MINUTES ADOPTED BY CITY COUNCIL

Greenville, NC
August 10, 2006

The Greenville City Council met in a regular meeting on the above date at 7:00 PM in the City Council Chambers, third floor of City Hall, with Mayor Robert D. Parrott presiding. The meeting was called to order, followed by the invocation by Council Member Chip Little and the pledge of allegiance to the flag. The following were present.

Mayor Robert D. Parrott
Mayor Pro-Tem Mildred A. Council
Council Member Ray Craft
Council Member Pat Dunn
Council Member Rose H. Glover
Council Member Chip Little
Council Member Larry Spell
Wayne Bowers, City Manager
Wanda T. Elks, City Clerk
David A. Holec, City Attorney

APPROVAL OF AGENDA

City Manager Wayne Bowers reminded the Council that at the August 7, 2006 meeting, the agenda was amended by adding a check presentation from the Drew Steele/Skip Holtz Golf Tournament, having Item No. 5 as the first public hearing ahead of Item No. 2, and adding a proposal relating to the renaming of Fifth Street to Martin Luther King, Jr. Drive by Keith Cooper as Item No. 26.

Motion was made by Council Member Spell and seconded by Council Member Craft to approve the agenda with the recommendations made by the City Manager. Motion carried unanimously.

SPECIAL RECOGNITIONS

Recreation and Parks Director Boyd Lee and Mayor Parrott received a check from Drew Steele in the amount of $15,000 for City of Greenville Special Populations Programming. Mr. Lee stated that the Drew Steele/Skip Holtz golf tournament that was recently held raised $165,000 for Special Olympics Programming. The $15,000 being presented to the City at this time will pave from the parking lot to the playground at Peppermint Park, South Greenville, Westhaven Park and Tom Foreman Park to help people with special needs. The additional $150,000 will be put in a special fund for the Drew Steele special needs center to be used in the future. Drew Steele thanked Skip Holtz, Council Member Chip Little, Boyd Lee, Council Member Ray Craft and his father Mike Steele.

Ms. Dorothy Carney was presented with a plaque upon her retirement with 24 years and 9 months of service with the City of Greenville, most recently in the Public Works Department.

Corporal Steve Pass was presented with a plaque upon his retirement with 28 years 9 months of service in the Greenville Police Department.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Community Appearance Commission

Motion was made by Council Member Dunn and seconded by Council Member Craft to appoint J. Scott Bailey to the Community Appearance Commission for a first three-year term expiring July 2009 to replace Seth Brown. Motion carried unanimously.

Greenville Utilities Commission

Motion was made by Council Member Little and seconded by Council Member Craft to appoint John Paylor to the Greenville Utilities Commission for a first three-year term expiring June 30, 2009 to replace Jerry Wayne Powell. Motion carried unanimously.

Pitt-Greenville Airport Authority

Motion was made by Council Member Craft and seconded by Council Member Dunn to appoint Donald Taylor to the Pitt-Greenville Airport Authority for a first four-year term expiring July 2010 to replace David Steele. Motion carried unanimously.

Human Relations Council

Motion was made by Council Member Dunn and seconded by Council Member Council to appoint Robert Hudak to the Human Relations Council to fill an unexpired term expiring September 2008 to replace David Goehring. Motion carried unanimously.

Recreation And Parks Commission

Motion was made by Council Member Little and seconded by Council Member Spell to appoint Sandra Steele to the Recreation and Parks Commission for a first three-year term to expire June 2009, replacing Mitchell Jones. Motion carried unanimously.

ORDINANCE TO ANNEX TULLS COVE, LOCATED AT THE EASTERN TERMINUS OF PINE DRIVE, EAST OF ROSEWOOD SUBDIVISION – ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on July 31, 2006 setting this time, date and place for a public hearing to consider a request by T. H. Worthington to annex Tulls Cove, containing 15.282 acres. This is a contiguous annexation.

Mr. Merrill Flood, Director of Community Development, delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the

proposed use is for 44 single-family dwellings. The current population is 0, and the anticipated population at full development is 103, with an expected minority population of 26.

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

Mr. Mike Baldwin, representing the petitioner, questioned why the annexation is being done prior to the rezoning.

City Attorney Holec stated that the annexation will be done first so that the property is within the City's zoning jurisdiction and then the zoning. The Council could, if they decide to approve it, say it is effective only if it is rezoned as requested. That is Council's discretion.

Mr. Baldwin stated that he would prefer that the annexation be contingent on the rezoning being approved.

Mr. Robert Barnes stated that he has lived in Rosewood Subdivision for nine years and has two children. He does not have a problem with development of the property. The problem is placing an R6 subdivision at the end of a low-density subdivision. Development of this property will have an impact on the street, which is narrow and cannot handle the traffic. It will be too dangerous for the children and will also have a negative impact on the subdivision. The development should be consistent with the neighborhoods already there. He asked the Council to consider voting against this request.

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

Upon being asked what fire station would handle this property and the value of the property, Mr. Flood replied that Fire Station #3 would handle this property and the tax value currently is $81,940. At buildout, it would be approximately $6 million.

Motion was made by Council Member Craft and seconded by Council Member Little to annex Tulls Cove, located at the eastern terminus of Pine Drive, east of Rosewood Subdivision, contingent on the rezoning request being approved. Motion carried unanimously. (Ordinance No. 06-67)

<u>ORDINANCE (REQUESTED BY T. H. WORTHINGTON) TO REZONE TULLS COVE SUBDIVISION LOCATED IMMEDIATELY EAST OF THE ROSEWOOD SUBDIVISION, NORTHEAST OF THE VICKSBURG SUBDIVISION, WEST OF COUNTY HOME ROAD, AND NORTH OF WORTHINGTON ROAD FROM RR (RURAL RESIDENTIAL - COUNTY'S JURISDICTION) TO R6S (RESIDENTIAL - SINGLE-FAMILY [MEDIUM DENSITY] - ADOPTED</u>

City Manager Bowers reported that a notice of public hearing was published in <u>The Daily Reflector</u> on July 31 and August 7, 2006 setting this time, date and place for the public hearing on a request by T.H. Worthington to rezone 15.282 acres from RR to R6S. The Planning and Zoning Commission, at its June 20, 2006 meeting, voted to recommend approval of the request.

Mr. Harry Hamilton, Chief Planner, delineated the property on a map and explained the request. He explained the uses that the county would allow on this property, such as a bed and breakfast inn, mobile home on an individual lot, mobile home park, multi-family dwelling, single-family dwelling, duplex, communication tower, emergency shelter, athletic field, civic social and fraternal associations, private campground and rv park, private club or recreational center, swim and tennis club, church, daycare center, nursing home, retreat or conference center, or farming. With county zoning, the minimum setback for all uses would be 40 feet on a US or NC highway, 30 feet on an interior street, and 10 feet from the property line. City zoning is much more restrictive, allowing only such uses as single-family dwellings, farming, private noncommercial park or recreational center, or a church. The City would allow 25 foot minimum setbacks from the street right-of-way for single-family homes, an eight foot side yard and 15 foot rear yard. On lot size, however, the county is more restrictive because of the lack of sewer. The trips per day would be six to ten per dwelling, so with 50 dwellings, there could be as many as 500 trips per day. Zoning of 6S or 9S would be appropriate on this property. A protest petition was submitted; however, it is not valid due to the fact that this is an initial zoning.

Upon being asked the difference in the number of allowed units in R6S and R9S, Mr. Hamilton replied that R6 requires 6000 square foot lots and R9 requires 9000 square foot lots. An extra 1/2 unit may be created on an acre with the change in zoning. With cluster development, it would be about the same. A portion of the property is going to be taken up by street rights-of-way. Most of the time people put in larger lots than the minimum.

Upon being asked if the ability of the property to perk was an issue, Mr. Hamilton replied that sanitary sewer is required if it is in the City.

Mr. Hamilton was asked about the interconnectivities, and he replied that if the property is developed in the City's jurisdiction, it will be recommended that roads be extended to the north and south. The preliminary plat has not been submitted. Maximum interconnectivity would be recommended and required by the city. Staff looks at maximum interconnectivity in the review process.

Upon being asked if it is the City's practice to put higher density closer to thoroughfares, Mr. Hamilton replied that would be true with higher density developments. Single-family can be mixed in the interior.

Mr. Hamilton was asked to address the stormwater issue. He stated that water regulation is required. The developers will have to put in detention and to comply with the City's regulations.

Mr. Tom Tysinger, Director of Public Works stated that staff hasn't seen the development plan, so it isn't sure how the developer is proposing to address that. It will have to be best management practice to control runoff and it has to be at a controlled rate. One of the issues is the condition of the roads, which are not as well maintained as City roads. Until it is annexed, the City will not accept the responsibility for maintaining the streets.

Upon being asked how often streets are resurfaced, Mr. Tysinger responded that is done every 12 years. For streets that aren't major thoroughfares, it may be as infrequent as 15 years.

Upon being asked if sidewalks will be required, Mr. Tysinger responded that they will be required on one side of the street. There are some options where curb and gutter would not be required.

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

Mr. Mike Baldwin, representing the petitioner, stated that the heated square footage planned for this subdivision is around 1400 square feet per home. Some homes have some additions and some have garages built in to bring them up to around 1800. This property is currently under contract with Charis Properties. The request is in conformity with the land use plan, being medium density. It is also in conformity with Rosewood Subdivision. If septic tanks were required, one couldn't afford to build houses on that size lot. Mr. Baldwin distributed tax sheets on the properties in the area. The developer will provide sidewalks, curb and gutter, and a stormwater management plan. There will be three street stubs. The Planning and Zoning Commission voted 5:1 in affirmation of this request. It is a modest request.

Council Member Little stated that sewer is one of the main reasons for the annexation and rezoning. It is currently located in the Vicksburg neighborhood in the section where 15S lots are. The right-of-way that comes off of Pine Drive deadends at Vicksburg. He asked if the cul-de-sac is going to be continued.

Mr. Baldwin replied that the 60 foot area is an undeveloped right-of-way that will be developed to get across to the right of way at the end of the cul-de-sac. This will provide two outlets for this piece of land as well as two outlets for people in Rosewood.

Upon being asked if it will provide immediate interconnectivity, Mr. Baldwin replied that the main road in Rosewood is in great shape.

Upon being asked if this other access will actually go into Vicksburg, Mr. Baldwin replied that it would.

Upon being asked how many lots the development would be reduced by if rezoned R-9S, Mr. Baldwin replied that developments are usually four lots per acre R-6S and 3.1 for R-9S. This would be a complement and common subdivision in lot size.

Ms. Heather Jinks stated that she purchased her home in May, considering it a quiet and safe neighborhood to raise her daughters. Soon thereafter, she learned of this rezoning request. Pine Drive as the only access through a lower density neighborhood would impact safety, be inconsistent with neighboring zoning patterns and would negatively affect the life and safety of people in the Rosewood Development as well as future developments. Rosewood Subdivision has an entrance off of Corey Road measuring only 25 feet, and Corey Road is only 20 feet in width. It is significantly smaller than all the other neighborhoods off of Corey Road. She provided pictures of Vicksburg Subdivision, which is directly beside of Rosewood

Subdivision. Its entrance is 35 feet and road width is 23 feet. It is compatible with Rosewood and is an R15S subdivision. It houses only 28 homes on 20 acres, which is a far cry from the 50+ homes proposed to fit on 15 acres of land if Tulls Cove is zoned R6. Pine Drive will be asked to take the traffic of 50+ new homes in addition to the already 38 that now exist in Rosewood.

Ms. Jinks provided additional pictures of other neighborhoods located off of Corey Road. Farrington Subdivision has the largest number of homes at 54, yet it has 2 entrances, wider at 39 and 51, wider roads at 27 and 31 feet and each includes sidewalks. Each entrance is wider in every neighborhood off of Corey Road. Additionally, all but Vicksburg and Whitehall Subdivisions are equipped with sidewalks for pedestrian traffic. She had measured the street width as well as the entrance width off of every subdivision off of Corey Road. R6S is not the same as R15 or higher and Pine Drive is not equal in size to afford such traffic and measures of change. Surry Meadows has 50 houses, yet it has an entrance of 46 feet, 24 foot roads and sidewalks. It also has a division or split that helps decrease the amount of traffic before the residential neighborhood begins. In this request, a 20 foot road and 25 foot entrance is being asked to take the traffic of over 80 homes. If this proposal is approved, the narrowest street off of Corey Road, the smallest entrance, will take the highest volume of homes and traffic. Safety will be an issue not only for pedestrians and cars passing one another on Pine Drive but for traffic exiting and entering the Pine Drive from Corey Road as well. Every other development in the area has allowed for these issues by developing a separate access road to sufficient width. Therefore, this request will impact all the neighborhoods located on Corey Road and will pose a serious safety risk for everyone.

Ms. Jinks continued by stating that she spoke with Mr. Danny Taylor, Chief Engineer for the North Carolina Department of Transportation, who stated that the Department will require that Corey Road be widened at that point and the left turning be added because of the high density traffic that will come in from R6S and because a 25 foot entrance is not equipped for that much traffic. He said it would either be the builder's or City's expense on Corey Road. Even the North Carolina Department of Transportation questions the safety. Every neighborhood off of Corey Road is designed R15 or larger. R6 is well below R15 and seems pretty clear that the zoning plans are not near the same nor are they consistent. This R6S zone is in opposition to the zoning patterns of this area. There are 30 to 35 children under the age of 16 who live in Rosewood Subdivision. The children play outside, ride their bikes, walk their dogs and play games. The added traffic and the deterioration of the road will cause them harm. She spoke with Mr. Taylor as well about that. The Department of Transportation judges State roads from 1 to 100. Pine Drive was 70 two years ago and is up for repaving. Mr. Taylor said that the added traffic plus the construction traffic is going to deteriorate the road much quicker.

Ms. Jinks concluded by stating that even if there are three potential new entrances, there is only one entrance through Rosewood now, so that potential for new entrances doesn't save the kids now. She asked if the entrances could be put in before the area is annexed to keep from having to wait for all the additional areas to be annexed to get the road in. She is not opposed to building behind Tucker Road and at the end of Pine Drive; however, she does not believe that making this a main entrance to an R6 neighborhood with all the developments around it at R15 or above is compatible, consistent or safe. Development is to improve and add to an existing

area. Making this R6 is not consistent with the R15S neighbors; it increases dangers and puts the lives of those using Corey Road, Pine Drive and Tucker Road and Forest Road and any of the surrounding neighborhoods or future developments in a dangerous situation. This zoning should not be approved. Mr. Worthington should be asked to do the same as all the other neighborhoods.

Mr. Keith Holley of 1116 Pine Drive stated that when Vicksburg was first approved, the plat was approved contingent upon not having interconnectivity between the Rosewood and Vicksburg Subdivisions. To say they are going to interconnect the cul-de-sac is a violation of that agreement made by the County in the original plat. One of the reasons that part of Vicksburg is in the City is because it would not perk. The south side of Vicksburg perked and that has individual septic tanks. The north side did not perk, so they brought in a sewer line that ends at the end of the cul-de-sac in Vicksburg. There is a sewer easement across Lot 16 directly behind his house that has access to the new development. He objects to connecting sewer through the undeveloped road right-of-way. Mr. Holley called attention to the fact that many of the homes in Rosewood Subdivision are much larger than 1400 square feet, as his is 2000. There are a couple of other houses that are close to that. He referred to a petition that was submitted to the City Clerk's Office that contained 42 names in opposition to the rezoning request. Of those 42, they represent 24 homes in Rosewood and 2 in Vicksburg. Mr. Holley concluded by stating that he opposes R6S zoning for this property and using Pinewood Drive as a single entrance and exit into this development. He asked the Council, if they do approve R6S, to make it contingent on a separate access to the south through the Worthington property to Worthington Road. He doesn't oppose the property owner's right to develop his property; he only asks that the development be done in such a way as to reduce the impact to Rosewood Subdivision.

Mrs. Jan Holley, a Rosewood resident, stated that she does not oppose the development, but the rezoning request to R6S. She asked that the Council consider at least R9S. She definitely opposes Pine Drive as a sole means of ingress and egress as it is a narrow road. Although it does conform to the land use plan, the request is for land not yet in the City's extraterritorial jurisdiction. While a new single-family development would be an improvement, the much smaller lot size and the use of Pine Drive as a sole means of ingress and egress is not an improvement. This request is not compatible with the surrounding zoning pattern. The lots in Rosewood range from 15,000 to 26,000 square feet, and all neighborhoods in the area are at least R15S. R6S would be a large drop. It is not in the best interest of people living along Corey Road. She is not aware of other neighborhoods that require that traffic go through a low density neighborhood to get to a higher density neighborhood. Safety issues are typically enough to keep such a development approved. There is currently barely enough room for two cars to pass on the road. The road was also not built to handle the amount of traffic that will be generated with the interconnectivity to a higher density subdivision. Pine Drive is currently maintained by the State and feeds into Corey Road. Corey Road serves as a cut through from Worthington Road to Firetower Road. To add 260 more cars to that traffic pattern would raise the levels of traffic on Pine Drive. They are concerned for the safety of the 25 or more children under the age of 18 who play outside. In addition, they want to be able to safely back out of their driveway. Ms. Holley concluded by stating that the residents oppose the request because of its significant drop in lot size and the rise in traffic.

Ms. Valerie Choate, who resides at 1086 Pine Drive and who has two children with disabilities expressed concern about the safety of the children in the neighborhood if this request is approved They all have children and animals. This is a peaceful and safe neighborhood. The residents don't mind the houses being built; however, they are concerned about the size lots and the additional traffic.

Mr. Ronald Gustofson, a resident of Rosewood Subdivision, stated that many people park on the grass because the road is not wide enough. Also, Rosewood Subdivision has a tendency to flood. He agreed with the comments that have been made and asked the Council to vote in opposition to the request. The interconnectivity is not good for the neighborhood.

Upon being asked if any of the neighbors have spoken to Mr. Baldwin, Mr. Gustofson stated that he didn't know of any conversations that had taken place.

Mr. Brad Gustofson stated that he has spoken indirectly to Mr. Baldwin and mentioned some of the concerns to him. The neighborhood is small, nice and quiet. The roads aren't wide enough. The lot sizes proposed are much less than in Rosewood.

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

Upon being asked if R9S might be an option, City Attorney Holec replied that it could not because of the previous motion, which conditioned the annexation of the approval of rezoning as requested.

Concern was expressed about the lack of discussion between the people in Rosewood Subdivision and Mr. Baldwin.

Planning and Zoning Commission Council liaison Craft stated that when this request was considered by the Planning and Zoning Commission, there there was one person in opposition. The Planning and Zoning Commission offered to delay the vote in order to provide the opportunity for discussion to occur between Mr. Baldwin and the residents. At the next meeting, there was still only one person in opposition. Rosewood Subdivision would not be R-15 in the City limits because sewer would be available and the larger lots would not be required. They have the lot size they do because of the need for septic tanks. This subdivision will enhance Rosewood Subdivision. The problems with parking and the limited area for driving is true on a lot of residential streets in Greenville. Council Member Craft concluded by stating that he disagrees with Mr. Taylor from the Department of Transportation. This request is in compliance with the Comprehensive Plan.

Motion was made by Council Member Craft and seconded by Council Member Little to rezone the T. H. Worthington property (Tulls Cove Subdivision) from RR to R6S. Motion carried with a vote of 5:1. Mayor Pro-Tem Council and Council Member Dunn, Glover, Craft and Little voted in favor of the motion. Council Member Spell voted in opposition. (Ordinance No. 06-68)

Council Member Little stated that the City is entering a unique situation in this area between Corey Road and County Home Road. Many of those neighborhoods were developed

under rural standards and are becoming urbanized. To look at what the land use plan calls for and then the higher end of medium density, there are nine additional lots. It is hard to believe it would have that dramatic effect on traffic conditions. Additional traffic would be also added with R-9S. The City will begin the planning process for interconnectivity in this entire quadrant.

ORDINANCE (REQUESTED BY ROBERT BARNHILL) TO REZONE PROPERTY LOCATED ALONG THE EASTERN RIGHT-OF-WAY OF US 264 BYPASS, SOUTH OF NC HIGHWAY 43, WEST OF B'S BARBEQUE ROAD, AND NORTH OF MACGREGOR DOWNS ROAD FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO R6 (RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) – ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on July 31 and August 7, 2006 setting this time, date and place for a public hearing to consider a request by Robert Barnhill to rezone 60.21+ acres from RA20 to R6. The Planning and Zoning Commission, at its June 20, 2006 meeting, voted to recommend approval of the request.

Mr. Harry Hamilton, Chief Planner, delineated the property on a map and explained the request. He stated that the property is generally wooded and there are some scattered residential properties in the area. This property is not impacted substantially by the floodplain. There is a very small portion that is within the floodplain; however, no development is anticipated there. It is located adjacent to a primary street system. There is some multi-family development and duplexes in the general area. There is some existing multi-family zoning in the area. The land use plan recommends multi-family development to the east as well as to the west of the northwest loop. It is recommended for office and institutional or multi-family with conservation areas in the environmentally sensitive areas. There is existing R-6 zoning to the east.

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

Mr. Mike Baldwin, representing the petitioner, stated that the rezoning request would reduce the setbacks. The preliminary plat has been approved.

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

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Craft to adopt the ordinance rezoning 60.21+ acres located along the eastern right-of-way of US 264 Bypass, south of NC Highway 43, west of B's Barbecue Road, and north of MacGregor Downs Road, from RA20 to R6. Motion carried unanimously. (Ordinance No. 06-69)

ORDINANCE (REQUESTED BY CHARIS PROPERTIES, LLC) TO REZONE PROPERTY LOCATED SOUTHWEST OF THE WINDSOR DOWNS SUBDIVISION, WEST OF COREY ROAD, NORTH OF THE COREY RIDGE SUBDIVISION, SECTION 2, PHASE 1, AND EAST OF THE CLEVEWOOD SUBDIVISION FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO R9S (RESIDENTIAL - SINGLE-FAMILY [MEDIUM DENSITY]) – ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on July 31 and August 7, 2006, setting this time, date and place for a public hearing to consider a request by Charis Properties, LLC to rezone 22.494 acres from RA20 to R9S.

Mr. Harry Hamilton, Chief Planner, delineated the property on a map and explained the request. Little development has taken place in this area. It is just inside the city's extraterritorial jurisdiction and is impacted by the floodplain of Fork Swamp Canal. Portions of the lots that front on the loop street are in the floodway, and no development is allowed in the floodway. The area has access to the street system. The Land Use Plan calls for medium density, and R-9S meets that. In staff's opinion, this request is in general compliance with the plan.

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

Mr. Mike Baldwin, representing the petitioner, stated that this is a housekeeping issue. The minimum building line is different. The request is in compliance with the comprehensive land use plan. It is part of an already approved preliminary plat.

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

Motion was made by Council Member Spell and seconded by Council Member Craft to adopt the ordinance rezoning the Charis Properties, LLC property located southwest of Windsor Downs Subdivision from RA20 to R9S. Motion carried unanimously. (Ordinance No. 06-70)

ORDINANCE TO ANNEX OAKDOWNE WAY LOCATED WEST OF NC HIGHWAY 33 AND SOUTH OF PORT TERMINAL ROAD – ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on July 31, 2006 setting this time, date and place for a public hearing to consider a request by Collice C. Moore and Harvey Lewis to annex Oakdowne Way. This is a contiguous annexation.

Mr. Flood delineated the property on a map and stated that the property is located in Voting District 4. The property is currently vacant. The proposed use is for road right-of-way as the anticipated population at full development is 0.

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

Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Council to adopt the ordinance annexing Oakdowne Way located west of NC Highway 33 and south of Port Terminal Road. Motion carried unanimously. (Ordinance No. 06-71)

ORDINANCE TO ANNEX MELROSE PLACE LOCATED NORTH OF NC HIGHWAY 43 AND WEST OF TREYBROOKE APARTMENTS – ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on July 31, 2006 setting this time, date and place for a public hearing to consider a request by Carroll and Associates, Inc. and Philip E. Carroll to annex Melrose Place, containing 41.99 acres located north of NC Highway 43 and west of Treybrooke Apartments. This is a contiguous annexation.

Mr. Merrill Flood, Director of Community Development, delineated the property on a map and stated that the property is located in Voting District 1. The property is currently vacant and the proposed use is for 3 lots developed for professional offices and 300 multi-family units. The current population is 0, and the anticipated population at full development is 657, with an expected minority population of 413.

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

There being none, the public hearing was closed.

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Spell to adopt the ordinance annexing Melrose Place located north of NC Highway 43 and west of Treybrooke Apartments. Motion carried unanimously. (Ordinance No. 06-72)

ORDINANCE TO ANNEX STONEHENGE OFFICE PARK LOCATED NORTH OF WIMBLEDON DRIVE AND SOUTH OF STONEHENGE DRIVE – ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on July 31, 2006 setting this time, date and place for a public hearing to consider a request by Greenbrier Realty to annex Stonehenge Office Park, containing 5.581 acres located north of Wimbledon Drive and south of Stonehenge Drive. This is a contiguous annexation.

Mr. Merrill Flood, Director of Community Development, delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is for 8 lots developed for professional offices. The current population is 0, and the anticipated population at full development is 0.

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

There being none, the public hearing was closed.

Motion was made by Council Member Spell and seconded by Council Member Little to adopt the ordinance annexing Stonehenge Office Park, located north of Wimbledon Drive and south of Stonehenge Drive. Motion carried unanimously. (Ordinance No. 06-73)

ORDINANCE TO ANNEX IRISH CREEK, SECTION 3, LOCATED EAST OF OLD TAR ROAD AND NORTH OF IRISH CREEK, SECTION 2, PHASE 2 – ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on July 31, 2006 setting this time, date and place for a public hearing to consider a request by Midnight Investments, LLC to annex Irish Creek, Section 3, containing 21.502 acres located east of Old Tar Road and north of Irish Creek, Section 2, Phase 2. This is a contiguous annexation.

Mr. Merrill Flood, Director of Community Development, delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the proposed use is for Peace Presbyterian Church and 33 single-family dwellings. The current population is 0, and the anticipated population at full development is 77, with an expected minority population of 12.

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

There being none, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Council Member Little to adopt the ordinance annexing Irish Creek, Section 3, located east of Old Tar Road and north of Irish Creek, Section 2, Phase 2. Motion carried unanimously. (Ordinance No. 06-74)

ORDINANCE TO AMEND THE CITY CODE TO REFLECT THE RECENT NAME CHANGE FROM "PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT" TO THE "COMMUNITY DEVELOPMENT DEPARTMENT" AND TO REVISE THE DEPARTMENT DIRECTOR TITLE AND CODE ENFORCEMENT OFFICER TITLE – ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on July 31 and August 7, 2006 setting this time, date and place for a public hearing to consider an ordinance amending the City Code to reflect the recent name change from “Planning and Community Development Department” to the “Community Development Department” and to revise the department director title and code enforcement officer title. The Planning and Zoning Commission, at its July 18, 2006 meeting, voted to recommend approval of the request.

Mr. Merrill Flood, Director of Community Development, stated that the ordinance simply amends the City Code to reflect the recent name change from Planning and Community Development Department to the Community Development Department and revises the department director title and code enforcement officer title. The changes do not affect any existing standard, requirement, or level of service.

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

Motion was made by Council Member Glover and seconded by Council Member Dunn to adopt the ordinance amending the City Code to reflect the recent name change from Planning and Community Development Department to the Community Development Department and to revise the department director title and code enforcement officer title. Motion carried unanimously. (Ordinance No. 06-75)

ORDINANCE TO AMEND VARIOUS SECTIONS OF THE SIGN REGULATIONS TO INCLUDE NEW AND AMENDED DEFINITIONS FOR THE TERMS BANNER, FLAG, FREESTANDING SIGN AND WALL SIGN, TO INCLUDE REVISED REAL ESTATE SIGN STANDARDS, AND (III) TO INCLUDE A RAISED FRAME REQUIREMENT FOR PERMANENT NON-SELF-SUPPORTING DISPLAYS, INCLUDING FLEX-FACE MATERIALS SIGNS – ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on July 31 and August 7, 2006 setting this time, date and place for a public hearing to consider an ordinance amending various sections of the sign regulations (i) to include new and amended definitions for the terms banner, flag, freestanding sign and wall sign, (ii)(to include revised real estate sign standards, and (iii) to include a raised frame requirement for permanent non-self-supporting displays including flex-face materials signs. The Planning and Zoning Commission, at its July 18, 2006 meeting, voted to recommend approval of the request.

Mr. Harry Hamilton, Chief Planner, stated that the proposed amendments will increase the maximum real estate sign allowance for large multi-family developments from 12 square feet to 50 square feet and require a "permanent appearance" mounting method for non-self-supporting displays, including flex-face material signs. He gave examples of flags, banners, and flex face sign. He stated that as long as a flex sign is approved by the building inspector, it can be a legal wall sign. The proposal is to make it mandatory that if is classified as a flex face sign, it would have to be supported by a raised sign. New definitions are included in ordinance, as well as revised definitions for freestanding and wall signs. The allowance for real estate sign is increased for large multi-family developments. The raised frame requirement is also changed.

Upon being asked whether a flex face flush mount sign could happen with this ordinance (such as the one at Bladz on Ice), Mr. Hamilton responded that it is currently a legal sign. A banner is out of flexible material with ropes and wires. Banners will only be allowed for nonprofits and grand openings.

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

Motion was made by Council Member Little and seconded by Council Member Glover to adopt the ordinance to include new and amended definitions for the terms banner, flag, freestanding sign and wall sign; to include revised real estate sign standards; and to include a raised frame requirement for permanent non-self-supporting displays, including flex-face material signs. Motion carried unanimously. (Ordinance No. 06-76)

ORDINANCE REQUIRING THE REPAIR OR THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 1215 BATTLE STREET - ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on July 31 and August 7, 2006 setting this time, date and place for a public hearing to consider an ordinance requiring the repair or the demolition and removal of the dwelling located at 1215 Battle Street.

Ms. Rhonda Jordan, Code Enforcement Coordinator, stated that the initial notice of violation and order to secure the vacant structure owned by Dream, Inc. at 1215 Battle Street was sent on September 14, 1999 to the property owner. The initial order identified minimum housing code violations and the remedies necessary to bring the structure into compliance with the code. Since that date, there have been five certified mailings regarding minimum housing violations of the dwelling. Staff has attempted to work with the owner, but no repairs have been made. The most recent mailing to the owner was sent on March 10, 2005, and provided notice to the owner that the dwelling was considered as an abandoned structure. The dwelling has been vacated and closed for a period of at least 6 months. The utilities to the dwelling have been disconnected since March 2003. Property taxes for the property are current. The tax value on the property as of June 20, 2006, is $30,840 (the building value is $26,080 and the land value is $4,760). The estimated costs to repair the dwelling are $40,000.

Upon being asked about the contact that was had with the property owner, Ms. Jordan stated that she sent a letter informing the owner of the public hearing, and the notice was published in newspaper. She also spoke with the property owner about what would happen with the property, and she indicated he would be here for the public hearing.

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

Ms. Arleshia Person, co-owner of Dream Incorporated, stated that the company is in the process of getting ready to repair this home. Someone is lined up to do the work, which is expected to take two to three months. It has been vacant awhile

Upon being asked if she had been contacted by the City, Ms. Person replied that she had not; however, her partner was and shared the letter with her.

City Attorney Holec reminded the Council that by adoption of the ordinance, the owner has a 90-day period to bring the structure up to compliance with the minimum housing code. However, as long as the owners are making a good faith effort and making progress, that is satisfactory. If they are not, the City can demolish the property.

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

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Dunn to adopt the ordinance requiring the repair or demolition and removal of the dwelling located at 1215 Battle Street. Motion carried unanimously. (Ordinance No. 06-77)

ORDINANCE REQUIRING THE REPAIR OR THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 906 IMPERIAL STREET – ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on July 31 and August 7, 2006 setting this time, date and place for a public hearing to consider an ordinance requiring the repair or the demolition and removal of the dwelling located at 906 Imperial Street.

Ms. Rhonda Jordan, Code Enforcement Coordinator, stated that the initial notice of violation and order to secure the vacant structure owned by Samuel Earl Hardy at 906 Imperial Street was sent on December 9, 2001 to the property owner. The initial order identified minimum housing code violations and the remedies necessary to bring the structure into compliance with the code. Since that date, there have been three certified mailings regarding minimum housing violations of the dwelling. Staff has attempted to work with the owner, but no repairs have been made. The most recent mailing to the owner was sent on December 9, 2004, and provided notice to the owner that the dwelling was considered as an abandoned structure. The dwelling has been vacated and closed for a period of at least 6 months. The utilities to the dwelling have been disconnected since March 2002. Property taxes have not been paid since 1999 and are delinquent in the amount of $4,718.90. The tax value on the property as of June 20, 2006, is $22,120 (the building value is $19,440 and the land value is $2,680). The estimated costs to repair the dwelling are $40,000. This is on the same parcel of land as 908 Imperial Street.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being no comments, the public hearing was closed.

Motion was made by Council Member Little and seconded by Council Member Spell to adopt the ordinance requiring the repair or demolition and removal of the dwelling located at 906 Imperial Street. Motion carried unanimously. (Ordinance No. 06-78)

ORDINANCE REQUIRING THE REPAIR OR THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 908 IMPERIAL STREET – ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on July 31 and August 7, 2006 setting this time, date and place for a public hearing to consider an ordinance requiring the repair or the demolition and removal of the dwelling located at 908 Imperial Street.

Ms. Rhonda Jordan, Code Enforcement Coordinator, stated that the initial notice of violation and order to secure the vacant structure owned by Samuel Earl Hardy at 908 Imperial Street was sent on December 4, 2004 to the property owner. The initial order identified minimum housing code violations and the remedies necessary to bring the structure into compliance with the code. Since that date, there have been five certified mailings regarding minimum housing violations of the dwelling. Staff has attempted to work with the owner, but no repairs have been made. The most recent mailing to the owner was sent on January 4, 2005, and provided notice to the owner that the dwelling was considered as an abandoned structure.

The dwelling has been vacated and closed for a period of at least 6 months. The utilities to the dwelling have been disconnected since February 2003. Property taxes have not been paid since 1999 and are delinquent in the amount of $4,718.90. The tax value on the property as of June 20, 2006, is $22,120 (the building value is $19,440 and the land value is $2,680). The estimated costs to repair the dwelling are $40,000. This is on the same parcel as the last house just acted on. The owner is Samuel Earl Hardy. A letter was sent for both houses. The public hearing was posted, and staff hasn't heard from him.

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

Motion was made by Council Member Craft and seconded by Council Member Glover to adopt the ordinance requiring the repair or the demolition and removal of the dwelling located at 908 Imperial Street. Motion carried unanimously. (Ordinance No. 06-79)

ORDINANCE REQUIRING THE REPAIR OR THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 611 MARTIN LUTHER KING, JR. DRIVE - ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on July 31 and August 7, 2006 setting this time, date and place for a public hearing to consider an ordinance requiring the repair or the demolition and removal of the dwelling located at 611 Martin Luther King Jr. Drive.

Ms. Rhonda Jordan, Code Enforcement Coordinator, stated that the initial notice of violation and order to secure the vacant structure owned by Duane Cogdell, Sr. at 611 Martin Luther King Jr. Drive was sent on October 28, 2002 to the property owner. The initial order identified minimum housing code violations and the remedies necessary to bring the structure into compliance with the code. Since that date, there have been five certified mailings regarding minimum housing violations of the dwelling. Staff has attempted to work with the owner, but no repairs have been made. The most recent mailing to the owner was sent on December 14, 2004, and provided notice to the owner that the dwelling was considered as an abandoned structure. The dwelling has been vacated and closed for a period of at least 6 months. The utilities to the dwelling have been disconnected since 2004. (Apartment A has been disconnected since March 2004 and Apartment B has been disconnected since November 2004.) Property taxes for the property are current. The tax value on the property as of June 20, 2006, is $28,080 (the building value is $24,990 and the land value is $3,090). The estimated costs to repair the dwelling are $44,400. The is next door to a house approved for demolition by Council in June. Ms. Jordan has not had contact with the owners since publishing the notice.

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

Motion was made by Council Member Spell and seconded by Council Member Craft to adopt the ordinance requiring the repair or demolition and removal of the dwelling located at 611 Martin Luther King, Jr. Drive. Motion carried unanimously. (Ordinance No. 06-80)

REQUEST BY THE GREENVILLE HOUSING AUTHORITY TO LEASE AND CONDUCT RECREATIONAL ACTIVITIES ON ELEVEN FLOOD BUYOUT PROPERTIES LOCATED ON MUMFORD ROAD - ADOPTED

City Manager Bowers reported that a notice of public hearing was published in The Daily Reflector on July 31 and August 7, 2006 setting this time, date and place for a public hearing to consider a request by the Greenville Housing Authority to lease and conduct recreational activities on eleven flood buyout parcels located on Mumford Road.

Mr. Merrill Flood, Director of Community Development, stated that the Greenville Housing Authority wishes to use the leased properties as a recreation field. The parcels were acquired as part of the HMGP Floyd Flood Buyout Program. As a result, their reuse is restricted to open space. The adopted Flood Land Reuse Plan identifies these parcels for short-term leasing to adjacent property owners. The Greenville Housing Authority's Meadowbrook development is located immediately south of Mumford Road. The parcels are 413 Mumford Road (Parcel #13467), 409 Mumford Road (Parcel #13469), 405 Mumford Road (Parcel #10273), 401 Mumford Road (Parcel #32542), 1304 North Allen Street (Parcel #19808), 1308 North Allen Street (Parcel #03099), 1312 North Allen Street (Parcel #03100), 1316 North Allen Street (Parcel #16119), 1317 North Washington Street (Parcel #02970), 1313 North Washington Street (Parcel #13465) and 1309 North Washington Street (Parcel #13468). The property will be used for a practice field for a youth football league. The City has previously leased the land for gardens, extension of yards, etc.

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

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

Motion was made by Council Member Dunn and seconded by Council Member Little to allow the Greenville Housing Authority to lease and conduct recreational activities on the parcels identified. Motion carried unanimously.

PUBLIC COMMENT PERIOD

Ms. Nancy Colville of 113 Lord Ashley Drive and a resident of Greenville for 40 years, addressed the composition of the Chancellor's Ad Hoc committee to look at a street named for Martin Luther King, Jr. She felt that the committee is unbalanced and not representative of the entire City. The majority of the black residents serving on the committee are viewed by the community at large as supporting the street name change. Mr. Cooper has failed to provide a list of names of his alleged supporters or committee members. It appears that there is no support from the black community for his request. At the last march, there were 28 people, not 50 marching. In 1998, the City Council held a public hearing to rename Fifth Street. A petition was presented to Council that contained approximately 2000 signatures in support of naming a street rather than historical Fifth Street in honor of Martin Luther King, Jr. The opponents of the renaming based their decision on the historical value of the street, not race. Greenville has been an all-inclusive city for a long time. It was one of the first cities in North Carolina to declare Martin Luther King's birthday a holiday. It is one of 35 cities out of 548 in the state who have

named a Martin Luther King street. She concluded by stating that there are thousands of black Americans that honor Dr. King's memory by leading productive lives, being responsible parents, participating in the workforce, community projects and serving on boards and commissions, which is the dream Martin Luther King had. She opposed renaming Fifth Street because of its historical value.

Council Member Glover clarified information provided by Ms. Colville by stating that the only group she spearheaded was the University committee. Mr. Cooper is spearheading the completion group, of which she is not a part.

Mr. Charles Wilkerson, Jr., representing Wilkerson Funeral Home, stated that the management and staff of this funeral home have been on Fifth for over 31 years. They object to East Fifth Street being renamed to anything other than East Fifth Street, because it would be costly. It is the wrong thing to do. Changing the name of any street is the wrong thing to do. He asked the Council to name a street that has not been named.

Mr. Will Corbitt stated that he believes in the history of Greenville. The City was chartered in 1774, and Fifth Street was one of the first ones charted. He is opposed to renaming it for anyone. He has talked with 56 people, who all feel the same way.

Mr. Charlie Ewen stated that he was on the committee that Council Member Glover and Don Ensley headed up. The report that just came out gave three options. One of the things he was pleased about was with the forums, there was never a problem of honoring Dr. King, it was just the best way to do that. There was a lot of respect and honest disagreement. He personally feels that the Council should rename 264 so that anyone going through or around Greenville could honor Dr. King.

Mr. Sherrod Hicks, a recent graduate of East Carolina University, stated that he is in agreement with renaming Fifth Street.

Mr. Brian Billups II, a recent graduate of East Carolina University, expressed that he has noticed that a lot of people are in opposition to change, not the reverence of Dr. King. The renaming is a positive thing, as it brings reverence to a name that is peaceful. In every city, it behooves the city to set the standard by making his name a revered part of the city. The only way to do that is Fifth Street, which symbolizes East Carolina University, an anchor of this city. He has seen atrocious acts of racism in this city. Greenville is on the cutting edge of changing and can only do that by using powers of the City Council to set the stage and have his name used for extension of Fifth Street so eastern North Carolina can follow this movement. Racial equality has not found its way to Greenville; however, he thinks that one day it will.

Mr. Dennis Mitchell stated that one street has two names. Half of the street, which is in the white community, is named East Fifth Street, and the other half of the street, which is in the African-American community, is named Martin Luther King, Jr. Drive. The street was split by a previous Council, and that was the wrong thing to do. This Council has to be charged to correct that wrong. The only thing historical about Fifth Street is that it is named Fifth Street. It is ever changing. The black residents have to feel some kind of unity to the city, and it is not there.

When people go home from their jobs, they go to segregated neighborhoods. It is time to connect the city. The day Martin Luther King, Jr. died, he was set to be in Greenville, but he chose to go to work and he lost his life that day. It is sad to see public debate tearing the city apart. Mr. Mitchell concluded by asking that the Council fix the wrong. The longer the debate goes on, the more divided the city will become. All the City has to do is honor the greatest man in American history--Martin Luther King, Jr.--by completing the naming of the street.

Mr. Charles Pace, who was born in Greenville, stated that it is not necessary to change the name of Fifth Street. That would be expensive. One street has been named for Martin Luther King, Jr. The name of East Fifth Street is 250 years old. It is both a historic and practical interest. Fifth Street is the way people orient themselves. Changing the name will be going against the direction of city. It would also change the historical documents that talk about East Fifth Street. It would be best to leave it as it is.

Mr. Frank Schenck stated that he came here 20 years ago, and it was the year Congress passed the Cable Communications Act, which had significant statements in it. The purpose of the bill is to establish franchise procedures and standards to encourage the growth of cable systems and ensure they are responsive to the needs of the local community. PEG channels were established. Mr. Schenck talked about the significant statements in that Act. It called for establishment of franchise standards and policies. The FCC further defines public access channels are for use by the general public. They are usually administered either by the cable operator or a third party designated by the franchising authority, which, up until now, has been the City of Greenville. The third party designated is the Greenville Public Access Channel Corporation, which is the only public access channel in Greenville. They have selected a new location to work from, the Pitt County Council on Aging.

Mr. Jim Rees thanked the Council for the opportunity to speak about the Fifth Street issue. He can look at both sides, as each offer valid points. Continuing to argue from the same positions will inflame the rhetoric and get nowhere. This conflict does little to honor Martin Luther King, Jr. He read portions of two letters to the editor.

Ms. Pattie Crew, a resident of East Fifth Street, stated that she is proud to live on East Fifth Street and she loved Martin Luther King, Jr. There is already a street named after him, and it is not kept up like it should be. She asked that the Council consider naming another street for Martin Luther King, Jr. other than East Fifth Street. She expressed concern about the letters written to the letter calling the opponents of the request White supremacists and Jesse Helms lovers. She hates to see any more history taken away. She suggested that Martin Luther King, Jr. be honored with a statue or another thoroughfare.

Mr. Rufus Huggins, President of the Southern Christian Leadership Conference (SCLC), commended the Council and employees for doing a good job of addressing the needs of Greenville and the efforts to maintain orderly growth and the efforts against crime and drugs. The SCLC feels it is the time for Greenville to take its place among the leading cities in this state in naming a whole street in honor of Dr. Martin Luther King, Jr. He commended the City for making it a holiday and a celebration. Mr. Huggins stated that the SCLC wants to give the Council time to study the report from the Chancellor's Advisory Committee. He offered to meet

with the Council individually or otherwise. Too many young people in this city are not aware of the good things that have been done for all citizens, black and white. It hurts him to see the City being taken backwards by a few. Dr. King marched and died to get them to the table of brotherly love. Greenville has been and is at that table. He asked that the Council work very soon with the SCLC.

Mr. Ozie Hall stated that Fifth Street has the Pitt County Office Complex, City Hall, East Carolina University, the new School of Nursing, and Pitt County Memorial Hospital. It is one of the most important streets in the City. Once the City gets to the public hearing stage, it will find that there will be more opposition to renaming Tenth Street and the bypass than for East Fifth Street. The 264 Loop is outside of the city. The process of honoring Dr. Martin Luther King, Jr. with a whole street has been started with the renaming of West Fifth Street to Martin Luther King, Jr. Drive. There has been a long period of time and no movement has taken place to finish naming the street. To complete this street would be something that children would be proud of and it would promote racial harmony. The reasons given in opposition are narrow and hollow, and the opposition is much smaller today than it was 15 years ago. It is very small when looking at the whole street when compared to the other options. Mr. Hall asked the Council to name East Fifth Street for Dr. Martin Luther King.

Mr. Bennie Roundtree, stated that he was part of the Ad Hoc Committee that went on for about three months. The committee did a good job and recommended three streets. He asked the Council to name one of those streets in honor of Dr. King. He wants this to be less controversial and get it over with. There is too much going on to spend years talking about naming a street for Dr. King.

Ms. Lucy Talbert, a resident of East Fifth Street, asked the Council to continue what it started several years ago.

RESOLUTION OF INTENT TO ANNEX FIRE STATION NO. 4 LOCATED AT 114 STATON ROAD – ADOPTED

Mr. Merrill Flood stated that this is a resolution of intent to annex Fire Station No. 4 owned by the City of Greenville, containing 2.0 acres located at 114 Staton Road. This begins the process of annexing property owned by the municipality. An ordinance to annex the property will be brought before City Council on September 14, 2006 if the resolution of intent is adopted as proposed on August 10, 2006.

Motion was made by Council Member Dunn and seconded by Council Member Spell to adopt the resolution of intent to annex Fire Station No. 4 located at 114 Staton Road. Motion carried unanimously. (Resolution No. 06-39)

CONTRACTS FOR FOUR LOTS FOR NEW HOME CONSTRUCTION IN THE 45-BLOCK REVITALIZATION AREA – APPROVED

Mr. Merrill Flood, Director of Community Development, stated that the housing staff issued a request for proposals to general contractors for construction on vacant lots in the 45-block area. Advertisement of the RFP ran on May 14, 2006 and May 21, 2006. The proposal includes four lots along Martin Luther King, Jr. Drive. In an effort to reduce costs and construct larger homes, the construction of these homes will be contracted out to a licensed general contractor by the City. The minimum house size would be a 1200 square foot, three-bedroom, two-bath home. The City of Greenville will maintain ownership of the properties and pay the contractor for the construction as work is completed. Once the homes have been constructed, staff will then market the homes for sale to homebuyers who will occupy the properties as their primary residences. Offers will be brought to City Council for consideration and acceptance. Proposals were received from four licensed general contractors. The qualified low bid, based upon proposals submitted, is from Raymond Carney. The construction cost is $75 per square foot, and the typical house cost would range from $90,000 to $105,000.

Motion was made by Council Member Dunn and seconded by Council Member Glover to authorize the City Manager to enter into contracts for the construction of four new homes with Raymond Carney Construction. Motion carried unanimously. (Contract No. 1525)

AGREEMENT WITH PROPERTYROOM.COM, INC. FOR ON-LINE AUCTION SERVICES FOR THE POLICE DEPARTMENT – APPROVED

Police Chief William Anderson informed the Council that the City is currently using GovDeals to dispose of surplus items; however, it would be more advantageous for the Police Department to utilize propertyroom.com for forfeited, seized and recovered property. Some of the benefits include having full service property liquidation and disposal, barcode tracking, on-line access, and it is supported by law enforcement. Propertyroom.com has over 670 law enforcement clients throughout the United States, 64 of which are accredited. There are currently 17 agencies in North Carolina that are clients, five of which are accredited. The City should see a reduction in costs associated with the handling, storage and subsequent auction of forfeited, seized and abandoned property.

Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Council to authorize the agreement with Propertyroom.com, Inc., for on-line auction services for the Police Department for forfeited, seized, and recovered property. Motion carried unanimously. (Contract No. 1526)

GREENVILLE UTILITIES COMMISSION SEWER CAPITAL PROJECTS BUDGET ORDINANCE FOR THE WASTEWATER SYSTEM MASTER PLAN – ADOPTED

Motion was made by Council Member Dunn and seconded by Council Member Glover to adopt the Greenville Utilities Commission sewer capital projects budget ordinance for the Wastewater System Master Plan. Motion carried unanimously. (Ordinance No. 06-81)

ACTIONS NEEDED FOR GREENVILLE UTILITIES COMMISSION'S WEST END ELECTRIC SUBSTATION

a) Electric Capital Projects Budget Ordinance
b) Authorization Of Purchase Of Real Property From Pitt County Memorial Hospital

Motion was made by Council Member Council and seconded by Council Member Glover to adopt the electric capital projects budget ordinance and authorize the purchase of real property from Pitt County Memorial Hospital for the West End Electric Substation. Motion carried unanimously. (Ordinance No. 06-82)

RESOLUTION SUPPORTING ISSUANCE OF 2006 CLEAN WATER BOND – NO ACTION TAKEN

City Manager Bowers stated that this was a recommendation from the Greenville Utilities Commission Board. As a member of the Board, he pointed out that due to the timing, the City Council would probably receive this after the 2006 legislative session ended. The recommendation is to not take action at this time since the 2006 session has ended.

Motion was made by Council Member Little and seconded by Mayor Pro-Tem Council to take no action on this item. Motion carried unanimously.

GENERAL OBLIGATION BOND REIMBURSEMENT RESOLUTION FOR STREET IMPROVEMENTS – ADOPTED

Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Council to adopt the General Obligation Bond reimbursement resolution for street improvements. Motion carried unanimously. (Resolution No. 06-40)

BUDGET ORDINANCE AMENDMENT #1 TO THE 2006-2007 CITY OF GREENVILLE BUDGET AND CAPITAL PROJECT BUDGET ORDINANCE AMENDMENTS FOR THE CENTER CITY AND WEST GREENVILLE REVITALIZATION PROJECTS – ADOPTED

Motion was made by Council Member Little and seconded by Council Member Dunn to adopt Budget Ordinance Amendment #1 to the 2006-2007 City of Greenville budget and capital project budget ordinance amendments for the Center City and West Greenville Revitalization Projects. Motion carried unanimously. (Ordinance Nos. 06-83, 06-84 and 06-85)

REPORT ON BIDS AWARDED

The bids that had been awarded were presented.

PROPOSAL RELATING TO THE RENAMING OF FIFTH STREET TO MARTIN LUTHER KING, JR. DRIVE BY KEITH COOPER

(The following is a transcript of the proceedings addressing specifically the issue of renaming Fifth Street.)

Mr. Keith Cooper: What happens to a dream deferred? Does it dry up like a raisin in the sun or fester like a sore and then run? Does it stink like rotten meat or crust and sugar over like syrupy sweet? Late great Langston Hughes taught us about the dangers of a dream deferred. We are talking about a dream that has been deferred for roughly 16 years. Giving honor to God, the City Council, friends and fellow citizens, I stand before you as Co-Chair of the Fifth Street/MLK Completion Committee to emphasize the urgency of this long standing issue. Reverend Alonzo Mills and various others came before the body in 1989 to get the ball rolling. Since that request there has been much controversy and debate about the scale to which Reverend King should be memorialized. These discussions, as Dr. Derek Alderman, a local street renaming expert/cultural geographer, has shown, is sometimes divisional and confrontational. Yet, street renaming experts generally advocate that streets selected in King's honor be commensurate to the legacy of achievement and accomplishments of King. You know in your heart of hearts that finishing the job of Fifth Street started in 1998 is the right thing to do. My head is not in the lion's mouth. Therefore, I can speak freely on the issue.

We believe that you, the Greenville City Council, should focus on the extension on King's name down Fifth Street. There should be no dilemmas here since King's name is already attached to what was once West Fifth. If Reverend King's name were not already on a street, then discussions regarding alternative streets or options would be legitimate. Since a commemorative path has been started, it is important that we stay on that path for both practical and deeper philosophical reasons. Philosophically, not to extend King's name down Fifth Street would signal to our communities that there are inherent boundaries to King's legacy and limits to where African-American expressions belong and do not belong. Since Reverend King espoused principles of racial integration, equality and justice, constraining his name to black neighborhoods will dishonor his legacy. On a practical level, naming another street, other than Fifth, would mean the un-naming of the existing Martin Luther King Drive. For those of you who are cost conscious, this would double the cost of naming. Additionally, it would be hypocritical for the City Council to rename a new alternative street because East Fifth Street residents refuse to change their addresses and then it would force people on MLK Drive to give up their street name. That makes no sense. Finally, connectivity is vital in this process. According to Professor Alderman, Tampa Florida has an MLK Drive which is 14 miles long, yet it connects residential/nonresidential communities. It has over 500 nonresidential establishments. Austin, Texas and New Bern, North Carolina follow similar patterns. Unfortunately, most communities limit King's commemoration to a segment or street within the black community. To extend King's name down all of Fifth Street would allow Greenville to be different than all these cities, to set a progressive tone and image.

Dr. Martin Luther King said that conflicts are never resolved without meaningful give and take from both sides. Therefore, we urge the City Council, you, to adopt a compromised street sign such as the one you have in front of you and the audience members have for extending King's

name down Fifth Street. The sign compromise represents an attempt to extend King's name, also recognizing the historical importance of the Fifth Street identity. The sign does not simply indicate that the street use to be Fifth, but creates the impression that is historically important, which goes to the heart of the opponents argument. The proposed sign could also assist with any initial confusion after the address change, since people would be able to see that the road's name was formerly Fifth Street. Also, remember, this style of signage is an established model. It is has been used by Chapel Hill and is presently being considered in Ithaca, New York. Greenville could very well be part of setting an example for our communities. This is not a dual name. King is the new address, but the road historically remembers and recognizes the street's former identity since it is so important to that part of town. By doing this, it makes all the sense in the world that the Fifth Street end is known as King Street, which is recognized as historic Fifth.

Finally, we propose that the decision to rename East Fifth Street be initiated by the City Council rather than requiring an application and the mandated 60 percent that is required for the approval. The 60 percent rule does not fully recognize the public nature of streets and their names. It operates upon a very selective notion of who is the public when it comes to renaming East Fifth Street. First, according to the 60 percent rule, the only people that have a voice in the renaming are those who are property owners, which is a form of class bias that ignores the interest of people who rent as well as anyone who works, goes to school or travels down the street. Second, the rule says that people on Fifth Street are the only ones that should have a voice in whether it is renamed, which is an exclusion of neighborhoods and communities with a stake in the matter. Our tax dollars go toward the road and identify with it. As many of the opponents have pointed out, it is a citywide symbol. Third, and finally, the 60 percent rule says it takes supermajority to rename a street. This far exceeds the usual majority employed in the local decision-making as it is intended to maintain the status quo. Plus, a majority rule is not always democratic, such as when there is a clear conflict between minority rights and the will of the majority. Segregation would have never been defeated during King's time if left up to a majority vote. It certainly would have never been defeated with a supermajority. I'm going to call on Mr. Fischer to take over.

Mr. Fischer: Mayor Parrott, Mr. Bowers, City Council Members. I am here tonight to remind you of the causes that led Dr. King to march peacefully across this region in the hope that all Americans would enjoy equal rights. The civil rights movement did not die when Dr. King was brutally assassinated by a brutal sniper almost 40 years ago. We're here to remind you…every tree from…..Dr. King's dream is failure. We must not go backwards. We don't need to revisit the Civil War or wave confederate battle flags. We must stay focused on civil rights. The simple step of adding Dr. King's name to the signs, elementary kids as well as university graduate students will notice this man's name, discuss his accomplishments, and hopefully work to make his dream a reality. Alternatives will not work without causing more confusion and division. The work is already half done. The time is now. It is fiercely urgent to finish the job on both ends of the City, bridging the gap created by a half-baked City Council decision eight years ago. I'll finish with this suggestion. The City of Greenville should take over maintenance responsibilities for Martin Luther King, Jr. Drive, a road that is potholed and roughly paved. It has not been repaved in the last 15 years. The State Department of Transportation has no plans to repave it anytime soon.

Mayor Parrott: Mr. Fischer. Thank you very much. We appreciate your comments. That concludes the comments from Mr. Cooper. I think we had one comment from Mr. Roundtree tonight that this needs to be brought to a conclusion. I personally really feel like we should do this tonight. I think we should make a decision tonight, and I'd like to give each Council Member a time to discuss this and talk about what they feel we should do. We've had a lot of input from the general public. We've had a lot of input over a period of time. It is time we make a decision tonight. I can start with Ms. Glover or start with Mr. Little.

Council Member Glover: Mr. Mayor. Mr. Bowers and myself were supposed to do a presentation to the Council as to the proceedings of the ad hoc committee.

Mayor Parrott: That's not on the agenda, Ms. Glover. That's not on the agenda tonight.

Council Member Glover: We're supposed to do it during Council…..Mr. Bowers said he would do that.

Mayor Parrott: I will give Mr. Bowers time to speak, but I'm going to start with Mr. Little to my left, if he would, to make your comments as to what you think we should do.

Council Member Little: We got this report that was presented by the Visions Group from the Ad Hoc Committee that Ms. Glover was on. I think it was clear in here that based on the public forums' held, there were three options, three alternatives that they put forth. Mr. Roundtree mentioned those. I would just agree that it's time to make a decision. Mr. Fischer made a comment at the end about having the sign and it would be a way for Dr. King's name to be noticed. That's why I tend to go with, agree with, the option of the parkway. If you look at the parkway that is going to circle the entire city of Greenville, half of it is already there. We've got DOT numbers that say that close to 90,000 trips will go on that parkway as it sits right now with numerous signage opportunities identifying that as the Martin Luther King Parkway. I feel that is the best way to show the visibility and our commitment. It encircles the City. If you use the analogy that we are all one, encompassed in this circle, I feel that is very appropriate. I have a problem with renaming any street, whether it is Fifth Street, my street, Larry's street, without the consent of the property owners. That could be a dangerous path that we are lead down. I would be totally in favor of pursuing the parkway option.

Council Member Spell: I also agree. I think the parkway option is the best thing. It gives us a very visible street. It gives us a street that should have probably been pursued from the beginning. I think from the beginning a major thoroughfare should have been what was done. I know that the Council back in 1998 went through a lot of discussion and a lot of arguments. I think the decision made was not a good one. I think the thoroughfare...Fifth Street…it's a neighborhood street. It's a historic street. Those are not the kinds of things I would think you should rename. You should name a major thoroughfare when you honor somebody. The parkway is going to encircle the whole City. I think that's the best and gives the most flexibility in terms of what to do with the current street. That's probably going to be the best option, and I support doing that.

Mayor Pro-Tem Council: I disagree with the parkway concept. I was the only one here that currently serves on this Council when it first started. And we did try the expressway at that time, but again, it was more important to name John East Highway instead of Martin Luther King, Jr. Drive for those of you in the struggle at that time. He committed suicide. I remember there were all kinds of issues about it back then. It was not, again it was black against white. Congressman against, you know…so it ended up being John East Highway. That's what happened. I remember those days. We worked very hard to get it done and of course half the Council voted, probably like they're gonna vote tonight, half and half, so we still not going to be together. I do not agree to make any changes. I live on the former West Fifth Street. I feel proud to be living on the new Martin Luther King, Jr. Drive. I think it should be extended. I think it is time Greenville stepped up to the task. Stop not wanting to change.

The history in this country has always been divided. We are still being divided in 2006. This is why today, tonight, right now, riding the airlines because one group of folks think they are better than the other and don't respect each other's culture, and those kinds of things. That's why we're in the mess we are today. Until we as Council Members understand what is happening in this world of ours, its' crazy you all, because we have in our heads today not being able to make positive changes and this…..everyone knows that Dr. Martin Luther King respected everybody, all races of people, black, white, all colors, all cultures. If you didn't know that, you need to do your research. Our library is full of information on this great leader.

I went on the civil rights tour back in March and it disturbed me. I traveled six states on a civil rights tour and every state that I went in Dr. Martin Luther King is on museums, street signs, all of that. People from all over the world were there, were on the civil rights tour. It started out in Atlanta, Georgia where his home place is. We left there and went into Selma. We left there and went into Tuskegee, Alabama, Birmingham, where the mess went on all over this country and it happened here in Greenville, too. We don't want to admit to it, but it happened. We cannot change what happened. The bad history and the good history. It is part of our history. To be here fighting in 2006 tonight about renaming the extension of the street and we are going to spend more money changing, renaming, and Mr. Wilkerson, you talked about your funeral home. You are just one business down there. East Carolina University is a State institution that we all pay taxes for, all of us that work, you know, and there are other businesses there. There are other people there. I don't think any business, any individual, should control no street because it is not our street unless we have our own private street, and in this city we don't have private streets that I'm aware of, and I've been sitting here for 19 years, and I don't know of any private streets that come under the auspices of this City Council. We should extend it.

I like this idea with having the Martin Luther King, Jr. sign, let you keep the historic piece. That's okay. I like history, too. I'm aware of the slavery and all of that. We have to acknowledge it. It wasn't good. My history is just as important as anybody else's history is. I think we need to extend the street. You remember what happened right down here on East Fifth Street. The hardware store. Hard hearts, you know…..this man changed, for you young folks who didn't know. This man who owned the hardware store refused, after we made the change, to change the name of Martin Luther King Jr. Drive. He changed his address to the Greene Street side, so maybe you could do that if you don't like being on the street. It was crazy. He

said he could not change his postage. As much computerized technology as we have, you can do anything you want to do.

If these people can have…causing people not to be able to take liquids on the plane, causing people to not have hair products or anything like that, those people can do anything they want to do. It doesn't necessarily have to be right. I say we need to extend the street. It is less costly doing it that way because we already have one half named. Thank you.

Council Member Craft: I appreciate the comments that have been made by my fellow council members. I echo the comments made by Mr. Little and Mr. Spell. I believe personally it would go against the vested property rights of the people on East Fifth Street to change the name without giving them a say in this or the majority requesting that the street be changed. I also agree with the comments made by Mr. Roundtree that it is time to bring closure to this and move forward, and I appreciate his comments. I personally support the idea of renaming the northwest bypass or the parkway, however you want to term it, in honor of Dr. Martin Luther King.

Council Member Dunn: Somebody asked me and I have been asked a number of times if this job was fun, and I have to tell you tonight it is not fun. The issue before us I think is a way of honoring Martin Luther King. I'm grateful that I had the opportunity to hear him. I believe in all the things he stood for. I made financial contributions to support the things he believed in. There are two ways to honor a person like Dr. King. One is a physical way in which there is something visible to the eye, a marker, a statue, a street name, a park. There are many ways to establish the visible sign. The second way is to live by the tenancy which he stood for and worked for. That is respect for each other as human beings. This is to be the very value of our hearts and souls. The issue that the Council is being asked to speak to tonight is a physical recognition of Dr. King. This issue was dealt with several years ago by a previous Council or Councils. They chose a street name for that physical sign.

Today we are getting this request again because some believe that sign created several years ago was not adequate. As we all know, there has been a lot of debate about whether we should, what we should do about that, and there are two or three schools of thought. Some have said perhaps it is not on the table tonight, but it is. That's our job as a council to deal with controversial issues, if it happens to be controversial.

So what is the decision that we need to make? One of the things that troubles me and pains me and that I don't often feel this depth of emotion to things that come to the Council is that we have almost put a position in polarizing, and I think this is on both sides of the issue, those that think thus and so are racists or those that think thus and so, it's just about power. They really don't care about the end result. They just want to win to prove their case. Those kinds of comments are not, in my judgment, productive, because it gets us away from the issue that is before us tonight, to try to decide on an acceptable way and a credible way to have a visible recognition in this city to honor Martin Luther King.

Are there racists in Greenville? I suspect there are. I suspect there are in every city. Are there good and decent human beings in this city? Yes. I do believe that people of different backgrounds can come together and sit down and talk about an issue in which you have to make

a decision and they can disagree and it not have to be on the basis of race. I guess what I would ask for myself and I would ask for other Council Members tonight is that however we vote on this issue, that each of us accept in good faith the motives from which they speak. I think we can all speak, each of us can speak, from good motives and not necessarily agree on the issue.

Changing the name of anything can be controversial. I was in a church once that wanted to change the name of the church. I'll tell you, at times I thought people spent more time on changing the name of the church than they did spreading the gospel. They wanted to change the name of the universities across the state a number of years ago. I don't know the number of hours that the legislature spent on that. I think that when you talk about changing the name irrespective of reasons that you have, it creates some controversy.

We got this report last evening, and I read through it all. I probably missed some words. I looked at the criteria that the ad hoc committee identified for considering Martin Luther King Street renaming. I would like to read you those criteria. As I sat down to think about what position I might take on this issue, I came up with some of my own criteria for making that decision. I have to tell you that I wish we weren't making that decision. I wish it could have been resolved several years ago. One of the criteria is a visible thoroughfare. Another criteria is mental impact on address change. Another, whole street. Another criteria is diverse area. Another one, not prior naming for an individual. In other words, it hasn't been named for another individual. Being expedient and practical and getting it done and aesthetics. I think you could take this criteria and I believe if we follow those criteria we could identify a number of options that would honor Dr. King in a physical way.

There are people who have talked about history. One of my concerns about Greenville is I don't think we preserve enough of our history. Can we do both? In my job sitting on this Council I have come to appreciate and understand compromise, and I compromise over principles, and try to say that can we come together and each person get what they want and go away, and sometimes having to give up something but not losing everything. I said for myself it needs to be a place of prominence. I think that is one of the criteria existing here, a visible thoroughfare. It needs to be attractive. It needs to, hopefully, stand the test of time. That is, it would be in a place that would remain visible for all citizens for most of the years to come. We know that neighborhoods and streets change a lot. In my years in Greenville, many of the neighborhoods that we talk about tonight have changed a great deal. So I would like to see it withstand the test of time. It should be in a diverse area so that all of us, a variety of people that live in this community, and I would suggest that in many ways Greenville is a microcosm of the world in terms of religion, in terms of race and ethnicity. That wasn't true when I first came here, and I think we do reasonably well living together. Are we perfect? No. We also have to have some good feeling about the goodness in all of us. So, anyone of these would do it.

Following those criteria, I would see the bypass being very prominent and visible. It would be attractive. It is going to withstand the test of time. It is going to be there a long time, I guess. It is certainly a diverse area. People would travel around the bypass. Not only would it be for all the people of Greenville, but people who travel east and west who not necessarily come into our city will also see that. I could go with that. I have a lot of pain tonight, and I have to tell you. I'm pained because I don't expect to be popular, but I know that whatever direction I go will be

somebody that will chastise or challenge me on the basis of my motives. The one thing that I would ask of you and I ask of my fellow Council and I ask it for each of them, is that you believe that whatever decision and vote that we make tonight, it is from our hearts and souls and it is not from prejudice or power issue or anything like that. Thank you.

Council Member Glover: Wayne. Did you want to go before me? I just want to present what we have already done, because I feel that we do need to give the University credit for reaching out and committing to their community engagement in helping us with this forum and helping us bring people together to talk about this issue that has so divided our community. There are a lot of things we could be doing. I don't only sit down and try to figure out, talk in my mind, about street naming of Dr. Martin Luther King. My day to day, 24 hours a day, involves many things, many many things, anywhere from a senior citizen who lives in a house because they are afraid or they are being mistreated or from a little child that has been killed in a driveby shooting. My days are busy days, and I would like to think that people don't look at you and put you in a box and think that you can only deal with one thing at a time.

The reason why I had been committed to this…..I was not in favor of just doing this or starting or chairing this committee, because I knew that whatever I do I am a City Council Member. I am an elected official and people look at you that way. They see you as an elected official. I was hoping that I could work with this committee in a way that we could just see each other as human beings and forget about anything else and just see each other as human beings. We worked diligently for three months. We have to give credit to the University for providing the facilitators and providing the places where we had the meetings and provided foods and snacks for that. I think the University had a good and earnest attempt to try to bring the community together, because all over the US you will find universities engaged in community involvement. Just Monday night I talked to our Council Members. The National League of Cities…..their effort this year is to create for all cities to try to create an inclusive city, a city that includes everybody, a city that can get along together and we can understand and appreciate each other's differences. That's what an inclusive city is. We all have our different opinions.

We spent a lot of time on this. We had meetings, our ad hoc committee met. I just want to name the people that were on the ad hoc committee…City Manager Wayne Bowers, myself, Commissioner Melvin McLawhorn, Christopher Taylor, Howard Conner, Anthony Miller, Bennie Roundtree, Rufus Huggins, Calvin Henderson, Don Ensley, Dr. Ewen. Dr. Ewen came to me at the first meeting and we had already formed our committee and asked me if he could sit on the committee, and I said, I don't see why not. I didn't leave anyone out. If anyone felt they wanted to sit on the committee and work with us as we tried to bring the communities together in dialogue, anybody could have served on that committee. I wouldn't care if we had 100 people serving on that committee. Rebecca Torres, Austin Bunch and Michelle Liebermann. The reason being is that the university picked some of these people to be on there and I picked people to be on there. Some people volunteered to be on there. I felt like it was a cross section of the city of Greenville that was involved in the ad hoc committee. I am concerned and I really feel like the time and the resources that the University had put into this that we would not consider and really really look at this document and hear the comments from all the people, from the east side or the west side or wherever you are from.

I want to bring closure to this issue. Mr. Roundtree decided to boycott the breakfast, but I said to him, "Mr. Roundtree, you can boycott the breakfast but I am going to the breakfast because I want to send a message. Ms. Council and I will take the message to you from the citizens that this is an issue that has divided our community for a long time." Other members of Greenville City Council, some, Mr. Huggins, came before you tonight and spoke and talked about this issue. I think that the first naming of the MLK Blvd. created controversy right there and it was controversy that has spilled over for 16 years. The controversy that this Council has to deal with now….As I look back now there were a lot of things to make it before the street was named, the City Council went back and changed the ordinance where you had to have 60 percent. They totally rewrote the ordinance. They came in and changed it one time and came back and totally rewrote the ordinance. So, when you look at things like this you are thinking this is just not fair. This is why this happens.

Every street in this city is a common area owned by every taxpayer in this city. Every street. Now, I want to bring some closure to this. That was our goal with the committee was to bring some quick or expedient closure to this. Not that it had to happen tonight, because I didn't even think we were going to do it tonight. It was my intention, and Wayne and I had talked, because we just got the report yesterday ourselves, was to give the report to the Council and let them look at it and consider it and bring it back. But if the Council is ready to make a decision now, however, I can't stop that, because the majority rules. I can't stop that. But, I think that this is just one of many problems that divides us, people. It is just not the problem, it is one problem, because in a Birmingham jail, Martin Luther King wrote a letter to some leaders from all faiths that had asked the African-American community to turn against him and not to do the march, but these were people who previously marched with him. Dr. Martin Luther King's statement was, he wrote a long letter. I quote from that letter, "Wait in the eyes of the oppressor means never". Maybe wait years back, 15 years back, meant never. Do we move to something else? We learned a lot when we did this. We had DOT come speak with us. We had Dr. Derek Alderman come and speak with us who is a professor at the University of Geography who had studied Martin Luther King's street namings extensively and had worked with different cities and worked with them to get their street naming. I was hoping that we could be….do something in that way. Through his studies he dispelled a lot of myths that go along with street naming. Do we name the park? I read the note that Mr. Savage wrote, talked to Mr. Savage this afternoon. Do we name the Town Common or do we erect a statue of Dr. Martin Luther King in an area where black folks were uprooted from their homes with no other choice but to move, to leave? The only standing thing left when the community was torn down was a church, Sycamore Hill Church. That church was burned down, so I don't think that is a fitting place for Dr. Martin Luther King's name to be, because Dr. Martin Luther King was for the common people and rightfully so the Town Common is named Town Common. Beautiful place. Go down there. Love it. But it is not a fitting place for Dr. Martin Luther King when you think of the history of why it is the Town Common. So, our goal during this process was to narrow them down so that we could bring a small amount of street namings to our City Council and not have to bring you…we had narrowed them down to…in the beginning it was 12 to 14 different streets but we went through the process of talking to DOT, talking to everyone, trying to see would this kick this out, would this kick this out, was this possible, was this not possible and what can happen. We went through all those processes. So, in expediency….do we want expedient or do we want something we all can live with? I would want something we all can live with.

I would hope that…I really was…really dreading coming when this report came to City Council, because that is when, like Ms. Dunn said, my heart broke. Because the process, as Mr. Ewen said, it was a good process. It was a fair process. People said what they wanted to say. Nobody yelled at anybody. Nobody called any names. Nobody…it was a good process. It got people talking.

So, what do we do? What do we do fellow Council Members? What do we do? Do we make a decision now, and as Mr. Roundtree said, there are a lot of things, and Ms. Council and I probably deal with more than most of you do in one day than most of you do in a month. We have a lot of problems in our community and we work on them every single day. Every single day. Because I am committed, not only to my district, but to the city. A lot of you, when you have problems call me, no matter what district you are in, and I treat you the same way I do any other citizen in this city. I would hope that we could sit down, discuss this. I don't think hasty decisions are good, because a hasty decision was made 15 years ago and we are having to deal with it right now. It's not good. So, if we've…..the reason why we narrowed down the streets and options and everything…we narrowed down the most feasible ones that could be named…Martin Luther King, Tenth Street, and the loop. So, I think we need to, as a Council, not make a hasty decision tonight for all of us concerned. For everybody, for you, for you, for you and for those who are listening.

A hasty decision would send a bad message. Don't think that just because citizens don't show up at meetings that they are not in support of anything. A lot of them are working and can't get off to show up for a meeting. A lot of them work at jobs where they have point systems, you get so many points you lose your job. So, let's not make a hasty decision, because we came up with three viable things. Let us as a Council sit down and discuss with DOT, discuss with all of Fifth Street would be the quick fix. Would everybody be satisfied? No. Every issue has someone either for it or someone against it. I know you are ready to go home. I am, too. Ms. Council and I have to drive to Brevard tonight. But, this is important. This is important. Those of you who attended the meetings. Some of you attended every single one of those meetings and didn't miss one. You were concerned. Let us look at this. It doesn't matter how many people show up or how many people come to something, it is the articulation of people who have chosen to articulate any one given issue. Let us as a Council sit down and say and say to DOT if we, if us as a Council, would request this, before we make a decision tonight. If us as a Council, how could we get this done? Could we request…if the full Council agrees on this is it viable? That was one of the statements the DOT person said that met with us. That they.....

Mayor Pro-Tem Council: We did it before.

Council Member Glover: Right. There are letters in here…..

Mayor Pro-Tem Council: It didn't work 15 years ago.

Council Member Glover: There are many many letters in here that people came to.

Council Member Dunn: There are some streets and roads in other areas and that is changing.

Mr. Little, you may want…I guess what you are saying is ask and see…is that what you're saying?

Council Member Glover: I'm saying as a body

Council Member Dunn: We as a City Council would like to address the staff to…..

Mayor Parrott: Let me get the City Manager to give his comments and then we can decide what we want to do.

Council Member Glover: Let me wind it up. Let me wind it up. Let me say to all of you…I didn't start this for controversy. I started this because it is a thorn in all of our sides. We must move with whatever needs to be done. We must move and we must look at what we need to do. It will save time…the 264 loop is proposed. That is proposed. That could be..…

Mayor Pro-Tem Council: 50 years from now.

Council Member Glover: 50 years from now. So 50 years from now we'll still have half a street named after Dr. King. The Tenth street Connector—2010, 2011 or 2012 provided you don't run into any complications like you always do. Is that what you are asking? To delay it forever. Most of us will be dead, senile or something. Is that what you are asking? Are you asking a community of people who want something named in honor of a man that did something for everybody to wait for 20 years, 10 years, 15 years. Is that what we are doing? That's my question to you. I hope you think about it. You will be adding 16 years to those 10 and 20 years. Thank you.

Mayor Parrott: Mr. Manager. Do you have some comments.

City Manager Bowers: Just to report back to you on behalf of the ad hoc committee. As you know, the ad hoc committee was appointed at the request of the Chancellor by the Chancellor's Community Advisory Council. Council Member Glover has read the names of the members. The intent of the group was to facilitate the dialogue, mainly to conduct input sessions. We did that through three public forums. The committee met at other times. The summary of the forums are included in the report that was delivered to you last night. The report represents the entire work of the committee. It's a thorough document, 147 pages. Many of the pages are public documents that are just repeated here. The actual document is about 12 pages. The committee, ad hoc committee chose not to make a specific recommendation. We felt that was our charge to not hone in on one particular recommendation, but to go back to the purpose of the committee, to facilitate the dialogue that was the major accomplishment. Through that facilitation, if you look on page 120 of the document, this is an illustration of the alternatives that came from the facilitation process. The number of streets were mentioned. As you see a lot of different streets within the Greenville area. The summary of the report is on page four, and I will just for the audience that may not have this in front of them read the recommendation that came from the group. It says, "A preference for three particular options seemed to rise to the top at the last forum. (1) the renaming of all of Fifth Street from B's Barbecue Road to East Tenth Street as Martin Luther King, Jr. Drive with additional signage denoting formerly Historic Fifth Street,

(2) renaming Tenth Street from Stantonsburg Road to the eastern City limits including the proposed connector, and (3) renaming 264 Bypass and the proposed southwest bypass as Martin Luther King, Jr. Expressway." The summary concludes by saying that the two city representatives on the committee, Council Member Glover and I, should send the report to the City Council for your consideration, and that's what we've done.

Mayor Parrott: Mr. Holec. Do you have any recommendations or comments that you would like to make about either one of these alternatives?

City Attorney Holec: I have prepared for City Council potential motions relating to each of the options. If you want me to give that out and go through those for each of the options that were presented.

Mayor Parrott: Yes. Would you do that? Larry had a comment. Do you have a comment for Dave?

Council Member Spell: I just wanted to clarify one thing about the 264 Bypass. It is already here. It goes from the west to the east side, so we would add the southwest portion on to it. I believe the process, if we do move to go forward with the bypass, it does include review by Planning and Zoning Commission. Is that correct?

City Attorney Holec: Eventually yes.

Council Member Spell: This wouldn't actually change anything. It would begin the process to examine it with Planning and Zoning, talk with DOT and then we would vote again. I just wanted to point that out.

Mayor Parrott: Do you want to talk about that?

City Attorney Holec: I think it would be best to read each of the options so Council understands the motion involved and the actions potentially involved with it.

- First, the naming of all of Fifth Street Martin Luther King Jr. Drive with signage denoting formerly Historic Fifth Street. The motion that I have here would be to approve the initiation by City Council of the petition for street name change in accordance with 6-2-13 of the Greenville City Code to two street names—two portions of street names—East Fifth Street from East Tenth Street to Evans Street and West Fifth Street from Memorial Drive westerly to all portions located within the City of Greenville and known as Martin Luther King Jr. Drive. The request, again, is all of Fifth Street. Those are the two portions. When Fifth Street was renamed to MLK, Jr. Drive, it was from Evans Street to Memorial Drive, so there are portions, both would need to be renamed. An additional motion to that in order to effectuate the signage requirement would also say effective upon the street name change of Fifth Street to MLK that the street signage denote that it was formerly historic Fifth Street. So you would have both of the parts of the recommendation made by the committee. That would be the two parts to that motion.

- As far as Tenth Street from 264 Stantonsburg Road to the eastern City limits, including the proposed connector, you really cannot act on the proposed connector at this time. It is premature. In order to have that, you actually have to have a street in place or soon to be constructed. DOT's guidelines, I understand, is three months before it is ready to open is when they would look at it. In order to do what we can do at this time, it would be a motion to approve the initiation by City Council of a petition for a street name change, again in accordance with the applicable provision of the City Code of two portions—Tenth Street from Dickinson Avenue eastward to the eastern corporate limits of the city of Greenville and name that as MLK Jr. Drive, and you would have to…..you cannot have duplicate names….. and also to initiate the renaming of MLK Jr. Drive from Evans Street to Memorial Drive as West Fifth Street. In other words, have that go back to West Fifth Street as it was before. Again, you cannot have the duplicative names. That would accomplish that with the understanding that you would not be including the Tenth Street connector because that's not close on the horizon.

- The third option is relating to the 264 Bypass and the proposed Greenville/Southwest Bypass. Same statement as far as the Greenville Southwest Bypass. It would be premature to act on that at this time because it is not constructed and it is not close to construction. Really what you are able to do at this time is to address the 264 Bypass which is the 264 Northwest Bypass. To give you an idea where that is is from the intersection with Stantonsburg Road and going north around the City until it connects with its intersection with US 264 Alternate again heading toward Washington and Pactolus Highway. The half moon then circles the city on the northern side. That is the Northwest Bypass. That portion is the Northwest Bypass. What you would have to do and I spoke with the DOT officials today in order to make sure you are on line regarding the appropriate procedure would be, basically, what the procedure would be for us and the county to make a request, it has to be County Commissioners also, to request them to defer the authority to name the street to the city and the county. That is how they would address this. Rather than the DOT board making the name change, we would have to ask them to defer to us and then, based on that, we would have the ability to do it. It takes County Commissioner action too, because the Bypass has, is predominantly located outside the corporate limits, but there are sections of it which are located within our corporate limits, so it is going to take both our actions to accomplish a name change if the DOT does grant us this authority. So the motion, and this is a three part motion, because there are different components to the action would be to adopt a resolution which would request the Board of Transportation to defer to Pitt County and the City of Greenville the authority to name the northwest bypass as the Martin Luther King Jr. Highway. Highway is chosen because that is what their preference is for US designations. Also, to defer to Pitt County and the City of Greenville to make an honorary designation for Martin Luther King Jr. on the Northwest Bypass. What that does is allow for some additional signage to be placed as you are traveling along in addition to the street names at the intersection. In speaking with the DOT persons, their regulations would not allow it to necessarily be the entire area, there would be a limit on that, but what you would do is have that designation and have those in the portion that is designated but you would still have the entire street named as Martin Luther King, Jr. Highway. Again, what the Board of Transportation representatives say is they have policies and regulations concerning this, and if you look at them, there are some issues with that as far as this request. That is one reason

they prefer the deferral, but what they have told us is this request is something they believe can be accomplished but it does take approval by the Transportation Board, so it is not a done deal, but if you make the request, it is something they feel can be accomplished. Next is to approve the initiation of the name change. Again, if effective upon approval by the Board of Transportation that they will grant….defer…..to Pitt County and City Council the authority to name the street and make the honorary designation on as much of the street as they can. It is consistent with permissible regulations, they, in accordance with the City Council, with our City Code, two street name changes One is the portion of US 264 from the areas that the name is being changed, which are within the corporate limits. The County would have to make a similar action in order to have the balance of the portion done and also going back to Martin Luther King, Jr. Drive from Evans Street to Memorial Drive as West Fifth Street. Again, you can't have the conflicting names. You have to have, remove that name that has been previously placed. Finally, for City Council to request the Pitt County Board of Commissioners that they adopt a resolution making a similar request of the Board of Transportation as we do. In order for the Board of Transportation to act, they want to have resolutions from all the local governing boards which are impacted by the decision.

Mayor Parrott: Now that we've got the legal opinion on everything, thank you Dave, you did a great job on that. What would the Council like to do tonight?

Council Member Dunn: I don't know if I dare ask this question. I don't feel comfortable. I'm throwing out an idea. In my orientation, we throw out ideas all the time. I don't know what I think about the idea, but since we're here to discuss this. What if we left MLK as it is and since the naming of the street seems to be complicated or controversial, I'll let you fill in the blank, it doesn't seem to be easy. What if we look at another option? The street naming is only one way to do this. Apparently this not adequate. What if we got off of the street naming and looked at something else? I'm just throwing this out as a question.

Council Member Spell: I think we could definitely do something else. I think, though, that the thing about the street is there is a national movement to honor Dr. King with a roadway. Wilmington got one; Raleigh's got one. I think that's what the thinking is. I think that is why a street is so important. I know it is something the SCLC has been pushing for for decades now…..the street renaming. That is why we do that. I think if we do something else, this issue will still be there for other people down the road. It was not handled correctly in 1998, and I think we need to handle it correctly today and say we are going to take a major thoroughfare and honor Dr. King with it and say that is what we are going to do. It doesn't mean we can't do something else.

Mayor Parrott: Are you putting that in the form of a motion?

Council Member Spell: I would move that we, as we said, name 264 Bypass for Dr. King.

City Attorney Holec: Are you incorporating the Option 3 motion?

Council Member Spell: Option 3 motion? Yes.

City Attorney Holec: The Option 3 motion is attached.

"COPY"

(a) Adopt a Resolution requesting the Board of Transportation of the North Carolina Department of Transportation to defer to Pitt County and the City of Greenville the authority to name US 264 (Northwest Bypass) as the Martin Luther King Jr. Highway and to defer to Pitt County and the City of Greenville the authority to make an honorary designation for Martin Luther King Jr. on US 264 (Northwest Bypass).

(b) Approve the initiation by City Council, effective upon approval by the Board of Transportation of the North Carolina Department of Transportation of the deferment of the authority to Pitt County and the City of Greenville to name and make an honorary designation of US 264 (Northwest Bypass) for Martin Luther King Jr., of a petition for a street name change, in accordance with Section 6-2-13 of the Greenville City Code, of (1) the portions of US 264 (Northwest Bypass) from Stantonsburg Road to US 264 Alternate and Pactolus Highway which are located within the corporate limits of the City of Greenville as Martin Luther King Jr. Highway and (2) Martin Luther King Jr. Drive from Evans Street to Memorial Drive as West Fifth Street.

(c) Approve a request by City Council to the Pitt County Board of Commissioners requesting that the Board of Commissioners adopt a resolution requesting the Board of Transportation of the North Carolina Department of Transportation to defer to Pitt County and the City of Greenville the authority to name US 264 (Northwest Bypass) as the Martin Luther King Jr. Highway and to defer to Pitt County and the City of Greenville the authority to make an honorary designation for Martin Luther King Jr. on US 264 (Northwest Bypass).

"COPY"

Council Member Craft: Second.

Mayor Parrott: Motion has been made and seconded that we adopt Option 3, which is 264 bypass. Any more discussion?

Mayor Pro-Tem Council: What does that mean in terms of the existing street….. ½ street.

Mayor Parrott: The street would stay there until that is all approved. Once we go through the process. I've got a motion and second on the floor. All in favor, raise your right hand.

(Council Members Dunn, Craft, Spell and Little raised their right hand.)

Mayor Parrott: All opposed.

(Mayor Pro-Tem Council and Council Member Glover raised their right hand.)

Mayor: Motion passed. (Resolution No. 06-38)

Council Member Glover: Mayor Parrott. Can I bring to you that in December 16, 2002, you…..there was a letter to you from Lyndo Tippette?

Mayor Parrott: Right.

Council Member Glover: Of DOT talking about naming the US 264 outer loop to Dr. Martin Luther King Freeway, and his response was that… It says, "Thank you Mayor Parrott for the letter and resolution regarding the naming of the US 264 outer loop around Greenville in honor of Dr. Martin Luther King. This transportation name is a segment of US 401 in Scotland Neck. In 1994, they honored that as Dr. Martin Luther King. The Department of Roads and Bridges policy does not allow for the naming of more than one state-owned facility for an individual. The Department encourages municipalities to consider a municipally owned roadway that could be dedicated in honor of Dr. Martin Luther King. That does not require any approval from the department." That was his letter to you in 2002.

Mayor Parrott: That is correct. When this issue came up, I tried to resolve that. Dave, do you want to explain that to Ms. Glover?

City Attorney Holec: The person I spoke with at DOT today is aware of the history and is aware of the requirements. Really, their policies on street naming is a little bit fluid. They do make some adjustments for local circumstances, but in individual circumstances, and what they have said is with this deferral method, again as I told you before, there are some quirks in this as it relates to the policy and their process. With this request, they believe this is something that can be approved. Again, it does require the approval of the Board of Transportation.

Council Member Spell: Mr. Mayor…..again. We had something similar to this happen in my hometown of Cape Carteret. The main strip of the town is named W. B. McLane Drive or something like that. It is a guy that owned the town probably before it was founded. After the Gulf War, some marines coming from Camp LeJeune to Morehead wanted to name it Freedom Way, so it has the name of W. B. McLane but there is a big sign that says "Honorary Freedom Way", so it's not really changing anything. I think what we're doing is actually changing the name of the street. One quick thing while I have the floor is about the signage. When people are coming in from the west, there is going to be a sign that says Martin Luther King, Jr. Highway, take that exit. Right?

City Attorney Holec: I'm not certain what the signage will be coming onto the exits and all.

Mayor Parrott: That's all going to have to be approved by DOT.

City Attorney Holec: The honorary designation does it, so if you are traveling along you will see it, but as far as this signage that will be placed on there, I'm not certain what their regulations will allow.

COMMENTS FROM MAYOR AND CITY COUNCIL

Council Member Little thanked the City for having the recent blood drive, where 131 units of blood were received. The goal was 110. This blood drive was very meaningful in that it was in honor of his nephew with leukemia and Tony Smart of the Fire/Rescue Department.

Council Member Spell stated that he hopes that as the City moves forward with the street naming for Dr. King, people in the community will treat each other with respect. There has been some harmful language and letters to the editor. Street names are not going to unite this community. Treating people with respect will. He asked that citizens not shame or blame.

Council Member Craft stated that yesterday the Airport Authority announced that in October there will be jet service out of Greenville. He thanked Airport Manager Jim Turcotte for making it a reality.

Council Member Craft stated that for those who have not attended a Council meeting because of a hearing impairment, the City now has hearing assisted devices for use by the citizens at the Council meetings.

Council Member Dunn thanked East Carolina University, Council Member Glover and the City Manager for the committee.

Council Member Dunn stated that she is thrilled and happy with the $15,000 check received from Drew Steele. It was great for special populations in the City.

Council Member Glover stated that she would like to have everything on the record that she said on the issue of Martin Luther King, Jr. for history. It is her goal that everything that happens in this city be documented. A lot of things that have happened in the African-American Community have remained in their minds and not documented. It is important that citizens know what happened. It is her 56th birthday and this will linger in her memory for the rest of her life.

Mayor Parrott wished his wife a happy birthday.

Council Member Council stated that she and her husband celebrated their anniversary Monday night.

CITY MANAGER'S REPORT

Upon being informed by the City Manager that there is no business to be discussed for an August 21 meeting, motion was made by Council Member Craft and seconded by Council Member Spell to cancel the August 21, 2006 meeting. Motion carried unanimously.

City Manager Bowers stated that the City Manager of Washington requested that the Washington City Council have a joint meeting with the Greenville City Council. He proposed that if the Council wishes to do this, he will try to schedule it for a couple of months out. He was asked to move ahead with it.

ADJOURNMENT

Motion was made by Council Member Craft and seconded by Council Member Spell to adjourn at 11:05 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks, MMC
City Clerk