustment, do they need to convene as a joint body to vote or can they meet separately? Commission Attorney Dixon suggested it would be okay to delay the decision, but it would be appropriate to meet back jointly to discuss. However, City Attorney Holec noted that legally you can meet separately, but there is a reason to meet jointly so that the two organizations can arrive at a mutual decision. Per the Charter, the intent is for the City and GUC to have mutual pay plans and benefits and meeting jointly would be the better approach.

Mr. Cannon noted that he will present the GUC budget to the City Council on May 8. It will be presented with the information that is already included in GUC's budget. The market/merit adjustment would be subject to change, depending on the decision made jointly by the City Council and GUC Board.



After much discussion, there was no action taken and it was the consensus of the City Council and the GUC Board to postpone the decision of a salary adjustment until further information can be provided for the City Council regarding its budget. A future joint meeting will be planned for next month to discuss and make a decision on employee pay.

ADDITIONAL HOLIDAY CONSIDERATION: RECOMMENDATION FROM JOINT COMMITTEE

Ms. Lipscomb informed the group that the State and Pitt County have added an additional paid holiday to their calendars, increasing the total number of paid holidays to twelve. The committee recommends adding an additional floating holiday to be consistent with the State and other local jurisdictions. Management will utilize the additional holiday, as appropriate, based on where the other holidays fall within each respective calendar year.

The Joint Committee agreed to recommend adding an additional paid holiday upon approval beginning in 2014. Mr. Cannon suggested that the Managers should have some flexibility with the scheduling of this extra paid holiday.

Upon motion by Commissioner Minges and seconded by Commissioner Flowers, the GUC Board unanimously agreed to approve the addition of a twelfth paid employee holiday, beginning in 2014, which will be scheduled at the City Manager's and the General Manager/CEO's discretion.

Upon motion by Council Member Croskery and seconded by Council Member Smith, the Greenville City Council unanimously agreed to approve the addition of a twelfth paid employee holiday, beginning in 2014, which will be scheduled at the City Manager's and the General Manager/CEO's discretion.

GUC UPDATE

Mr. Cannon began his GUC Update presentation on major initiatives and reviewed in detail the budget and capital projects.

First, he stated that GUC has 109 years of service, being established in 1905. GUC is an independent agency owned by the citizens of Greenville, North Carolina and chartered by the North Carolina General Assembly with an initial investment of \$65,000. GUC is governed by an eight-member Board of Commissioners made up of local citizens representing the interest of all customers. GUC's strategic focus historically has always used measures to monitor outcomes. In 2004, GUC developed and implemented a strategic management system also known as the Balanced Scorecard. Mr. Cannon added that projects must fit with our strategies and initiatives as well as meet the goals of our mission statement. He reviewed the corporate strategy map and



reviewed projects to show how they fit on the map. GUC uses a measuring tool called Key Performance Indicators (KPIs). The corporate KPIs have different categories, related to customers, financial, internal business processes, and employees and organization capacity.

Mr. Cannon next moved to updates on GUC's capital planning. He stated that GUC has a total asset value worth approximately \$477 million with almost \$360 million of it in capital assets. Historically capital spending is planned for 5 years. Determining which projects to include in the plan is an objective process, based on a specific set of criteria. The plan is subject to change, depending on a number of factors. One of the drivers for us on our Water Treatment Plant upgrade is system capacity. Once you meet 75% of your capacity it is important to plan for an upgrade. It is also noted that North Carolina Department of Environmental and Natural Resources (NCDENR) regulatory requirements are considered in plans.

Mr. Cannon reviewed in detail the 2015-2019 projects and capital planning for Electric, Water, Wastewater and Gas. He also included the 2015-2019 capital plan for Information Technology and the 2015-2019 capital plan for facilities and support. Mr. Cannon illustrated how all of the capital plans feed into the long term financial forecast and rate models.

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CANCELLATION OF SCHEDULED APRIL 28, 2014 MEETING

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Upon motion by Commissioner Little and seconded by Commissioner Minges, the GUC Board unanimously agreed to cancel the April 28, 2014 Joint Meeting.

Upon motion by Council Member Smith and seconded by Council Member Croskery, the Greenville City Council unanimously agreed to cancel the April 28, 2014 Joint Meeting.

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NEXT STEPS

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Council Member Blackburn has not seen or visited all of the GUC facilities and asked if other council members would be interested in a tour. The GUC staff will put together a tour if there is interest.

A joint meeting will be scheduled in the near future and a date will be determined based on the budget planning schedule.



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CLOSED SESSION  
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Chair Hardy called upon Commission Attorney Dixon to state the grounds upon which the GUC Board and the City Council needed to enter Closed Session. Attorney Dixon recited it would be appropriate for the GUC Board and the City Council to entertain a motion to enter Closed Session pursuant to the provisions of Section 143-318.11(a)(1) of the General Statutes of North Carolina (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 of public record within the meaning of Chapter 132 of the General Statutes, to-wit: dealing with certain electric power contracts to which a joint power agency may be a party concerning electric power under the provisions of Section 159B-38 of the General Statutes of North Carolina.”

Upon motion by Commissioner Little and seconded by Commissioner Flowers, the GUC Board unanimously agreed to enter Closed Session for the purpose stated at 7:57 p.m.

Upon motion by Council Member Smith and seconded by Council Member Croskery, the Greenville City Council unanimously agreed to enter Closed Session for the purpose stated at 7:57 p.m..

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ADJOURNMENT  
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There being no further business to come before the GUC Board or the City Council in Joint Meeting, upon motion by Council Member Smiley, seconded by Council Member Glover, the City Council agreed to re-enter Open Session. Upon Motion by Commissioner Mingos, seconded by Commissioner Flowers, the GUC Board agreed to re-enter Open Session at 9:01 p.m. Without objection, Mayor Thomas and Chair Hardy announced that the Joint Meeting would stand adjourned.

Prepared By:

Lou Norris, Secretary to the General Manager/CEO  
Greenville Utilities Commission

Respectfully submitted,

Carol L. Barwick, CMC  
City Clerk



# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

**Title of Item:** Disclosure of conflict of interest related to a family member living in a home located at 2708 Webb Street and an exception request to HUD's Conflict of Interest Rule

**Explanation:** **Abstract:** The U.S. Department of Housing and Urban Development (HUD) requires a disclosure action to occur when there is potential for a conflict of interest. A family member of a Housing Division staff person is on the owner-occupied home rehabilitation list. The staff person should not/cannot complete the file review for this activity. Therefore, staff is requesting the acceptance of the disclosure and the approval to request an exemption from HUD.

**Explanation:** The use of federal Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) funds requires the disclosure of a conflict of interest when a beneficiary of a CDBG or HOME assisted unit is related to a City employee, agent, consultant, officer, or elected official. The disclosure is designed to insure that there is no direct financial interest gained by those making decisions about program expenditures and that the City is compliant with local and state conflict of interest rules.

The home located at 2708 Webb Street is occupied by Ms. Shawna Gilkey. Ms. Gilkey is the sister of staff member Ms. Karen Gilkey. Ms. Karen Gilkey is the Planner assigned to the City's Owner-Occupied Home Rehabilitation Program. She conducts personal intakes, makes assessments, and advises administration on who is eligible for the program.

The U.S. Department of Housing and Urban Development (HUD) requires this disclosure action. Although the HUD definition of conflict of interest is fairly broad, HUD considers a direct family relationship a conflict of interest. HUD will ultimately determine whether or not there should be an exception. This determination is made if the aforementioned conflict will serve the purposes of the CDBG Program and the HOME Program.

City Attorney Holec has advised that there is not a violation of State or local

laws relating to conflict of interest as a result of the relationship between staff member Karen Gilkey and her sister, Shawna Gilkey. Moreover, processing Shawna's application for the owner-occupied rehabilitation program is acceptable.

If the Council approves the disclosure of the conflict of interest related to a family member for this property, Ms. Gilkey will not work on the rehabilitation project. Other Community Development staff members will handle the related work.

**Fiscal Note:**

The maximum cost of an owner-occupied home rehabilitation is \$60,000 (plus unforeseen change orders) according to the Housing Division's Policy and Procedure Manual.

**Recommendation:**

Accept the report for disclosure of the conflict of interest related to a family member and approve the request for an exception to the U.S. Department of Housing and Urban Development

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

Attachments / [click to download](#)

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# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

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**Title of Item:** Approval of access easements on the Greenville Utilities Commission Wastewater Treatment Plant Property to Piedmont Natural Gas

**Explanation:** **Abstract:** Greenville Utilities Commission (GUC) seeks approval to grant access road easements to Piedmont Natural Gas on GUC's Wastewater Treatment Plant property.

**Explanation:** Piedmont Natural Gas (PNG) is replacing the main gas line between Greenville and Washington. PNG has requested an easement across the Wastewater Treatment Plant (WWTP) property which will give them access to the portion of the new pipeline which will be installed on WWTP property. A pipeline easement across the WWTP property which accommodates the natural gas line already exists. The area of the access easement being requested includes a portion of the entrance road to the WWTP and an existing farm path. PNG has offered a total of \$12,440 for the access easement.

At the July 17, 2014 regular meeting, the GUC Board of Commissioners approved the granting of access easements to PNG for a price of \$12,440 and recommends similar action by City Council.

**Fiscal Note:** No costs to the City.

**Recommendation:** Approve granting access easements to Piedmont Natural Gas

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**Attachments / click to download**

 [Access Road Easement 13](#)

 [Access Road Easement 14](#)

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**ACCESS ROAD EASEMENT**

Attachment number 1  
Page 1 of 5

**STATE OF NORTH CAROLINA  
COUNTY OF PITT  
NC PIN # 5607389710**

**PROJECT 2738993  
PARCEL NO: 13**

**THIS GRANT OF EASEMENT** is made this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by and between THE CITY OF GREENVILLE, NORTH CAROLINA, a North Carolina municipal corporation, for the use and benefit of GREENVILLE UTILITIES COMMISSION, a body politic, (hereinafter referred to as “GRANTOR”) and PIEDMONT NATURAL GAS COMPANY, INC. (hereinafter referred to as “GRANTEE”).

The designation GRANTOR and GRANTEE, as used herein, shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine, or neuter as required by context.

Said GRANTOR, for and in consideration of the sum of \$11,940.00 and other valuable considerations to be paid by GRANTEE, the receipt and sufficiency of which is acknowledged by both parties, has bargained and sold, and by these presents does bargain, sell, grant and convey to said GRANTEE and its successors and assigns the right of ingress, egress and regress, in perpetuity, for the purpose of accessing a thirty foot (30’) wide access road located on the lands of GRANTOR, described as follows:

Being a portion of the property described in a deed from HERBERT W. WHELESS and wife, SYLVIA J. WHELESS to THE CITY OF GREENVILLE, a body politic and corporate (for the use and benefit of THE GREEVILLE UTILITIES COMMISSION dated February 10, 1977, recorded in Deed Book J45, Page 527, and shown in Map Book 25, Page 47, both Pitt County Registry.

**THAT PORTION** of land labeled as (SEWER PLANT ROAD ACCESS) “30’ PERMANENT ACCESS ESM'T CROSSING PROPERTY OF CITY OF GREENVILLE” on the map attached hereto as “Exhibit A” and incorporated herein by this reference.

It is understood and agreed that GRANTEE’S right of ingress, egress and regress over the lands of GRANTOR shall be subject to the following terms and conditions: (i) GRANTOR shall have the right from time to time to relocate the access easement to such location as Grantor shall select; provided that GRANTOR shall at all times continue to provide to GRANTEE by an alternative access easement and/or a public or private road across the lands of GRANTOR a similar and substantially equal access to the natural gas easement for which this Grant of easement is given, (ii) GRANTEE shall be solely responsible for any environmental damage, pollution or other liability arising directly from the use of such access easement by GRANTEE, its contractors, subcontractors, agents and employees; (iii) GRANTEE shall be solely responsible for the construction and maintenance of any roads, driveways or similar improvements within the access easement, including any relocated access easement; and (iv) GRANTEE shall not construct any paved (e.g., asphalt or concrete) roads, driveways or other areas within the access easement without GRANTOR’S prior approval.

**TO HAVE AND TO HOLD** the land hereinbefore described unto the GRANTEE, its successors and assigns, for the aforesaid uses and purposes and none other.

**IN WITNESS WHEREOF**, the GRANTOR has hereunto set his hand and seal or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers by authority of its Board of Directors, the day and year first above written.

GRANTOR:

Attachment number 1  
Page 2 of 5

THE CITY OF GREENVILLE, NORTH CAROLINA, a North Carolina municipal corporation, for the use and benefit of GREENVILLE UTILITIES COMMISSION, a body politic

By: \_\_\_\_\_ Sign  
Allen M. Thomas Mayor

ATTESTED: By: \_\_\_\_\_ Sign  
Carol L Barwick City Clerk

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

I, \_\_\_\_\_, a Notary Public of \_\_\_\_\_ County, North Carolina, do hereby certify that Carol L Barwick, personally appeared before me this day and acknowledged that she is the City Clerk of the City of Greenville, a North Carolina municipal corporation, and that by authority duly given and as the act of the corporation, the foregoing ACCESS ROAD EASEMENT was signed in its name by the Mayor, sealed with its corporate seal, and attested by herself as its City Clerk.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Notary Public Sign  
\_\_\_\_\_  
Print

Notary Seal

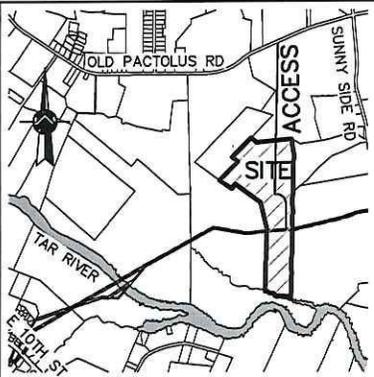
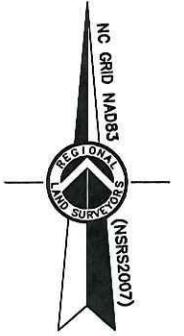
My Commission Expires: \_\_\_\_\_

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Drawn By and Return to:  
Sandy Ogint  
Piedmont Natural Gas  
4720 Piedmont Row Drive  
Charlotte, NC 28210

CITY OF GREENVILLE  
PITT COUNTY, NORTH CAROLINA  
LINE 42  
TITLE REFERENCES

DEED BOOK J45 PAGE 527  
MAP BOOK 25 PAGE 47  
MAP BOOK 25 PAGE 48  
MATCHLINE SHEET 2  
MATCHLINE SHEET 1



VICINITY MAP  
(NOT TO SCALE)

REVIEW OFFICER CERTIFICATION:

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

REVIEW OFFICER

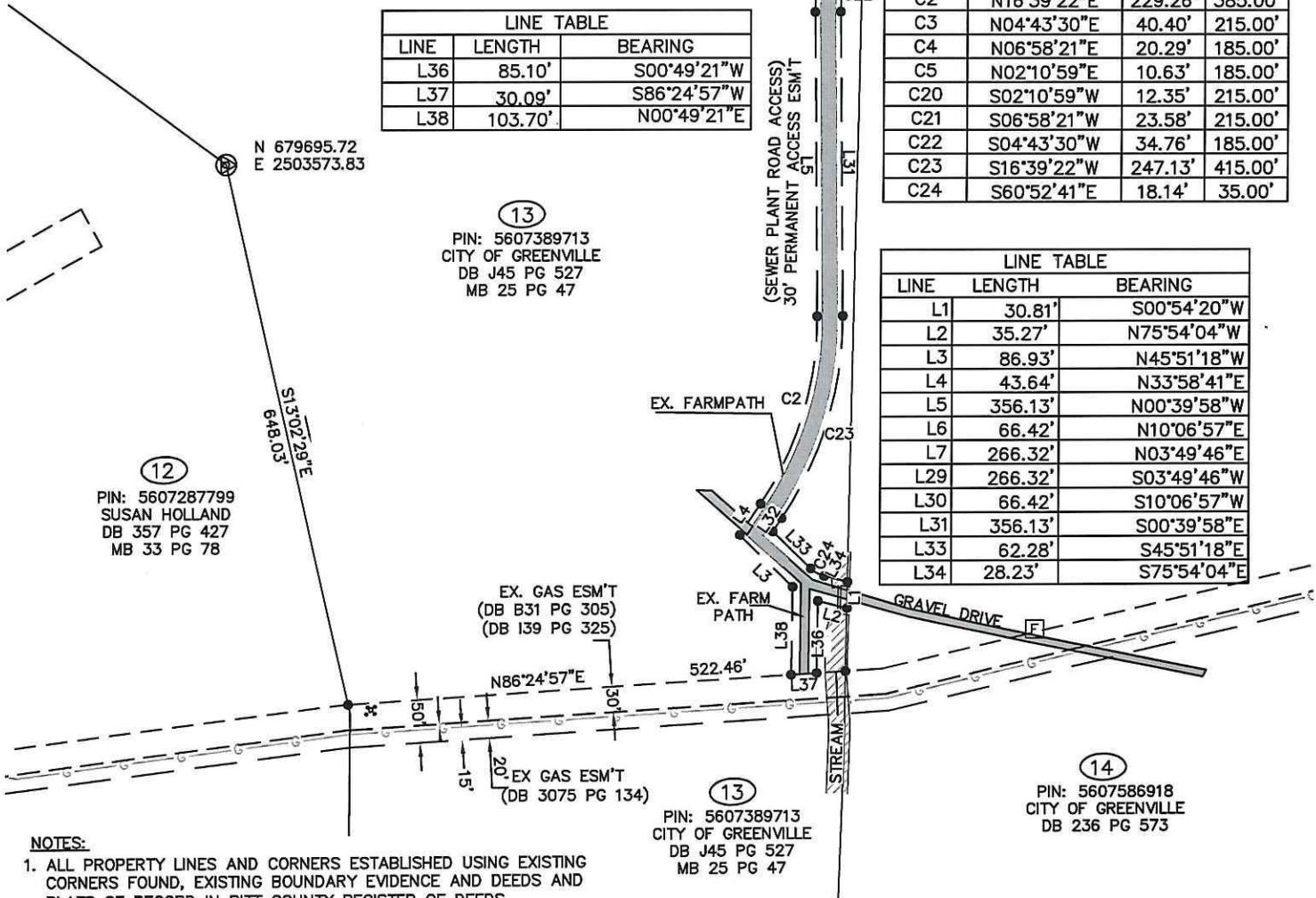
DATE

Attachment number 1  
Page 3 of 5

LINE TABLE		
LINE	LENGTH	BEARING
L36	85.10'	S00°49'21"W
L37	30.09'	S86°24'57"W
L38	103.70'	N00°49'21"E

CURVE TABLE			
CURVE	BEARING	CHORD	RADIUS
C2	N16°39'22"E	229.26'	385.00'
C3	N04°43'30"E	40.40'	215.00'
C4	N06°58'21"E	20.29'	185.00'
C5	N02°10'59"E	10.63'	185.00'
C20	S02°10'59"W	12.35'	215.00'
C21	S06°58'21"W	23.58'	215.00'
C22	S04°43'30"W	34.76'	185.00'
C23	S16°39'22"W	247.13'	415.00'
C24	S60°52'41"E	18.14'	35.00'

LINE TABLE		
LINE	LENGTH	BEARING
L1	30.81'	S00°54'20"W
L2	35.27'	N75°54'04"W
L3	86.93'	N45°51'18"W
L4	43.64'	N33°58'41"E
L5	356.13'	N00°39'58"W
L6	66.42'	N10°06'57"E
L7	266.32'	N03°49'46"E
L29	266.32'	S03°49'46"W
L30	66.42'	S10°06'57"W
L31	356.13'	S00°39'58"E
L33	62.28'	S45°51'18"E
L34	28.23'	S75°54'04"E



N 679695.72  
E 2503573.83

12  
PIN: 5607287799  
SUSAN HOLLAND  
DB 357 PG 427  
MB 33 PG 78

13  
PIN: 5607389713  
CITY OF GREENVILLE  
DB J45 PG 527  
MB 25 PG 47

13  
PIN: 5607389713  
CITY OF GREENVILLE  
DB J45 PG 527  
MB 25 PG 47

14  
PIN: 5607586918  
CITY OF GREENVILLE  
DB 236 PG 573

NOTES:

- ALL PROPERTY LINES AND CORNERS ESTABLISHED USING EXISTING CORNERS FOUND, EXISTING BOUNDARY EVIDENCE AND DEEDS AND PLATS OF RECORD IN PITT COUNTY REGISTER OF DEEDS.
- AREA BY COORDINATE COMPUTATION.
- ALL DISTANCES ARE HORIZONTAL GROUND, IN FEET.
- SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAY, STREETS AND ASSESSMENTS, AS THE SAME MAY APPEAR OF RECORD IN THE REGISTER OF DEEDS OFFICE, CLERK OF COURT, TOWN OR COUNTY TAX OFFICES, OR WHICH MAY HAVE BEEN ACQUIRED BY PRESCRIPTIVE USE.
- THIS SURVEY IS INTENDED FOR PNG EASEMENT ACQUISITION AND/OR ABANDONMENT ONLY.
- NC GRID COORDINATES AS SHOWN HEREON ARE BASED UPON GPS OBSERVATIONS UTILIZING NCGS' NETWORK RTK SYSTEM AND ARE REFERENCED TO THE NAD 83(NSRS 2007) DATUM.

I, DAVID A. CLARK, A PROFESSIONAL LAND SURVEYOR OF NORTH CAROLINA, HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON ACCURATELY DEPICTS THE AREA OF EASEMENT ACQUISITION AND/OR ABANDONMENT BY PIEDMONT NATURAL GAS COMPANY FROM THE PROPERTY OWNERS SHOWN HEREON, UTILIZING THE INFORMATION IDENTIFIED IN NOTE 1.

- ☐ CONCRETE MONUMENT FOUND
- IRON PIPE FOUND
- ▲ REBAR FOUND
- COMPUTED POINT (NOT SET)
- (X) PNG PARCEL NUMBER
- PROPOSED GAS LINE
- PROPOSED PNG EASEMENT
- EXISTING PNG EASEMENT
- SUBJECT BOUNDARY LINE
- ADJOINER BOUNDARY LINE
- FENCE
- TREE LINE

*David A. Clark*  
DAVID A. CLARK L-4649

1/14/14  
DATE

PIEDMONT NATURAL GAS  
COMPANY, INC.  
30' PERMANENT ACCESS ESM'T  
CROSSING PROPERTY OF  
CITY OF GREENVILLE



EASEMENT NO. 13

AREA ON THIS SHEET IN P.N.G CO. 30' PERM. ACCESS ESMT 41,439 SF / 0.951 AC  
TOTAL AREA IN P.N.G CO. 30' PERM. ACCESS ESMT 133,491 SF / 3.065 AC

PITT COUNTY LATERAL Project# 2738993

LINE 42

SHEET 1 OF 3

Regional Land Surveyors, Inc. C-1362  
8642 WEST MARKET STREET  
SUITE 100  
GREENSBORO, NORTH CAROLINA 27409  
TELEPHONE (336) 665-8155

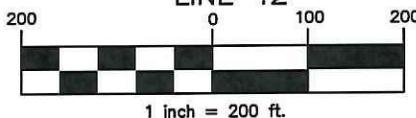


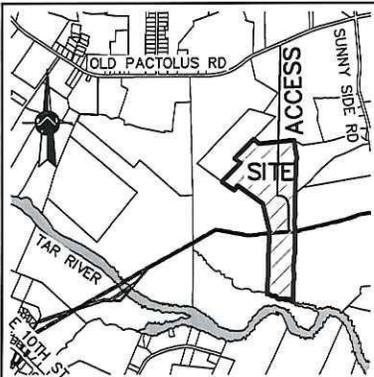
EXHIBIT  
42-PIT-13 ACCESS  
Item # 3  
DATE 01/10/14 JOB# 1265.00

S:\CURRENTPROJ\126500\_PNG\_Greenville\_Line42.dwg ZZ-TITLELOCK.dwg 11/13/2013 12:54:53 PM EDT

CITY OF GREENVILLE  
PITT COUNTY, NORTH CAROLINA  
LINE 42

TITLE REFERENCES

DEED BOOK J45 PAGE 527  
MAP BOOK 25 PAGE 47  
MAP BOOK 25 PAGE 48



VICINITY MAP  
(NOT TO SCALE)

REVIEW OFFICER CERTIFICATION:

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

REVIEW OFFICER \_\_\_\_\_ DATE \_\_\_\_\_

PIN 5608217063  
CITY OF GREENVILLE  
MB 25 PG 48

PIN: 5608425792  
CITY OF GREENVILLE  
MB 25 PG 48

Attachment number 1  
Page 4 of 5

CURVE TABLE			
CURVE	BEARING	CHORD	RADIUS
C6	N00°09'51"E	2.41'	185.00'
C7	N10°02'35"W	97.36'	285.00'
C8	N36°27'19"W	162.63'	285.00'
C9	N47°31'39"E	41.26'	215.00'
C10	N53°06'12"W	71.12'	185.00'
C15	S53°06'12"E	82.65'	215.00'
C16	S47°31'39"E	35.50'	185.00'
C17	S36°27'19"E	179.75'	315.00'
C18	S10°02'35"E	107.61'	315.00'
C19	S00°09'51"W	2.80'	215.00'

PIN: 5608425792  
CITY OF GREENVILLE  
MB 25 PG 48

LINE TABLE		
LINE	LENGTH	BEARING
L8	483.72'	N00°32'13"E
L9	362.27'	N00°12'30"W
L10	161.67'	N00°12'30"W
L11	127.87'	N19°52'40"W
L12	98.43'	N53°01'59"W
L13	95.55'	N42°01'18"W
L14	44.27'	N64°04'00"W
L22	14.21'	S64°04'00"E
L23	95.55'	S42°01'18"E
L24	98.43'	S53°01'59"E
L25	127.87'	S19°52'40"E
L26	161.67'	S00°12'30"E
L27	362.27'	S00°12'30"E
L28	483.72'	S00°32'13"W

13  
PIN: 5607389713  
CITY OF GREENVILLE  
DB J45 PG 527  
MB 25 PG 47

PIN: 5608406697  
WILLIAM H. CLARK  
DB 84 PG 736

NOTES:

- ALL PROPERTY LINES AND CORNERS ESTABLISHED USING EXISTING CORNERS FOUND, EXISTING BOUNDARY EVIDENCE AND DEEDS AND PLATS OF RECORD IN PITT COUNTY REGISTER OF DEEDS.
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- CONCRETE MONUMENT FOUND
- IRON PIPE FOUND
- REBAR FOUND
- COMPUTED POINT (NOT SET)
- PNG PARCEL NUMBER
- PROPOSED GAS LINE
- PROPOSED PNG EASEMENT
- EXISTING PNG EASEMENT
- SUBJECT BOUNDARY LINE
- ADJOINER BOUNDARY LINE
- FENCE
- TREE LINE

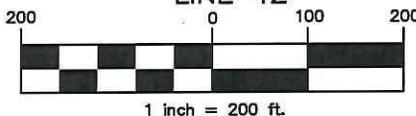
PIEDMONT NATURAL GAS  
COMPANY, INC.  
30' PERMANENT ACCESS ESMT  
CROSSING PROPERTY OF  
CITY OF GREENVILLE

EASEMENT NO. 13

AREA ON THIS SHEET IN P.N.G CO. 30' PERM. ACCESS ESMT 50,399 SF / 1.157 AC  
TOTAL AREA IN P.N.G CO. 30' PERM. ACCESS ESMT 133,491 SF / 3.065 AC

PITT COUNTY LATERAL Project# 2738993

LINE 42



1 inch = 200 ft.

MATCHLINE SHEET 2  
MATCHLINE SHEET 1

I, DAVID A. CLARK, A PROFESSIONAL LAND SURVEYOR OF NORTH CAROLINA, HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON ACCURATELY DEPICTS THE AREA OF EASEMENT ACQUISITION AND/OR ABANDONMENT BY PIEDMONT NATURAL GAS COMPANY FROM THE PROPERTY OWNERS SHOWN HEREON, UTILIZING THE INFORMATION IDENTIFIED IN NOTE 1.

*David A. Clark*  
DAVID A. CLARK L-4649

11/14/14  
DATE



**Regional Land Surveyors, Inc.** C-1362  
8642 WEST MARKET STREET  
SUITE 100  
GREENSBORO, NORTH CAROLINA 27409  
TELEPHONE (336) 665-8155

SHEET 2 OF 3

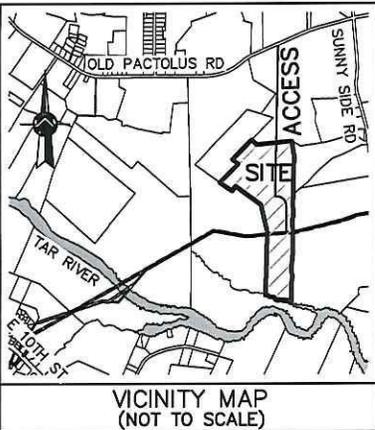
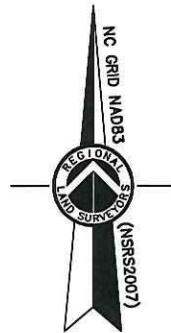
EXHIBIT  
42-PIT-13 ACCESS  
Item # 3  
DATE 01/10/14 JOB# 1265.00

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CITY OF GREENVILLE  
PITT COUNTY, NORTH CAROLINA  
LINE 42

TITLE REFERENCES

DEED BOOK J45 PAGES 27  
MAP BOOK 25 PAGE 47  
MAP BOOK 25 PAGE 48



VICINITY MAP  
(NOT TO SCALE)

REVIEW OFFICER CERTIFICATION:

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

REVIEW OFFICER

DATE

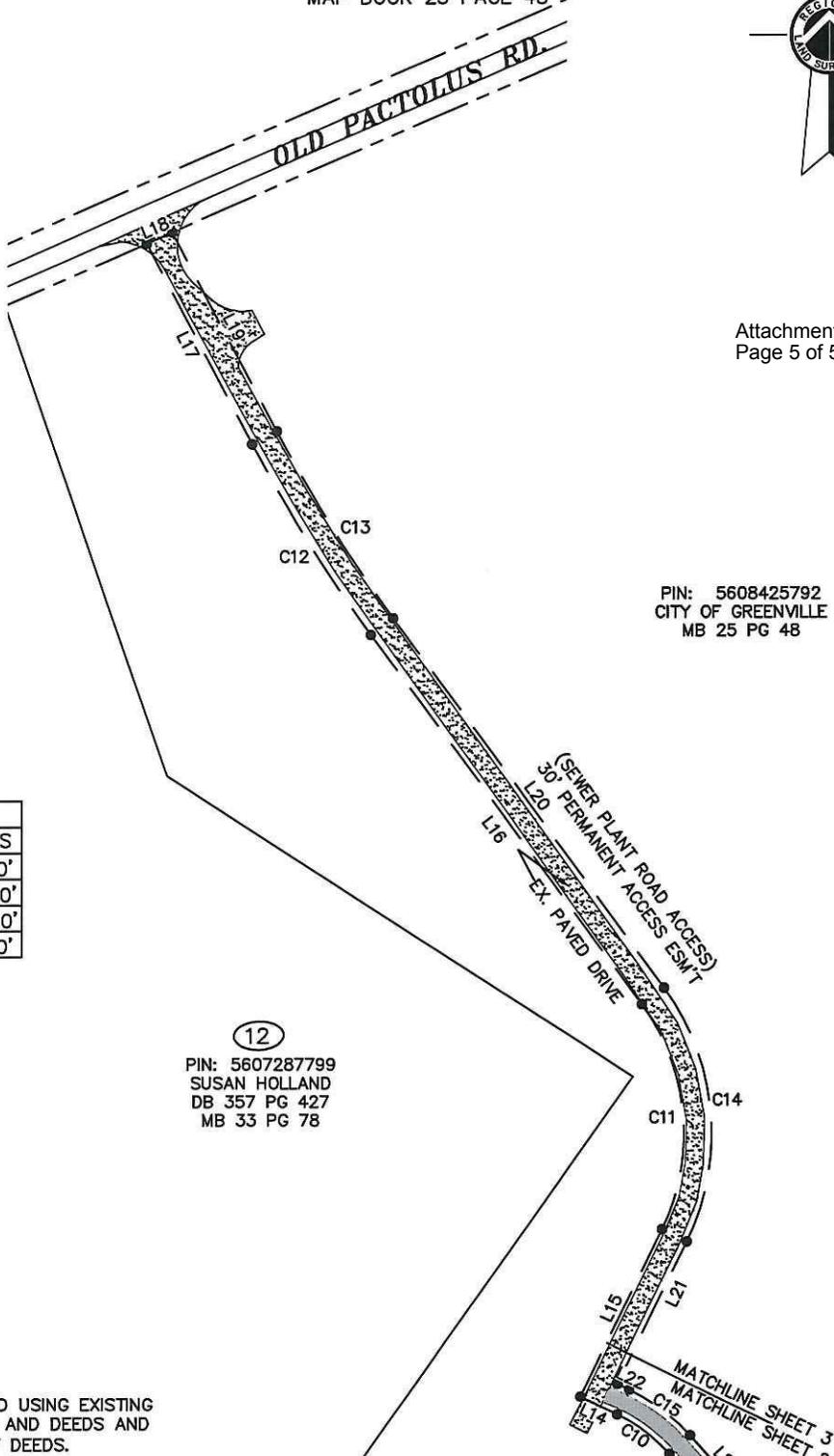
Attachment number 1  
Page 5 of 5

LINE TABLE		
LINE	LENGTH	BEARING
L15	200.89'	N25°56'00"E
L16	495.01'	N36°23'20"W
L17	245.29'	N27°46'19"W
L18	30.09'	N66°36'02"E
L19	243.00'	S27°46'19"E
L20	495.01'	S36°23'20"E
L21	170.89'	S25°56'00"W

PIN: 5608425792  
CITY OF GREENVILLE  
MB 25 PG 48

CURVE TABLE			
CURVE	BEARING	CHORD	RADIUS
C11	N05°13'40"W	243.20'	235.00'
C12	N32°04'49"W	242.65'	1615.00'
C13	S32°04'49"E	238.15'	1585.00'
C14	S05°13'40"E	274.25'	265.00'

(12)  
PIN: 5607287799  
SUSAN HOLLAND  
DB 357 PG 427  
MB 33 PG 78



NOTES:

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I, DAVID A. CLARK, A PROFESSIONAL LAND SURVEYOR OF NORTH CAROLINA, HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON ACCURATELY DEPICTS THE AREA OF EASEMENT ACQUISITION AND/OR ABANDONMENT BY PIEDMONT NATURAL GAS COMPANY FROM THE PROPERTY OWNERS SHOWN HEREON, UTILIZING THE INFORMATION IDENTIFIED IN NOTE 1.

*David A. Clark*  
DAVID A. CLARK L-4649

1/14/14  
DATE

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- REBAR FOUND
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- PNG PARCEL NUMBER
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- PROPOSED PNG EASEMENT
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- SUBJECT BOUNDARY LINE
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- FENCE
- TREE LINE

PIEDMONT NATURAL GAS  
COMPANY, INC.  
30' PERMANENT ACCESS ESM'T  
CROSSING PROPERTY OF  
CITY OF GREENVILLE

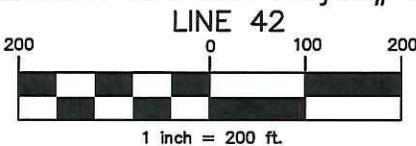


EASEMENT NO. 13

AREA ON THIS SHEET IN P.N.G CO. 30' PERM. ACCESS ESMT 41,654 SF / 0.956 AC  
TOTAL AREA IN P.N.G CO. 30' PERM. ACCESS ESMT 133,491 SF / 3.065 AC

PITT COUNTY LATERAL Project# 2738993

**Regional Land Surveyors, Inc.** C-1362  
8642 WEST MARKET STREET  
SUITE 100  
GREENSBORO, NORTH CAROLINA 27409  
TELEPHONE (336) 665-8155



SHEET 3 OF 3

EXHIBIT  
42-PIT-13 ACCESS  
DATE 01/10/14 JOB# 1265.00

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**ACCESS ROAD EASEMENT**

Attachment number 2  
Page 1 of 3

**STATE OF NORTH CAROLINA  
COUNTY OF PITT  
NC PIN # 5607586918**

**PROJECT 2738993**

**PARCEL NO: 14**

**THIS GRANT OF EASEMENT** is made this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by and between THE CITY OF GREENVILLE, NORTH CAROLINA, a North Carolina municipal corporation, for the use and benefit of GREENVILLE UTILITIES COMMISSION, a body politic, (hereinafter referred to as "GRANTOR") and PIEDMONT NATURAL GAS COMPANY, INC. (hereinafter referred to as "GRANTEE").

The designation GRANTOR and GRANTEE, as used herein, shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine, or neuter as required by context.

Said GRANTOR, for and in consideration of the sum of \$500.00 and other valuable considerations to be paid by GRANTEE, the receipt and sufficiency of which is acknowledged by both parties, has bargained and sold, and by these presents does bargain, sell, grant and convey to said GRANTEE and its successors and assigns the right of ingress, egress and regress, in perpetuity, for the purpose of accessing a thirty foot (30') wide access road located on the lands of GRANTOR, described as follows:

Being a portion of the property described in a deed from WORTHINGTON FARMS, INC. a North Carolina corporation to THE CITY OF GREENVILLE, NORTH CAROLINA a North Carolina Municipal Corporation, for the use and benefit of THE GREENVILLE UTILITIES COMMISSION dated September 1, 1989, recorded in Deed Book 236, Page 573, Pitt County Registry.

**THAT PORTION** of land labeled as (SEWER PLANT ROAD ACCESS) "30' PERMANENT ACCESS ESM'T CROSSING PROPERTY OF CITY OF GREENVILLE" on the map attached hereto as "Exhibit A" and incorporated herein by this reference.

It is understood and agreed that GRANTEE'S right of ingress, egress and regress over the lands of GRANTOR shall be subject to the following terms and conditions: (i) GRANTOR shall have the right from time to time to relocate the access easement to such location as Grantor shall select; provided that GRANTOR shall at all times continue to provide to GRANTEE by an alternative access easement and/or a public or private road across the lands of GRANTOR a similar and substantially equal access to the natural gas easement for which this Grant of easement is given, (ii) GRANTEE shall be solely responsible for any environmental damage, pollution or other liability arising directly from the use of such access easement by GRANTEE, its contractors, subcontractors, agents and employees; (iii) GRANTEE shall be solely responsible for the construction and maintenance of any roads, driveways or similar improvements within the access easement, including any relocated access easement; and (iv) GRANTEE shall not construct any paved (e.g., asphalt or concrete) roads, driveways or other areas within the access easement without GRANTOR'S prior approval.

**TO HAVE AND TO HOLD** the land hereinbefore described unto the GRANTEE, its successors and assigns, for the aforesaid uses and purposes and none other.

**IN WITNESS WHEREOF**, the GRANTOR has hereunto set his hand and seal or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers by authority of its Board of Directors, the day and year first above written.

GRANTOR:

Attachment number 2  
Page 2 of 3

THE CITY OF GREENVILLE, NORTH CAROLINA, a North Carolina municipal corporation, for the use and benefit of GREENVILLE UTILITIES COMMISSION, a body politic

By: \_\_\_\_\_ Sign  
Allen M. Thomas Mayor

ATTESTED: By: \_\_\_\_\_ Sign  
Carol L Barwick City Clerk

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

I, \_\_\_\_\_, a Notary Public of \_\_\_\_\_ County, North Carolina, do hereby certify that Carol L Barwick, personally appeared before me this day and acknowledged that she is the City Clerk of the City of Greenville, a North Carolina municipal corporation, and that by authority duly given and as the act of the corporation, the foregoing ACCESS ROAD EASEMENT was signed in its name by the Mayor, sealed with its corporate seal, and attested by herself as its City Clerk.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Notary Public Sign  
\_\_\_\_\_  
Print

Notary Seal

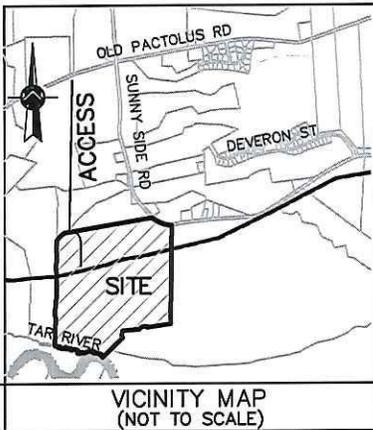
My Commission Expires: \_\_\_\_\_

---

Drawn By and Return to:  
Sandy Ogint  
Piedmont Natural Gas  
4720 Piedmont Row Drive  
Charlotte, NC 28210

CITY OF GREENVILLE  
PITT COUNTY, NORTH CAROLINA  
LINE 42

TITLE REFERENCES  
DEED BOOK 236 PAGE 573



REVIEW OFFICER CERTIFICATION:

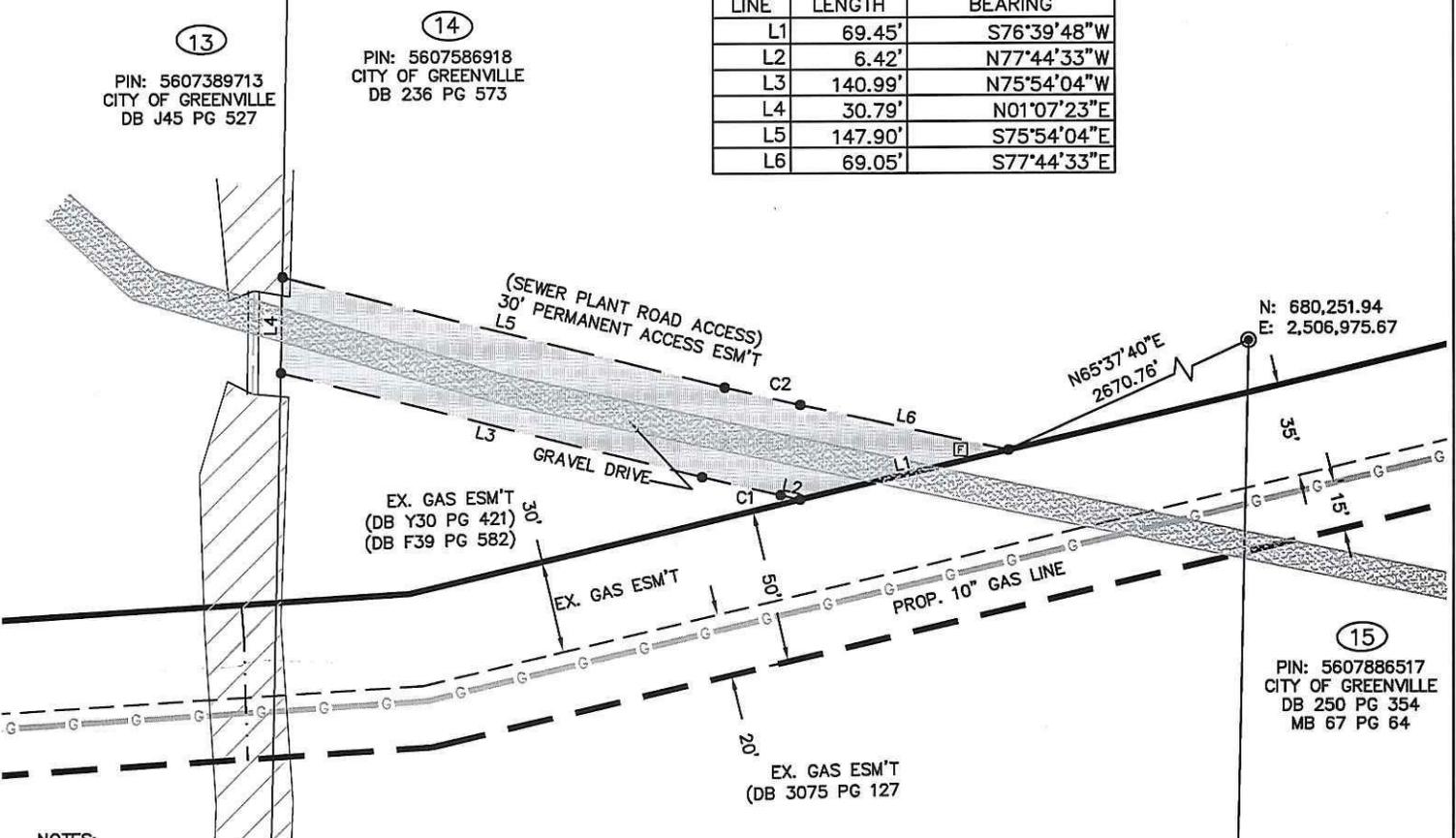
I, \_\_\_\_\_, REVIEW OFFICER FOR PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Attachment number 2  
Page 3 of 3

CURVE TABLE			
CURVE	BEARING	CHORD	RADIUS
C1	N76°49'18"W	26.19'	815.00'
C2	S76°49'18"E	25.23'	785.00'

REVIEW OFFICER \_\_\_\_\_ DATE \_\_\_\_\_

LINE TABLE		
LINE	LENGTH	BEARING
L1	69.45'	S76°39'48"W
L2	6.42'	N77°44'33"W
L3	140.99'	N75°54'04"W
L4	30.79'	N01°07'23"E
L5	147.90'	S75°54'04"E
L6	69.05'	S77°44'33"E



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*David A. Clark*  
DAVID A. CLARK L-4649

01/10/14  
DATE

- ☐ CONCRETE MONUMENT FOUND
- IRON PIPE FOUND
- ▲ REBAR FOUND
- COMPUTED POINT (NOT SET)
- (X) PNG PARCEL NUMBER
- G — PROPOSED GAS LINE
- G — PROPOSED PNG EASEMENT
- G — EXISTING PNG EASEMENT
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- — ADJOINER BOUNDARY LINE
- — FENCE
- — TREE LINE

PIEDMONT NATURAL GAS  
COMPANY, INC.

30' PERMANENT ASSESS ESM'T  
CROSSING PROPERTY OF  
CITY OF GREENVILLE  
EASEMENT NO. 14



TOTAL AREA IN P.N.G CO. 30' PERM. ACCESS ESMT 6,237 SF / 0.143 AC  
PITT COUNTY LATERAL Project# 2738993

Regional Land Surveyors, Inc. C-1362  
8642 WEST MARKET STREET  
SUITE 100  
GREENSBORO, NORTH CAROLINA 27409  
TELEPHONE (336) 665-8155

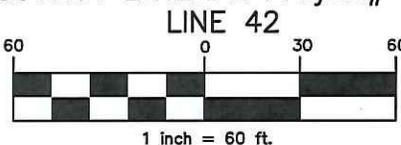


EXHIBIT  
42-PIT-14 ACCESS  
DATE 1/9/14 JOB# 1265.00



# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

**Title of Item:** Resolution approving the First Amendment to a Licensing Agreement between Greenville Utilities Commission and Cellco Partnership, d.b.a. Verizon Wireless

**Explanation:** **Abstract:** Cellco Partnership, d.b.a. Verizon Wireless, seeks to install telecommunication equipment on Greenville Utilities Commission's East Side Elevated Water Tank. An amendment to the agreement between GUC and Cellco Partnership is required.

**Explanation:** Greenville Utilities and Cellco Partnership, d.b.a. Verizon Wireless, entered into a licensing agreement in August 2006 to allow installation of telecommunication equipment on GUC's East Side Elevated Water Tank. Cellco Partnership desires to amend the terms of the annual fee adjustment and also install three additional antennas, for a total of nine antennas.

The licensing fee is based on the number of antennas and linear feet of cable installed on the elevated tank. The current agreement adjusts the annual fee based on the CPI-U (Consumer Price Index for Urban Consumers). The proposed amendment will modify the annual adjustment to a fixed 3.00% increase per year.

With the addition of three new antennas, Cellco Partnership's fee payment to GUC will increase from \$26,378.20 to \$40,754.28 for the first year, with an increase of 3% each year.

The GUC Board of Commissioners approved the First Amendment to the Licensing Agreement between Cellco Partnership, d.b.a. Verizon Wireless, and recommends similar action by City Council.

**Fiscal Note:** No costs to the City.

**Recommendation:** Adopt the attached resolution to approve the First Amendment to the License

Agreement between GUC and Cellco Partnership, d.b.a. Verizon Wireless.

---

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

**Attachments / click to download**

 [Resolution Approving First Amendment](#)

---

RESOLUTION 14-\_\_

RESOLUTION APPROVING A FIRST AMENDMENT TO LICENSING AGREEMENT  
WITH CELLCO PARTNERSHIP D.B.A. VERIZON WIRELESS

WHEREAS, Greenville Utilities Commission has approved the First Amendment to the Licensing Agreement with Cellco Partnership d.b.a. Verizon Wireless for the installation of antennas upon a water tank located upon property owned by the City of Greenville for the use and benefit of Greenville Utilities Commission;

WHEREAS, Greenville Utilities Commission has requested the City of Greenville to consent to the first amendment to the licensing agreement;

WHEREAS, the City Council hereby determines that the property will not be needed by the City of Greenville for the term of the licensing agreement; and

WHEREAS, notice of the intent to authorize the licensing agreement was published on July 28, 2014.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that it does hereby approve the First Amendment to the Licensing Agreement with Cellco Partnership d.b.a. Verizon Wireless for the installation of three (3) additional cellular antennas, for a total of nine (9) antennas, upon the East Side Elevated Water Storage Tank. Licensee shall pay to Greenville Utilities Commission an annual licensing fee of \$40,754.28 for the nine antennas, said licensing fee to be increased every year by three percent (3%) over the last years fee on July first (1<sup>st</sup>) .

This the 11th day of August 2014.

---

Allen M. Thomas, Mayor

ATTEST:

---

Carol L. Barwick, City Clerk



# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

**Title of Item:** Reimbursement resolution for Greenville Utilities Commission Capital Projects

**Explanation:** **Abstract:** Greenville Utilities Commission (GUC) seeks establishment of a reimbursement resolution for its capital projects to obtain financing at a later date.

**Explanation:** At the May 15, 2014, GUC regular board meeting, the Board of Commissioners approved amending the following capital project budgets:

Greenville 230 kV Point of Delivery Substation  
Electric Bells Fork to Hollywood Substation Upgrade Project  
Water Treatment Plant Sedimentation Basin Update Project

The budget amendment for these capital projects was approved by City Council on June 9, 2014. A reimbursement resolution is necessary to allow funding of these projects to be included in future debt financing. The GUC Board of Commissioners adopted a reimbursement resolution at its July 17, 2014, regular board meeting and recommends similar action by City Council.

**Fiscal Note:** No costs to the City.

**Recommendation:** Adopt the attached reimbursement resolution for GUC capital projects.

---

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

Attachments / click to download



**RESOLUTION NO. 14-\_\_**  
**RESOLUTION DECLARING THE INTENTION OF THE**  
**CITY COUNCIL OF THE CITY OF GREENVILLE TO REIMBURSE THE**  
**GREENVILLE UTILITIES COMMISSION, OF THE CITY OF GREENVILLE, NORTH**  
**CAROLINA, A BODY POLITIC DULY CHARTERED BY THE STATE OF NORTH**  
**CAROLINA, FROM THE PROCEEDS OF ONE OR MORE TAX EXEMPT**  
**FINANCING FOR CERTAIN EXPENDITURES MADE AND TO BE MADE IN**  
**CONNECTION WITH THE ACQUISITION AND CONSTRUCTION OF CERTAIN**  
**CAPITAL IMPROVEMENTS**

WHEREAS, the Greenville Utilities Commission of the City of Greenville, North Carolina, a body politic duly chartered by the State of North Carolina, (the Commission) has determined to pay certain expenditures (the "Expenditures") incurred no more than 60 days prior to the date hereof and thereafter relating to the acquisition and construction of certain improvements (collectively, the "Project") more fully described in Exhibit A attached hereto, consisting of improvements to its electric, gas, sanitary sewer and water systems (collectively, the "System"); and

WHEREAS, the City Council of the City of Greenville, North Carolina (the "City Council") has determined that those moneys previously advanced by the Commission no more than 60 days prior to the date hereof to pay such Expenditures are available only on a temporary period and that it is necessary to reimburse the Commission for the Expenditures from the proceeds of one or more issues of tax-exempt obligations (the "Debt");

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL as follows:

Section 1. The City Council hereby declares concurrence with the Commission's intent to reimburse the Commission from the proceeds of the Debt for the Expenditures made with respect to the Project no more than 60 days prior to the date hereof and thereafter. The City Council reasonably expects on the date hereof that it will reimburse the Commission for the Expenditures from the proceeds of a like amount of the Debt.

Section 2. Each Expenditure was or will be either (a) of a type chargeable to capital account under general federal income tax principles (determined as of the date of the Expenditures), (b) the cost of issuance with respect to the Debt, (c) a non-recurring item that is not customarily payable from current revenues of the System, or (d) a grant to a party that is not related to or an agent of the Commission or City of Greenville, North Carolina (the "City") so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Commission or City.

Section 3. The principal amount of the Tax Exempt Financing estimated to be issued to reimburse the Commission for Expenditures for the Improvements is estimated to be not more than \$9,340,000.

Section 4. The Commission and the City will make a reimbursement allocation, which is a written allocation by the Commission and the City that evidences the Commission's use of proceeds of the Debt to reimburse an Expenditure no later than 18 months after the later of the date on which such Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The City Council recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, (expenditures by "small issuers" based on the year of issuance and not the year of expenditure), and expenditures for construction projects of at least 5 years.

Section 5. The resolution shall take effect immediately upon its passage.

Adopted this the \_\_\_\_ day of \_\_\_\_\_, 2014.

---

Allen M. Thomas, Mayor

ATTEST:

---

Carol L. Barwick, City Clerk

**EXHIBIT A**

**THE IMPROVEMENTS**

The Improvements referenced in the resolution include, but are not limited to, all operating and capital expenditures associated with the purchase, design, and construction of:

Greenville 230 kV South POD Substation	\$4,500,000
Electric Bells Fork to Hollywood Substation Upgrade Project	4,240,000
WTP Sedimentation Basin Upgrade Project	600,000
Total	<u>\$9,340,000</u>



# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

**Title of Item:** Agreement with Pitt County and the Pitt-Greenville Airport Authority relating to construction of an airplane hangar

**Explanation:** **Abstract:** The Pitt-Greenville Airport Authority plans to construct an airplane hangar in order to attract airplanes to locate at the airport. The Authority will fund the construction of the \$2,000,000 hangar utilizing its capital reserves. It proposes that the City and County assist in replenishing the capital reserves expended by payment of a portion of the ad valorem property taxes collected as a result of aircraft which is sited at the hangar.

**Explanation:** The Pitt County-City of Greenville Airport Authority has been approached by a person who proposes to enter into a long-term lease for an airplane hangar to house an airplane having a value of \$37,000,000. The Authority does not have a hangar which is sufficient in size and suitable to house the airplane. Because of this, the Authority proposes to construct the hangar and utilize its capital reserves to fund the construction. The Authority estimates that the cost of the hangar would be \$2,000,000.

The Authority has approached the City and the County to partner with it in the project by assisting in the replenishment of the Authority's capital reserves so that future projects may occur. The Authority will assign all gross lease revenue earned from the hangar to its capital reserves. The City and County will remit 80% of the ad valorem property taxes received which are generated from aircraft based in the hangar which previously were not paying taxes to the City and County. A \$37,000,000 airplane would generate property taxes to the City and County in a combined annual amount of \$451,400. The replenishment will occur until the earlier of (i) when the Authority's capital reserves is replenished, or (ii) the end of the six-year period ending in Fiscal Year 2020-21.

The hangar will be an asset at the Airport. Airport property is owned by the City and County as joint tenants.

The proposed agreement is attached. The Pitt County Board of Commissioners, at their meeting on August 4, 2014, unanimously approved a motion to authorize

the County Manager to execute the agreement with the City of Greenville and the Airport Authority for construction of an airplane hangar.

**Fiscal Note:**

The agreement results in the City paying 80% of the new ad valorem property taxes it receives from aircraft at the hangar for a maximum of 6 years. Based upon the ratio of City to County taxes, this may result in a payment by the City of \$885,000 to replenish the Airport's capital reserves. This would be reduced by one-half of the amount of any gross lease revenues received from the hangar. The City would retain 20% of the new ad valorem property taxes paid during this 6-year period and 100% thereafter.

**Recommendation:**

Approve the agreement with Pitt County and the Airport Authority for the construction of an airplane hangar.

---

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

**Attachments / click to download**

 [Airport Hangar Appropriations Agreement 2014 985223](#)

NORTH CAROLINA  
PITT COUNTY

AGREEMENT

THIS AGREEMENT (hereinafter referred to as the "Agreement" ) is made and entered into this the \_\_\_\_\_ day of August, 2014, by and between Pitt County (hereinafter referred to as "County"), a political subdivision of the State of North Carolina, having an office and mailing address of 1717 West Fifth Street, Greenville, NC, 27834, the City of Greenville, a municipal corporation organized and existing pursuant to the laws of the State of North Carolina, (hereinafter referred to as "City"), and Pitt County - City of Greenville Airport Authority, a municipal corporation and body corporate and body politic created under the authority of Chapter 571 of the North Carolina Session Laws of 1967 and joint resolution of the Greenville City Council and the Pitt County Board of Commissioners, (hereinafter referred to as "Airport").

WITNESSETH

WHEREAS, North Carolina General Statute 63-8 authorizes the County and City to make appropriations for the purpose of establishing, maintaining, and operating airports;

WHEREAS, Airport is engaged in providing access to air travel to citizens and residents in and around City and County and is an asset which enhances the quality of life of the citizens of City and County and promotes economic development;

WHEREAS, Airport operating revenue is generated, in part, from leasing space and selling fuel to private aircraft, therefore it is critical to the airport operations to retain and attract private aircraft;

WHEREAS, private aircraft based in Greenville, Pitt County, North Carolina, are subject to ad valorem property taxes of both City and County, therefore it is advantageous to both City and County for Airport to retain and attract private aircraft;

WHEREAS, Airport has been approached by a third party (hereafter referred to as the "Third Party") who proposes to enter into a long-term lease for a hangar at Airport and base an airplane valued at an estimated \$37,000,000.00 at Airport, which would generate property taxes to City and County in a combined amount of approximately \$451,400.00 per year;

WHEREAS, Airport does not currently have a hangar sufficient in size and suitable for the Third Party's airplane, but Airport does have the space in which to construct said hangar;

WHEREAS, Airport intends to utilize its own capital reserves to construct an airplane hangar in Greenville, Pitt County, North Carolina, that could house up to three (3) large aircraft and Airport anticipates that it will invest approximately \$2,000,000.00 in building and equipping said hangar ("the Improvement");

WHEREAS, as an inducement for Airport to self-fund and undertake the Improvement, City and County each agree to annually approve the appropriation and expenditure as hereinafter set forth for the specific purpose of contributing, along with the Airport, to the replenishment of the capital reserves of Airport with funds generated by a portion of the ad valorem property taxes paid on aircraft housed in the Improvement for a six (6) year period beginning in fiscal year 2015-2016 and continuing no later than fiscal year 2020-2021(the "Grant Period"); and

WHEREAS, in consideration of the appropriations described herein, Airport agrees to comply with the covenants and conditions binding upon it as set forth in this Agreement;

NOW THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Airport shall construct the Improvement in Greenville, Pitt County, North Carolina and shall utilize Airport's capital reserves to pay for the construction of the Improvement.
2. Construction of the Improvement shall be completed by February 28, 2015.
3. Airport, City and County shall contribute to the replenishment of the Airport's capital reserves that are actually expended in the construction, at an interest rate of 0.0%, of the Improvement as follows:
  - a. Airport shall assign to its capital reserves all gross lease revenue earned from the Improvement until the Airport's capital reserves expended in the construction of the Improvement has been fully replenished;
  - b. City and County shall each remit to Airport for assignment to its capital reserves eighty percent (80%) of the ad valorem property taxes received during the Grant Period as a result of aircraft based in the Improvement which were not subject to ad valorem property taxes of both the City and County prior to the date of this Agreement. Remittance shall continue until the end of the Grant Period or until the Airport's capital reserves expended in the construction of the Improvement have been fully replenished, whichever is sooner;
  - c. If the combination of gross lease revenue and ad valorem taxes from both City and County (as described above) exceed the amount necessary to replenish the Airport's capital reserves expended in the construction of the Improvement during a fiscal year prior to the end of the Grant Period, the amount payable by Airport, City and County shall be prorated in that fiscal year and Grant Period shall terminate at the end of that fiscal year;
  - d. Notwithstanding any other provision of this Agreement, the total amount remitted together by both the County and City pursuant to this Agreement shall not exceed the lesser of (i) the capital reserves of the Airport expended in the construction of the Improvement less the amount assigned by the Airport pursuant

to subsection (a) above or (ii) \$2,000,000.00 less the amount assigned by the Airport pursuant to subsection (a) above.

4. All parties agree that any aircraft based in the Improvement will be excluded from utilization as a component of the formula in the existing Economic Stimulus Agreement between City and Airport dated September, 2007 and the County and Airport dated January, 2006.

5. This Agreement has been duly authorized, executed and delivered by Airport, City and County.

6. In order to induce City and County to enter into this Agreement and to appropriate and expend monies to contribute to the replenishment of the Airport's capital reserves, Airport represents and warrants to City and County that as of the execution date hereof:

- a. To the best of Airport's knowledge, there is no impediment to the use of the property for the purposes contemplated by this Agreement; and
- b. The Third Party is not engaged in a business that would be exempt from property taxes.

7. County acknowledges that this Agreement has been duly authorized, executed and delivered by County; and that this Agreement is made with authority duly provided under NCGS 63-8.

8. City acknowledges that this Agreement has been duly authorized, executed and delivered by City; and that this Agreement is made with authority duly provided under NCGS 63-8.

9. Payment to Airport by City of appropriations in accordance with this Agreement will be made within sixty (60) days of receipt by City of ad valorem taxes from any aircraft based in the Improvement which was not subject to ad valorem property taxes of both the City and County prior to the date of this Agreement.

10. Payment to Airport by County of appropriations in accordance with this Agreement will be made within sixty (60) days of receipt by County of ad valorem taxes from any aircraft based in the Improvement which was not subject to ad valorem property taxes of both the City and County prior to the date of this Agreement.

11. Upon request, Airport shall furnish to City and County an accounting of all expenditures related to the Improvement and all gross lease revenue, as well as a description of all aircraft, including the identity of the owner, housed in the Improvement on January 1 of each year from January 1, 2015, until the end of the Grant Period. Similarly, upon request, County and City shall furnish to Airport a statement of ad valorem taxes received from both City and County from aircraft housed in the Improvement.

12. Airport, City and County acknowledge that any monies appropriated and expended by City and County as provided in this Agreement are for a bona fide public purpose and are expended in good faith.

13. This Agreement shall inure to the benefit of, and is binding upon, City, County and Airport and their respective successors and assigns. However, neither this Agreement, nor any rights, privileges, or claims created by this Agreement may be transferred by Airport without the prior written approval of City and County, which approval will not be unreasonably withheld.

14. Except as otherwise provided in this Agreement, this Agreement may not be amended, changed, modified or altered except by written agreement of the parties.

15. If any provision of this Agreement is held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision of this Agreement.

16. This Agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original, and it shall not be necessary in making proof of this Agreement to produce or account for more than one such fully executed counterpart.

17. Controlling Law and Venue. This Agreement shall be governed by and shall be construed in accordance with the laws of the State of North Carolina; venue of any action shall be in the general court of justice in Pitt County, or if in federal court, in the Eastern District of North Carolina.

18. The term of this Agreement shall commence on the date of execution and expire upon payment by City and County of all payments due to Airport hereunder, unless earlier terminated as provided herein.

19. Airport, City and County acknowledge and stipulate that this Agreement is the product of mutual negotiation and bargaining, and that it has been drafted by Counsel for Airport, City and County. As such, the doctrine of construction against the drafter shall have no application to this Agreement.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year first above written.

**PITT COUNTY**

BY: \_\_\_\_\_  
D. Scott Elliott, County Manager

**CITY OF GREENVILLE**

BY: \_\_\_\_\_  
Barbara Lipscomb, City Manager

**PITT COUNTY-CITY OF  
GREENVILLE AIRPORT AUTHORITY**

BY: \_\_\_\_\_  
Jerry Vickers, Airport Manager

**PRE-AUDIT CERTIFICATION**

This document has been pre-audited in the manner required by the North Carolina Local Budget and Fiscal Control Act.

\_\_\_\_\_  
Duane Holder, Chief Financial Officer  
Pitt County

\_\_\_\_\_  
Bernita Demery, Director of Financial Services  
City of Greenville

Approved as to form:

\_\_\_\_\_  
Janis Gallagher, Pitt County Attorney

\_\_\_\_\_  
David A. Holec, City Attorney

\_\_\_\_\_  
David W. Silver, Airport Attorney



# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

**Title of Item:** Municipal Agreement with the North Carolina Department of Transportation for construction of pedestrian improvements

**Explanation:** **Abstract:** The North Carolina Department of Transportation (NCDOT) is requesting an agreement from the City of Greenville to secure \$750,000 for pedestrian improvements at 15 intersections within the city.

**Explanation:** The City of Greenville requested funds from NCDOT for pedestrian improvements at 15 intersections within the city. NCDOT will secure \$750,000 and has drafted this agreement to be approved and executed by the City of Greenville for the improvements. The agreement includes the participation of the City and NCDOT in the construction of pedestrian improvements at 15 different intersections within the city. These locations are identified in the attachment to the Municipal Agreement. The intersections were selected jointly by NCDOT and the City of Greenville and will include new pedestrian heads, buttons, and delineated crosswalks installed by NCDOT. The intersections had to meet certain criteria for safety, traffic volumes, and accessibility to existing bike and pedestrian facilities. The sidewalks and existing handicap ramps at the designated intersections need to be upgraded to meet current ADA standards.

As part of the agreement with NCDOT to receive these funds, the City will be responsible for executing this work. The City's responsibilities include facilitating the design, bidding, and construction management of the modification of existing wheelchair ramps, installing new ramps, and any required sidewalk modifications. Design will begin immediately with construction scheduled to begin in the spring of 2015.

**Fiscal Note:** Funding for this project is \$600,000 Federal and \$150,000 State with no required City funds.

**Recommendation:** City Council approve the Municipal Agreement with NCDOT for pedestrian improvements.

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

**Attachments / click to download**

 [Agreement with NCDOT](#)

 [Illustration to Exhibit A](#)

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NORTH CAROLINA

**LOCALLY ADMINISTERED PROJECT -  
FEDERAL**

PITT COUNTY

DATE: 3/14/2014

NORTH CAROLINA DEPARTMENT OF  
TRANSPORTATION

TIP #: EB-5618

AND

WBS Elements: PE 56032.1.1

ROW 56032.2.1

CITY OF GREENVILLE

CON 56032.3.1

FEDERAL-AID NUMBER: STPEB-  
0220(68)

CFDA #: 20.205

Total Funds [NCDOT Participation] \$750,000

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

**WITNESSETH:**

WHEREAS, Section 1113 of the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-1) allows for the allocation of Bike/Ped funds to be available for certain specified transportation activities; and,

WHEREAS, the City of Greenville has requested federal funding for pedestrian improvements at multiple intersections, hereinafter referred to as the Project, in Pitt County, North Carolina; and,

WHEREAS, subject to the availability of federal funds, the Municipality has been designated as a recipient to receive funds allocated to the Department by the Federal Highway Administration (FHWA) up to and not to exceed the maximum award amount of \$600,000 for the Project; and,

WHEREAS, pursuant to SL 2013-183, the Department will provide the non-federal match for the STP-EB funds for a limited time in an amount of \$150,000; and,

WHEREAS, the Department has agreed to administer the disbursement of said funds on behalf of FHWA to the Municipality for the Project in accordance with the Project scope of work and in accordance with the provisions set out in this Agreement; and,

WHEREAS, the Department has programmed funding in the approved Transportation Improvement Program for the Project; and,

WHEREAS, the governing board of the Municipality has agreed to participate in certain costs that exceed the total estimated cost of \$750,000 and to assume certain responsibilities in the manner and to the extent as hereinafter set out; and,

WHEREAS, this Agreement is made under the authority granted to the Department by the North Carolina General Assembly including, but not limited to, the following applicable legislation: General Statutes of North Carolina (NCGS) Section 136-66.1, Section 136-71.6, Section 160A-296 and 297, Section 136-18, Section 136-41.3 and Section 20-169, to participate in the planning, construction and/or implementation of the Project approved by the Board of Transportation.

NOW, THEREFORE, this Agreement states the promises and undertakings of each party as herein provided, and the parties do hereby covenant and agree, each with the other, as follows:

## **1. GENERAL PROVISIONS**

### **FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT**

All parties to this Agreement, including contractors, subcontractors, and subsequent workforces, associated with any work under the terms of this Agreement shall provide reports as required by the Federal Funding Accountability and Transparency Act (FFATA) for this Project.

### **AGREEMENT MODIFICATIONS**

Any modification to this Agreement will be agreed upon in writing by all parties prior to being implemented.

Any increases to the funding amount will be agreed upon by all parties by means of a Supplemental Agreement.

### **LOCAL PUBLIC AGENCY TO PERFORM ALL WORK**

The Municipality shall be responsible for administering all work performed and for certifying to the Department that all terms set forth in this Agreement are met and adhered to by the Municipality and/or its contractors and agents. The Department will provide technical oversight to guide the Municipality. The Department must approve any assignment or transfer of the responsibilities of the Municipality set forth in this Agreement to other parties or entities.

### **PERSON IN RESPONSIBLE CHARGE**

The Municipality shall designate a person or persons to be in responsible charge of the Project, in accordance with Title 23 of the Code of Federal Regulations, Part 635.105. The person, or persons, shall be expected to:

- Administer governmental project activities, including those dealing with cost, time, adherence to contract requirements, construction quality and scope of Federal-aid projects;
- Maintain knowledge of day to day project operations and safety issues;
- Make or participate in decisions about changed conditions or scope changes that require change orders or supplemental agreements;
- Visit and review the project in accordance with the project scope and scale;
- Review financial processes, transactions and documentation to reduce the likelihood of fraud, waste, and abuse;
- Direct project staff, agency or consultant, to carry out project administration and contract oversight, including proper documentation; and
- Be aware of the qualifications, assignments and on-the-job performance of the agency and consultant staff at all stages of the project.

The person in responsible charge must be a full-time employee of the Municipality, but the duties may be split among several employees, if necessary.

#### **COMPLIANCE WITH STATE/FEDERAL POLICY**

The Municipality, and/or its agent, including all contractors, subcontractors, or sub-recipients shall comply with all applicable Federal and State policies and procedures, stated both in this Agreement and in the Department's guidelines and procedures, including the *Local Programs Management Handbook*.

#### **FAILURE TO COMPLY - CONSEQUENCES**

Failure on the part of the Municipality to comply with any of the provisions of this Agreement will be grounds for the Department to terminate participation in the costs of the Project and, if applicable, seek repayment of any reimbursed funds.

## 2. SCOPE OF PROJECT

The Department will be responsible for all work associated with preparing, designing and installing the traffic signals at the intersections outlined on the attached Exhibit "A" including the installation of pedestrian heads and crosswalks included on the signal plans. Once the Department has completed the traffic signal modification, the Municipality shall proceed with the maintenance described in the Traffic Signal Operations Agreement.

The Municipality shall be responsible for including pedestrian features which complement the signal modifications, including but not limited to, ADA compliant WC ramps and sidewalk modifications as needed at the intersections on the attached Exhibit "A".

The Department's funding participation in the Project shall be restricted to the following eligible items:

- Design
- Environmental Documentation
- ROW Acquisition
- Construction

as further set forth in this Agreement.

## 3. FUNDING

Subject to compliance by the Municipality with the provisions set forth in this Agreement and the availability of federal funds, the Department shall participate up to a maximum amount of Seven Hundred Fifty Thousand Dollars (\$750,000), as detailed below. The Municipality shall provide all costs that exceed the total estimated cost.

**FUNDING TABLE**

<b>Fund Source</b>	<b>Federal Funds Amount</b>	<b>Reimbursement Rate</b>	<b>Non-Federal State Match \$</b>	<b>Non-Federal State Match Rate</b>
Bike/Ped	\$600,000	80 %	\$150,000	20 %
<b>Total Estimated Cost</b>			<b>\$750,000</b>	

#### **4. TIME FRAME**

The Department and the Municipality, and/or its agent, shall complete pre-construction activities for the pedestrian heads, crosswalks, ADA compliant WC ramps, and sidewalk modifications, to include Environmental Document, Right of Way Certification and final PS&E package, by 02/27/2015, in order to authorize construction funds prior to the end of the State Fiscal Year (June 30, 2015). If the funding is not authorized by June 30, 2015, the Municipality forfeits the state match for the STP-EB funds, and will instead provide additional local funds to cover the non-federal Agreement match for the STP-EB funds. A supplemental agreement will be required if funding is not authorized by June 30, 2015 to address changes to funding and delivery schedule.

The Municipality shall complete the Project by 03/31/2017. Completion for this Agreement is defined as completion of all construction activities, acceptance of the project, and submission of a final reimbursement package to the Department.

The Department and/or FHWA reserves the right to revoke the funds awarded if the Municipality is unable to meet milestone dates included herein.

#### **5. PRELIMINARY ENGINEERING AUTHORIZATION**

If Preliminary Engineering is an eligible expense, then upon receipt of an executed agreement, the Department will authorize Preliminary Engineering funds and shall notify the Municipality, in writing, once funds have been authorized and can be expended. The Municipality shall not initiate any work, nor solicit for any professional services prior to receipt of written authorization from the Department to proceed. Any work performed, or contracts executed, prior to receipt of written authorization to proceed will be ineligible for reimbursement.

#### **6. PROFESSIONAL AND ENGINEERING SERVICES**

The Municipality shall comply with the policies and procedures of this provision if the Municipality is requesting reimbursement for the Preliminary Engineering contract or the Construction Contract Administration / Construction Engineering and Inspection contract.

##### **PROCUREMENT POLICY**

When procuring professional services, the Municipality must adhere to Title 49 Code of Federal Regulations Part 18.36; Title 23 of the Code of Federal Regulations, Part 172; Title 40 United States Code, Chapter 11, Section 1101-1104; NCGS 143-64, Parts 31 and 32; and the

Department's *Policies and Procedures for Major Professional or Specialized Services Contracts*. Said policies and standards are incorporated in this Agreement by reference at [www.fhwa.dot.gov/legregs/legislat.html](http://www.fhwa.dot.gov/legregs/legislat.html) and [www.ncleg.net/gascritps/Statutes/Statutes.asp](http://www.ncleg.net/gascritps/Statutes/Statutes.asp).

- The Municipality shall ensure that a qualified firm is obtained through an equitable selection process, and that prescribed work is properly accomplished in a timely manner and at a just and reasonable cost.
- All Professional Services Firms shall be pre-qualified by the Department in the Work Codes advertised.
- A pre-negotiation audit will be conducted by the Department's External Audit Branch. The Municipality shall not execute a consultant contract until the Department's review has been completed.

#### **SMALL PROFESSIONAL AND ENGINEERING SERVICES FIRMS REQUIREMENTS**

Any contract entered into with another party to perform work associated with the requirements of this Agreement shall contain appropriate provisions regarding the utilization of Small Professional Services Firms (SPSF). This policy conforms with the SPSF Guidelines as approved by the North Carolina Board of Transportation.

- The Municipality shall not advertise nor enter into a contract for services performed as part of this Agreement, unless the Department provides written approval of the advertisement or the contents of the contract.
- If the Municipality fails to comply with these requirements, the Department will withhold funding until these requirements are met.

#### **WORK BY ENTITY**

If the Design, Planning, Contract Administration and/or Construction Engineering and Inspection required for this project will be undertaken by the Municipality, and the Municipality requests reimbursement, then the Municipality must submit a request and supporting documentation to the Department for review and approval, prior to any work being initiated by the Municipality.

### **7. PLANNING / ENVIRONMENTAL DOCUMENTATION**

The Municipality shall prepare the environmental and/or planning document, including any environmental permits, needed to construct the pedestrian heads, crosswalks, ADA compliant

WC ramps, and sidewalk modifications, in accordance with the National Environmental Policy Act (NEPA) and all other appropriate environmental laws and regulations. All work shall be performed in accordance with Departmental procedures and guidelines. Said documentation shall be submitted to the Department for review and approval.

- The Municipality shall be responsible for preparing and filing with all proper agencies the appropriate planning documents, including notices and applications required to apply for those permits necessary for the construction of the desired improvements. Copies of approved permits should be forwarded to the Department.
- The Municipality shall advertise and conduct any required public hearings.
- If any permit issued requires that action be taken to mitigate impacts associated with the improvements, the Municipality shall design and implement a mitigation plan. The Department will determine if any mitigation costs are eligible for reimbursement. The Municipality shall bear all costs associated with penalties for violations and claims due to delays.
- The Municipality shall be responsible for designing an erosion control plan if required by the North Carolina Sedimentation Pollution Control Act of 1973, NCGS 113A, Article 4, incorporated in this Agreement by reference at [www.ncleg.net/gascripts/Statutes/Statutes.asp](http://www.ncleg.net/gascripts/Statutes/Statutes.asp) and obtaining those permits required thereby in order to construct the Project. During the construction of the improvements, the Municipality, and its contractors and agents, shall be solely responsible for compliance with the provisions of said Act and the plan adopted in compliance therewith.

## **8. DESIGN**

### **CONTENT OF PLAN PACKAGE**

The Department shall prepare the signal modification plans (including pedestrian heads and crosswalks) and a professional estimate of cost for the signal revisions.

The Municipality, and/or its agent, shall prepare the ADA compliant WC ramps, and sidewalk modifications plans, specifications, and a professional estimate of costs (PS&E package), in accordance with the Department's guidelines and procedures, and applicable Federal and State standards. All work shall be submitted to the Department for review and approval. The plans shall be completed to show the design, site plans, landscaping, drainage, easements, and utility conflicts.

## **9. RIGHT OF WAY / UTILITY AUTHORIZATION**

If the costs of right of way acquisition or utility relocation are an eligible expense, the Municipality shall submit a letter of request to the Department to authorize and set up right of way and/or utility funding. The acquisition for right of way, construction easements, and/or utility relocation may be undertaken only after the Municipality receives written authorization from the Department to proceed.

## **10. PROJECT LIMITS AND RIGHT OF WAY (ROW)**

### **SPONSOR PROVIDES ROW**

The Municipality, at no liability whatsoever to the Department, shall be responsible for providing and/or acquiring any required ROW and/or easements for the Project.

### **ROW GUIDANCE**

The Municipality shall accomplish all ROW activities, including acquisition and relocation, in accordance with the following: Title 23 of the Code of Federal Regulations, Part 710, Subpart B and Title 49 of the Code of Federal Regulations, Part 24, [Uniform Act] incorporated by reference at [www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm](http://www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm); NCGS, Chapter 133, Article 2, Sections 133-5 through 133-18, Relocation Assistance, incorporated by reference at [www.ncleg.net/gascripts/Statutes/Statutes.asp](http://www.ncleg.net/gascripts/Statutes/Statutes.asp); and the North Carolina Department of Transportation Right of Way Manual.

### **APPRAISAL**

If the costs of ROW acquisition are an eligible expense, the Municipality shall submit the appraisal to the Department's Right of Way Branch for review and approval in accordance with Departmental policies and procedures.

### **CLEARANCE OF PROJECT LIMITS / ROW**

The Municipality shall remove and dispose of all obstructions and encroachments of any kind or character (including hazardous and contaminated materials) from said ROW, with the exception that the Municipality shall secure an encroachment agreement for any utilities (which shall remain or are) to be installed within the ROW. The Municipality shall indemnify and save harmless the Department, Federal Highway Administration, and the State of North Carolina, from any and all

damages and claims for damages that might arise on account of said right of way acquisition, drainage, and construction easements for the construction of said Project. The Municipality shall be solely responsible for any damages caused by the existence of said material now and at any time in the future and will save the Department harmless from any legal actions arising as a result of this contaminated and/or hazardous material and shall provide the Department with documentation proving the proper disposal of said material.

## **RELOCATION ASSISTANCE**

The Municipality shall provide relocation assistance services and payments for families, businesses, and non-profit organizations being displaced by the Project in full accordance with the Federal relocation requirements of Title 49 Code of Federal Regulations, Part 24 [Uniform Act], as amended. Relocation assistance services and payments may be accomplished by contract with any other municipal corporation, or State or Federal agency, rendering such services upon approval by the Department and Federal Highway Administration.

## **11. UTILITIES**

The Municipality, and/or its agent, at no liability to the Department, shall relocate, adjust, relay, change or repair all utilities in conflict with the Project, regardless of ownership. All utility work shall be performed in a manner satisfactory to and in conformance with State and Federal rules and regulations, prior to Municipality beginning construction of the project. This Agreement does not modify or supersede any existing Utility Encroachment Agreements that may be in place.

## **12. RIGHT OF WAY CERTIFICATION**

The Municipality, upon acquisition of all right of way/property necessary for the Project, shall provide the Right of Way Agent, located at the Department's Local Right of Way Office, all required documentation (deeds/leases/easement/plans) to secure right of way certification from that office. Certification is only issued after all ROW is in public ownership or property is publicly accessible by a legal document and utilities in conflict with the project are relocated.

## **13. CONSTRUCTION AUTHORIZATION**

The Municipality shall submit the required environmental and/or planning document, ROW certification, final construction plans, total contract proposal, and an estimate of pedestrian heads, crosswalks, ADA compliant WC ramps, and sidewalk modifications costs (final PS&E package) to the Department for review and approval.

- After approval of all documentation, the Department will request construction authorization from the Federal Highway Administration.
- The Municipality shall not advertise for bids prior to receiving written construction authorization from the Department.

## **14. CONTRACTOR PROCUREMENT**

### **ADVERTISE FOR BIDS**

Upon receipt of written construction authorization from the Department, the Municipality may advertise the Project. The Municipality shall follow applicable Federal and/or State procedures pertaining to the advertisement of the Project, bid opening, and award of the contract, according to Title 49 of the Code of Federal Regulations, Part 18.36 and Title 23 of the Code of Federal Regulations, Part 633 and Part 635, incorporated by reference at [www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm](http://www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm); and NCGS, Chapter 143, Article 8 (Public Contracts), incorporated by reference at [www.ncleg.net/gascripts/Statutes/Statutes.asp](http://www.ncleg.net/gascripts/Statutes/Statutes.asp).

### **CONSTRUCTION CONTRACTOR REQUIREMENTS**

All Contractors submitting bids on the project shall be pre-qualified by the Department. All proposed subcontractors must be pre-qualified before construction work begins. Any subcontractors who are proposed to meet the Disadvantaged Business Enterprise goal must be certified by the Department.

### **CONSTRUCTION SUBCONTRACTOR REQUIREMENTS**

Any contract entered into with another party to perform work associated with the requirements of this Agreement shall contain appropriate provisions regarding the utilization of Disadvantaged Business Enterprises (DBEs), or as required and defined in Title 49 of the Code of Federal Regulations, Part 26 and the North Carolina Administrative Code. These provisions are incorporated into this Agreement by reference <https://connect.ncdot.gov/projects/Contracts/Pages/LGA-Projects.aspx>.

- The Municipality shall not advertise nor enter into a contract for services performed as part of this Agreement, unless the Department provides written approval of the advertisement or the contents of the contract.

- If the Municipality fails to comply with these requirements, the Department will withhold funding until these requirements are met.

### **AWARDING CONTRACT**

After the advertisement of the ADA compliant WC ramps and sidewalk modifications for construction bids, the Municipality shall request concurrence from the Department to award the construction contract by submitting a letter along with tabulated bids received depicting Disadvantaged Business Enterprises (DBE) goals, and a resolution recommending award of the Project to the lowest responsible, responsive bidder. The Department will review the submitted information and provide written approval to the Municipality prior to the contract being awarded by the Municipality.

### **DELAY IN PROCUREMENT**

In the event the ADA compliant WC ramps and sidewalk modifications has not been let to contract within six (6) months after receiving construction authorization from the Department, the Municipality shall be responsible for documenting to the Department justification for project delay and that the Project remains in compliance with the terms of this Agreement, the approved plans and specifications, and current codes.

### **FORCE ACCOUNT**

Force account work is only allowed when there is a finding of cost effectiveness for the work to be performed by some method other than a contract awarded by a competitive bidding process, or there is an emergency. Written approval from the Department is required prior to the use of force account by the Municipality. Federal Highway Administration regulations governing Force Account are contained in Title 23 Code of Federal Regulations, Part 635.201, Subpart B; said policy being incorporated in this Agreement by reference [www.fhwa.dot.gov/legisregs/directives/cfr23toc.htm](http://www.fhwa.dot.gov/legisregs/directives/cfr23toc.htm). North Carolina General Statutes governing the use of Force Account, Chapter 143, Article 8 (Public Contracts) can be found at [www.ncleg.net/gascripts/Statutes/Statutes.asp](http://www.ncleg.net/gascripts/Statutes/Statutes.asp).

## **15. CONSTRUCTION**

The Department, and/or its agents, shall construct the signal modifications (including pedestrian head and crosswalk installation) in accordance with the plans.

The Municipality, and/or its agents shall construct the ADA compliant WC ramps and sidewalk modifications in accordance with the plans and specifications of the Project as filed with, and approved by, the Department. During the construction of the Project, the procedures set out below shall be followed:

### **CONSTRUCTION CONTRACT ADMINISTRATION**

The Municipality shall comply with the NCDOT Construction Manual as referenced at <http://www.ncdot.org/doh/operations/dp%5Fchief%5Feng/constructionunit/formsmanuals/construction/>, which outlines the procedures for records and reports that must be adhered to in order to obtain uniformity of contract administration and documentation. This includes, but is not limited to, inspection reports, material test reports, materials certification, documentation of quantities, project diaries, and pay records. The Municipality, and/or its agent, shall perform the construction engineering, sampling and testing required during construction of the Project, in accordance with Departmental procedures, including the Department's Guide for Process Control and Acceptance Sampling and Testing. The Municipality shall document that said compliance was accomplished in accordance with State and Federal procedures, guidelines, standards and specifications.

### **RETAINAGE**

The Municipality shall not retain any portion of a payment due the contractor.

### **SIGNAGE**

The Municipality shall provide and maintain adequate signage and other warning devices for the protection of the public in accordance with the approved traffic control plans for the Project and the current edition of the Manual on Uniform Traffic Control Devices (MUTCD) for Streets and Highways, or any subsequent revision of the same, published by the Federal Highway Administration and effective at the time of award of the contract.

### **SITE LAYOUT**

The Municipality shall be responsible for ensuring that all site layout, construction work, and Project documentation are in compliance with applicable city, state and federal permits, guidelines, and regulations, including American Association of State Highway and Transportation Officials (AASHTO) guidelines and Americans with Disabilities Act (ADA) Standards for Accessible Design ([www.usdoj.gov/crt/ada/stdspdf.htm](http://www.usdoj.gov/crt/ada/stdspdf.htm)).

### **RIGHT TO INSPECT**

The Department and representatives of the Federal Highway Administration shall have the right to inspect, sample or test, and approve or reject, any portion of the work being performed by the Municipality or the Municipality's contractor to ensure compliance with the provisions of this Agreement. Prior to any payment by the Department, any deficiencies inconsistent with approved plans and specifications found during an inspection must be corrected.

### **CONTRACTOR COMPLIANCE**

The Municipality will be responsible for ensuring that the contractor complies with all of the terms of the contract and any instructions issued by the Department or FHWA as a result of any review or inspection made by said representatives.

### **CHANGE ORDERS**

If any changes in the Project plans are necessary, the Department must approve such changes prior to the work being performed.

### **SHOP DRAWINGS**

Shop Drawings shall be submitted in accordance with the approved plans and specifications and may require review by the Designer.

## **16. CLOSE-OUT**

Upon completion of the Project, the Municipality shall be responsible for the following:

### **FINAL INSPECTION**

The Municipality shall arrange for a final inspection by the Department. Any deficiencies determined during the final field inspection must be corrected prior to final payment being made by the Department to the Municipality. Additional inspection by other entities may be necessary in accordance with the Department's guidelines and procedures. The Municipality shall provide the Department with written evidence of approval of completed project prior to requesting final reimbursement.

## **FINAL PROJECT CERTIFICATION**

The Municipality will provide a certification to the Department that all work performed for this Project is in accordance with all applicable standards, guidelines, and regulations.

## **17. MAINTENANCE**

The Municipality, at no expense or liability to the Department, shall assume all maintenance responsibilities for the pedestrian improvements at multiple intersections, or as required by an executed encroachment agreement.

## **18. REIMBURSEMENT**

### **SCOPE OF REIMBURSEMENT**

Activities eligible for funding reimbursement for this Project shall include:

- Design
- Environmental Documentation
- ROW Acquisition
- Construction

### **REIMBURSEMENT GUIDANCE**

The Municipality shall adhere to applicable administrative requirements of Title 49 Code of Federal Regulations, Part 18 ([www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm](http://www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm)) and Office of Management and Budget (OMB) Circulars A-102 ([www.whitehouse.gov/omb/circulars/index.html](http://www.whitehouse.gov/omb/circulars/index.html)) "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments." Reimbursement to the Municipality shall be subject to the policies and procedures contained in Title 23 Code of Federal Regulations, Part 140 and Part 172, which is being incorporated into this Agreement by reference at [www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm](http://www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm) and by Office of Management and Budget (OMB) Circular A-87 ([www.whitehouse.gov/omb/circulars/index.html](http://www.whitehouse.gov/omb/circulars/index.html)) "Cost Principles for State, Local, and Indian Tribal Governments." Reimbursement to the Municipality shall be subject to the guidance contained in Title 2 Code of Federal Regulations, Part 170 (<http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf>) and Office of Management and Budget (OMB) "Federal Funding Accountability and Transparency Act" (FFATA). Said reimbursement

shall also be subject to the Department being reimbursed by the Federal Highway Administration and subject to compliance by the Municipality with all applicable federal policy and procedures.

## **REIMBURSEMENT LIMITS**

- **WORK PERFORMED BEFORE NOTIFICATION**

Any costs incurred by the Municipality prior to written notification by the Department to proceed with the work shall not be eligible for reimbursement.

- **NO REIMBURSEMENT IN EXCESS OF APPROVED FUNDING**

At no time shall the Department reimburse the Municipality costs that exceed the total funding per this Agreement and any Supplemental Agreements.

- **UNSUBSTANTIATED COSTS**

The Municipality agrees that it shall bear all costs for which it is unable to substantiate actual costs or any costs that have been deemed unallowable by the Federal Highway Administration and/or the Department's Financial Management Division.

- **WORK PERFORMED BY NCDOT**

All work performed by the Department on this Project, including, but not limited to, reviews, inspections, and Project oversight, shall reduce the maximum award amount of \$750,000 available to the Municipality under this Agreement. The Department will charge directly to the allocated funding for any costs that the Department incurs on the Project. The Department will bill the Municipality for any costs that exceed the Total Estimated Cost.

- **CONSTRUCTION ADMINISTRATION**

Reimbursement for construction contract administration will be made as governed by Departmental policy that limits reimbursement for construction contract administration to no more than fifteen (15%) percent of the actual construction contract of the Project. These costs will also include any cost overruns and charges to the Project by the Department during the Construction Phase.

- **CONSTRUCTION CONTRACT UNIT PRICES**

Reimbursement for construction contract work will be made on the basis of contract unit prices in the construction contract and any approved change orders.

- **RIGHT OF WAY**

Reimbursement will be limited to the value as approved by the Department. Eligible costs for reimbursement of Right of Way Acquisition include: realty appraisals, surveys, closing costs, and the agreed upon just compensation for the property, at the reimbursement rate as shown in the FUNDING TABLE.

- **FORCE ACCOUNT**

Invoices for force account work shall show a summary of labor, labor additives, equipment, materials and other qualifying costs in conformance with the standards for allowable costs set forth in Office of Management and Budget (OMB) Circular A-87 ([http://www.whitehouse.gov/omb/circulars\\_default](http://www.whitehouse.gov/omb/circulars_default)) "Cost Principles for State, Local, and Indian Tribal Governments." Reimbursement shall be based on actual eligible costs incurred with the exception of equipment owned by the Municipality or its Project partners. Reimbursement rates for equipment owned by the Municipality or its Project partners cannot exceed the Department's rates in effect for the time period in which the work is performed.

## **BILLING THE DEPARTMENT**

- **PROCEDURE**

The Municipality may bill the Department for eligible Project costs in accordance with the Department's guidelines and procedures. Proper supporting documentation shall accompany each invoice as may be required by the Department. By submittal of each invoice, the Municipality certifies that it has adhered to all applicable state and federal laws and regulations as set forth in this Agreement.

Along with each invoice, the Municipality is responsible for submitting the FFATA Subrecipient Information Form, which is available at <http://www.ncdot.gov/programs/Enhancement/ProjectAdministration/Forms/>.

- **INTERNAL APPROVALS**

Reimbursement to the Municipality shall be made upon approval of the invoice by the Department's Financial Management Division.

- **TIMELY SUBMITTAL OF INVOICES**

The Municipality may invoice the Department monthly for work accomplished, but no less than once every six (6) months to keep the Project funds active and available. If the Municipality is unable to invoice the Department, then they must provide an explanation. Failure to submit invoices or explanation may result in de-obligation of funds.

- **FINAL INVOICE**

All invoices associated with the Project must be submitted within six (6) months of the completion of construction and acceptance of the Project to be eligible for reimbursement by the Department. Any invoices submitted after this time will not be eligible for reimbursement.

## **19. REPORTING REQUIREMENTS AND RECORDS RETENTION**

### **PROJECT EVALUATION REPORTS**

The Municipality is responsible for submitting quarterly Project evaluation reports, in accordance with the Department's guidelines and procedures, that detail the progress achieved to date for the Project.

### **PROJECT RECORDS**

The Municipality and its agents shall maintain all books, documents, papers, accounting records, Project records and such other evidence as may be appropriate to substantiate costs incurred under this Agreement. Further, the Municipality shall make such materials available at its office and shall require its agent to make such materials available at its office at all reasonable times during the contract period, and for five (5) years from the date of payment of the final voucher by the Federal Highway Administration, for inspection and audit by the Department's Financial Management Section, the Federal Highway Administration, or any authorized representatives of the Federal Government.

## **20. OTHER PROVISIONS**

### **REFERENCES**

It will be the responsibility of the Municipality to follow the current and/or most recent edition of references, websites, specifications, standards, guidelines, recommendations, regulations and/or general statutes, as stated in this Agreement.

### **INDEMNIFICATION OF DEPARTMENT**

The Municipality agrees to indemnify and hold harmless the Department, FHWA and the State of North Carolina, to the extent allowed by law, for any and all claim for payment, damages and/or liabilities of any nature, asserted against the Department in connection with this Project. The Department shall not be responsible for any damages or claims, which may be initiated by third parties.

### **DEBARMENT POLICY**

It is the policy of the Department not to enter into any agreement with parties that have been debarred by any government agency (Federal or State). By execution of this agreement, the Municipality certifies that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Agency or Department and that it will not enter into agreements with any entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

### **TITLE VI - CIVIL RIGHTS ACT OF 1964**

The Municipality shall comply with Title VI of the Civil Rights Act of 1964, (Title 49 CFR, Subtitle A, Part 21). Title VI prohibits discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

### **OTHER AGREEMENTS**

The Municipality is solely responsible for all agreements, contracts, and work orders entered into or issued by the Municipality for this Project. The Department is not responsible for any expenses or obligations incurred for the Project except those specifically eligible for Bike/Ped funds and obligations as approved by the Department under the terms of this Agreement.

### **E-VERIFY COMPLIANCE**

Each of the parties covenants that if it enters into any subcontracts in order to perform any of its obligations under this contract, it shall require that the contractors and their subcontractors comply with the requirements of NC Gen. Stat. Article 2 of Chapter 64. In this E-Verify Compliance section, the words contractors, subcontractors, and comply shall have the meanings intended by N.C. Gen. Stat. § 160A-20.1.

### **AVAILABILITY OF FUNDS**

All terms and conditions of this Agreement are dependent upon, and, subject to the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

### **IMPROPER USE OF FUNDS**

Where either the Department or the FHWA determines that the funds paid to the Municipality for this Project are not used in accordance with the terms of this Agreement, the Department will bill the Municipality.

### **TERMINATION OF PROJECT**

If the Municipality decides to terminate the Project without the concurrence of the Department, the Municipality shall reimburse the Department one hundred percent (100%) of all costs expended by the Department and associated with the Project.

### **AUDITS**

In accordance with OMB Circular A-133, "Audits of States, Local Governments and Non-Profit Organizations" ([http://www.whitehouse.gov/omb/circulars\\_default](http://www.whitehouse.gov/omb/circulars_default)) and the Federal Single Audit Act Amendments of 1996, the Municipality shall arrange for an annual independent financial and compliance audit of its fiscal operations. The Municipality shall furnish the Department with a copy of the annual independent audit report within thirty (30) days of completion of the report, but not later than nine (9) months after the Municipality's fiscal year ends.

### **REIMBURSEMENT BY MUNICIPALITY**

For all monies due the Department as referenced in this Agreement, reimbursement shall be made by the Municipality to the Department within sixty (60) days of receiving an invoice. A late

payment penalty and interest shall be charged on any unpaid balance due in accordance with NCGS 147-86.23.

#### **USE OF POWELL BILL FUNDS**

If the other party to this agreement is a Municipality and fails for any reason to reimburse the Department in accordance with the provisions for payment hereinabove provided, NCGS 136-41.3 authorizes the Department to withhold so much of the Municipality's share of funds allocated to Municipality by NCGS 136-41.1, until such time as the Department has received payment in full.

#### **ENTIRE AGREEMENT**

This Agreement contains the entire agreement between the parties and there are no understandings or agreements, verbal or otherwise, regarding this Agreement except as expressly set forth herein.

#### **AUTHORIZATION TO EXECUTE**

The parties hereby acknowledge that the individual executing the Agreement on their behalf is authorized to execute this Agreement on their behalf and to bind the respective entities to the terms contained herein and that he has read this Agreement, conferred with his attorney, and fully understands its contents.

#### **FACSIMILE SIGNATURES**

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

#### **GIFT BAN**

By Executive Order 24, issued by Governor Perdue, and NCGS 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e. Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and

Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor).

## **21. SUNSET PROVISION**

All terms and conditions of this Agreement are dependent upon, and subject to, the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

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

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

ATTEST: \_\_\_\_\_ CITY OF GREENVILLE  
BY: \_\_\_\_\_ BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_ TITLE: \_\_\_\_\_  
DATE: \_\_\_\_\_

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

Approved by \_\_\_\_\_ of the City of Greenville as attested to by the signature of \_\_\_\_\_ Clerk of the \_\_\_\_\_ on \_\_\_\_\_ (Date)

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

(SEAL)

\_\_\_\_\_  
(FINANCE OFFICER)

Federal Tax Identification Number

\_\_\_\_\_  
City of Greenville

Remittance Address:

\_\_\_\_\_  
DEPARTMENT OF TRANSPORTATION

BY: \_\_\_\_\_  
(CHIEF ENGINEER)

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

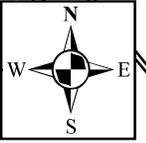
APPROVED BY BOARD OF TRANSPORTATION ITEM O: \_\_\_\_\_ (Date)

Exhibit "A"

List of proposed Intersections for modification of traffic signal to include pedestrian crossing features and modify Sidewalk and WC Ramps as needed:

1. Greenville Blvd. @ Tenth St
2. Greenville Blvd. @ Elm St.
3. Greenville Blvd. @ Charles Blvd.
4. Greenville Blvd. @ Arlington Blvd.
5. Greenville Blvd. @ Evans St.
6. Greenville Blvd. @ Landmark St.
7. 14<sup>th</sup> St. @ Charles Blvd.
8. 14<sup>th</sup> St. @ Evans St.
9. 14<sup>th</sup> St @ Dickinson Ave.
10. 14<sup>th</sup> St. @ Chestnut St
11. Charles Blvd. @ Red Banks Rd.
12. N. Greene St. @ Munford Rd.
13. Arlington Blvd. @ Memorial Dr.
14. Arlington Blvd. @ Dickenson Ave.
15. Hooker Rd. @ Pendleton St.

# Illustration for Exhibit A





# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

**Title of Item:** Acceptance of North Carolina Department of Commerce Rural Division Grant

**Explanation:** **Abstract:** The North Carolina Department of Commerce has approved a grant application from a Greenville company, Purilum, to receive \$200,000 in funding from the Building Reuse grant under the Rural Development Division Building Reuse Grant program. Purilum will create a modern e-liquids production and filling facility.

**Explanation:** The North Carolina Department of Commerce has approved a grant application from a Greenville company, Purilum, to receive funding from the Building Reuse grant under the Rural Development Division. A copy of the grant award letter, as well as the program rules, are attached to this agenda item.

Purilum will create a modern e-liquids production and filling facility, including two clean rooms. City Council approved the application at the May 19, 2014, meeting. Purilum is a joint venture between two local companies, Ioto USA and Alliance One. These companies have signed a lease at Woodridge Corporate Park to occupy 18,000 square feet of space in a shell building which has been vacant for more than 5 years. This new venture will create 21 new full-time, living wage jobs in Greenville and transform the shell building into a pharmaceutical grade work space.

**Fiscal Note:** The Building Reuse Grant program through the NC Department of Commerce will provide up to \$200,000 and requires a 5% cash match from the City of Greenville in the amount of \$10,000. Funds to match the grant are included in the FY 2014-2015 budget in a line item designated for economic development matching funds.

**Recommendation:** Staff recommends approval of the Building Reuse Grant and local match.

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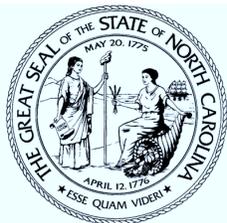
Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

**Attachments / click to download**

 [Grant Guidelines](#)

 [Award Notification](#)

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**North Carolina Department of Commerce  
Rural Economic Development Division  
Rural Grants/Programs**

**2014-2015 Building Reuse Program Guidelines and Application**

**Program Statement**

The Building Reuse Program under the Rural Grants/Programs Section of the North Carolina Department of Commerce will provide grants/loans to local governments to renovate vacant buildings and/or renovate, expand or construct health care facilities that will lead to the creation of new, full-time jobs.

**Pre-Application Conference Process**

The first step in the Building Reuse Program grant application process is the submittal of the pre-application form and completing the pre-application conference call. The local government applicant is responsible for scheduling the call, arranging a call-in number and/or calling the participants. Meetings are available upon request and must also be arranged by the applicant. **The pre-application conference call/meeting must be completed at least seven (7) business days prior to the full application deadline date.** Once the call/meeting is complete, applicants may submit a full application. The Pre-Application Form is available on the NC Department of Commerce's website at [www.nccommerce.com/rd/rural-grants-programs/building-reuse](http://www.nccommerce.com/rd/rural-grants-programs/building-reuse)

**Eligible Applicants**

Eligible applicants are units of local government located in an economically distressed county. An economically distressed county is defined in N.C.G.S.143B-437.01(a1)(4) as "Tier 1 and 2 counties". The tier designations can be found on the NC Department of Commerce's website at <http://www.nccommerce.com/research-publications/incentive-reports/county-tier-designations>. Priority will be given to projects in towns and communities with populations of less than 5,000.

**Funding Amounts Available**

Applicants located in an economically distressed county, defined as Tier 1 and Tier 2 counties in N.C.G.S.143B-437.01(a1)(4), are eligible for \$10,000 per newly created full-time job. The maximum grant award is \$500,000 or one-half of the project cost, whichever is less.

**Application Deadlines and Submittal Requirements**

The Building Reuse Program Guidelines and Application is available on the NC Department of Commerce's website at [www.nccommerce.com/rd/rural-grants-programs/building-reuse](http://www.nccommerce.com/rd/rural-grants-programs/building-reuse). Applications accepted according to the deadlines listed below. The completed application must be received by 5:00 p.m. on the deadline date.

<b>Last Day to Complete Pre-App Conference Call</b>	<b>Application Deadlines</b>	<b>Date of Award</b>
June 27, 2014	July 9, 2014	August 21, 2014
August 28, 2014	September 9, 2014	October 23, 2014
October 24, 2014	November 4, 2014	December 18, 2014
December 23, 2014	January 7, 2015	February 19, 2015
February 27, 2015	March 10, 2015	April 23, 2015
April 24, 2015	May 5, 2015	June 18, 2015

**Please submit Building Reuse Applications by mail to:**

Mailing Address:

Hazel Edmond  
Building Reuse Program  
Rural Economic Development Division  
North Carolina Department of Commerce  
4346 Mail Service Center  
Raleigh, NC 27699-4346

Physical Address:

Hazel Edmond  
Building Reuse Program  
Rural Economic Development Division  
North Carolina Department of Commerce  
301 North Wilmington Street  
Raleigh, NC 27601

## Eligible Projects

- Grants are available to support the reuse of vacant buildings or construct or expand rural health care facilities.
- **For vacant building projects** - Buildings must be vacant for at least three months prior to application deadline. Shell buildings built on speculation that have never been inhabited are not eligible, except in instances when the building is at least 5 years old without ever having a tenant.
- **For health care projects** – These projects may include the renovation, expansion or construction for rural health care facilities.
- Priority will be given to projects supporting a "resident company." A "resident company" is defined in N.C.G.S.143B-472.127(a)(4) as a company that has paid unemployment taxes or income taxes in this State and whose principal place of business is located in this State.
- Priority will be given to projects that create five (5) or more new full-time jobs.
- Mixed-use or adaptive reuse projects that include housing may be eligible, provided the building will be occupied by at least one private company committed to creating new jobs. The expenses associated with the renovation of residential areas of the building are **not** eligible for grant funding and may not be calculated as contributing to the required match.
- Buildings proposed for reuse for government or civic purposes (municipal buildings, community centers, schools, etc.) may be eligible, provided the building will be occupied by at least one private company committed to creating new jobs. The renovation expenses associated with municipal areas of the building are **not** eligible for grant funding and may not be calculated as contributing to the required match.
- The renovation project must begin within six months of the grant award and should be completed within 18 months.

## Eligible Expenses

- Eligible expenses dated after the grant award include, but are not limited to: materials and labor to install HVAC, electrical, plumbing, fire alarm/suppression system, roofing, flooring, carpentry, drywall, paint, etc. This is not an exhaustive list. Grantees should contact the Rural Grants/Programs Section for questions regarding whether a specific expense is eligible under the program.
- The following costs are specifically prohibited under the program and may not be submitted for reimbursement or the matching funds requirement: building purchase, architectural costs, engineering costs, permit fees, surveys, legal fees, machinery & equipment, telephone hardware and software, computer hardware and software, furnishings, paving, fencing, kitchen equipment, refrigeration equipment, etc. This is not an exhaustive list. Grantees should contact the Rural Grants/Programs Section with questions regarding whether a specific expense is eligible under the program.
- **A company in which any project partner has an ownership or management interest may not be used as a contractor for the renovation project unless the company holds a valid NC General Contractors license. The relationship must be disclosed to the NC Department of Commerce and a copy of the NC General Contractor's license must be included in the application.**

## Match Requirements

- The program requires a cash match equal to the grant request amount. The local government must contribute at least 5% of the cash match. **The cash match shall come from local resources and may not be derived from other State or federal grant funds.**
- Costs that are not eligible for grant funding may not be counted toward the match.

### Job Creation Requirements

- Applicants must show that the infrastructure improvements will result in the creation of new, full-time jobs in the private sector within 18 months of the grant award. Part-time, Full-Time Equivalents (FTE) positions, or contract and consulting jobs are not eligible.
- Each job must be filled with one, full-time employee. Full-time employment is a person working at least 35 hours a week, whose wages are subject to withholding and who is employed in a permanent position.
- Priority will be given to projects that offer higher salaries/wages and provide at least some percentage of employer-paid health benefits to employees.
- The company must pay North Carolina Unemployment Insurance on each employee for whom a job is committed in the grant application.
- The company will be expected to maintain all existing full-time jobs in North Carolina reported at the time of application (baseline) plus create the new, full-time jobs committed. The baseline will be established using the most current Business NCUI 101 Form reported to the NC Department of Commerce's Division of Employment Security at the time of application submittal. **To meet the terms of the grant the company must maintain the baseline number plus the new, full-time jobs concurrently for at least six consecutive months.**
- The business also must agree to provide the local government applicant and the Department of Commerce access to company records necessary to verify the employment numbers and agree to notify the local government as soon as the promised jobs are created within the 24-month period, in order for the Rural Grants/Programs Section to verify the jobs.

### Loan Requirements

- Funds are granted to the local government.
- **The government will lend the funds to the property owner in the form of a deferred, forgivable loan.**
- **The loan will be secured with a loan performance agreement and promissory note signed by the property owner.**
- Loan forgiveness is offered upon the successful completion and verification of the job creation requirements listed above.
- If job creation goals are not met, a pro rata share of loan funds must be repaid by the property owner through a "claw back" provision in the loan performance agreement and promissory note.

### Local Government Requirements

- The local government applicant must contribute a cash match of at least 5 percent of the grant amount to be used toward the renovation project.
- The local government will act as an intermediary partner for all aspects of the project, including the application process, reporting requirements, payments, job verification, and loan repayment, if applicable.
- The local government is required to analyze the participating company's financial and organizational strength in regard to the ability to successfully meet the terms of the job creation and maintenance requirements, carry out the renovation project, and the ability to meet the potential for repayment of loan funds.
- In the event the company defaults on the job commitment, the local government is required to call in the loan for repayment to the NC Department of Commerce and will be required to take any means necessary, including litigation, to recoup the funds from the property owner.
- If the building is publicly owned, the unit of local government receiving funds under this grant program will be expected to comply at a minimum with state regulations regarding procurement, including N.C.G.S.14-234.
- Local government recipients will be subject to state audit and reporting requirements.

## Proposal Submission Requirements

Applicants should submit the information outlined below and should provide **one bound and tabbed original proposal along with two tabbed, non bound copies of the grant proposal materials**. Applications are due to the NC Department of Commerce by 5:00 p.m. on the deadline date. Incomplete applications will not be reviewed.

### Tab 1

#### 1. Building Reuse Grant Application Form (enclosed)

The **local government's chief elected official** must sign the application form

#### 2. Proposal Narrative

- A. Applicants should briefly describe the project (maximum 200 words).**
- B. Applicants should describe the company and the jobs committed (maximum 1000 words).**
1. Provide the name and a description of the company that will locate in the project building.
  2. Describe all company locations in North Carolina. Include location and number of full-time and part-time employees that currently exist in each location.
  3. If the number of full-time and part-time jobs described above differs from the number reported in the last month of the NCUI 101 form(s) provided in Tab 2, provide an explanation of the discrepancy.
  4. Explain in detail any expected changes to employment that will occur in any existing facility in NC as a result of the opening of the facility described in this application.
  5. If the company will close any location in NC, describe the reason for the closing and any efforts to find a suitable facility in the existing community along with any reasons why a site was not selected there.
  6. Describe the new full-time and part-time jobs that will be created in the project building. (Do not attach job descriptions).
  7. Describe all fringe benefits offered by the company and what percentage of health insurance is employer paid.
- C. Applicants should briefly describe the building (maximum 500 words).**
1. Describe the building's significance within the community and its previous uses
  2. Describe the general and environmental condition of the building.
  3. Describe the building's value prior to the renovation/construction project and the estimated value after the renovation/construction.
  4. Explain the property's current and future ownership and the relationship among the parties involved in the ownership or/ lease of the property.
- D. Applicants should briefly describe the renovation/construction project (maximum 500 words).**
1. Provide a narrative description of the renovation/construction tasks that will be completed.
  2. Describe the company that will complete the construction activities. **A company owned or operated by the building owner or tenant may not be used as a contractor for the renovation project unless the company holds a valid NC General Contractors license. The relationship must be disclosed in this section of the application and a copy of the company's valid NC General Contractor's license must be included in Tab 4 of the application.**
  3. Describe the timeline for construction and company occupancy of the building.
- E. Applicants should provide a detailed job type matrix table for the new jobs that will be created that includes the following: (1) position title, (2) number of jobs committed in each position category, (3) expected number of hours per week, (4) annual pay for each position type, and (5) any benefits that will be paid by the employer. The annual pay for each position type should be multiplied by the number of jobs to be created in that position type. The annual pay for all positions should be added together (to get total payroll) and divided by total number of jobs committed (to get the average annual pay for all new employees). The average pay should be an exact figure, not a pay range and should match the average annual pay listed on the application form.**

**Tab 2 Exhibits—Include the Following:**

1. **Job Commitment Letters.** Submit a signed letter of job commitment from each company that will locate in the building. The letter should include **(1)** the number of existing full-time and part-time employees (listed separately) at all company locations in North Carolina to establish the baseline number of employees that the company has at the time of application, and **(2)** the number of new, full-time jobs to be created by the company and maintained concurrently for six-consecutive months within two years of the grant award date. The letter must be printed on the company's letterhead and signed by the company's Chief Executive Officer, Chief Financial Officer or President.
2. **Employer's Quarterly Tax and Wage Report—NCUI 101 Form(s).** Submit a copy of the of the company's *Employer's Quarterly Tax and Wage Report* (NCUI 101 form) for each company that will locate in the building. The form must have been filed with the Division of Employment Security for the quarter ending closest to the application deadline. If any company has more than one location in North Carolina, forms for each company location must be provided. The number of employees listed on the NCUI 101 form(s) for the last month of the quarter must match exactly the number of existing employees reported in the narrative section of this application, and the company's job commitment letter, or an explanation of the discrepancy must be provided in section 2 B of the proposal narrative.

**Tab 3 Exhibits—Include the Following:**

1. **Proof of Funding Availability.** Submit a signed letter of funding availability from each source of funds committed for the project. **If personal or company capital is pledged, the applicant must provide a letter from the institution where the funds are held on deposit attesting to an available balance that meets or exceeds the amount committed from the source. If loan funds are pledged, a loan commitment letter from each loan source that meets or exceeds the amount committed must be included. If other grants or incentives are pledged to the project, copies of any preliminary or final commitment letters from those sources must be provided.** The total of all funding commitment letters must meet or exceed the total project cost.
2. **Local Government Resolution.** The local government must provide a copy of the resolution adopted by the governing board in support of submitting the application to the NC Department of Commerce. The resolution must state the purpose of the project, indicate the local government's support for the project, and commit to provide a cash match of 5 percent of the grant request amount toward the renovation project.

**Tab 4 Exhibits—Include the Following:**

1. **Line Item Budget.** Submit a line item budget that lists the proposed renovation/construction expenses and the cost for each expense (example expenses include, but are not limited to: HVAC, electrical, plumbing, roofing, flooring, painting, etc).
2. **Cost Estimates.** Submit cost estimates for each expense identified in the line item budget. The estimates must be prepared by a contractor, sub-contractor or architect and provided on that company's letterhead. **A company owned or operated by the building owner or tenant may not be used as a contractor for the renovation project unless the company holds a valid NC General Contractors license. The relationship must be disclosed in Tab 2 section D of the proposal narrative above and a copy of the company's valid NC General Contractor's license must be included in this section of application materials.**

**Tab 5 Exhibits—include the following:**

1. **Site Control Documents.** Submit evidence that the job-creating company has control of the project building. If the company owns the property, include a copy of the property deed. If the company is leasing the property, provide a copy of the executed lease agreement. If the property closing or lease execution has not occurred prior to the application submission, the applicant must submit the appropriate deed/lease to the NC Department of Commerce within two weeks after the application deadline. If the site control document is not received, the application will not be reviewed.
2. **Building Assessments.** Submit the following building assessments.
  - **Statement of Tax Value.** Attach a copy of the most recent value statement that reflects the tax value of the property.

**Tab 6 Exhibits—Include the Following:**

1. **Photographs.** Submit photographs of both the interior and exterior of the building. Include digital copies on CD along with printed copies.
2. **Project Contacts.** Submit a list of all members of the development team and their contact information including local government contact, developer, building owner, company owner, and project manager, as applicable.

# 2014-2015 Rural Grants/Programs Building Reuse Application Form

New Application  Resubmittal  Application #: \_\_\_\_\_  
Building Reuse  Rural Health Care  (for internal use only)

## GENERAL INFORMATION

Legal Name of Local Govt Applicant: \_\_\_\_\_ County: \_\_\_\_\_ Tier # \_\_\_\_\_  
Name of Chief Elected Official: \_\_\_\_\_ Title: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Street Address: 24 \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Primary Telephone(s): \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_ Federal Tax ID #: \_\_\_\_\_

### Local Government Contact:

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Primary Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

### Agency, Consultant or Engineer Who Will Administer the Grant:

Mailing Address: \_\_\_\_\_ Street Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Primary Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_ Federal Tax ID #: \_\_\_\_\_

County Poverty Rate: \_\_\_\_\_ County Unemployment Rate: \_\_\_\_\_ 2010 Census Population \_\_\_\_\_  
*(Use the population of the municipality identified in the physical address of the project business' property that will be served by the building improvements)*

## PROJECT INFORMATION

Project Title: \_\_\_\_\_ Grant Amount Requested (\$): \_\_\_\_\_  
# of Bus to be Assisted: \_\_\_\_\_ # of Jobs to be Created: \_\_\_\_\_ Job Losses in County During Past 24 Months: \_\_\_\_\_  
Project Description (provide a brief summary of the project below):

Has business/property owner ever benefitted from a grant with the Department of Commerce? Yes  No  If Yes, please explain ↓



### PROPERTY OWNER INFORMATION

Property Owner Legal Name: \_\_\_\_\_  
Property Owner Rep Name (First, MI, Last): \_\_\_\_\_  
(authorized by Property Owner to sign Loan Performance Agreement & Promissory Note)  
Property Owner Address: \_\_\_\_\_ City: \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_  
Property Owner Phone(s): \_\_\_\_\_ Email: \_\_\_\_\_  
Tax Value of Property Before Renovation: \_\_\_\_\_ Date of County's Next Tax Revaluation: \_\_\_\_\_  
Project Building Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Year Building Was Constructed: \_\_\_\_\_ # of Months Building Vacant: \_\_\_\_\_ Sq Ft of Bldg: \_\_\_\_\_

### BUSINESS INFORMATION

**BUSINESS 1** Name \_\_\_\_\_ Federal ID Tax #: \_\_\_\_\_  
Business Rep Name (First, MI, Last): \_\_\_\_\_ NAICS Code: \_\_\_\_\_  
Business Rep Phone: \_\_\_\_\_ Business Rep Email: \_\_\_\_\_

Check ONE box below for the Industry Type of the Business:

- Data & Call Services     Healthcare     Manufacturing     Processing     Warehouse/Distribution  
 Professional     Service     Restaurant     Retail     Non-Profit

Is the proposed Business a startup?    Yes     No     If NO, how many years in business in NC? \_\_\_\_\_

Number of Existing Part-Time employees in NC: \_\_\_\_\_    Will the Business Provide Benefits?    Yes     No

Number of Existing Full-Time employees in NC: \_\_\_\_\_    What % of Health Benefits are Employer Paid? \_\_\_\_\_ %

Number of New Full-Time Jobs Committed: \_\_\_\_\_    Average Yearly Pay of the New Full-Time Jobs Committed? \_\_\_\_\_

**BUSINESS 2** Name \_\_\_\_\_ Federal ID Tax #: \_\_\_\_\_  
Business Rep Name (First, MI, Last): \_\_\_\_\_ NAICS Code: \_\_\_\_\_  
Business Rep Phone: \_\_\_\_\_ Business Rep Email: \_\_\_\_\_

Check ONE box below for the Industry Type of the Business:

- Data & Call Services     Healthcare     Manufacturing     Processing     Warehouse/Distribution  
 Professional     Service     Restaurant     Retail     Non-Profit

Is the proposed Business a startup?    Yes     No     If NO, how many years in business in NC? \_\_\_\_\_

Number of Existing Part-Time employees in NC: \_\_\_\_\_    Will the Business Provide Benefits?    Yes     No

Number of Existing Full-Time employees in NC: \_\_\_\_\_    What % of Health Benefits are Employer Paid? \_\_\_\_\_ %

Number of New Full-Time Jobs Committed: \_\_\_\_\_    Average Yearly Pay of the New Full-Time Jobs Committed? \_\_\_\_\_

If more than two businesses will locate in the building, copy this page and complete for the additional business(es).

**FINAL CHECKLIST** (please mark and enclose the following items before submitting):

<p>TAB 1</p> <p><input type="checkbox"/> Signed Application Form</p> <p><input type="checkbox"/> Proposal Narratives</p> <p style="padding-left: 20px;">Reuse Project Description</p> <p style="padding-left: 20px;">Company &amp; Job Description</p> <p style="padding-left: 20px;">Building Description</p> <p style="padding-left: 20px;">Description of the Renovation Project</p> <p style="padding-left: 20px;">Job Matrix</p> <p>TAB 2</p> <p><input type="checkbox"/> Job Commitment Letters</p> <p><input type="checkbox"/> NC Unemployment Insurance 101 Forms</p> <p>TAB 3</p> <p><input type="checkbox"/> Proof of Funding Availability Letters</p> <p><input type="checkbox"/> Local Govt Letter Resolution</p>	<p>TAB 4</p> <p><input type="checkbox"/> Line Item Budget</p> <p><input type="checkbox"/> Detailed Cost Estimates</p> <p>TAB 5</p> <p><input type="checkbox"/> Site Control Documents</p> <p><input type="checkbox"/> Building Assessments</p> <p style="padding-left: 20px;">Statement of Tax Value</p> <p style="padding-left: 20px;">Environmental Assessment</p> <p>TAB 6</p> <p><input type="checkbox"/> Photographs</p> <p><input type="checkbox"/> Project Contacts</p> <p>Notes: <input style="width: 200px; height: 20px;" type="text"/></p>
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Submit to: **Rural Grants/Programs**  
 North Carolina Department of Commerce  
 Rural Economic Development Division  
 4346 Mail Service Center  
 Raleigh, NC 27699-4346

**CERTIFICATION BY CHIEF ELECTED OFFICIAL**

The attached statements and exhibits are hereby made part of this application, and the undersigned representative of the applicant certifies that the information in this application and the attached statements and exhibits is true, correct, and complete to the best of his/her knowledge and belief. He/She further certifies:

- 1 as Authorized Representative, he/she has been authorized to file this application by formal action of the governing body;
- 2 that the governing body agrees that if a grant and/or loan is awarded, the applicant will provide proper and timely submittal of all documentation requested by the Grantor Agency;
- 3 that the applicant has substantially complied with or will comply with all federal, state, and local laws, rules, regulations, and ordinances as applicable to this project;
- 4 that the applicant has analyzed the participating companies' financial and organizational strength in regard to the ability to successfully meet the terms of the job creation and maintenance requirements, carry out the renovation project, as well as, the ability to meet the potential for repayment of loan funds; and
- 5 that the project is in accordance with the applicant's economic development plan and that the applicant has investigated any impact that the project may have on existing businesses within the applicant's jurisdiction.

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**SIGNATURE OF CHIEF ELECTED OFFICIAL/AUTHORIZED REPRESENTATIVE**

---

**TYPED NAME**

---

**TYPED TITLE**

---

**DATE**

RECEIVED

JUL 10 2014



North Carolina  
Department of Commerce

CITY MANAGER'S OFFICE

Pat McCrory, Governor  
Sharon Allred Decker, Secretary

Dr. Patricia Mitchell, CEcD  
Assistant Secretary  
Rural Economic Development Division

June 27, 2014

The Honorable Allen M. Thomas  
City of Greenville  
Post Office Box 7207  
Greenville, NC 27835-7207

Re: FY13/14 Building Reuse Award Notification  
Contract Ref #: 2014-038-3201-2538

Dear Mayor Thomas:

On behalf of the Rural Infrastructure Authority, I am pleased to announce that the City of Greenville has been selected for funding under the Building Reuse program. Funds were awarded to the City of Greenville on 6/19/2014, in the amount of \$210,000.00 for the project entitled, "Purilum, LLC" in order to create 21 full-time jobs. The NC Department of Commerce will enter into a contract with the City of Greenville contingent upon the following:

- 1. A copy of the most current NCUI 101 for Alliance One International and IOTO USA.  
Note: Current employment must be retained at partnering facilities located in North Carolina.***

***Please submit the requested item or items by August 27, 2014.*** The Rural Grants/Programs Section will make every effort to expedite the contracting process once the requested contingency [item is or items are] received by the program manager. Contract documents will be prepared and issued within 90 days of the grant award.

Congratulations on this award and we extend our best wishes to you for success in bringing new job creation to rural North Carolina. We look forward to working with you on this important project. If you have any questions, please contact your program manager Hazel Edmond at (919) 715-0061 or [hazel.edmond@nccommerce.com](mailto:hazel.edmond@nccommerce.com).

Sincerely,

A handwritten signature in cursive script that reads "Patricia Mitchell".

Dr. Patricia Mitchell, CEcD  
Rural Economic Development Division

cc: Melody Adams, Director, Rural Development Division

***Thrive NC***

Rural Economic Development Division • 301 North Wilmington Street • 4346 Mail Service Center • Raleigh, North Carolina 27699-4346  
Tel: (919) 733-4151  
[www.nccommerce.com](http://www.nccommerce.com)

Item # 8



# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

**Title of Item:** Purchase order request for one Jet/Vacuum Sewer Cleaner Truck to be assigned to the Public Works Department/Streets Division

**Explanation:** **Abstract:** The Public Works Department/Streets Division requests approval for purchasing a Jet/Vacuum Sewer Cleaner truck to replace an existing pipe cleaning VAC truck.

**Explanation:** The Public Works Department/Streets Division requests approval to replace an existing pipe cleaning VAC truck with a Jet/Vacuum Sewer Cleaner truck at a cost of \$353,054.50. The recommended new Jet/Vacuum Sewer Cleaner truck, to be purchased through the National Joint Power Alliance purchasing contract, will replace the pipe cleaning VAC truck currently assigned to the Public Works Department/Streets Division, which meets the criteria for replacement. The replaced pipe cleaning VAC truck will be sold as surplus through GovDeals.

**Fiscal Note:** The requested Jet/Vacuum Sewer Cleaner truck is a replacement truck and is included in the City's approved FY 2014/2015 Vehicle Replacement Program Purchase List. The newly purchased Jet/Vacuum Sewer Cleaner will not increase existing maintenance and fuel costs or the number of vehicles already assigned. The existing pipe cleaning VAC truck will be removed from the fleet and sold through GovDeals.

**Recommendation:** Staff requests City Council approve the purchase order request for one Jet/Vacuum Sewer Cleaner from Atlantic Machinery, Inc. through the National Joint Power Alliance (NJPA) for \$353,054.50.

**Attachments / click to download**

 [Purchase Order for Jet Vacuum](#)

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**PUBLIC WORKS DEPARTMENT  
REQUEST FOR PURCHASE ORDER**

<b>Date:</b>	July 16, 2014	<b>Account Nos.:</b>	200-1400-463.74-01	<b>P.O. #:</b>	
VRF 2014/2015 Replacement of VAC Truck Unit 4634				<b>Requested By:</b> Angel Maldonado	
<b>Department Head Approval:</b>			Circle All that Apply		
<b>Division Head /Supervisor Approval:</b>			<b>GF</b>	<b>PB</b>	<b>SW</b>
<b>Division Charged:</b>			<b>Cap. Outlay</b>	<b>CIP</b>	
VRF			<b>Other:</b>	<b>Adm. to Order</b>	<b>Yes</b>
<b>Vendor:</b>	Atlantic Machinery INC	<b>Vendor No.:</b>		<b>Contact Person:</b>	M.J. Dubois
<b>Address:</b>	2628 Garfield Ave		<b>Fed ID #:</b>		
<b>City:</b>	Silver Spring	<b>State:</b>	MD	<b>EMAIL</b>	mjduboid@atlanticmachineryinc.com
<b>Phone:</b>	301-585-0800	<b>ZIP:</b>	20910	<b>Minority Status:</b>	No

QTY	PRICE	UNIT	DESCRIPTION	ITEM #	COLOR	SIZE	TOTAL
1	\$353,054.50	each	One Jet/Vacuum Sewer Cleaner according to quoted by Atlantic Machinery -NJPA Contract NO. 022014-AMI- Freightliner Model 114SD with 370 HP Diesel Engine Chassis 6X4. 66,000GVWR Auto Transmission and Air Conditioning, Power door lock and window, power mirrors. Auxiliary engine (water pump and hydraulic operation) John Deere, 140HP.5 year//150,00 mile warranty Cummins ISC with Emissions Coverage/5year unlimited mile Allison Trans warranty. Include final inspection arrangement before delivery(travel,hote,ect)for street/fleet personal. Training for Mechanic in diagnostic and repairs of Jet/Vacuum hydraulic/electrical system. Delivery is 60-90 day after receipt of order. Final payment will be sent out after city received title, service manual, and parts manual of truck and Jet/vacuum.				\$ 353,054.50
<b>SHIPPING</b>							\$ -
<b>Price Quote</b>		<b>Vendor Name</b>			<b>SUBTOTAL</b>		\$ 353,054.50
<b>TOTAL</b>							\$ 353,054.50

Attach copies of other quotes.  
Doc.# 930452



# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

**Title of Item:** Purchase order request for sixteen Ford Interceptors to be assigned to the Police Department

**Explanation:** **Abstract:** The Police Department requests approval to purchase sixteen Ford Interceptors. The purchase is being made from State Purchasing Contract -2015 Model Year Law Enforcement Vehicle (070B). The total cost is \$456,150.

**Explanation:** The Police Department requests approval to replace sixteen police vehicles at a cost of \$456,150. The vehicles meet the criteria for replacement and have been approved by City Council as a part of the FY 14/15 Vehicle Replacement Fund authorized purchases. The new police vehicles will replace sixteen police sedans currently assigned to the Police Department. The replaced sedans will be sold as surplus through GovDeals.

The Local Preference Policy was adhered to in the process of determining the purchase of the replacement vehicles.

**Fiscal Note:** The requested police cars are replacement vehicles and are included in the City's approved FY 2014/2015 Vehicle Replacement Program Purchase List. The newly purchased vehicles will not increase existing maintenance and fuel cost or the number of vehicles already assigned. Sixteen sedans will be removed from the fleet and sold through GovDeals.

**Recommendation:** Approve the purchase order request for sixteen Ford Interceptors from the 2015 Model Year Law Enforcement Vehicle (070B) State Purchase Contract.

**Attachments / click to download**

 [Police Vehicle Purchase Order](#)

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**PUBLIC WORKS DEPARTMENT  
REQUEST FOR PURCHASE ORDER**

Attachment number 1  
Page 1 of 1

<b>Date:</b>	July 16, 2014	<b>Account Nos.:</b>	200-1400-463.74-01	<b>P.O. #:</b>	
VRF 2014/2015 Replacement Police Department Vehicles-5745-5746-5748-5751-5800-6147-6148-6160-6569-6599-6600-6601-6602-6603-6788-6964				<b>Requested By:</b> Angel Maldonado	
<b>Department Head Approval:</b>				Circle All that Apply	
<b>Division Head /Supervisor Approval:</b>				<b>GF</b>	<b>PB</b>
<b>Division Charged:</b>		<b>Other:</b>		<b>SW</b>	<b>Cap. Outlay</b>
VRF				<b>Adm. to Order</b>	<b>Yes</b>
<b>Vend or:</b>	Capital Ford Inc.	<b>Vendor No.:</b>	177	<b>Contact Person:</b>	Tom Lowe
<b>Address:</b>	4900 Capital Blvd			<b>Fed ID #:</b>	56-7456873
<b>City:</b>	Raleigh	<b>State:</b>	NC	<b>EMAIL</b>	tlowe@capitalford.com
<b>Phone</b>	919-790-4732	<b>ZIP:</b>		<b>Minority Status:</b>	no

QTY	PRICE	UNIT	DESCRIPTION	ITEM #	COLOR	SIZE	TOTAL		
2	\$28,525.00	each	2015 Ford Utility Interceptor AWD (2) Black/Dark Blue - Cloth interior - 3.7L V6 engine 6-speed automatic transmission - SYNC system - Badge delete - Auxiliary climate control - Cargo dome light - Courtesy light disable - Power heated mirrors - Remote keyless entry - Side marker lights on side mirrors - 18" full wheel covers - Front headlamp package - Grill wiring - Rear light package - Reverse sensing				\$ 57,050.00		
4	\$28,525.00	each	2015 Ford Utility Interceptor AWD (4) - Arizona Beige (E3) Medium Titanium Metallic (YG) Ignor Silver (UX) Norsesea Blue (KR) - Cloth interior - 3.7L V6 engine - 6-speed automatic transmission - SYNC system - Badge delete - Auxiliary climate control - Cargo dome light - Courtesy light disable - Driver's side LED spotlight - Power heated mirrors - Remote keyless entry - Side marker lights on side mirrors - 18" full wheel covers - Front headlamp package - Grill wiring - Rear light package - Reverse sensing				\$ 114,100.00		
3	\$28,525.00	each	2015 Ford Utility Interceptor AWD (3) - Ingot Silver (UX) Medium Titanium Metallic (YG) Smokestone (HG) - Cloth interior - 3.7L V6 engine - 6-speed automatic transmission - SYNC system - Badge delete - Auxiliary climate control - Cargo dome light - Courtesy lights disabled - Power heated mirrors - Remote keyless entry - Side marker lights - 18" full wheel covers - Front headlamp package - Grill wiring - Rear light package - Reverse sensing				\$ 85,575.00		
1	\$29,025.00	each	2015 Ford Utility Interceptor AWD (1) - Oxford White - Cloth interior - 3.7L V6 engine - 6-speed automatic transmission - SYNC system - Badge delete - Auxiliary climate control - Cargo dome light - Courtesy lamp disabled - Driver's side LED spotlight - Power heated mirrors - Remote keyless entry - Side marker lights - 18" full wheel covers - Front headlamp package - Grill wiring - Rear light package - Reverse sensing				\$ 29,025.00		
6	\$28,400.00	each	2015 Interceptor Sedan AWD (6) - Oxford White exterior - Cloth interior - 3.5L eco boost engine - 6-speed automatic transmission - Badge delete - Driver's side LED spotlight - Fleet keyed alike (1435) - Grill lamp wiring - SYNC system - Heated exterior mirrors - Electronics tray -18" full wheel covers - Front headlamp package - Rear headlamp package Reverse sensing system				\$ 170,400.00		
							<b>SHIPPING</b>	\$ -	
<b>Price Quote</b>							<b>Vendor Name</b>	<b>SUBTOTAL</b>	\$ 456,150.00
							<b>TOTAL</b>	\$ 456,150.00	

Item # 10



# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

**Title of Item:** Report on bids and contracts awarded

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

**Explanation:** The Director of Financial Services reports that the following contracts were awarded during the months of June and July, 2014.

Date Awarded	Description of Purchase	Vendor	Amount	MWBE Yes/No
6/13/14	Storm Pipe Crawler Camera	Southern Municipal Equipment Company	\$89,953.10	N
6/23/14	EMC Backup and Recovery Infrastructure State Contract Purchase State Contract #204-J	Internetwork Engineering	\$108,700.49	Y
7/02/14	Equipment for Rescue Pumper-Engine 3 Bid Tab - Doc. 982784	MES-Asheville Fire & Safety	\$91,907.00	N
7/22/14	Build Shelters for Grounds Maintenance Operations Center (GMOC)	Modular Solutions, Inc.	\$115,500.00	Y
7/25/14	Office Upfit for Facilities Management Operations Center (FMOC)	Chance & Smith Builders, Inc.	\$61,140.00	Y

7/29/14	Transit Heavy Vehicle Lift for Fleet Division	Lifting Solutions, LLC	\$119,885	N
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**Fiscal Note:**

- 1 - Storm Pipe Crawler: funds for this purchase were approved in the 2013-2014 Storm Water Management Utility Fund budget in the amount of \$100,000.
- 2 - EMC Backup and Recovery Infrastructure: funds for this purchase were approved in the 2013-2014 BANA/ERP Computer Hardware budget in the amount of \$150,000.
- 3 - Equipment for Rescue Pumper Engine 3: funds for this purchase were approved in the 2013-2014 Vehicle Replacement Fund budget in the amount of \$150,000.
- 4 - Shelters for GMOC: funds for this purchase were approved in the 2013-2014 CIP Budget for Public Works Expansion and Purchasing Relocation in the amount of \$130,000.
- 5 - Office Upfit for FMOC: funds for this purchase were approved in the 2013-2014 CIP Budget for Public Works Expansion and Purchasing Relocation in the amount of \$75,000.
- 6 - Transit Heavy Vehicle Lift for Fleet Division: funds for this purchase were approved in the 2013-2014 Transit CIP budget in the amount of \$150,000.

**Recommendation:**

That the award information be reflected in the City Council meeting minutes.

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

**Attachments / click to download**

- [Bid Tabulation-Storm Pipe Crawler Camera](#)
  - [Bid Tabulation-Shelters at GMOC](#)
  - [Bid Tabulation-Office Upfit FMOC](#)
  - [Bid Tabulation-Transit Heavy Vehicle Lift for Fleet](#)
  - [Bid Tabulation Equipment for Rescue Pumper Engine 3\\_982784](#)
-

		C.W. Williams Co.			Newton's Fire & Safety			Dana Safety Supply		
Item #	ITEM DESCRIPTION	Mfr./Part #	Qty	Unit Cost	Ext. Cost	Unit Cost	Ext. Cost	Unit Cost	Ext. Cost	Item #
1	Steel Twist Locking Carabiners	CA4131N	16			25.00	400.00		0.00	1
2	SMC Rescue Swivel	SW5600N	2			70.00	140.00		0.00	2
3	SMC Brake Bar	BR8150N	2			60.00	120.00		0.00	3
4	Steel O Rings	OR7200	2			8.75	17.50		0.00	4
5	CMC Anchor Plate	PR5050N	2			53.00	106.00		0.00	5
6	SMC Kootenay Pulley	PU8725N	1			162.50	162.50		0.00	6
7	RQ3 Prusik Minding Pulley	PU8710	4			36.00	144.00		0.00	7
8	SMC Double Pulley	PU8400N	2			57.00	114.00		0.00	8
9	SMC Single Pulley	PU8410N	2			38.50	77.00		0.00	9
10	SMC Rescue 8 Decender	FF2108N	2			33.00	66.00		0.00	10
11	RQ3 Pick Off Straps	AN 2500	4			28.50	114.00		0.00	11
12	SMC Grip Decenders	AS4030N	2			24.50	49.00		0.00	12
13	Cinch Rescue Collar	RG1800	1			270.00	270.00		0.00	13
14	Full Body Harness	XLHA8800	1			365.00	365.00		0.00	14
15	Full Body Harness	LHA8800	1			365.00	365.00		0.00	15
16	1" Tubular Webbing (Roll)	WE370030	1			65.00	65.00		0.00	16
17	1/2" Kermantle Red Rope	RP5065	1			182.00	182.00		0.00	17
18	1/2" Kermantle White Rope	RP5065	1			154.00	154.00		0.00	18
19	1/2" Kermantle Green Rope	RP5065	1			182.00	182.00		0.00	19
20	RQ3 75' Water Rescue Throw Bag	BG1500	2			40.00	80.00		0.00	20
21	RQ3 Rope/Gear Bag	BG3237	6			130.00	780.00		0.00	21
22	RQ3 Litter Rigging Set	LT 1575	1			154.00	154.00		0.00	22
23	LSC Medevac Litter w/floatation made by Life Saving Systems	#402	1			625.00	625.00		0.00	23
24	CMC Rescue Ethrier	ET 5510	1			27.00	27.00		0.00	24
25	8MM Prusik Green (Roll)	RP5014	1			117.00	117.00		0.00	25
26	Vitter Complete Kit 121 Ton 8 Bag (116 PSI)	106R112	1			5,825.00	5,825.00		0.00	26
27	OTTER Raft Kit	RB4000	1			5,650.00	5,650.00		0.00	27
28	Rhyno Windshield Cutter Tool Set	RWC-1	2			9.00	18.00		0.00	28
29	Glass Master Tool Complete	Gmm-2	1			149.00	149.00		0.00	29

Attachment number 1  
13

FORMAL BID#13-14-28

30	Hurst Spreader Sp310E2 to include charger and two batteries	271085000	1			8,475.00	8,475.00	0.00	30
31	Hurst Cutter S700E2 to include charger and two batteries	272085000	1			7,725.00	7,725.00	0.00	31
32	Hurst Combi Tool SC357E2 to include charger and two batteries	273045000	1			8,675.00	8,675.00	0.00	32
33	Hurst RAM 411E to include Charger and two batteries	274080000	2			5,805.00	11,610.00	0.00	33
34	Adapter plugs for Hurst Edraulics	272080412	2			472.00	944.00	0.00	34
35	Extension for RAM 411E	274081000	1			215.00	215.00	0.00	35
36	Set Pulling chains with slip hook for HURST	3640005	1			300.00	300.00	0.00	36
37	Mini-Cutter System, Complete with manual Power Pack	362R171	1			1,500.00	1,500.00	0.00	37
38	Turtle Plastic 123 PIECE SET	CRIB KIT C	1			5,195.00	5,195.00	0.00	38
39	Skedco Spine Splint	153001	1			0.00	0.00	0.00	39
40	Res-Q-JAC 2 Car Stabilization kit	STX-2Car	1			0.00	0.00	0.00	40
41	3000 LB Come Along	JYD20005	1			845.00	845.00	0.00	41
42	Pac Tool Hanger Bracket	PN1019	4			15.25	61.00	0.00	42
43	Plastix Plus Horizontal tool mount for Edraulic Ram	SKU: PPR411E	2			155.00	310.00	0.00	43
44	Man Vs Machine Kit	AHF-MVM	1			0.00	0.00	0.00	44
45	O tool accessory kit	W-OTK-16	1			63.00	63.00	0.00	45
46	Griff Hook 36"	G-HOOK-36	2			69.00	138.00	0.00	46
47	ISG X380 TIC Fast Attack truck mount w/retractable layard., hot spot tracker, and 2x4x zoom.	ISG 80-031	1			9,000.00	9,000.00	0.00	47
48	100ft 5" LDH with Storz couplings	Fireequip Hydroflow Yellow	10			498.00	4,980.00	496.34	48
49	RED NST hose poly/nylon 1 3/4" NST Hose Poly/Nylon (400'=bid in 50' Lengths= Qty of 8)	Fire Equip DJ800	8			88.00	704.00	86.89	49
50	Green NST hose poly/nylon 1 3/4" NST Hose Poly/Nylon (400'=bid in 50' Lengths=Qty of 8)	Fire Equip DJ800	8			88.00	704.00	90.36	50
51	Blue NST hose poly/nylon 1 3/4" NST Hose Poly/Nylon (400'=bid in 50' Lengths=Qty of 8)	Fire Equip DJ800	8			88.00	704.00	86.89	51

FORMAL BID#13-14-28

52	Yellow NST hose poly/nylon 1 3/4" NST Hose	Fire Equip DJ800	8	0.00	88.00	704.00	86.89	695.12	52
	Poly/Nylon (400'=bid in 50' Lengths=Qty of 8)								
53	White NST hose poly/nylon 1 3/4" NST Hose	Fire Equip DJ800	4	0.00	78.00	312.00	86.89	347.56	53
	Poly/Nylon (400'=bid in 50' Lengths=Qty of 4)								
54	White NST hose poly/nylon 2 1/2" NST Hose	Fire Equip DJ800	10	0.00	114.00	1,140.00	86.89	868.90	54
	Poly/Nylon (500'=bid in 50' Lengths=Qty of 10)								
55	5.11 2400 Bag	56877	1	0.00	0.00	0.00	51.00	51.00	55
56	Hose strap for highrise pack	MSCHLG	2	0.00	53.00	106.00		0.00	56
57	Spanner hydrant wrench kit	ELHART470	2	0.00	122.00	244.00		0.00	57
58	Spanner wrench kit	ELHART469	2	0.00	78.00	156.00		0.00	58
59	LDH Spanner wrench kit	ANGUS SW-114	2	0.00	0.00	0.00		0.00	59
60	Individual hose straps	Akron 78	4	0.00	48.00	192.00		0.00	60
61	LDH hose roller	Harrington HHR-2	1	0.00	114.00	114.00		0.00	61
62	Screw style hose clamp	HEBERT 2.5	1	0.00	175.00	175.00		0.00	62
63	Screw style hose clamp	HEBERT LDH	1	0.00	294.00	294.00		0.00	63
64	Red floor runner	Hall Runner 3'x 18'	1	0.00	42.00	42.00		0.00	64
65	Fire Vulcan LED handheld vehicle mount flash light	44401	4	0.00	94.00	376.00	88.06	352.24	65
66	Survivor 90 degree LED handheld flash light 12V	90513	3	0.00	101.50	304.50	95.04	285.12	66
67	Charger	EKS-12	1	0.00	164.00	164.00		0.00	67
68	Set of elevator Keys	No specific part #	3	0.00	34.00	102.00	17.38	52.14	68
69	Sprinkler stops								
69	8lb/30" flathead axe/halligan bar (30") with strap and								
	ktool forcible entry kit	W-DYN-4	1	0.00	375.00	375.00		0.00	69
70	Irons strap	ISS-82	2	0.00	35.00	70.00	12.77	25.54	70
71	TNT Denver tool 30" 6lb weight	TN	1	0.00	172.00	172.00		0.00	71
72	Firehooks Unlimited Flathead axe	FA-8	1	0.00	84.00	84.00	46.59	46.59	72
73	Firehooks Unlimited Pickhead axe	FAP-8	2	0.00	88.00	176.00	103.89	207.78	73
74	Firehooks Unlimited 10lb Sledge Hammer	SHF-10	1	0.00	36.00	36.00	31.91	31.91	74
75	Firehooks Unlimited 3lb Sledge Hammer	HAM-3	1	0.00	15.25	15.25	17.33	17.33	75
76	Firehooks Unlimited 2lb Rubber Mallet	W-N-13110	1	0.00	13.75	13.75	17.67	17.67	76
77	Zico Deadblow 4065 hammer	W-DBH	1	0.00	36.50	36.50	25.60	25.60	77
78	4' Talon hook	TAL-4	1	0.00	112.00	112.00		0.00	78
79	36" Flat Demolition bar	LH-140	1	0.00	8.50	8.50		0.00	79

FORMAL BID#13-14-28

80	Pinch Point Bar	PPB-51	1	0.00	34.00	34.00	96.56	96.56	80
81	Set Irons 8lb flat head axe/30" halligan bar	W-DYN-TRIO	1	0.00	264.00	264.00	156.35	156.35	81
82	10" Cable cutters	CC-10	2	0.00	11.45	22.90	0.00	0.00	82
83	24" Bolt Cutters Firehooks Unlimited	BC-24	1	0.00	62.00	62.00	116.64	116.64	83
84	Ram Fan varible speed electric PPV fan	EV400 - 115V (EB80500)	1	0.00	2,195.00	2,195.00	2,197.56	2,197.56	84
85	Portable LED lights	ELSS-XLAC	2	0.00	875.00	1,750.00	1,062.50	2,125.00	85
86	Square point shovel	SPS-LH	1	0.00	30.00	30.00	24.05	24.05	86
87	Round Shovel	RPS-LH	1	0.00	30.00	30.00	20.32	20.32	87
88	27" round shovel fiberglass handle	RPS-DG	1	0.00	27.00	27.00	21.75	21.75	88
89	27" Flat Shovel Fiberglass handle	No part # found	1	0.00	28.00	28.00	32.37	32.37	89
90	Binoculars	No specific part #	1	0.00	0.00	0.00	85.14	85.14	90
91	Cordless 1/2 Drill	DC920KA	1	0.00	0.00	0.00	0.00	0.00	91
92	Reciprocating Saw	DC385K	1	0.00	0.00	0.00	0.00	0.00	92
93	Little Gaint Ladder	10102	1	0.00	0.00	0.00	0.00	0.00	93
94	2.5 Water Extinguisher with Foam nozzle	W-250	2	0.00	0.00	0.00	130.00	260.00	94
95	2.5 Water extinguisher with water can	W-240	1	0.00	90.00	90.00	130.00	130.00	95
96	2013 NFPA AP 75 4.5 DUAL EBSS PAK TRACKER PASS	X3214021200302	4	0.00	0.00	0.00	0.00	0.00	96
97	AV3000 HT, KEVLAR HEADNET, SIZE MEDIUM, RIGHT SIDE COMM BRKT	20121505	4	0.00	0.00	0.00	0.00	0.00	97
98	CYL&VLV ASSY,CARB,30MIN,4500	80472101	12	0.00	0.00	0.00	0.00	0.00	98
99	RIT-PAK III with 60 minute bottle	Scott	1	0.00	0.00	0.00	0.00	0.00	99
100	4000-18 175@75 Breakapart shutoff and tip 1-1/2" nozzle	Elkhart	2	0.00	560.00	1,120.00	469.49	938.98	100
101	4000-17 175@75 1-1/2" nozzle	Elkhart	4	0.00	470.00	1,880.00	398.00	1,592.00	101
102	4000-26 250@50 2-1/2" nozzle	Elkhart	2	0.00	490.00	980.00	411.77	823.54	102
103	B-278-AT Playpipe 2-1/2" w/ 1-1/2" opening	Elkhart	1	0.00	538.00	538.00	347.06	347.06	103
104	185-A Smooth bore tips 1",1-1/8, 1-1/4"	Elkhart	1	0.00	57.00	57.00	170.59	170.59	104
105	187-A Smooth bore tips 1/2" and 15/16"	Elkhart	2	0.00	45.00	90.00	70.59	141.18	105
106	193-9 Bresnan Distributor 2-1/2" 495 GPM	Elkhart	1	0.00	440.00	440.00	0.00	0.00	106
107	222-1.5 Wat-R-Wall	Elkhart	1	0.00	368.00	368.00	0.00	0.00	107

Document number 13

FORMAL BID#13-14-28

108	SM-1250	Deluge Fog Tip X-Stream 2-1/2"	Elkhart	1	0.00	799.00	799.00	458.83	458.83	108
109	8297-2.0	Stinger Deluge w/ 5" Storz inlet	Elkhart	1	0.00	2,350.00	2,350.00	0.00	0.00	109
110	4A	Plain & Clappered Siamese 2-2-1/2" to 5" Storz	Elkhart	1	0.00	395.00	395.00	0.00	0.00	110
111	ST-194	Quad Stack Tips	Elkhart	1	0.00	335.00	335.00	176.83	176.83	111
112	282-A	Stream Shaper	Elkhart	1	0.00	125.00	125.00	0.00	0.00	112
113	8297-MB	Mounting bracket for deluge	Elkhart	1	0.00	190.00	190.00	0.00	0.00	113
114	241-150	Foam Eductor w/ 2-1/2" inlet	Elkhart	1	0.00	424.00	424.00	317.65	317.65	114
115	246-S	FOAM EXPANSION TUBE	Elkhart	1	0.00	155.00	155.00	152.95	152.95	115
116										116
117	B-100-A	2-1/2" to 2-1-1/2" gated wye w/long MOLDED URETHANE handles	Elkhart	2	0.00	198.00	396.00	158.83	317.66	117
118	AX1ST-NX-PS	TFT Jumbo PIV 5" Storz X 6" NH	TFT	1	1,529.41	0.00	0.00	0.00	0.00	118
119						0.00	0.00			119
120	1088	Piercing Applicator	Akron	2	0.00	624.00	1,248.00	0.00	0.00	120
121	H301-50FTS-50-25NH	5" Storz to 2-2-1/2" and 5" storz 3 way gated ball valve	Harrington	1	0.00	1,175.00	1,175.00	0.00	0.00	121
122	H30E-50-40NHLH	4" female NH to 5" storz elbo	Harrington	1	0.00	165.00	165.00	0.00	0.00	122
123	HSFS50-45NH	4-1/2" swivel female to 5" storz	Harrington	1	0.00	125.00	125.00	0.00	0.00	123
124	HSFS60-50NH	6" female to 5" storz	Harrington	1	0.00	178.00	178.00	0.00	0.00	124
125	HSFR50-25NH	2-1/2" female rigid to 5" storz	Harrington	1	0.00	81.00	81.00	0.00	0.00	125
126	HSMR50-25NH	2-1/2" male rigid to 5" storz	Harrington	3	0.00	84.00	252.00	0.00	0.00	126
127	HBC-50	5" Storz Blind Cap w/chain	Harrington	2	0.00	45.00	90.00	0.00	0.00	127
128	H35-25NH-25NH	2-1/2" double female	Harrington	1	0.00	23.50	23.50	0.00	0.00	128
129	H36-25NH-25NH	2-1/2" double male	Harrington	3	0.00	13.00	39.00	0.00	0.00	129
130	HCC2804AC	1-1/2" female chrome caps w/chain	South Park	4	0.00	13.50	54.00	0.00	0.00	130
131	A3720AC	2-1/2" female to 1-1/2" male chrome reducers	South Park	2	0.00	23.50	47.00	0.00	0.00	131
132	HCC2808AC	2-1/2" female chrome caps w/chain	South Park	2	0.00	22.50	45.00	0.00	0.00	132
133	106-9F	12" long chain for extensions	South Park	5	0.00	1.95	9.75	0.00	0.00	133

Document number 1 of 13



**FORMAL BID#13-14-28**

Amounts of Bid Award	Total Award																			
C.W. Williams Co.	10,529.41																			
Newton's Fire & Safety	19,190.40																			
Dana Safety Supply	689.50																			
Fire Connections	19,641.00																			
MES-Carolinas	91,907.00																			
<b>Grand Total</b>	<b>141,957.31</b>																			

Fire Connections		MES-Carolinas			Award
Unit Cost	Ext. Cost	Unit Cost	Ext. Cost	Item #	
19.25	308.00	34.00	544.00	1	Fire Connections
72.00	144.00	81.00	162.00	2	Newtons
99.50	199.00	108.00	216.00	3	Newtons
9.50	19.00	14.00	28.00	4	Newtons
42.50	85.00	44.00	88.00	5	Fire Connections
158.00	158.00	178.00	178.00	6	Fire Connections
67.75	271.00	94.00	376.00	7	Newtons
62.00	124.00	71.00	142.00	8	Newtons
51.50	103.00	59.00	118.00	9	Newtons
32.50	65.00	48.00	96.00	10	Fire Connections
25.25	101.00	42.00	168.00	11	Fire Connections
54.00	108.00	62.00	124.00	12	Newtons
322.00	322.00	300.00	300.00	13	Newtons
311.00	311.00	350.00	350.00	14	Fire Connections
311.00	311.00	350.00	350.00	15	Fire Connections
0.32	96.00	102.00	102.00	16	Newtons
206.00	206.00	192.00	192.00	17	Newtons
185.00	185.00	192.00	192.00	18	Newtons
206.00	206.00	192.00	192.00	19	Newtons
41.00	82.00	49.00	98.00	20	Newtons
45.00	270.00	36.00	216.00	21	MES
283.00	283.00	270.00	270.00	22	Newtons
		1,380.00	1,380.00	23	Newtons
45.00	45.00	49.00	49.00	24	Newtons
131.00	131.00	153.00	153.00	25	Newtons
7,085.00	7,085.00	5,900.00	5,900.00	26	Newtons
3,779.00	3,779.00	3,700.00	3,700.00	27	MES
700.00	1,400.00	700.00	1,400.00	28	MES
142.00	142.00	130.00	130.00	29	MES
Item #					MES won coin toss

10,565.50	10,565.50		8,100.00	8,100.00	30	MES			
9,630.50	9,630.50		7,400.00	7,400.00	31	MES			
10,820.50	10,820.50		8,250.00	8,250.00	32	MES			
7,250.50	14,501.00		5,600.00	11,200.00	33	MES			
590.75	1,181.50		550.00	1,100.00	34	Newtons			
278.00	278.00		207.00	207.00	35	MES			
374.00	374.00		320.00	320.00	36	Newtons			
1,861.50	1,861.50		1,350.00	1,350.00	37	MES			
6,166.00	6,166.00		5,000.00	5,000.00	38	MES			
225.00	225.00		500.00	500.00	39	Fire Connections			
8,700.00	8,700.00		8,500.00	8,500.00	40	MES			
245.00	245.00		308.00	308.00	41	Fire Connections			
14.25	57.00		15.00	60.00	42	Fire Connections			
220.00	440.00		158.00	316.00	43	Newtons			
578.00	578.00		620.00	620.00	44	Fire Connections			
59.00	59.00		63.00	63.00	45	Fire Connections			
64.50	129.00		68.00	136.00	46	Fire Connections			
	0.00		9,500.00	9,500.00	47	C.W. Williams			
550.00	5,500.00		490.00	4,900.00	48	MES			
105.00	840.00		90.00	720.00	49	Newtons			
105.00	840.00		90.00	720.00	50	Newtons			
105.00	840.00		90.00	720.00	51	Newtons			

Doc#982784 Bid Tabulation  
Equipment for Rescue Pumper-Engine 3  
FORMAL BID#13-14-28

105.00	840.00	90.00	720.00	52	Newtons			
92.00	368.00	90.00	360.00	53	Newtons			
127.00	1,270.00	116.00	1,160.00	54	Newtons			
	0.00	223.00	223.00	55	MES			
70.00	140.00	51.00	102.00	56	MES			
125.00	250.00	120.00	240.00	57	MES			
80.00	160.00	77.00	154.00	58	MES			
102.50	205.00	76.00	152.00	59	MES			
56.25	225.00	51.00	204.00	60	Newtons			
120.00	120.00	117.00	117.00	61	Newtons			
215.00	215.00	178.00	178.00	62	Newtons			
345.00	345.00	297.00	297.00	63	Newtons			
23.00	23.00	25.00	25.00	64	Fire Connections			
95.00	380.00	90.00	360.00	65	Dana Safety			
115.00	345.00	98.00	294.00	66	Dana Safety			
155.00	155.00	162.00	162.00	67	Fire Connections			
35.00	105.00	34.00	102.00	68	Dana Safety			
365.00	365.00	378.00	378.00	69	Fire Connections			
33.50	67.00	35.00	70.00	70	Fire Connections			
195.00	195.00	170.00	170.00	71	MES			
82.00	82.00	85.00	85.00	72	Fire Connections			
85.00	170.00	89.00	178.00	73	Fire Connections			
35.00	35.00	36.00	36.00	74	Fire Connections			
15.00	15.00	16.00	16.00	75	Fire Connections			
13.00	13.00	14.00	14.00	76	Fire Connections			
50.00	50.00	30.00	30.00	77	MES			
105.00	105.00	110.00	110.00	78	Fire Connections			
8.00	8.00	23.00	23.00	79	Fire Connections			

34.00	34.00	35.00	35.00	80	Fire Connections	Fire Connections won coin toss
252.00	252.00	267.00	267.00	81	Fire Connections	
12.00	24.00	12.00	24.00	82	Newtons	
28.00	28.00	61.00	61.00	83	Fire Connections	
1,574.00	1,574.00	1,574.00	1,574.00	84	MES	MES won coin toss
984.50	1,969.00	904.00	1,808.00	85	Newtons	
26.00	26.00	30.00	30.00	86	Fire Connections	
26.00	26.00	30.00	30.00	87	Fire Connections	
26.00	26.00	27.00	27.00	88	Fire Connections	
26.00	26.00	28.00	28.00	89	Fire Connections	
27.00	27.00	62.00	62.00	90	Fire Connections	
250.00	250.00	80.00	80.00	91	MES	
121.00	121.00	217.00	217.00	92	Fire Connections	
336.00	336.00	204.00	204.00	93	MES	
0.00	0.00	116.00	232.00	94	MES	
94.00	94.00	78.00	78.00	95	MES	
0.00	0.00	4,300.00	17,200.00	96	MES	
0.00	0.00	240.00	960.00	97	MES	
0.00	0.00	645.00	7,740.00	98	MES	
0.00	0.00	3,290.00	3,290.00	99	MES	
549.00	1,098.00	552.00	1,104.00	100	Fire Connections	
462.00	1,848.00	465.00	1,860.00	101	Fire Connections	
483.00	966.00	486.00	972.00	102	Fire Connections	
529.00	529.00	532.00	532.00	103	Fire Connections	
225.00	225.00	225.00	225.00	104	Newtons	
44.50	89.00	100.00	200.00	105	Fire Connections	
433.00	433.00	421.00	421.00	106	MES	
419.00	419.00	364.00	364.00	107	MES	

783.00	783.00	786.00	786.00	108	Fire Connections		
2,319.00	2,319.00	2,331.00	2,331.00	109	Fire Connections		
676.00	676.00	392.00	392.00	110	MES		
	0.00	331.00	331.00	111	MES		
	0.00	113.00	113.00	112	MES		
187.00	187.00	188.00	188.00	113	Fire Connections		
438.00	438.00	419.00	419.00	114	MES		
154.00	154.00	155.00	155.00	115	Fire Connections		
				116			
195.50	391.00	196.00	392.00	117	Fire Connections		
1,591.00	1,591.00	1,733.00	1,733.00	118	C.W. Williams		
				119			
664.00	1,328.00	651.00	1,302.00	120	Newtons		
1,160.00	1,160.00	1,269.00	1,269.00	121	Fire Connections		
116.00	116.00	180.00	180.00	122	Fire Connections		
108.00	108.00	138.00	138.00	123	Fire Connections		
126.00	126.00	195.00	195.00	124	Fire Connections		
95.00	95.00	88.00	88.00	125	Newtons		
90.00	270.00	92.00	276.00	126	Newtons		
47.00	94.00	49.00	98.00	127	Newtons		
20.00	20.00	26.00	26.00	128	Fire Connections		
13.00	39.00	15.00	45.00	129	Newtons	Newtons won coin toss	
13.00	52.00	12.00	48.00	130	MES		
23.00	46.00	20.00	40.00	131	MES		
22.00	44.00	19.00	38.00	132	MES		
1.80	9.00	2.00	10.00	133	Fire Connections		

Item # 11



**Storm Pipe Crawler Camera**  
**BID TABULATION SHEET**  
City of Greenville, North Carolina  
Engineering Division

Jun 6, 2014

Contractor	Total Bid With Options & Software
Southern Municipal Equipment Company	\$89,953.10
Rodders and Jets Supply Co.	\$73,415.00
Public Works Equipment & Supply	\$112,205.00

*Scott P. M. Godfrey*  
Scott P. M. Godfrey, P. E., City Engineer

Date 06/12/14



**BID TABULATION FORM**

<b>Project Name:</b>	City of Greenville - Shelters - GMOC	<b>Project No.</b>	BFC-0005
<b>Opening Location:</b>	JC Park, Greenville, NC	<b>Bid Opening Date:</b>	Wednesday, June 18, 2014

Bidder Company Name	NC License No.	C.Ref. Form	Data Form	MWBE	E-Verify Form	Base Bid
Modular Solutions, Inc.				✓		\$115,500.00
DBS Construction, LLC				✓		\$132,663.61
Custom Building Company, Inc.						NO RESPONSE TO INVITATION TO BID

Certified by: Dean Foy

**BID TABULATION FORM**



Item # 11

<b>Project Name:</b>	City of Greenville - Office Upfit Facility Management Operations Center	<b>Project No.</b>	BFC-0005
<b>Opening Location:</b>	Public Works Offices Conference Room, 1500 Beatty Street, Greenville, NC	<b>Bid Opening Date:</b>	Thursday, July 10, 2014 @ 2:00 PM

Bidder Company Name	NC License No.	E-Verify Form	Bid
Chance & Smith Builders, Inc.	✓	✓	\$61,140.00

Certified by: Albert

**BID TABULATION FORM**



<b>Project Name:</b>	City of Greenville - Transit Heavy Vehicle Lift	<b>Project No.:</b>	BFC-0057
<b>Opening Location:</b>	Public Works Offices Conference Room, 1500 Beatty Street, Greenville, NC	<b>Bid Opening Date:</b>	Tuesday, May 27, 2014 @ 2:00 PM

Bidder Company Name	NC License No.	C.Ref. Form	Data Form	DBE Form	E-Verify Form	FTA Forms	Addenda	Base Bid	Alternate No. 1	Alternate No. 2	Total Bid
Lifting Solutions, LLC	30050	✓	✓	✓	✓	✓	✓	\$116,025.83	\$3,859.79	No Additional Charge	\$119,885.62
Central Piedmont Builders, LLC	73963	✓	✓	✓	✓	✓	✓	\$184,290.00	\$2,400.00	No Bid	\$186,690.00
C & A Equipment Services	30050	✓	✓	✓	✓	✓	✓	\$120,000.00	\$3,800.00	No Additional Charge	\$123,800.00
First Petroleum Services								Did Not Open - Received Bid after 2:00PM deadline			--

Certified by: *Michael B*



# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

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

**Explanation:** **Abstract:** Pursuant to North Carolina General Statute 105-381, adjustment 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 now before City Council for their approval as well. These adjustment refunds will be reported as they occur when they exceed \$100.

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

<b>Payee</b>	<b>Adjustment Refunds</b>	<b>Amount</b>
Cedric Joyner	Registered Motor Vehicle	\$ 197.15
Jose Lopez	Registered Motor Vehicle	\$ 264.33
Carolyn H. Owens	Registered Motor Vehicle	\$ 114.08
Jeni Lyn Parkers	Registered Motor Vehicle	\$ 433.02
Andrew J. Peele	Registered Motor Vehicle	\$ 137.53
Roland A. Smith	Registered Motor Vehicle	\$ 319.94
Charles E. Tucker	Registered Motor Vehicle	\$ 130.88
Robert E. Windham	Registered Motor Vehicle	\$ 268.40
Albemarle Bank & Trust	Business Personal Property	\$1,796.82
E. H. Blount Construction	Individual Personal Property	\$ 165.88
Frederick Alvin Jolly	Registered Motor Vehicle	\$ 186.14
Kevin Dean Hudson	Registered Motor Vehicle	\$ 109.61
Michael Ray Weldin	Registered Motor Vehicle	\$ 155.53
Paula Drue Hollingsworth	Registered Motor Vehicle	\$ 379.26
Pitt & Green EMC	Registered Vehicle - Exempt	\$ 631.86
Thomas Earl Wainright, Jr.	Over Assessment	\$ 125.61

Alan T. Boutilier	Registered Motor Vehicle	\$ 189.82
Robert C. Butts	Registered Motor Vehicle	\$ 118.23
Janet M. Chapman	Registered Motor Vehicle	\$ 134.36
Cecil C. Crandell	Registered Motor Vehicle	\$ 104.81
East Carolina Ventures LLC	Registered Motor Vehicle	\$ 173.87
Michael L. Edwards	Registered Motor Vehicle	\$ 111.07
Greenville Utilities Commission	Registered Motor Vehicle	\$ 565.52
Brian R. Haddock	Registered Motor Vehicle	\$ 239.88
Jennifer L. Hathaway	Registered Motor Vehicle	\$ 102.96
Tara V. Johnson	Registered Motor Vehicle	\$ 112.77
Calvin D. King Jr.	Registered Motor Vehicle	\$ 112.25
Robin W. Linkous	Registered Motor Vehicle	\$ 131.50
William A. Mizelle Jr.	Registered Motor Vehicle	\$ 153.51
Phillip E. Moore	Registered Motor Vehicle	\$ 109.59
Maria D. Mroczek	Registered Motor Vehicle	\$ 193.24
Barbara Ann Nelson	Registered Motor Vehicle	\$ 235.40
Open Door International, Inc	Registered Motor Vehicle	\$ 125.13
Rolling Frito Lay Sales LP	Registered Motor Vehicle	\$ 197.73
Justin M. Ross	Registered Motor Vehicle	\$ 126.86
Harry L. Smith, Jr	Registered Motor Vehicle	\$ 306.42
Peggy T. Smith	Registered Motor Vehicle	\$ 158.32
Martha L. Stanley	Registered Motor Vehicle	\$ 108.58
Harry Teel, Jr.	Registered Motor Vehicle	\$ 166.32
Charles E. Tucker	Registered Motor Vehicle	\$ 131.95
Melissa Denise Whealton	Registered Motor Vehicle	\$ 120.36
Melody D. Williams	Registered Motor Vehicle	\$ 158.36
Bradford William Amerson	Tag & Tax Together Program	\$ 110.93
Salvator Passalacqua	Proration on Bill Vehicle Sold	\$ 111.54

**Fiscal Note:** The total to be refunded is \$10,027.32.

**Recommendation:** Approval of tax refunds by City Council

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Attachments / [click to download](#)



# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

**Title of Item:** Budget ordinance amendment #1 to the 2014-2015 City of Greenville budget and an ordinance establishing the Street Improvement Capital Project Fund

**Explanation:** **Abstract:** This budget amendment is for City Council to review and approve proposed changes to the adopted 2014-2015 budget and to establish the capital project fund for street improvements.

**Explanation 1:** Attached for consideration at the August 11, 2014, City Council meeting is an ordinance amending the 2014-2015 budget (Ordinance #14-036). For ease of reference, a footnote has been added to each line item of the budget ordinance amendment, which corresponds to the explanation below:

**A** To establish the City of Greenville merchandise store where different articles of clothing and merchandise with the Greenville logo will be sold. It is expected that this store will be self-sustaining (\$5,000).

**B** To appropriate funds approved as part of the fiscal year 2014 original general fund budget to establish the capital project fund for street improvements. This request appropriates fund balance from the 2014 fiscal year to establish the capital project fund in the 2015 fiscal year (\$2,650,000).

**C** To carry over unspent funds from prior year to be used for public meeting facilitation, printing and duplication, postage and shipping, advertising, and media services for the Tar River Legacy Plan (\$11,839).

**Explanation 2:** Attached is the budget ordinance to establish the Street Improvement Capital Project Fund. This appropriation will fund improvements associated with milling and placing asphalt pavement and associated work, including but not limited to utility adjustments, pipe upgrades, ADA improvements, traffic signal loops, and pavement markings (\$2,650,000).

**Fiscal Note:** The budget ordinance amendment affects the following funds: increases the General

Fund by \$2,666,839; increases the Street Improvement Capital Project Fund by \$2,650,000.

<b>Fund Name</b>	<b>Original /Amended Budget</b>	<b>Proposed Amendment</b>	<b>Amended Budget 8/11/2014</b>
General	\$ 81,020,686	\$ 2,666,839	\$ 83,687,525
Street Improvement Capital Project	\$ -	\$ 2,650,000	\$ 2,650,000

**Recommendation:** Approve budget ordinance amendment #1 to the 2014-2015 City of Greenville budget (Ordinance #14-036) and the ordinance establishing the Street Improvement Capital Project Fund

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[Budget Amendment FY 2014 2015 985202](#)

[Street Improvement Capital Project Fund 985257](#)

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ORDINANCE NO. 14-  
CITY OF GREENVILLE, NORTH CAROLINA  
Ordinance (#1) Amending the 2014-2015 Budget (Ordinance #14-036)

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

**Section I:** Estimated Revenues and Appropriations. **General Fund**, of Ordinance 14-036, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	<b>ORIGINAL 2014-2015 BUDGET</b>		<b>#1 Amended 8/11/14</b>	<b>Total Amendments</b>		<b>Amended 2014-2015 Budget</b>
<b><u>ESTIMATED REVENUES</u></b>						
Property Tax	\$ 32,943,768		\$ -	\$ -		\$ 32,943,768
Sales Tax	15,236,081		-	-		15,236,081
Video Prog. & Telecom. Service Tax	904,000		-	-		904,000
Rental Vehicle Gross Receipts	124,440		-	-		124,440
Utilities Franchise Tax	5,763,988		-	-		5,763,988
Motor Vehicle Tax	1,065,237		-	-		1,065,237
Other Unrestricted Intergov't Revenue	777,245		-	-		777,245
Powell Bill	2,215,848		-	-		2,215,848
Restricted Intergov't Revenues	1,649,591		-	-		1,649,591
Privilege License	535,485		-	-		535,485
Other Licenses, Permits and Fees	4,227,205		-	-		4,227,205
Rescue Service Transport	3,055,250		-	-		3,055,250
Parking Violation Penalties, Leases, & Meters	430,650		-	-		430,650
Other Sales & Services	372,577	A	5,000	5,000		377,577
Other Revenues	248,106		-	-		248,106
Interest on Investments	551,012		-	-		551,012
Transfers In GUC	6,485,183		-	-		6,485,183
Appropriated Fund Balance	4,435,020	B,C	2,661,839	2,661,839		7,096,859
<b>TOTAL REVENUES</b>	<b>\$ 81,020,686</b>		<b>\$ 2,666,839</b>	<b>\$ 2,666,839</b>		<b>\$ 83,687,525</b>
<b><u>APPROPRIATIONS</u></b>						
Mayor/City Council	\$ 321,237		\$ -	\$ -		\$ 321,237
City Manager	1,218,689	A	5,000	5,000		1,223,689
City Clerk	257,557		-	-		257,557
City Attorney	455,458		-	-		455,458
Human Resources	2,920,647		-	-		2,920,647
Information Technology	3,234,967		-	-		3,234,967
Fire/Rescue	13,684,689		-	-		13,684,689
Financial Services	2,587,864		-	-		2,587,864
Recreation & Parks	7,763,413		-	-		7,763,413
Police	23,867,860		-	-		23,867,860
Public Works	9,217,987		-	-		9,217,987
Community Development	2,659,620		-	-		2,659,620
OPEB	400,000		-	-		400,000
Contingency	155,869		-	-		155,869
Indirect Cost Reimbursement	(1,268,214)		-	-		(1,268,214)
Capital Improvements	4,944,577	C	11,839	11,839		4,956,416
Total Appropriations	\$ 72,422,219		\$ 16,839	\$ 16,839		\$ 72,439,058
<b><u>OTHER FINANCING SOURCES</u></b>						
Transfers to Other Funds	\$ 8,598,467	B	\$ 2,650,000	\$ 2,650,000		\$ 11,248,467
	\$ 8,598,467		\$ 2,650,000	\$ 2,650,000		\$ 11,248,467
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 81,020,686</b>		<b>\$ 2,666,839</b>	<b>\$ 2,666,839</b>		<b>\$ 83,687,525</b>

**Section II:** All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Adopted this 11th day of August, 2014.

\_\_\_\_\_  
Allen M. Thomas, Mayor

ATTEST:

\_\_\_\_\_  
Carol L. Barwick, City Clerk

ORDINANCE NO. 14-\_\_\_\_  
ORDINANCE ESTABLISHING THE STREET IMPROVEMENT  
CAPITAL PROJECT FUND

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

Section I: Estimated Revenues. It is estimated that the following revenues will be available for the Street Improvement Capital Project Fund:

	<b>ORIGINAL 2013-2014 BUDGET</b>
<b><u>ESTIMATED REVENUES</u></b>	
Transfer from General Fund	\$ 2,650,000
<b>TOTAL REVENUES</b>	<b>\$ 2,650,000</b>

Section II: Appropriations. The following amounts are hereby appropriated for the Street Improvement Capital Project Fund:

<b><u>APPROPRIATIONS</u></b>	
Resurfacing	\$ 2,650,000
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 2,650,000</b>

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

Section IV: This ordinance will become effective upon its adoption.

Adopted this 11th day of August, 2014.

\_\_\_\_\_  
Allen M. Thomas, Mayor

ATTEST:

\_\_\_\_\_  
Carol L. Barwick, City Clerk



# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

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**Title of Item:** Presentations by Boards and Commissions

- a. Historic Preservation Commission
- b. Recreation and Parks Commission

**Explanation:** The Historic Preservation Commission and the Recreation and Parks Commission are scheduled to make their annual presentations to City Council at the August 11, 2014, meeting.

**Fiscal Note:** N/A

**Recommendation:** Hear the presentations from the Historic Preservation Commission and the Recreation and Parks Commission.

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Attachments / click to download

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# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

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**Title of Item:** Presentation on the Town Creek Culvert Drainage Study

**Explanation:** **Abstract:** This presentation on the Town Creek Culvert Drainage Study provides information about the current condition of the Town Creek Culvert, summarizes the impacts of the 10th Street Connector, and highlights modeling results for several alternatives. In addition, the consultant will describe the preferred alternative and the details supporting this recommendation.

**Explanation:** Currently, approximately 250 acres in the Uptown area of Greenville are drained by the Town Creek Culvert system. The culvert begins near the intersection of West 9th Street and Ficklen Street and continues for approximately 4,200 linear feet to its outlet downstream of East 3rd Street. An open channel section runs for approximately 1,500 linear feet downstream of East 3rd Street before reaching its confluence with the Tar River. Based on the 10th Street Connector design plans, the Town Creek Culvert will need to accommodate an increase in stormwater runoff due to the redirection of water caused by the new construction.

In October 2013, City Council approved the Town Creek Culvert Drainage Study and awarded a professional services contract to WK Dickson. As a result of this study, a condition assessment was completed and the 10th Street Connector impacts were analyzed. The attached report provides alternatives and makes a recommendation for a combination of remove/replace and rehabilitation.

**Fiscal Note:** There are no fiscal impacts as a result of this agenda item.

**Recommendation:** Hear the presentation on the Town Creek Culvert Drainage Study

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 [Town Creek Culvert Summary](#)

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## EXECUTIVE SUMMARY

### Introduction

The City of Greenville selected a design team to complete a detailed Existing Conditions Analysis of the Town Creek Culvert system and to identify those sections of the system that do not meet the current City design standards. To facilitate the hydrologic and hydraulic analysis, many items including above and below ground survey, structural condition assessment, utility conflict identification, and public involvement were completed.

The primary goal of the project is to mitigate existing flooding by bringing the conveyance system up to an acceptable level of service while allowing for the additional runoff that the NCDOT 10th Street Connector project will bring. Additionally, impacts on pedestrian and vehicular traffic in the downtown business district are to be minimized, and food supply trucks will need access to the West End Dining Hall loading dock during construction. For this reason, alternatives were provided that include different tunneling lengths and options to allow the City to control costs.

### Study Area

Approximately 250 acres in the Uptown area of Greenville are drained by the Town Creek Culvert system until its outfall at the Tar River (see Attachment 1). The culvert begins near the intersection of West 9th Street and Ficklen Street and continues approximately 3,200 linear feet to its outlet downstream of East 3rd Street. An open channel section runs for approximately 1,500 linear feet downstream of East 3rd Street before reaching its confluence with the Tar River.

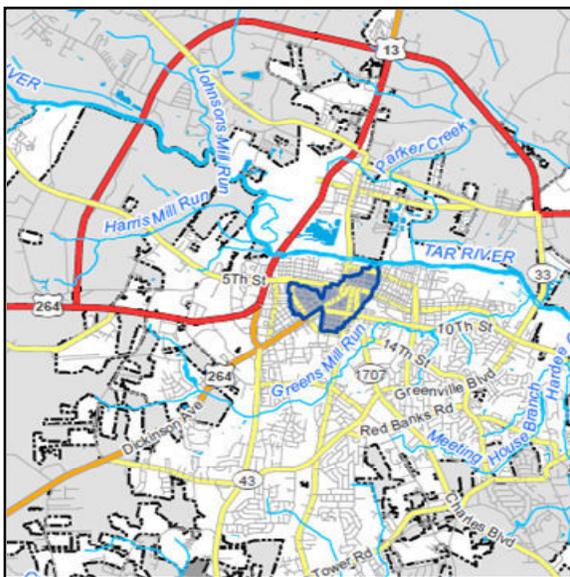


Figure 1: Vicinity Map

The project area is located in an older section of Greenville and some segments of the tunnel were constructed in the 1930s (see Figure 1). The culvert system is in poor to fair condition with multiple utility conflicts throughout the project corridor. In addition, there is a history of flooding at several locations in the project area, including the Reade Circle-Cotanche Street area (referred to as Reade-Cotanche bowl) and the West 8th Street-Washington Street area near the UNX Chemical building.

### Recommended Alternative

The recommended alternative for this project is Alternative #4B because it 1) achieves a 25-year level of service and 2) is approximately \$4,000,000 less expensive than all tunneling alternatives. Alternative #4A, which consists of twin 84-inch diameter RCP downstream of the system's intersection with Reade Circle and twin 72 inch diameter RCP upstream of Reade



## EXECUTIVE SUMMARY

Circle through the West 8<sup>th</sup> and South Washington Street intersection achieved a 10-yr storm level of service. Because Alternative #4B eliminates all micro-tunneling, it will have more impacts to the pedestrian and vehicular traffic in the downtown business district.

### Existing Conditions Analysis

An Existing Conditions Analysis was conducted to evaluate the existing hydrologic and hydraulic characteristics of the Town Creek Culvert project area. The analysis was conducted to determine the performance of the Town Creek Culvert.



Photo 2: Flooding From Hurricane Irene

Property owner input, topographic surveys, and field work findings were used to develop the existing conditions model. Field survey of the project corridor was collected in the winter of 2013. A video of the culvert system was taken in January 2014 to help identify utility conflicts and lateral storm drainage connections. Additionally, a structural assessment was completed to determine the condition of the existing system (see Attachment #3). The results from the Existing Conditions Analysis are summarized below:

### Existing Conditions Findings

The following are the findings from the field surveys of the culvert and the hydrologic and hydraulic modeling efforts:

**Existing Drainage Area:** The existing drainage area is 255 acres at the Tar River outfall (see Attachment 1).

**Future Drainage Area:** The future drainage area is 300 acres, which includes the additional 45 acre drainage area from the 10<sup>th</sup> Street Connector project (see Attachment #1).

**Culvert Length:** The culvert length is 3,200 linear feet measured from 3<sup>rd</sup> Street through the upstream study limit at Ficklen Street and West 9<sup>th</sup> Street. Attachment 2 provides the alignment for Alternatives #3 and #4.

**Culvert Size, Shape and Material:** The existing culvert ranges from 4'x4' (height x width) from the upstream limits to 6.5'x5' in size in the middle and lower sections of the system. The culvert is typically arched brick and arched concrete with a few short sections of rectangular concrete (see Attachment 3).

**Structural Condition of Culvert:** Fifty percent of the culvert is in poor condition and 50% in fair condition.

## EXECUTIVE SUMMARY

**Hydraulic Performance:** The existing system in the business district is not providing a 2-year level of service; in some areas, it is providing closer to a 1-year level of service.

### Impact of 10th Street Connector

The impacts of the additional flow on the Town Creek Culvert system were evaluated from a likelihood and consequence of flooding perspective. Without drainage system improvements, the frequency and severity of flooding, occurring in the Reade-Cotanche area, will be exacerbated by the increased flows. The following tables summarize the impacts the increased peak flows will have on water surface elevations at two key locations in the watershed:

**Table 1: Water Surface Impacts in the Reade-Cotanche Bowl**

Flood Frequency	First Floor Elevation at Jimmy John's (feet)	Existing Drainage System with Existing Flows (feet)	Existing Drainage System with Future Flows (feet)
10-year	33.91	36.46	38.07
25-year	33.91	38.62	39.77
100-year	33.91	40.52	40.87

As shown in Table 1, the water surface elevations (WSELs) are significantly higher with the 10th Street Connector project online when compared to the current conditions. This is of concern given the relatively low first floor elevations of Jimmy John's and other nearby businesses and restaurants.

**Table 2: Water Surface Impacts at UNX Chemical Building**

Flood Frequency	Loading Dock Garage Elevation at UNX Chemical (feet)	Existing Drainage System with Existing Flows (feet)	Existing Drainage System with Future Flows (feet)
10-year	38.5	40.59	40.64
25-year	38.5	41.08	41.16
100-year	38.5	41.88	41.97

\*First floor elevation at UNX is approximately elevation 41.50 feet.

Although the water surface elevation increases are not significant relative to the changes seen at the Reade-Cotanche Bowl, the changes do affect first floor flooding of the UNX Chemical building, which is of a concern to the City. The following table summarizes the future conditions peak flows (with 10<sup>th</sup> Street Connector project online) along with the existing pipe capacity:



Find yourself in good company

## EXECUTIVE SUMMARY

**Table 3: Existing Pipe Capacity and Future Conditions Peak Flows**

System Location	Existing Capacity (cfs)	2-yr Event (cfs)	10-yr Event (cfs)	25-yr Event (cfs)	50-yr Event (cfs)	100-yr Event (cfs)
Reade Circle between Cotanche and S. Evans Streets	117	163	364	468	517	604
New Federal Courthouse	116	156	297	405	495	601

As shown in Table 3, the existing pipe capacity is severely undersized and not meeting a 2-year level of service.

### Alternative Analysis

An Alternative Analysis was completed to identify improvements that can be implemented to mitigate identified flooding and structural issues. Four potential alternatives were identified for evaluation. The four alternatives provided in this report are similar in terms of alignment. Alternatives #1 and #2 include 840 linear feet of tunneling that begins downstream of 5<sup>th</sup> Street and extends upstream of Cotanche Street (see Attachment #4). Alternative #3 reduces tunneling to less than 400 feet in front of ECUs West End Dining Hall and Clement Dorm; while Alternatives #4A and #4B eliminate tunneling to minimize project cost (see Attachment #2). Attachments #2 and #4 show the existing and proposed storm drainage alignments from 3<sup>rd</sup> Street through the upstream limit of the project at Ficklen Street. The proposed storm drainage improvements along 9<sup>th</sup> Street will be constructed by the NCDOT and have been shown in these attachments for informational purposes.

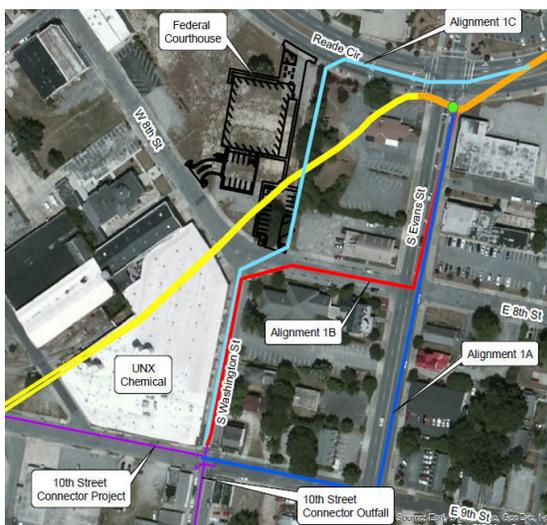


Figure 2: Alternative

In addition, three alternative alignments were considered upstream of the South Evans Street and Reade Circle intersection (see Figure 2). Alignment #1C is recommended because it minimizes the impacts to utilities and eliminates the need for rehabilitating the existing tunnel system from the South Evans Street and Reade Circle intersection to the front side of the UNX Chemical building. An easement may need to be purchased at the Thai 360 property and possibly from other property owners adjacent to Alignment #1C. However, this alignment will avoid the utilities along the South Evans Street corridor.

## EXECUTIVE SUMMARY

### Water Quality

This project provides the City with a unique opportunity to install a wide variety of Green Infrastructure components, including Bioretention Areas with IWS zones, permeable pavement sidewalks and parking area, Regenerative Stormwater Conveyance Systems, and a Sand Filter within a highly trafficked and urbanized downtown setting. The setting is an ideal location for enhancing stormwater public education and improving pollution prevention through treating urban stormwater runoff.

The City has a vision to create an uptown Water Quality Treatment Park, consisting of a bioretention area and several Regenerative Stormwater Conveyance systems. Future plans include a walking trail that connects the Water Quality Treatment Park to a Riverfront Park located along the Tar River. Educational signage next to this water quality park and trail system would describe stormwater treatment. Several other BMP locations, including permeable pavement sidewalks and a bioretention area within a City Park, can also provide water quality educational opportunities.

### Cost Estimates

Opinions of probable construction costs have been prepared to compare costs for the improvements necessary to bring the systems up to City's selected design requirements. The cost estimates provided in this report were prepared to assist City staff in making planning level decisions and prioritizing improvements. The cost estimates are not final design estimates and should be used for planning purposes only. The following table summarizes the probable construction costs for each of the alternatives:

**Table 4: Alternative Cost Summary**

Alternative	Level of Service	Storm Drainage Costs (City)	Utility Costs (by others)	Total Costs
#1	25-Year	\$15,000,000	\$1,400,000	\$16,400,000
#2	10-Year	\$14,250,000	\$1,400,000	\$15,650,000
#3	25-Year	\$13,750,000	\$1,500,000	\$15,250,000
#4A	10-Year	\$9,500,000	\$1,500,000	\$11,000,000
#4B	25-Year	\$10,000,000	\$1,500,000	\$11,500,000

As shown in Table 4, the open cut alternatives (Alternative #4A and 4B) will save the City approximately \$4,000,000 when compared to the tunneling alternatives (Alternative #1, 2 and 3).

### Schedule

The anticipated schedule to complete the final design (Phase 2) for this project is estimated between 9 and 12 months. This is an aggressive schedule considering the complexity of the project and the required reviews/coordination needed with Clean Water State Revolving Fund, Greenville Utility Commission, East Carolina University, and City Staff. This timeframe still



## EXECUTIVE SUMMARY

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may not allow for all ROW to be secured within ECU property due to the lengthy state process, but ECU right of entry permission is anticipated to allow for contractor access as needed and not hold up construction. Construction is anticipated to be completed within the 18 to 24 month range.

**Legend**

<b>Streets</b>	<b>Existing Land Use</b>
Expressway	Commercial
Highway	Industrial
Major Road	Office/Institutional
Local Road	Residential
Streams	
Minor Streams	
Water Bodies	
10th Street Connector Drainage Area	
Town Creek Culvert Drainage Area	

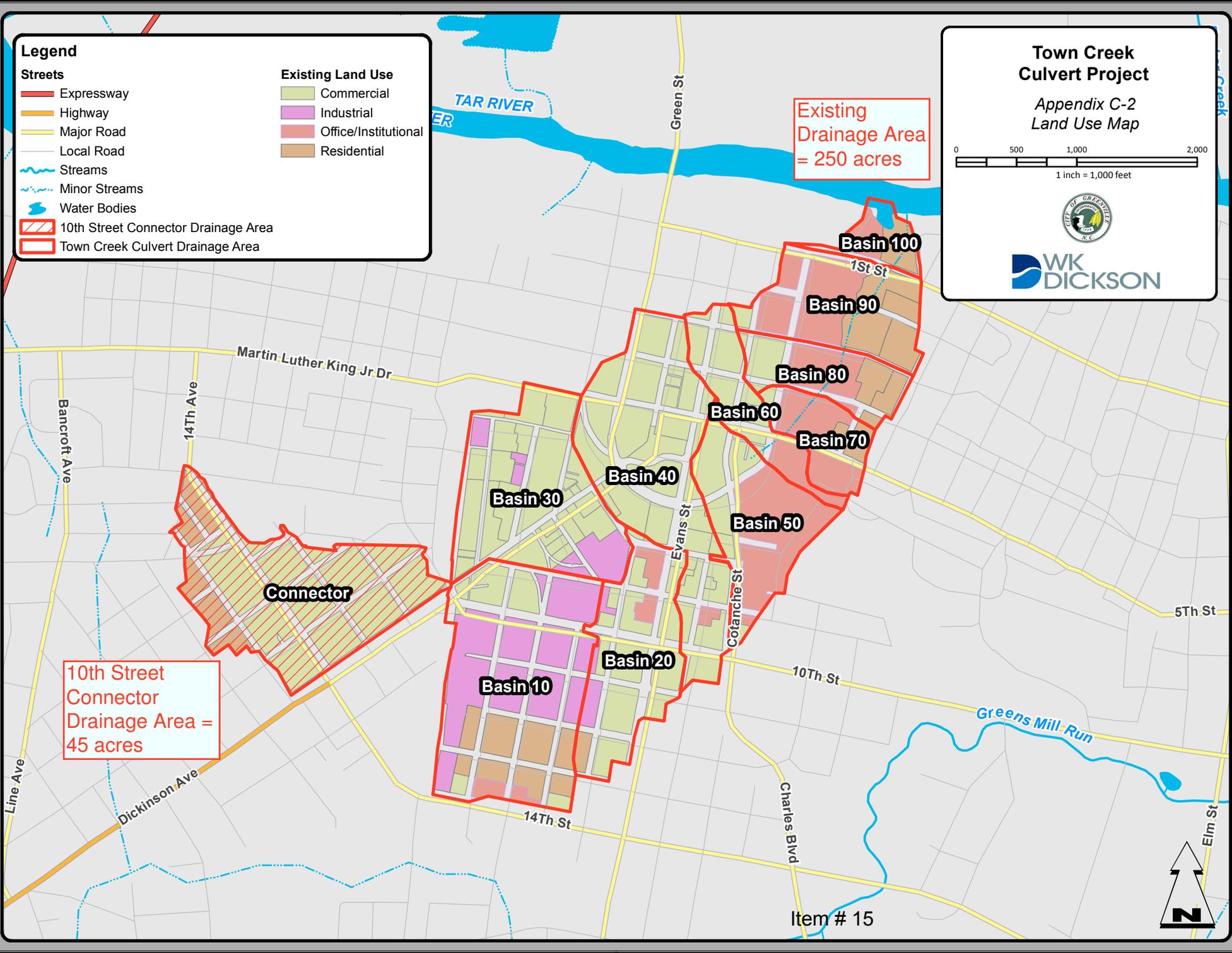
**Town Creek Culvert Project**  
 Appendix C-2  
 Land Use Map

0 500 1,000 2,000  
 1 inch = 1,000 feet




Existing  
 Drainage Area  
 = 250 acres

10th Street  
 Connector  
 Drainage Area =  
 45 acres

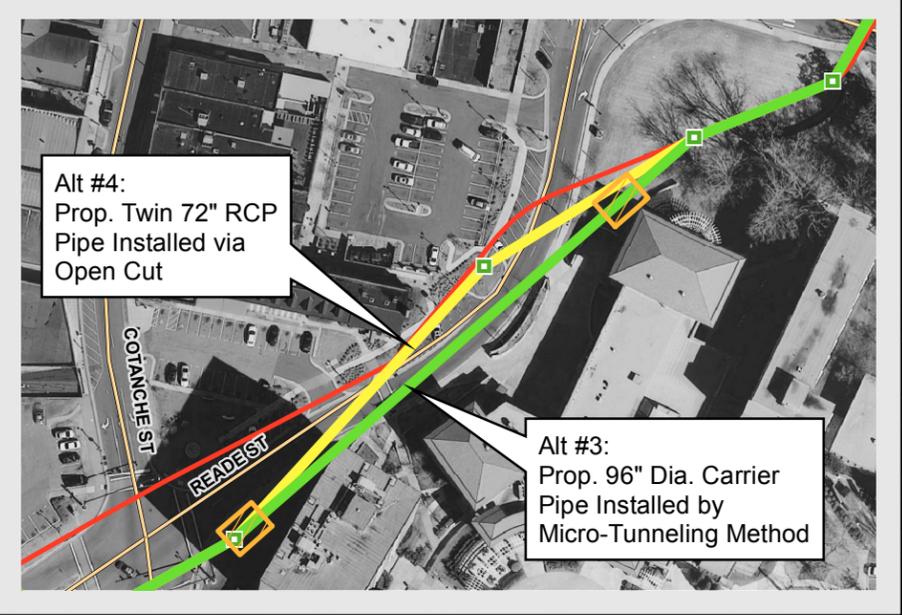


Item # 15



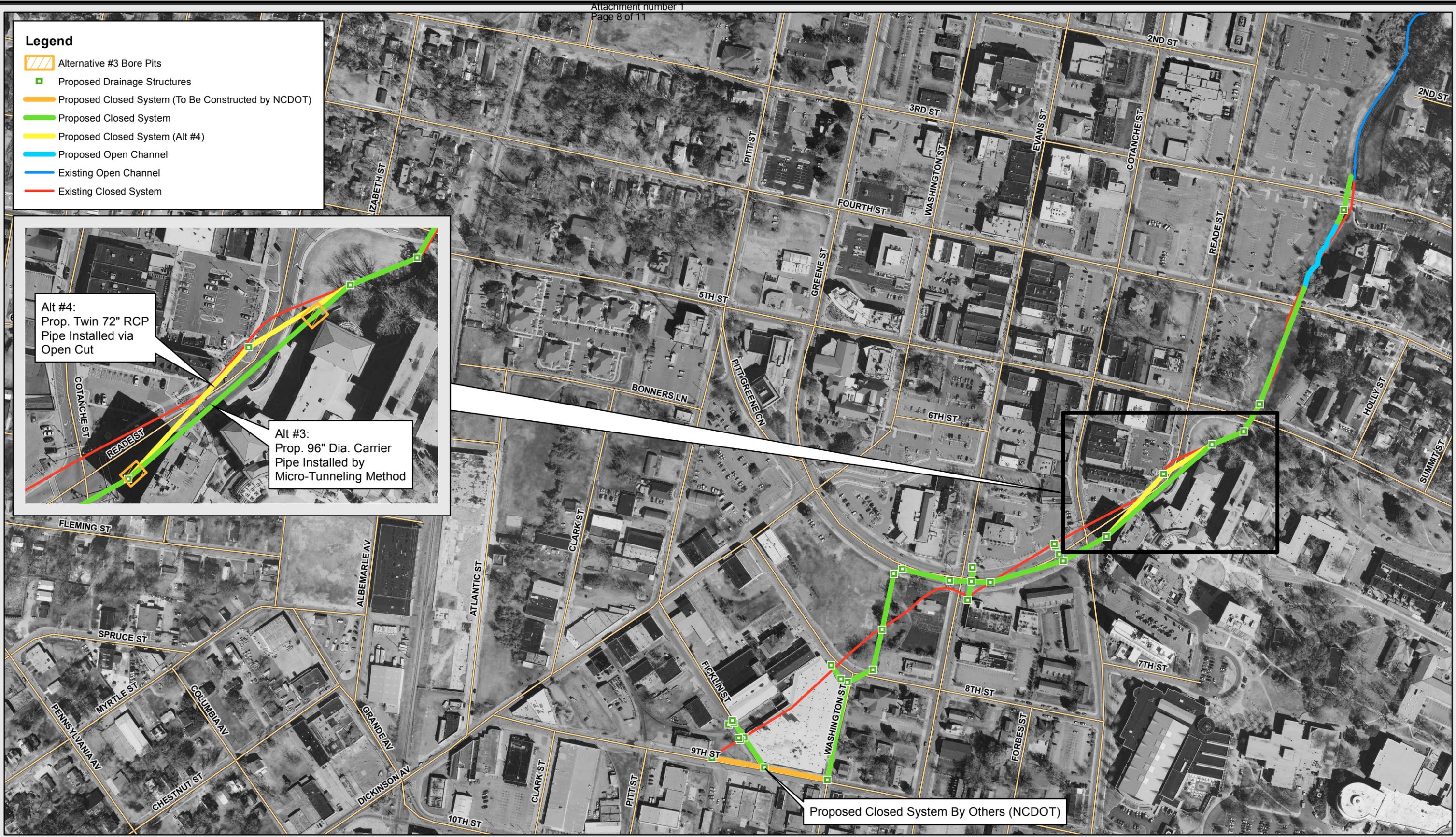
**Legend**

-  Alternative #3 Bore Pits
-  Proposed Drainage Structures
-  Proposed Closed System (To Be Constructed by NCDOT)
-  Proposed Closed System
-  Proposed Closed System (Alt #4)
-  Proposed Open Channel
-  Existing Open Channel
-  Existing Closed System



Alt #4:  
Prop. Twin 72" RCP  
Pipe Installed via  
Open Cut

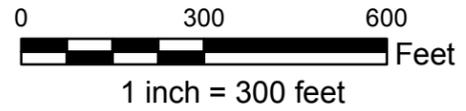
Alt #3:  
Prop. 96" Dia. Carrier  
Pipe Installed by  
Micro-Tunneling Method



Proposed Closed System By Others (NCDOT)



**Figure ES-4**  
**Town Creek Culvert**  
**Alternative #3 and #4 Alignments**



Attachment #3

Town Creek Culvert: Kimley Horn Structural Investigation



Photo 1: Floor Heaving and Cracking



Photo 2: Utility Conflicts w/ Damaged Masonry

Attachment #3



Photo 3: Brick Arch with Cracks



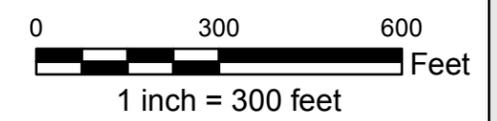
Photo 4: Concrete Box with Spalling and Exposed Steel

**Legend**

- Proposed Drainage Structures
- Existing Open Channel
- Proposed Closed System
- Proposed Closed System (To Be Constructed by NCDOT)
- Existing Closed System



**Figure ES-3**  
**Town Creek Culvert**  
**Alternative #1 and #2 Alignment**





# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

**Title of Item:** Alcohol Policy for City Parks and Recreation Facilities

**Explanation:** **Abstract:** Recent requests for review of City policies regarding alcohol consumption in the City's parks and in its recreation facilities led to the examination of related policies in other cities and counties, and ultimately a recommendation to modify the City's existing guidelines.

**Explanation:** Several requests for a waiver of alcohol prohibitions within certain City parks and in certain recreation facilities triggered an examination of "alcohol in the parks" policies adopted by other cities and counties. While most of the examined communities had a general prohibition policy regarding the service/sale and consumption of alcohol products in parks and in recreation facilities, many also had a few clearly defined exceptions built into such policies.

In addition to the information gathered from other communities, development of this proposed policy included input from the Greenville Police Department, the City Attorney's Office, Risk Management, Recreation and Parks staff, and Uptown Greenville.

The purpose of this proposed policy is to establish rules, requirements, and procedures for exceptions to a general alcohol prohibition in parks and recreation buildings, when sales and consumption of specific types of alcoholic beverages might be permissible in a specified area of a specific park, in a specific building, by a specific group, and at specified but limited times.

The goal is to have an established, well-reasoned and thorough policy designed to minimize the likelihood of any problems related to alcohol sales and consumption, and one that promotes the consistent treatment of permit applicants, adherence to state and local law, the safety of all citizens, the protection of the facility, and the enjoyment of all event participants.

The five sites addressed by the proposed policy include:

1. The Bradford Creek Public Golf Course, where beer and wine sales/service and consumption are already permissible.
2. The City-owned building at the Perkins Complex, now leased by the non-profit Magnolia Arts Center, for beer and wine sales/service and consumption during theater productions and similar events hosted inside the building by the lessee only. (Privilege not transferable to any other person or organization utilizing the facility.)
3. The Town Common, for beer and wine sales/service and consumption in a designated, confined location for a specific period of time, when a special event sponsored by a non-profit organization or by the City of Greenville is scheduled.
4. The Science and Nature Center at River Park North, for beer and wine sales/service and consumption, after public hours only, when the Center is rented for a private event.
5. Within the portion of the C.M. Eppes Recreation Center leased by the non-profit Eppes Alumni Association, during lessee-sponsored special events associated with the Association's annual alumni reunion. (Privilege not transferable to any other person or organization utilizing the facility.)

In all cases, there are requirements of the event sponsor, such as obtaining the appropriate ABC permits, acquiring insurance coverage, covering the expense of special duty police officers and/or temporary fencing, and/or applying and paying for and receiving a special alcohol service permit.

The Greenville Recreation and Parks Commission discussed this issue at their May 14 and June 11, 2014 meetings, and voted unanimously at their July 9, 2014, meeting to recommend that the Greenville City Council adopt this policy.

If the policy is adopted, a related ordinance amendment will be required, and is addressed in a separate agenda item that will follow this item.

Note: Uptown Greenville recently submitted several concerns about the proposed policy in relation to the Town Common.

1. The proposed policy restricts access to a designated sales and consumption area at the Town Common to those 21 and older. Uptown Greenville is concerned that this will exclude those accompanied by children, and prefers allowing those accompanied by children into the area with wrist bands confirming those of legal age.
2. Uptown Greenville does not want to sell in the Town Common, and, for Piratefest, the concern is that a designated area for sales and consumption will prohibit those who have purchased an alcoholic beverage from outside the Town Common from just walking into the park with it.
3. The proposed policy limits sales and consumption in the park to a designated four-hour period between 1:00 p.m. and 8:00 p.m. Uptown Greenville would prefer not having a time limit for consumption in the park when a festival runs all day.

4. The proposed policy for the Town Common requires two additional special duty police officers (beyond any already required) to be present at the designated sales and consumption area during the duration of sales/consumption. Uptown Greenville would prefer this requirement be waived for Piratefest, since there are always "ample police on site, sponsored by the Greenville Police Department."

5. Uptown Greenville also feels the process should include a letter from the City Manager endorsing Town Common events approved for an alcohol permit.

**Fiscal Note:**

Minor costs for developing the appropriate forms, which would be absorbed in the departmental budget. There is also nominal revenue potential from application fees.

**Recommendation:**

Adopt the proposed Alcohol Policy for City Parks and Recreation Facilities.

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

Attachments / click to download

 [AITP Policies and procedures 981732](#)

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## **Policy and Procedures**

### **for the Conditional Service, Sale and Consumption of Alcoholic Beverages within Greenville Recreation and Parks Department Parks and Facilities**

*Document #981732*

**PURPOSE OF POLICY** ☐ To establish the rules, requirements, and procedures regarding the sale and/or service, and the associated consumption, of alcoholic beverages in Greenville Recreation and Parks Department (GRPD) parks and facilities. It is the intention of the City of Greenville Recreation and Parks Department to provide the citizens of Greenville the broadest range of opportunities to enjoy its facilities and parks while protecting the community and its citizens from abuse and disruptive behavior. To this end, alcoholic beverages are prohibited in all GRPD parks and facilities, except for "Sites Designated for Conditional Service and Consumption of Alcoholic Beverages" listed below.

#### **SITES DESIGNATED FOR CONDITIONAL SERVICE AND CONSUMPTION OF ALCOHOLIC BEVERAGES**

Upon obtaining the alcoholic beverage permits required by law, the sale, service and consumption of malt beverages and unfortified wine may be permitted in accordance with the provisions of this Policy and Procedures at the sites listed.

##### **BRADFORD CREEK PUBLIC GOLF COURSE**

- ☐ Bradford Creek Public Golf Course has the alcoholic beverage permits required by law for sales and service of malt beverages and unfortified wine. City staff may sell and serve golf course patrons of legal drinking age malt beverages and unfortified wine. Persons served malt beverages or unfortified wine from the City staff may consume the served malt beverages and unfortified wine at the Bradford Creek golf course and clubhouse and adjacent grounds to the clubhouse.
- ☐ Through the rental application process, renters who rent the Bradford Creek clubhouse and adjacent grounds for a private function, by an approved lease or rental agreement with the City of Greenville Recreation and Parks Department, may request that City staff provide sales and/or service of malt beverages and unfortified wine to their event guests of legal drinking age. The renter is responsible for the payment for the cost of this service.
- ☐ Through the rental application process, renters who rent the Bradford Creek clubhouse and adjacent grounds for a private function, by an approved lease or rental agreement with the City of Greenville Recreation and Parks Department, may request permission to use a caterer with a permit issued by Pitt County Environmental Health and the alcoholic beverage permits required by law, to sell and/or serve malt beverages and unfortified wine to event guests of legal drinking age. The caterer must carry public liability, property damage, and liquor liability insurance at amounts acceptable to the City of Greenville, and name the City of Greenville as an additional insured on all coverage. Persons served malt beverages or unfortified wine by the caterer may consume the served malt beverages and unfortified wine at the Bradford Creek clubhouse and adjacent grounds rented.

### **CITY-OWNED BUILDING AT THE PERKINS COMPLEX**

The non-profit lessee of the City-owned building at the Perkins Complex may, upon obtaining the alcoholic beverage permits required by law, sell and/or serve malt beverages and unfortified wine to event guests of legal drinking age, during theater, music and film presentations and/or during lessee-sponsored special events associated with the non-profit lessee's mission. Persons served malt beverages or unfortified wine by the non-profit lessee may consume the served malt beverages and unfortified wine in the building.

Sales, service and consumption are restricted to the inside of the building. No open containers of malt beverages or unfortified wine may leave the building at any time.

This privilege is provided specifically to the non-profit lessee and is not transferrable to any other person or organization utilizing the facility.

### **TOWN COMMON**

Upon obtaining the alcoholic beverage permits required by law, sales, service, and consumption of malt beverages or unfortified wine may be permitted, within designated area(s) at the Town Common, in accordance with the following guidelines.

- The City of Greenville, upon obtaining the alcoholic beverage permits required by law, may sell and serve malt beverages and unfortified wine to persons of legal drinking age attending an event at the Town Common. Persons served malt beverages or unfortified wine from the City may consume the served malt beverages and unfortified wine in areas designated by the City.
- ☐ Permitting service/sale of malt beverages or unfortified wine at events at the Town Common for other than the City of Greenville will be allowed only for non-profit organizations which have been determined by the Internal Revenue Service to be exempt from federal income tax. The non-profit organization must be the event sponsor that rents a portion of the Town Common for the event by an approved lease or rental agreement with the City of Greenville Recreation and Parks Department. Through the rental application process, the non-profit organization may request permission to sell and/or serve malt beverages and unfortified wine at the event.
- ☐ All service, sales and consumption must take place within a designated, secured, and enclosed area with a controlled entrance/exit, developed to the City's specifications and established in cooperation with City staff. Only persons of legal drinking age are permitted within this area. Persons served malt beverages or unfortified wine from the non-profit organization may consume the served malt beverages and unfortified wine within this area. The event sponsor will absorb any costs associated with establishing this area.
- ☐ Service and sale of malt beverages and unfortified wine is limited to the hours between 1:00 PM and 8:00 PM; specific hours of service and sales during this timeframe shall not exceed four (4) hours and must be determined in advance with City staff. Consumption must be completed within thirty (30) minutes after the time determined to be the time for conclusion of sales and service.

- ② The City will schedule two (2) Special Duty Police Officers at this enclosed area for the duration of the sales, service and consumption. Expenses for these police officers will be borne by the event sponsor and will be added to the rental fee. There will be a minimum charge of four (4) hours for each Special Duty Police Officer.
- ② The non-profit organization must obtain the alcoholic beverage permits required by law.
- ② The representative of the event sponsor named on the permit application to the City must be present at the site of the malt beverages or unfortified wine sales, service and consumption for the duration of the time of sales, service, and consumption.
- ② The event sponsor must provide proof of insurance no later than (14) days prior to the event. The event insurance policy must specifically acknowledge that the event includes alcohol service and consumption. The insurance coverage must be public liability, property damage and liquor liability insurance at amounts acceptable to the City of Greenville and name the City of Greenville as an additional insured on all coverage.
- ② No glass containers are permitted.
- ② The event sponsor must assure that no person brings their own alcoholic beverages into the designated area.

#### **WATER L. STASAVICH SCIENCE AND NATURE CENTER AT RIVER PARK NORTH**

- ② Through the rental application process, renters who rent the Science and Nature Center at River Park North for a private function, by an approved lease or rental agreement with the City of Greenville Recreation and Parks Department, may request permission to use a caterer with a permit issued by Pitt County Environmental Health and the alcoholic beverage permits required by law, to sell and/or serve malt beverages and unfortified wine to guests of legal drinking age within the public areas inside the Science and Nature Center at River Park North after normal public hours for a private function. Persons served malt beverages or unfortified wine by the caterer may consume the served malt beverages and unfortified wine at the areas rented.
- ② Any facility reservations for this site that include an application for malt beverage or unfortified wine sales, service, and consumption must be made a minimum of four weeks in advance of the scheduled event.
- ② The representative of the renter named on the permit application to the City must be present at the site of malt beverages and unfortified wine sales, service and consumption for the duration of the time for sales, service, and consumption.
- ② The City will schedule one Special Duty Police Officer at this site for the duration of the service and consumption. Expenses for this police officer will be borne by the event sponsor and will be added to the rental fee. There will be a minimum charge of four hours for the Special Duty Police Officer.

- ☐ The caterer must carry public liability, property damage, and liquor liability insurance at amounts acceptable to the City of Greenville and name the City of Greenville as an additional insured on all coverage.

**C.M. EPPES RECREATION CENTER**

The non-profit lessee of a portion of the C.M. Eppes Recreation Center consisting of three (3) rooms pursuant to a lease with the City may, upon obtaining the alcoholic beverage permits required by law, serve malt beverages and unfortified wine to event guests of legal drinking age, during lessee-sponsored special events associated with the Eppes Alumni Reunion. Persons served malt beverages or unfortified wine by the non-profit lessee may consume the served malt beverages and unfortified wine in the building.

Service and consumption are restricted to the inside of the portion of the building leased by the non-profit lessee. No open containers of malt beverages or unfortified wine may leave the portion of the building leased by the non-profit lessee at any time.

This privilege is provided specifically to the non-profit lessee and is not transferrable to any other person or organization utilizing the facility.

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The City of Greenville reserves the right to establish additional requirements for event sponsors or renters, if deemed appropriate by the City.



# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

**Title of Item:** Ordinance Amending City Code Provisions Relating to Consumption of Alcoholic Beverages in Public and Ordinance Amending the Manual of Fees Establishing an Application Fee for Sale and Consumption at Recreation and Parks Facilities

**Explanation:** **Abstract:** The City ordinance relating to the possession and consumption of alcohol needs to be adjusted if Council determines to adopt the proposed Policy which allows consumption of malt beverages and unfortified wine in certain recreation facilities subject to certain conditions. An amendment to the ordinance to conform to the Policy and to also allow possession and consumption in properties where there are long term leases is proposed. Additionally, the establishment of a fee for an application to allow possession and consumption is proposed.

**Explanation:** As requested by City Council, the Recreation and Parks Commission has reviewed the issue of allowing the possession and consumption of alcoholic beverages in Recreation and Parks facilities. As a result of the review, a Policy was recommended for Council's consideration.

The Policy allows possession and consumption at some facilities where this was not previously allowed. As a result, an amendment is required to the City ordinance which addresses at which properties owned, occupied, or controlled by the City that possession and consumption of malt beverages and unfortified wine is permitted.

North Carolina General Statute 18B-300 authorizes City Council to regulate or prohibit the possession and consumption of malt beverages and unfortified wines on the public streets in the city and on property owned, occupied, or controlled by the city. The City's ordinance on this subject is Section 12-1-2 of the City Code.

In addition to addressing the changes necessary as a result of the Recreation and Parks Policy, another change is required to address buildings which are leased by the City to another entity. The ordinance provision establishing the

general rule that possession and consumption of malt beverages and unfortified wine are prohibited still applies since these properties are still owned by the City. However, for properties with longer term leases, an exception to the prohibition on possession and consumption is appropriate provided that any limitations in the lease are complied with. Currently, two of the leases for greater than two (2) years state that alcohol is allowed only for scheduled social events of the lessee held exclusively for the members and guests of the lessee (lease to Vietnam Veterans of America - Old Police Hut at 2805 East Second Street; lease to American Legion Post 160 - Old West End Fire Station on Chestnut Street).

And two other buildings leased for greater than two years would likely benefit and utilize this authority for fund raising or social events (Chamber building and GO-Science building). Another building leased for greater than two years is the building leased to the Center for Family Violence Prevention which would not likely use this authority. Limiting the applicability of this provision to buildings which are leased for greater than two (2) years would limit the scope of this permission and exclude the 1 year leases for locations such as the buildings in the Intergenerational Center. Additionally, lease provisions could further limit or prohibit possession and consumption such as currently done in the leases with the American Legion Post 160 and the Vietnam Veterans of America.

A fee to cover the administrative expense with processing an application to allow the sales and service at Recreation and Parks facilities is appropriate. A \$50 application fee is recommended. Establishment of this fee would occur by an ordinance amending the Manual of Fees.

Attached is the following:

- 1) Ordinance Amending the City Code provisions relating to the consumption of alcoholic beverages in public;
- 2) Red-lined version of above ordinance demonstrating changes from current ordinance; and,
- 3) Ordinance establishing a fee for an application for sales and service at Recreation and Parks facilities.

**Fiscal Note:**

No anticipated fiscal impact as a result of the Ordinance amendment.

**Recommendation:**

Adoption of the attached Ordinance which amends the City Code provisions relating to the consumption of alcoholic beverages in public and the attached Ordinance which establishes a fee for an application for sales and service at Recreation and Parks facilities is recommended.

**Attachments / click to download**

 [2014 Ordinance Amending Consumption of Alcohol in Public 985238](#)

 [Red Lined Ordinance Amending Consumption of Alcohol in Public 985236](#)

 [Amending Manual of Fees Recreation and Parks Fees Alcoholic Beverage Permits 985095](#)

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ORDINANCE NO. 14 -  
ORDINANCE AMENDING CHAPTER 1 OF TITLE 12 OF THE CITY CODE  
RELATING TO CONSUMPTION OF ALCOHOIC BEVERAGES IN PUBLIC

WHEREAS, North Carolina General Statute 18B-300 authorizes the City of Greenville to regulate or prohibit the consumption and possession of malt beverages and unfortified wine on the public streets and City owned property;

NOW, THEREFORE, the City Council of the City of Greenville, North Carolina, does hereby ordain:

Section 1. That Section 12-1-2 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting said section to read as follows:

**SEC. 12-1-2 CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC.**

(A) *Malt beverages and unfortified wine; general prohibition.* It shall be unlawful for any person to consume a malt beverage or unfortified wine on any public street in the city or any public place owned, occupied, or controlled by the city. It shall be unlawful for any person to possess an open container of malt beverage or unfortified wine on any public street in the city or any public place owned, occupied, or controlled by the city.

(B) *Same; definitions.* For purposes of this section, the words and phrases used therein shall have the meanings respectively ascribed to them by this subsection.

*Fortified wine.* Any wine of more than 16% and no more than 24% alcohol by volume, made by fermentation from grapes, fruits, berries, rice or honey; or by the addition of pure cane, beet or dextrose sugar; or by the addition of pure brandy from the same type of grape, fruit, berry, rice or honey that is contained in the base wine and produced in accordance with the regulations of the United States.

*Malt beverage.* Beer, lager, malt liquor, ale, porter and any other brewed or fermented beverage except unfortified or fortified wine as defined by this subsection, containing at least 0.5% and not more than 15%, alcohol by volume.

*Open container.* A container whose seal has been broken or a container other than the manufacturer's unopened original container.

*Person.* An individual, firm, partnership, association, corporation, limited liability company, other organizations or groups, or combination of persons acting as a unit.

*Unfortified wine.* Any wine of 16% or less alcohol by volume made by fermentation from grapes, fruits, berries, rice or honey; or by the addition of pure cane, beet or

dextrose sugar; or by the addition of pure brandy from the same type of grape, fruit, berry, rice or honey that is contained in the base wine and produced in accordance with the regulations of the United States.

(C) *Malt beverages and unfortified wine - exemptions.*

- (1) Notwithstanding any other provision of this section, upon obtaining the alcoholic beverages permits as required by law, possession and consumption of malt beverages or unfortified wine shall be permitted at:
  - (a) A golf course owned, occupied or controlled by the city;
  - (b) A convention center owned, occupied or controlled by the city;
  - (c) The Town Common in accordance with the provisions of the Policy and Procedures for the Conditional Service, Sale and Consumption of Alcoholic Beverages within Greenville Recreation and Parks Facilities;
  - (d) The Walter A. Stasavich Science and Nature Center and River Park North in accordance with the provisions of the Policy and Procedures for the Conditional Service, Sale and Consumption of Alcoholic Beverages within Greenville Recreation and Parks Facilities;
  - (e) The building owned by the city at the Perkins Complex in accordance with the provisions of the Policy and Procedures for the Conditional Service, Sale and Consumption of Alcoholic Beverages within Greenville Recreation and Parks Facilities;
  - (f) A portion of the C.M. Eppes Recreation Center in accordance with the provisions of the Policy and Procedures for the Conditional Service, Sale and Consumption of Alcoholic Beverages within Greenville Recreation and Parks Facilities;
  - (g) A building owned by the city and leased to a person for a period greater than two years, other than a building addressed in the Policy and Procedures for the Conditional Service, Sale and Consumption of Alcoholic Beverages within Greenville Recreation and Parks Facilities, and with possession and consumption being in accordance with any applicable lease provisions; and
  - (h) With the written approval of the City Manager and subject to any conditions identified by the City Manager in the written approval, other property owned, occupied or controlled by the city or public streets, alleys or parking lots which are temporarily closed to regular traffic for special events.

- (2) Factors which the City Manager shall consider when permitting the possession or consumption at an event or series of events to be conducted at property owned, occupied or controlled by the city or public streets, alleys or parking lots which are temporarily closed to regular traffic for special events include but are not limited to:
- (a) That the sponsoring organization is a non-profit organization which has been determined by the Internal Revenue Service to be exempt from federal income tax;
  - (b) Previous experience with the sponsoring organization;
  - (c) That the location and time for the event is appropriate; and
  - (d) That the plans of the sponsoring organization relating to control of sale, crowd control, cleanup, and other public safety matters are adequate.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 4. This ordinance shall become effective upon its adoption.

This the 11th day of August, 2014.

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Allen M. Thomas, Mayor

ATTEST:

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Carol L. Barwick, City Clerk

ORDINANCE NO. 14 -  
ORDINANCE AMENDING CHAPTER 1 OF TITLE 12 OF THE CITY CODE  
RELATING TO CONSUMPTION OF ALCOHOIC BEVERAGES IN PUBLIC

WHEREAS, North Carolina General Statute 18B-300 authorizes the City of Greenville to regulate or prohibit the consumption and possession of malt beverages and unfortified wine on the public streets and City owned property;

NOW, THEREFORE, the City Council of the City of Greenville, North Carolina, does hereby ordain:

Section 1. That Section 12-1-2 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting said section to read as follows:

**SEC. 12-1-2 CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC.**

(A) *Malt beverages and unfortified wine; general prohibition.* It shall be unlawful for any person to consume a malt beverage or unfortified wine on any public street in the city or any public place owned, occupied, or controlled by the city. It shall be unlawful for any person to possess an open container of malt beverage or unfortified wine on any public street in the city or any public place owned, occupied, or controlled by the city.

(B) *Same; definitions.* For purposes of this section, the words and phrases used therein shall have the meanings respectively ascribed to them by this subsection.

*Fortified wine.* Any wine of more than 16% and no more than 24% alcohol by volume, made by fermentation from grapes, fruits, berries, rice or honey; or by the addition of pure cane, beet or dextrose sugar; or by the addition of pure brandy from the same type of grape, fruit, berry, rice or honey that is contained in the base wine and produced in accordance with the regulations of the United States.

*Malt beverage.* Beer, lager, malt liquor, ale, porter and any other brewed or fermented beverage except unfortified or fortified wine as defined by this subsection, containing at least 0.5% and not more than 15%, alcohol by volume.

*Open container.* A container whose seal has been broken or a container other than the manufacturer's unopened original container.

*Person.* An individual, firm, partnership, association, corporation, **limited liability company**, other organizations or groups, or combination of persons acting as a unit.

*Unfortified wine.* Any wine of 16% or less alcohol by volume made by fermentation from grapes, fruits, berries, rice or honey; or by the addition of pure cane, beet or

dextrose sugar; or by the addition of pure brandy from the same type of grape, fruit, berry, rice or honey that is contained in the base wine and produced in accordance with the regulations of the United States.

(C) *Malt beverages and unfortified wine - exemptions.*

- (1) Notwithstanding any other provision of this section, upon obtaining ~~appropriate~~ the alcoholic beverages permits as required by law, possession and consumption of malt beverages or unfortified wine shall be permitted at:
  - (a) A golf course owned, occupied or controlled by the city;
  - (b) A convention center owned, occupied or controlled by the city;
  - (c) The Town Common in accordance with the provisions of the Policy and Procedures for the Conditional Service, Sale and Consumption of Alcoholic Beverages within Greenville Recreation and Parks Facilities;
  - (d) The Walter A. Stasavich Science and Nature Center and River Park North in accordance with the provisions of the Policy and Procedures for the Conditional Service, Sale and Consumption of Alcoholic Beverages within Greenville Recreation and Parks Facilities;
  - (e) The building owned by the city at the Perkins Complex in accordance with the provisions of the Policy and Procedures for the Conditional Service, Sale and Consumption of Alcoholic Beverages within Greenville Recreation and Parks Facilities;
  - (f) A portion of the C.M. Eppes Recreation Center in accordance with the provisions of the Policy and Procedures for the Conditional Service, Sale and Consumption of Alcoholic Beverages within Greenville Recreation and Parks Facilities;
  - (g) A building owned by the city and leased to a person for a period greater than two years, other than a building addressed in the Policy and Procedures for the Conditional Service, Sale and Consumption of Alcoholic Beverages within Greenville Recreation and Parks Facilities, and with possession and consumption being in accordance with any applicable lease provisions; and
  - ~~(e)~~(h) With the written approval of the City Manager and subject to any conditions identified by the City Manager in the written approval, other property owned, occupied or controlled by the city or public streets, alleys or parking lots which are temporarily closed to regular traffic for special events.

- (2) Factors which the City Manager shall consider when permitting the possession or consumption at an event or series of events to be conducted at property owned, occupied or controlled by the city or public streets, alleys or parking lots which are temporarily closed to regular traffic for special events include but are not limited to:
- (a) That the sponsoring organization is a ~~community~~ non-profit organization which has been determined by the Internal Revenue Service to be exempt from federal income tax;
  - ~~(b) That the event or series of events is primarily not a fund-raising event;~~
  - (b) Previous experience with the sponsoring organization;
  - (c) That the location and time for the event is appropriate; and
  - (d) That the plans of the sponsoring organization relating to control of sale, crowd control, cleanup, and other public safety matters are adequate.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 4. This ordinance shall become effective upon its adoption.

This the 11th day of August, 2014.

---

Allen M. Thomas, Mayor

ATTEST:

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Carol L. Barwick, City Clerk

ORDINANCE NO. 14-  
ORDINANCE AMENDING THE MANUAL OF FEES RELATING TO AN  
APPLICATION FEE FOR SERVICE AND SALE OF MALT BEVERAGES AND  
UNFORTIFIED WINE AT RECREATION AND PARKS FACILITIES

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

Section 1. That the Manual of Fees of the City of Greenville, North Carolina, be and is  
hereby amended by the addition to the list contained in the Police Fees section of the following:

Application for service and sale of malt beverages and unfortified wine  
pursuant to the Policy and Procedures for the Conditional Service, Sale and  
Consumption of Alcoholic Beverages within Greenville Recreation and Parks  
Facilities.....\$50.00.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to  
the extent of such conflict.

Section 3. Any part or provision of this ordinance found by a court of competent jurisdiction  
to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed  
severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 4. This ordinance shall become effective upon its adoption.

This the 11<sup>th</sup> day of August, 2014.

\_\_\_\_\_  
Allen M. Thomas, Mayor

ATTEST:

\_\_\_\_\_  
Carol L. Barwick, City Clerk



# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

**Title of Item:** Update of the Right-of-Way Asset and Pavement Condition Survey

**Explanation:** **Abstract:** On November 7, 2013, City Council approved a contract with Transmap Engineering, PLLC, to provide an asset inventory as well as a pavement condition survey of all City streets within the City limits of Greenville. Staff will provide an update of the progress and work completed to date on the Pavement Evaluation and Asset Inventory.

**Explanation:** City Council previously approved a contract with Transmap Engineering, PLLC, to provide an asset inventory as well as a pavement condition survey of all City streets within the City limits of Greenville. Funding of this project is through the Greenville Urban Area Metropolitan Planning Organization (GUAMPO) with an 80/20 funding profile or a net cost to the City of \$40,293.

Public Works is responsible for the maintenance of all City-maintained streets. As of June 30, 2014, the City has 269 centerline miles (or 672 lane miles) of dual and multi-lane roads which are currently being maintained through limited funds available from Powell Bill and the General Fund.

This type of survey provides managers a framework to develop plans to utilize the various street maintenance tools (crack sealing, spot full depth repairs, micro-surfacing, resurfacing, etc.) to extend the life of the pavement while minimizing costs and making efficient use of available funds.

The objective is to perform the appropriate pavement maintenance before the pavement fails completely, thereby avoiding the exponential costs associated with reconstruction. Current cost to mill and resurface one lane mile of street is approximately \$85,000 when all of the costs associated with the project are considered. Those costs include ADA compliance work, full depth repair/patching, crack sealing, milling, asphalt surface striping, and signal loop repair.

The Pavement Condition Index (PCI) rating system uses established and nationally recognized criteria to rate streets from 0 to 100 with 100 being the best. The most recent survey (2014) determined that the overall weighted condition rating for all City of Greenville maintained streets was 82.01.

The presentation will provide more detail into a summary of findings, a budget analysis utilizing various annual funding amounts, and the resulting net condition rating for each funding level considered.

**Fiscal Note:** No fiscal impact to hear the report.

**Recommendation:** Hear the report as information.

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# City of Greenville, North Carolina

Meeting Date: 8/11/2014  
Time: 6:00 PM

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**Title of Item:** Discussion of noise permit for gospel concert

**Explanation:** Council Member Glover requested that this item be added to the August 11, 2014 City Council agenda.

**Fiscal Note:** No direct cost to discuss the item

**Recommendation:** Discuss the issue as requested by Council Member Glover

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