

NOTES

TO: Honorable Mayor and City Council Members

FROM: Barbara Lipscomb, City Manager *pl*

DATE: February 11, 2015

SUBJECT: Materials for Your Information

Please find attached the following materials for your information:

1. A letter to Secretary Susan Kluttz, NC Department of Cultural Resources, regarding her recent visit to Greenville and historic tax credits
2. A memo from Kevin Mulligan, Public Works Director, regarding Best Management Practice (BMP) Maintenance and Stormwater Management and Control Ordinance

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Attachments

cc: Dave Holec, City Attorney
Carol Barwick, City Clerk



City of Greenville

North Carolina

P.O. Box 7207 – Greenville, N.C. 27835-7207

CITY MANAGER'S OFFICE

February 6, 2015

Secretary Susan Kluttz
N.C. Department of Cultural Resources
4601 Mail Service Center
Raleigh, NC 27699-4601

Dear Secretary Kluttz:

Thank you for coming to Greenville and providing us an opportunity to give you a brief tour of historic assets in uptown Greenville, particularly the Taff Office Building and the Jefferson-Blount Harvey Building. We were very proud to show you these beautiful examples of how historic tax credits can be used successfully to transform historic properties. In addition to the two featured properties, there are numerous other properties that have also been renovated and given new life with the help of historic tax credits.

Continuing to make historic and mill tax credits available is very important to protecting historic structures and to economic development. As part of the City of Greenville's legislative initiatives for 2015, the City Council adopted the enclosed resolution supporting economic development incentives such as the State Historic Rehabilitation Tax Credit and the Mill Rehabilitation Tax Credit. These tax credits are important tools that assist in economic development efforts by helping attract new and expanding business and industry prospects, and it is our strong desire to see that these credits are restored by the General Assembly. We appreciate the work you are doing to try to make this happen. Please let us know how we can further assist you with this mission.

Sincerely,

Barbara Lipscomb
City Manager

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Enclosure

cc: Julie White, Executive Director, N.C. Metropolitan Mayors Coalition
Mayor and City Council Members
Dave Holec, City Attorney
Carl Rees, Economic Development Manager

RESOLUTION NO. 007-15
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
SUPPORTING ECONOMIC DEVELOPMENT INCENTIVES

WHEREAS, the promotion of economic development is beneficial to the City of Greenville and its citizens;

WHEREAS, the State Historic Rehabilitation Tax Credit and Mill Rehabilitation Tax Credit provide an additional tool to promote economic development projects but the legislation which authorized these credits sunset on January 1, 2015;

WHEREAS, a loan fund for the purpose of the development of infrastructure and business facilities assists in attracting new and expanding business and industry projects; and

WHEREAS, it would be appropriate for the North Carolina General Assembly to take the necessary action during the 2015 Session of the North Carolina General Assembly which will authorize economic development incentives;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that it does hereby express its support for economic development incentives to promote the economic growth of the community and that it does hereby respectfully request the North Carolina General Assembly, through the delegation representing the House and Senate districts of which Greenville is a part, to take the necessary action during the 2015 Session to authorize economic development incentives.

This the 15th day of January, 2015.



Allen M. Thomas, Mayor

ATTEST:



Carol L. Barwick, City Clerk





Find yourself in good company

Memorandum

TO: Barbara Lipscomb, City Manager
FROM: Kevin Mulligan, PE, Director of Public Works
DATE: February 11, 2015
SUBJECT: Best Management Practice (BMP) Maintenance and Stormwater Management and Control Ordinance

Best Management Practices (BMPs) is a term used to describe stormwater management control systems that must be installed during development to meet the State of North Carolina mandated regulations.

State Rule 15A NCAC 02B.0258, Tar-Pamlico River Basin Nutrient Sensitive (NSW) Management Strategy and State Rule 15A NCAC 02H .0153, Phase II National Pollutant Discharge Elimination System (NPDES) Program Implementation establish the requirement for maintaining installed BMPs. Additionally, the State requires the local government to establish a program to ensure maintenance of BMPs implemented in their jurisdiction. The North Carolina Division of Energy, Mineral and Land Resources (NC DEMLR) interprets this to mean:

- Local governments must require a BMP maintenance plan and execution thereof; and
- Local governments must require an annual BMP inspection to ensure compliance.

In an effort to meet the State-mandated regulations, Greenville's Stormwater Management and Control Ordinance and Stormwater Management Program identify the following requirements related to BMP maintenance:

- BMP Operation & Maintenance Agreement;
- Maintenance Plan in accordance with NC DEMLR, Stormwater Best Management Practices Manual;
- Maintenance performed as identified in the plan;
- Annual report submitted by the owner and prepared by a "qualified professional"; and
- Annual inspection by the City.

Education is the key to having BMPs maintained correctly and in a timely manner. The City has taken steps to educate engineers, developers, and property owners. To that end, Public Works developed "A Citizen's Guide to Maintaining Stormwater Best Management Practices" which is mailed out each year to the BMP owner with the notification of an annual inspection. In addition, Public Works sponsors and presents at various local workshops and seminars and attends one-on-one meetings with developers/owners to discuss the requirements.

In the event a property owner is negligent in performing maintenance on their BMP, enforcement actions are identified in the City of Greenville Stormwater Management and Control Ordinance.

In an effort to gain compliance and not levy penalties or fines, property owners are notified 15 days in advance of their annual inspection. If the inspection identifies deficiencies, a letter is mailed to the owner providing 90 days to make corrections. Sometimes there are extenuating circumstances such as planting seasons or a complete redesign in which case the owner is allowed to submit an action plan with an appropriate timeline. Unless other arrangements have been made, at the expiration of the 90 days, the BMP is re-inspected. If corrections have not been made, a Notice of Violation is mailed providing the owner an additional 30 days to address the deficiencies and contact Public Works for a re-inspection. If this second attempt to achieve compliance fails, either a civil penalty is assessed or, if the maintenance is critical, the Public Works Director may direct City employees or contractors to perform necessary maintenance. If the latter is chosen, the property owner will have 30 days to remit payment for the work performed.

The City currently has 92 BMPs and 62 of those are in compliance with the ordinance and Program. Of the 30 BMPs not in compliance, 14 are working with the City to make necessary repairs or provide accurate documentation. Sixteen (16) of the 30 BMPs have failed to respond to any of the aforementioned notifications or requests. The goal of the City's Stormwater Management and Control Ordinance and associated Stormwater Management Program is to maintain compliance with the State-mandated regulations, protect public infrastructure, and rectify avoidable impacts to adjacent property owners. To that end, it is necessary to address neglected BMPs and follow through with enforcement measures ensuring proper maintenance.

Should you have any questions, do not hesitate to contact me.

cc: Amanda Boone, PE, Civil Engineer II
Lisa Kirby, PE, Senior Engineer