



# Agenda

## Greenville City Council

February 8, 2016  
6:00 PM  
City Council Chambers  
200 West Fifth Street

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

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

### **II. Invocation - Mayor Allen Thomas**

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

### **IV. Roll Call**

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

- **Public Comment Period**

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

### **VI. Consent Agenda**

1. Minutes from the September 10, 2015 and January 11, 2016 City Council meetings
2. Resolution amending the City of Greenville Personnel Policies to add Ethics and Code of Conduct Policy
3. Resolution amending the Assignment of Classes to Pay Grades and Ranges (Pay Plan) and approval of reclassification requests
4. Resolution approving the extension of the lease agreement with Lucille W. Gorham

Intergenerational Community Center, Inc. for the second floor of the Lessie Bass Building located at 1100 Ward Street

5. Proposed fees for auditing services
6. Various tax refunds greater than \$100
7. Budget amendment to the Fiscal Year 2015-2016 Vehicle Replacement Fund
8. Purchase order request for one pumper/ambulance for the Fire-Rescue Department
9. Budget ordinance amendment #7 to the 2015-2016 City of Greenville budget (Ordinance #15-032) and amendment to the Project Budget Ordinance (Ordinance #15-053)

**VII. New Business**

10. Presentations by Boards and Commissions
  - a. Board of Adjustment
11. 2016 City of Greenville Federal Agenda
12. Update on Trillium Playground Project at the Town Common
13. Membership and attendance for City Boards and Commissions

**VIII. Review of February 11, 2016, City Council Agenda**

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

**X. City Manager's Report**

**XI. Closed Session**

- To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, said law rendering the information as privileged or confidential being the Open Meetings Law
- To establish or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease

## **XII. Adjournment**



# City of Greenville, North Carolina

Meeting Date: 2/8/2016  
Time: 6:00 PM

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**Title of Item:** Minutes from the September 10, 2015 and January 11, 2016 City Council meetings

**Explanation:** Proposed minutes from City Council meetings held on September 10, 2015, and January 11, 2016, are presented for review and approval

**Fiscal Note:** There is no direct cost to the City.

**Recommendation:** Review and approve proposed minutes from City Council meetings held on September 10, 2015 and January 11, 2016

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

**Attachments / click to download**

[Proposed\\_Minutes\\_of\\_September\\_10\\_2015\\_City\\_Council\\_Meeting\\_1017996](#)

[Proposed\\_Minutes\\_of\\_the\\_January\\_11\\_2016\\_City\\_Council\\_Meeting\\_1019487](#)

PROPOSED MINUTES  
MEETING OF THE CITY COUNCIL  
CITY OF GREENVILLE, NORTH CAROLINA  
THURSDAY, SEPTEMBER 10, 2015



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

Those Present:

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

Those Absent:

None

Also Present:

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

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**APPROVAL OF THE AGENDA**

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City Manager Barbara Lipscomb requested that a personnel item be added to the Closed Session.

Motion was made by Council Member Smith and seconded by Council Member Glover to add a personnel item to the Closed Session. Motion carried unanimously.

Mayor Allen Thomas requested that the discussion of the long-term bond strategy be continued until October 2015.

Motion was made by Council Member Croskery and seconded by Council Member Smiley to continue the discussion of the long-term bond strategy until October 2015. Motion carried unanimously.

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



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**PUBLIC COMMENT PERIOD**

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Brad Beggs – 2800 Edwards

Mr. Beggs stated that he moved to Greenville eight years ago and now he is relocating to Tennessee. His job with the East Carolina University's outdoor program was to get people outside. Mr. Beggs commended and thanked the City Council for moving the City forward not only with the outdoor potential for using the Tar River and expansion of the greenways, but with the improvements of the uptown area as well. During the past year or two years, seeing the uptown improvements including the skate park, brewery, and parking deck is exciting.

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**APPOINTMENTS TO BOARDS AND COMMISSIONS**

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Community Appearance Commission

Council Member Smiley requested that the replacements for Danielle Greene, Rebecca Powers, Joanne Robertson and Fred Wright be continued until October.

Environmental Advisory Commission

Motion was made by Council Member Blackburn and seconded by Council Member Croskery to appoint Durk Tyson to fill the professional engineer slot for a first three-year term expiring April 2018, replacing Scott Anderson who did not wish to be reappointed, and to appoint Jon Weaver to fill the building contractor/land developer/one familiar with construction techniques slot for an unexpired term expiring April 2017, replacing Owen Burney who is ineligible for reappointment. Motion carried unanimously.

Firefighters Relief Fund Committee

The replacement for William Franklin was continued until October.

Greenville Bicycle & Pedestrian Commission

Council Member Smiley requested that the replacement of the Late Harry Stubbs be continued until October.

Human Relations Council

Motion was made by Council Member Glover and seconded by Council Member Blackburn to reappoint Heena Shah for a second three-year term expiring September 2018, and to



reappoint Jake Srednicki for a first three-year term expiring September 2018. Motion carried unanimously.

Council Member Glover requested that the replacement of two regular members, Marvin Arrington and Robert Hudak, and the two student members, Shaterica Lee and Maurice Whitehurst, be continued until October.

#### Pitt-Greenville Convention & Visitors Authority

Motion was made by Council Member Glover and seconded by Council Member Blackburn to nominate Kenneth Ross to the Pitt County Board of Commissioners to fill the member of tourist or convention-related business slot for a first three-year term expiring July 2018, replacing Robert Sheck who is ineligible for reappointment. Motion carried unanimously.

#### Public Transportation and Parking Commission

Council Member Croskery requested that the replacement for W. Scott Alford be continued until October.

#### Youth Council

Motion was made by Mayor Pro-Tem Mercer and seconded by Council Member Blackburn to reappoint Roman Bilan, Nicole Jones and Tatiana Staton for a first-one year term expiring September 2016; to reappoint Jair Nino-Espino for a second one-year term expiring September 2016; to reappoint Lily Huo for a third one-year term expiring September 2016; and to reappoint Robert Wood for a fourth one-year term expiring September 2016. Motion carried unanimously.

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### **REOPENING OF THE PUBLIC COMMENT PERIOD**

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Council Member Smith requested that the Public Comment Period be reopened, due to the arrival of several business owners, who missed the previous Public Comment Period. At its August 13, 2015 meeting, the City Council approved changing the time of the regular meeting of the City Council on the second Thursday of each month from 7:00 p.m. to 6:00 p.m. Several citizens may not be aware that this is the first Thursday meeting being held at 6:00 p.m.

It was the consensus of the City Council to reopen the Public Comment Period at 6:08 p.m.

#### Mahmoud Rahman - 1025 Dickinson Avenue

As owner of the Dickinson Avenue Auto & Tire Service, Mr. Rahman made comments about the February 13, 2014 amendment to the ordinance regulating the outside storage of new and used tires. Because of the ordinance amendment, owners of this type of business have



received violation warnings and fines. They have disposed of many tires and the City's inspections continue to show that their businesses are still not in compliance.

Mr. Rahman requested that the City Council revisit the ordinance amendment so that the business owners will be allowed to have more than 100 tires stored on their properties. The North Carolina law limits the amount to 500 tires. Also, they are requesting that the minimum separation between racks and property lines, rights-of-way and buildings be changed from 20 feet to 10 feet, which is no problem according to the North Carolina Fire Code. They are requesting these changes to give them more space to work and to conduct their businesses.

Jaime Coggins - 1620 North Greene Street ((252) 695-0179)

As owner of Carolina Tire & Auto Service, Mr. Coggins stated that his business and other tire businesses provide services to many low-income customers, who only have money for used tires. Two months ago, he attended the meeting when owners of larger tire shops voiced their opinions about the storage of commercial truck tires. By the end of that meeting, those business owners were able to have all of their commercial truck tires stored outside of their businesses. After his research about those tires, he placed 8 and 10 ply tires outside and stored U-Haul truck and ambulance tires in the back of his business. He received fines from the City, however, larger tire shops store tractor and dump truck tires on their properties.

Jimmy Wynn - 1025 Dickinson Avenue

Mr. Wynn made comments about tire service businesses and the actions taken by the City Council at its previous meetings. On October 10, 2013, two former Council Members, Dennis Mitchell and Max Joyner, requested the City Council's discussion about tire dealerships and the storage and disposal of tires. On December 12, 2013, Council Members Croskery and Smiley made a motion for the City Council to approve Zoning Ordinance text amendment 1B as presented by City staff. Amendment 1B lessens the visual impact of tires, but the buffer yard made it really complex for the tire service businesses, which all have a unique situation or different type of setup.

Mr. Wynn stated that to lessen the visual impact, the first issue was the 100 tires limit. A week ago, one business owner was told to remove the tires stored behind his business by December 31, 2015. On August 26, 2015, the City personnel told another business owner to place them behind the building. In the minutes of the February 13, 2014 City Council meeting, it states that displayed tires must be within 10 feet of the building, however, the City personnel is writing fines for 10 feet or less. There are discrepancies and inconsistencies of what the City is sending out to the businesses versus what are in the minutes of the City Council meetings.



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## CONSENT AGENDA

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

- Minutes from the April 9, 2015, City Council meeting
- Reclassification of two positions in the Public Works Department and resolution amending the Assignment of Classes to Pay Grades and Ranges (Pay Plan) – (Resolution No. 053-15)
- Removed Resolution amending the City of Greenville Personnel Policies for Separate Discussion
- Resolution accepting dedication of rights-of-way and easements for Davenport Farms at Emerald Park Phase 1, Section 3, and Phase 2, Section 1 and Langston West Section 6 (Resolution No. 048-15)
- Resolution of Intent to Close a Portion of Charles Street – (Resolution No. 049-15)
- Approval for the Police Department to enter into a five-year lease agreement with TASER International to replace aging TASER devices and create a scheduled payment
- Approval of the Greenville Housing Energy Efficiency Improvement Program
- Report on bids and contracts awarded
- Various tax refunds greater than \$100
- Budget ordinance amendment #2 to the 2015-2016 City of Greenville budget (Ordinance #15-032), and amendments to the GTAC Capital Project Fund (Ordinance #07-41), the Special Revenue Grant Fund (Ordinance #11-003), and the West Greenville Revitalization Capital Project Fund (Ordinance #05-50) – (Ordinance No. 15-046)

Council Member Blackburn requested that the resolution amending the City of Greenville Personnel Policies be removed from the Consent Agenda for separate discussion.

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



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**CONSENT AGENDA ITEM FOR SEPARATE DISCUSSION**

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**RESOLUTION AMENDING THE CITY OF GREENVILLE PERSONNEL POLICIES** – (Resolution No. 050-15)

Council Member Blackburn stated that her concern about the City's policy relating to the Federal Family and Medical Leave Act (FMLA) was raised at the August 13, 2015 City Council Workshop on Personnel Policies. The manual consists of new personnel policies for the City of Greenville with many strong aspects. She is glad that the policies have been redone because they address contemporary matters such as diversity in the workplace, and the additional policies needed to be included.

Council Member Blackburn stated the City's personnel manual states that if a City of Greenville employee is married to another City of Greenville employee, only one of them is eligible for the FMLA, instead of each spouse being qualified for that leave. She feels that is unfair to the City's employees and would like for staff to examine and change that.

City Manager Lipscomb stated that staff looked into that item as directed by the City Council. Several municipalities were surveyed and it was found that Raleigh, Greensboro, Durham, Fayetteville, Wilmington, High Point, Asheville, Concord, Gastonia, and Rocky Mount permit a combined total of 12 work weeks. So staff recommended that the City continues its policy as it is for the FMLA. Winston-Salem permits each employee to take up to 12 work weeks.

Council Member Blackburn stated that while there is a preponderance of cities that allow only one leave for both spouses, she still feels that it unduly penalizes the City's employees. Even though an employee is married to another City of Greenville employee, both should receive their own FMLA.

Motion was made by Council Member Blackburn and seconded by Council Member Glover to extend FMLA to both spouses who are employed by the City of Greenville. The motion failed with a 2:4 vote. Council Members Blackburn and Glover voted in favor of the motion and Mayor Pro-Tem Mercer and Council Members Smith, Smiley and Croskery voted in opposition.

Council Member Blackburn stated that the City Council often looks at ways to reduce the City's expenses. The City's employees do account for the largest portion of the City's expenses, but that is because a city is its people and services. A lot is asked of staff members and in the modern workplace, it is reasonable to think that both parents would want to spend time with their newborn. In the Sandwich generation, it is also appropriate that both spouses might need to care for an older family member, especially when both spouses usually work (i.e., part-time, executive or nonexempt positions). The City should



afford both employees their full FMLA and the ability to care for their family. Families are very important and often they are placed at the bottom of the City's list.

Council Member Smiley stated that the City Council discussed this issue in some detail at its workshop. Dozens of hours have gone into crafting these policies such as multiple work sessions among City staff, outreach to the employees, and a lot of conversation about the personnel policies. This set of policies before the City Council is what has arisen organically out of that process, and it would be a mistake, at the last minute, for the City Council to reach in and start tweaking them. Therefore, he is in opposition to the motion.

Council Member Glover stated that she does not see the fairness of only one of the City employees receiving the FMLA.

Director of Human Resources Leah Futrell clarified that FMLA includes an employee's care related to birth, adoption or foster care and not for the care of a family member (a spouse, parent, or a child).

Council Member Blackburn asked if the two married employees would receive their full FMLA to care for a sick family member.

Director of Human Resources Futrell stated that is correct; the policy is only specific to the three previously mentioned situations.

Motion was made by Council Smiley and seconded by Mayor Pro-Tem Mercer to approve the Personnel Policies as written. The motion passed with a 5:1 vote. Mayor Pro-Tem Mercer and Council Members Smith, Glover, Smiley and Croskery voted in favor of the motion and Council Member Blackburn voted in opposition.

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**NEW BUSINESS**  
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PUBLIC HEARINGS

ORDINANCE REQUESTED BY JULIAN W. RAWL TO REZONE 5.11 ACRES LOCATED 650+/- FEET SOUTH OF WEST 5TH STREET AND 700+/- FEET WEST OF B'S BARBEQUE ROAD FROM MR (MEDICAL-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) TO MRS (MEDICAL-RESIDENTIAL [SINGLE-FAMILY ONLY]) - (Ordinance No. 15-047)

Planner Chantae Gooby stated that this is a request to rezone 5.11 acres from Medical-Residential [High Density Multi-Family] to Medical-Residential [Single-Family Only]. The property is located in the western section of the City near the intersection of NC Highway 43 (south of West 5<sup>th</sup> Street) and west of B's Barbeque Road and adjacent to Roundtree Woods Apartment. The only way to enter and exit this property is through the apartment complex parking lot. The wooded area is the property.



Planner Gooby delineated the property on a map, and stated that the subdivision served by a particular street is all under the same ownership as the applicant for this rezoning. The property is currently vacant and the remainder of the area is vacant, single-family or multi-family. No traffic volume report was prepared because this rezoning could result in a decrease of trips. There is a small area of 100-year floodplain along the northern boundaries.

Planner Gooby stated that this property was brought into the City in 1985 and was given medical zoning along with the other surrounding areas. Under the current zoning, which is multi-family, the property could yield about 55-60 multi-family units. Under the proposed zoning, it could be about 16-17 single-family homes. In staff's opinion, this request is not in compliance with the Horizons: Greenville's Community Plan, Future Land Use Plan Map and Medical District Land Use Plan Update (2007). At its August 18, 2015 meeting, the Planning and Zoning Commission voted to recommend approval of the request.

Council Member Blackburn stated that she is concerned about how people will be entering and exiting the property.

Council Member Blackburn asked if the surrounding areas will still remain high density or medium density.

Planner Gooby responded that only this particular piece of property will be rezoned. There will still be multi-family in the area.

Council Member Blackburn asked about staff's determination of the rezoning request not being consistent.

Planner Gooby explained that the request is for single-family. The property was currently multi-family and is shown that way on the Land Use Plan. So, from staff's prospective, this rezoning request is not in compliance.

Council Member Blackburn asked if there is a problem with putting single-family units in the middle of multi-family.

Planner Gooby explained that the City's Land Use Plan shows that the property should be multi-family.

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

Linwood Stroud spoke on behalf of the property owner, stating that the property on the north side of Harris Mill Run is Mr. Rawls personal residence. He purchased this property to create a buffer between his property and the multi-family units. It is zoned for multi-family and he would like to see it zoned single-family residential, which is the same as his



lot. Mr. Rawls intends for the property to be maintained as a buffer. A strip of property to the west along Harris Mill Run is already zoned single-family as is the property to the east abutting this property, similar to MRS, which is a single-family zone. There is no way to develop any kind of multi-family development on this property unless a pump station is installed and based on the size that would not be economically feasible. The issue of the access to the property is unimportant because it is only an addition to the back of Mr. Rawl's lot.

Council Member Smiley asked if his client owns the land and the current zoning is no threat to him, what is the reason for his client's rezoning request.

Mr. Stroud responded that the reason for the request is the tax valuation is based on multi-family. His client feels it is unfair to pay taxes because that is a higher land value than single-family creating an undue tax burden for his client.

Council Member Smiley asked whether the zoning was as it is now when he purchased the property and there has been no tax burden since he acquired the property.

Mr. Stroud responded that is correct.

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

Motion was made by Council Member Blackburn and seconded by Council Member Glover to adopt the ordinance rezoning the Julian W. Rawl property located south of West 5th Street and 700+/- feet west of B's Barbeque Road from MR to MRS. Motion carried unanimously.

ORDINANCE REQUESTED BY POHL, LLC TO REZONE 3.28 ACRES LOCATED 300+/- FEET SOUTH OF FIRE TOWER ROAD AND ALONG BAYSWATER ROAD FROM R6MH (RESIDENTIAL-MOBILE HOME [HIGH DENSITY MULTI-FAMILY]) TO CG (GENERAL COMMERCIAL) – (Ordinance No. 15-048)

Planner Chantae Gooby stated that this is a request to rezone 3.28 acres from Residential-Mobile Home [High Density Multi-Family] to General Commercial. This rezoning is located in the southern section of the City along Firetower Road adjacent to Dudley's Grant Townhomes.

Planner Gooby delineated the property on the map, and stated that the majority of the property to the front would be commercial. Bayswater Road is a loop road and both of the intersections are signalized. There is a regional focus area at a particular intersection and this is where commercial is anticipated and encouraged. The current property is vacant. This rezoning could generate an additional 1,400 trips per day. Under the current zoning, the site could yield about 35 multi-family units. Under the proposed zoning, the site could yield about 23,870 square feet of retail/conventional restaurant space. The Future Land Use Plan recommends commercial to the south of Firetower Road between Dudley's Grant



Townhomes and Swamp Fork Canal. In staff's opinion, the request is in compliance with the Horizons: Greenville's Community Plan and Future Land Use Plan Map plus the property is adjacent to similar zoning and located within a focused area. The Planning and Zoning Commission voted to approve this request at its August 18, 2015 meeting.

Council Member Blackburn stated that this was not always a focus area and this was not originally considered as an appropriate area for that commercial intensity. This was, probably, because it is not a major thoroughfare and usually high intensity commercial is at a major intersection.

Council Member Blackburn asked how much commercial does the City have designated by the Future Land Use Plan.

Planner Gooby responded that the designation is 50 acres. In 2014, the City changed that designation and the focus area designation.

Council Member Blackburn stated that this was not intended to be a commercial area originally. She is concerned that commercial is going pretty deep back into the parcel and abuts against those residences at Dudley's Grant Townhomes.

Planner Gooby responded that when looking at the Land Use Plan, the category itself is commercial. This is not a request for heavy commercial.

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

Jim Walker of River & Associates spoke in favor of the rezoning request, stating that on behalf of the developer and applicant the property, this is a minor portion of the remaining 81 acres that the owners/developers have control over. If approved, this particular parcel will join the Charter School, Greg's Glasses, Champion Gym, the City of Greenville's property for a future fire station, and the Edwards' property.

Michael Overton, representative of the seller and buyer in this transaction, spoke in favor of the request, stating the road is installed and completely paved. This will be a great addition to the property.

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

Council Member Smiley asked if this is a substantial portion of what is already in commercial, and if a water retention facility is required.

Mr. Overton responded that the water retention is actually already completed. It is located on the south side of the loop road and to the right of that is all of the stormwater retention.



Motion was made by Council Member Croskery and seconded by Council Member Glover to adopt the ordinance rezoning 3.28 acres located 300+/- feet south of Fire Tower Road and along Bayswater Road from R6MH to CG. Motion carried unanimously.

ORDINANCE REQUESTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION TO REZONE CERTAIN PROPERTIES, CONTAINING A TOTAL OF 12.67 ACRES, IN THE GENERAL AREA BOUNDED BY READE CIRCLE, DICKINSON AVENUE, THE CSX RAILROAD, AND BONNERS LANE FROM CDF (DOWNTOWN COMMERCIAL FRINGE) AND IU (UNOFFENSIVE INDUSTRY) TO CD (DOWNTOWN COMMERCIAL) – (Ordinance No. 15-049)

Planner Chantae Gooby stated that this is a request to rezone 12.67 acres from Downtown Commercial Fringe and Unoffensive Industry to Downtown Commercial. This request was initiated by the Planning and Zoning Commission at its July meeting and at its August 18, 2015 meeting, the Planning and Zoning Commission recommended approval of the request. This request is located in the central section of the City. It has been broken down into three separate tracts. Tract 1 is approximately 11 acres, Tract 2 is about 7/10ths of an acre and Tract 3 is about a one-half acre. All three of these tracts are part of the Dickinson Avenue Corridor Study and are actually listed as area #2. Within the plan for area #2, there are five specific action items: embrace and support the Transit Infrastructure Plan for Residential Development immediately adjacent to the Greenville Transportation Activity Center (GTAC); balance student and market rate housing; coordinate transit between Greenville and East Carolina University; re-align streets to improve wayfinding and connectivity; and new street layout creates land parcels appealing to development.

Planner Gooby provided the footprint of the proposed GTAC on Bonners Lane, and stated that some of this is conceptual, but the street layout will change. Another part of this plan is the zoning. The request being presented tonight is for downtown zoning. The downtown zoning is appropriate and it allows high density residential development as well as a variety of uses that are appropriate for the downtown area.

Planner Gooby delineated the Old Imperial Tobacco Warehouse on a map, and stated that this site has been left out. Properties 1-3 are also included as part of the West Greenville Revitalization area. There are parcels in the area that are actually already owned by the City. There are a variety of uses in this area – commercial, churches, residential and obviously even some vacant uses.

Planner Gooby provided a zone by zone map and stated that there are three different zoning districts in this particular area: CDF, IU, and CD. With this rezoning, this area will have the CD zoning which is the same as already in the downtown area. Over the past few years, the City had separate requests doing the same CD zoning including on the south side of Dickinson Avenue as well. This is important especially when assembling these different properties and also when changing the street layout for them to have one zoning.

These properties are a part of the Central Business District. The Future Land Use Plan recommends commercial in this area. The CD zoning helps to accomplish the goals of the



Dickinson Avenue Corridor Study and the West Greenville Redevelopment Plan. In staff's opinion, the request is in compliance with the Horizons: Greenville's Community Plan, the Future Land Plan Map, Dickinson Avenue Corridor Study, and the West Greenville 45-Block Redevelopment Program.

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

The Chairman of the Board of Trustees of Jarvis Methodist Church expressed the church's concern about this area, stating that they filed a protest petition and he met with staff, and the church is fairly pleased with the rezoning request. The Jarvis Methodist Church is a downtown church, they like to be downtown, and their missions are downtown. A concern is some of their missions have a lot of youth on this particular street in which traffic will be increased because of this change in zoning and the development of the GTAC. But they believe they can come to a solution that will satisfy the church and protect the children. 100 preschoolers per day come in from the Boys & Girls Club and 300 kids are at the church on Saturday. So they do have some exposure on Greene Street as the traffic goes by. The Jarvis Methodist Church will withdraw its petition and looks forward to this development.

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

Motion was made by Council Member Croskery and seconded by Council Member Blackburn to adopt the ordinance rezoning certain properties, containing a total of 12.67 acres, in the general area bounded by Reade Circle, Dickinson Avenue, the CSX Railroad, and Bonners Lane from CDF and IU to CD. Motion carried unanimously.

ORDINANCE REQUESTED BY BILL CLARK HOMES TO AMEND THE FUTURE LAND USE PLAN MAP FOR THE PROPERTIES LOCATED NEAR THE SOUTHEAST CORNER OF THE INTERSECTION OF NC HIGHWAY 43 AND IVY ROAD, CONTAINING 41+/- ACRES, FROM SUBURBAN RESIDENTIAL (SR) AND RESIDENTIAL-AGRICULTURAL (RA) CATEGORIES (PITT COUNTY'S JURISDICTION) TO MEDIUM DENSITY RESIDENTIAL (MDR) AND CONSERVATION/OPEN SPACE (COS) CATEGORIES (CITY OF GREENVILLE'S JURISDICTION) – (Ordinance No. 15-050)

Planner Chantae Gooby stated that in June 2015, the Greenville Utilities Commission and the City Council approved a request to extend sanitary sewer to these properties. For sewer purposes, the City Council annexed the properties into the City limits in August 2015. The applicant's request for this evening is to amend the Future Land Use Plan Map for future City zoning.

Currently, these properties are shown on the Pitt County Land Use Plan Map and are covered under the Pitt County Comprehensive Plan. These properties are located to the south in the City, specifically at Cox's Crossroads or the intersection of Highway 43 and Ivy Road. They are south of D. H. Conley Road and approximately 2.69 acres from the closest



City limits and 3.4 acres from Winterville's city limits. The two properties combined are about 41 acres. The existing land uses around those properties are single-family and some woodlands and farms. These are relatively large pieces of property.

Planner Gooby delineated the properties on a map, and stated that the request is to show these properties as medium density residential and conservation open space on the City's Future Land Use Plan Map. There is already similar land use to the north of the properties that are already covered under the City's plan. The conservation area is just to show the potential environmental constraints such is already on the map to the north. The density for this request is medium density residential. The Indian Wells Swamp area starts and moves south so there is a little bit of 100-year plain on the eastern edge.

The Pitt County Land Use Plan is a similar tool, but it does have similar categories because it deals with the rural area. These particular properties are recommended for suburban residential and rural residential agricultural. Inside the County's plan, it actually states that this category is designated as suburban residential because it has the potential for sewer development. That allows higher densities than some of the County's other categories. Basically, the County is also recognizing that these properties have potential for sewer as well. In this case, actually across the street from this piece of property is the pump station for sewer.

Planner Gooby stated that the property is currently zoned for residential and agricultural uses. When the Land Use Plan was changed, the City had criteria on when a change is compatible with the rest of the plan. Those four things are: 1) the change is a result of changed conditions that were not anticipated at the time of the original adoption of the plan (For this request, the sewer is changed because the sewer just became available this year.), 2) the change still meets the other intents of the plan (It is still residential in character.), 3) the anticipated land use is properly located with respect to adjoining and future uses and it is not expected to cause undue negative impacts (It is still similar in character to what is already there.), and 4) the anticipated change will result in a desirable sustainable land use that is equal to or greater than the previous plan.

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

Linwood Stroud representing Bill Clark Homes spoke in favor of the request, stating that Stroud Engineering is doing the planning and engineering related to this property. The requested land use is medium density. The residential table shows four zoning categories that would fit within medium density, which are R6A, R6S, or R9 or R9S. The requested zoning is R9S, which is the lowest density of the four categories. Furthermore, the table shows that R9S is five units per acre. When streets and other things are considered, there is no way to get five units per acre. A preliminary plan has already been prepared and the density is 2.4 units per acre. That plan will eventually be submitted for consideration. The medium density is needed basically because a lower density would restrict the lot width,



but the density per acre would actually meet the low density standards and all the criteria could not be met as far as lot width.

Mr. Stroud stated that one of the primary concerns of some of the residents in the area is the impact the development would have on the traffic on Ivy Road. They have been working diligently with the Department of Transportation (DOT) to come up with plans that would improve the traffic situation on Ivy Road. The developer has agreed to construct a right turn lane at the intersection of Ivy Road and Highway 43. That intersection does not touch the property, but as a good faith effort, Bill Clark Homes has agreed to that. Also, they are negotiating with the current landowner. The DOT had requested a 10 ft. easement to remove some vegetation that restricts the site distance at the intersection. Those negotiations are ongoing and the current landowner has indicated his agreement.

Mr. Stroud stated that another primary concern of the residents in the area is drainage. They will be improving the drainage outlet to Indian Wells Springs Canal, which should not impact the adjoining properties at all. The drainage plans must be approved by the City of Greenville Engineering Division and meet all of standards as far as retention. The only property between this property and Indian Wells Springs is a narrow strip of land, which is all wetlands and the property will never be developed. So, the drainage will be through an existing outlet across those wetlands directly into Indian Wells Springs Canal.

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

Motion was made by Council Member Blackburn and seconded by Council Member Smith to adopt the ordinance amending the Future Land Use Plan Map for the properties located near the southeast corner of the intersection of NC Highway 43 and Ivy Road, containing 41+/- acres, from SR and RA categories (Pitt County's Jurisdiction) to MDR and COS categories (City of Greenville's Jurisdiction). Motion carried unanimously.

ORDINANCE TO AMEND THE ZONING ORDINANCE BY ADDING A WINE, BEER AND KEG STORE AS AN ALLOWED LAND USE WITHIN THE CN (NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT, SUBJECT TO AN APPROVED SPECIAL USE PERMIT, AND ESTABLISHING SPECIFIC CRITERIA – (Ordinance No. 15-051)

Senior Planner Thomas Weitnauer stated this item is related to an application for a Zoning Ordinance text amendment submitted by a business owner, Tandi Mahn. Senior Planner Weitnauer explained the current allowed land use within the Neighborhood Commercial (CN) zoning district relating to beer, wine, and kegs, noting that:

- Grocery stores are an allowed use in the CN zoning district and are allowed to sell wine, beer and kegs.
- Convenience stores are an allowed special use in the CN zoning district and are allowed to sell wine, beer and kegs.



- Wine and Craft Beer Shops are an allowed special use in the CN zoning district and are allowed to have on-site consumption of wine and craft beer.
- Restaurants and/or dining & entertainment are an allowed special use and may have on-site consumption of wine and beer.

Senior Planner Weitnauer stated that Ms. Mahn is seeking permission to sell beer and kegs that do not meet the definition of craft beer since the applicant's proposal allows the sale of beer produced by large beer producers. Craft beer is defined as a malt beverage from a brewer with an annual production of six million barrels of beer or less. Staff uses a matrix in the City's land development code when consulting and looking at zoning districts. This type of proposal currently does not appear in the matrix so Ms. Mahn is proposing to add it to the new land use activity for the CN.

Senior Planner Weitnauer summarized what would be allowed under the set of regulations:

#### Proposed Wine, Beer and Keg Store Activities

1. On-premise craft beer tasting (Only 2 oz. tastings)
2. On-premise large production beer tasting (Only 2 oz. tastings)
3. Sell and refill growlers for off-premise consumption
4. Sell craft beer in cans/bottles for off-premise consumption
5. Sell large production beer in cans/bottles for off-premise consumption
6. Sell kegs of craft beer for off-premise consumption
7. Sell kegs of large production beer for off-premise consumption
8. Sell retail products and prepared pre-packaged food

Senior Planner Weitnauer displayed the Focus Area Map, and stated that the area and property that Ms. Mahn is interested in happens to be within a Neighborhood Focus Area. An added criterion to comply with the regulations is that the property must be within 500 feet of a Neighborhood Focus Area. Senior Planner delineated the properties within the City zoned CN, and stated that the large majority of what would be allowed is already General Commercial wrapping around or next to a convenience store. So it really does not have any kind of global impacts. The area that Ms. Mahn is interested in is the old City Market and it is in part of the center where Overton's was located.

The proposed Zoning Ordinance text amendment is in compliance with the Horizons: Greenville's Community Plan 2004, under the Plan Elements, Economy section:

- Objective E1. "To create conditions favorable for healthy economic expansion in the area."
- Objective E2. "To attract new industry and businesses which strengthen Greenville's role as a regional center."

What is interesting is that a neighborhood node, regional center is defined and the definition actually includes a reference to the City Market:



“The neighborhood node is only found in neighborhoods and must be able to blend exceptionally well with the residential surroundings in scale and character. Quite often, a neighborhood node may consist of only a neighborhood grocery and possibly a few small specialty shops. Approximate floor areas are less than 40,000 square feet. Examples include City Market in the Tar River Neighborhood and Fire Tower Crossing on Fire Tower Road.”

That strengthens Ms. Mahn’s application. The 2004 Horizons Plan includes the Focus Area Map, which identifies the City Market building within a Neighborhood Focus Area and that adds support to this text amendment application.

Senior Planner Weitnauer stated that staff recommends approval of the proposed text amendment. At its August 18, 2015 meeting, the Planning and Zoning Commission voted to recommend approval of the request.

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

Ms. Mahn stated that she is currently the owner of Christy’s Euro Pub (Christy’s) and one of the owners of the Dickinson Avenue Public House. She is the applicant who wrote the ordinance text amendment to be considered by the City Council. She sought out the City Market building because of its proximity to Christy’s and the neighborhood. Christy’s is a wonderful neighborhood bar where students, professors, City members and everyone alike frequents. She has received support from the neighborhood, members of the University Neighborhood Association, members of the Tar River Neighborhood Association and other members of the community. She would like for her customers to taste her products before purchasing them. That is the main reason for rewriting everything. Craft beer is different from Budweiser or Bud Light and she would like to be able to sell kegs of those beers along with craft beer.

Michael Overton spoke in favor of the request stating that his family has over gone the renovation of the old Overton’s supermarket where a lot of beer was sold to college students for 50 years. It would be a great use being next to Christy’s, which has been proven to be a great asset to the community.

Alex Lawrence spoke in favor of the request stating that as a past resident of Greenville, this is something that the community wanted for years and it will drive competition in the area. People in the area are buying these items at the Stop Shop and Landmark at a very high price. It helps to get better tenants because of the concept, which is thriving across America in cities such as Raleigh and Durham, North Carolina and they are trying to shadow this in Greenville.

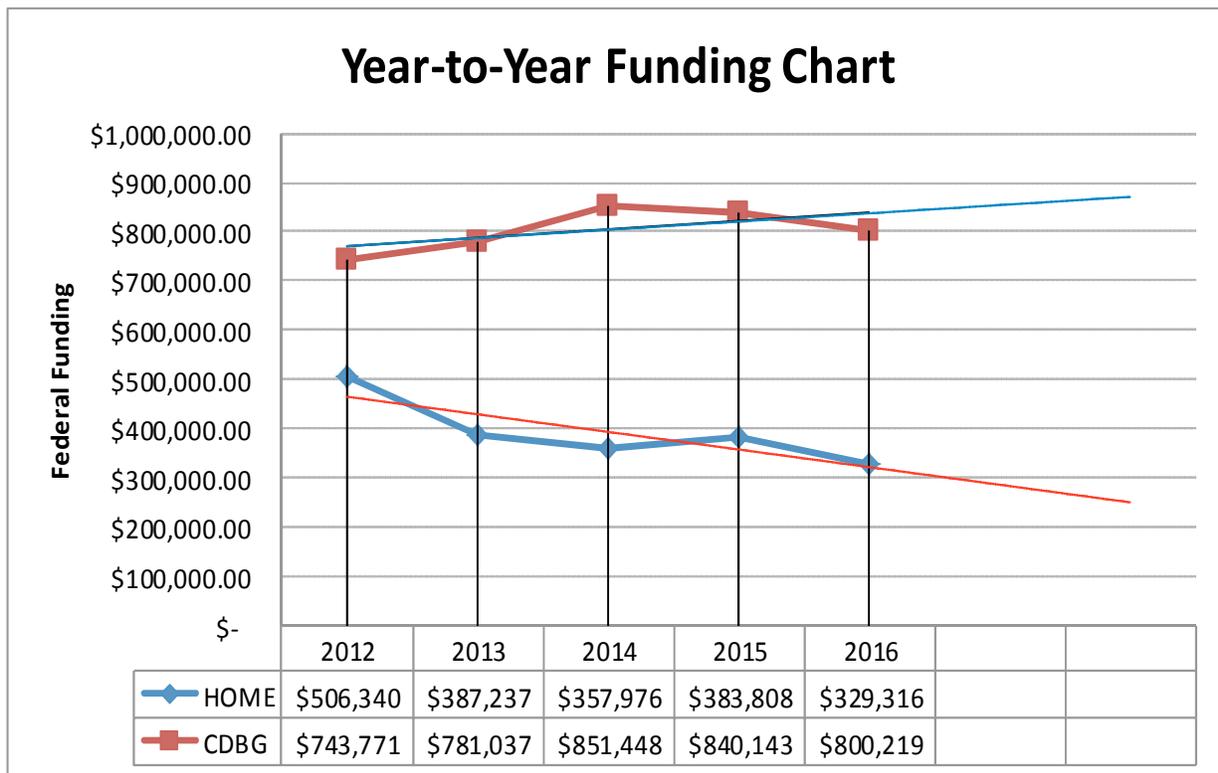
There being no further comments, the public hearing was declared closed.



Motion was made by Council Member Croskery and seconded by Council Member Blackburn to adopt the ordinance amending the Zoning Ordinance by adding a wine, beer and keg store as an allowed land use within the CN (Neighborhood Commercial) zoning district, subject to an approved special use permit, and establishing specific criteria. Motion carried unanimously.

APPROVAL OF THE DRAFT 2014-15 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

Director of Community Development Merrill Flood summarized what is needed to submit the draft 2014-2015 Consolidated Annual Performance and Evaluation Report (CAPER) to the U. S. Department of Housing and Urban Development (HUD). It is a requirement that each year by the end of September, the City provides this annual report following a public hearing and adoption of it by the City Council. The report details the Community Development Block Grant Program (CDBG) and Housing activities throughout the program year. All of those activities must time back to the five-year Consolidated Plan. Director of Community Development Flood stated that the funding is actually beginning to drop again with the CDBG. The following chart is included in the presentation to demonstrate over the past 5-6 years the amount of funding and where it has been.



This reporting year, the City had \$840,143 with the CDBG Program before program income and \$383,808 in the HOME Program. Any money that is received in the way of loans and property sales must go back into the program. Those funds have to be used first before



drawing down on the federal funds that are provided. In total, the City had \$398,898 for the HOME Program to use and CDBG after program income is \$870,143.

The following is the summary of what was done:

#### Summary of Accomplishments

- Thirteen (13) owner-occupied home rehabs completed
- Five (5) down payment assistance (deferred loans) were administered
- Three (1) Small Business Competition deferred loans were administered
- Four (4) homes were cleared of Lead-Based Paint Hazards
- Five (5) public service grants awarded to public service agencies serving low income clients
- Four (4) dilapidated properties were acquired
- Eleven (11) substandard units were demolished and removed
- One (1) displaced tenant was relocated
- Two (2) public facility improvement was completed
- Four (4) new single-family homes were constructed

Director of Community Development Flood stated that one tenant was displaced due to the demolition and removal of the 11 substandard units. The tenant was moved to standard housing providing the necessary relocation assistance and benefits. The two public facility improvements are related to sidewalk work in the Bancroft Street and Watauga Avenue areas. The four new single-family homes were constructed in the Bancroft Street area and off of Fleming Street.

Director of Community Development Flood stated that the report has been available for 30 days for public comments and none were received. It is not only available in the community building and City Hall, but also in the Carver Library and other locations as the City advertises its availability.

Council Member Smith asked how many new homes are still vacant.

Director of Community Development Flood responded that as far as city-owned ones there are none. There are two non-profits and there are offers for them.

Mayor Thomas 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 Smith and seconded by Council Member Blackburn to adopt the 2014-2015 Consolidated Annual Performance and Evaluation Report and authorize the submittal to the U. S. Department of Housing and Urban Development. Motion carried unanimously



RESOLUTION APPROVING CONVEYANCE OF PROPERTY AND A LEASE FOR THE  
SIDEWALK PROJECT – (Resolution No. 51-15)

Director of Community Development Merrill Flood stated this will be a two-part report and then there will be an opportunity for a public hearing. This proposed resolution is approving the conveyance of city-owned property for a multi-family and mixed-use development. Since January 2015, the Sidewalk Development Group (Sidewalk) has been concentrating on the possibility of developing a mixed-use development in Greenville incorporating nonresidential and residential uses.

Sidewalk is proposing a 120-unit development, which would consist of 75 units of student housing with occupancy of up to four persons and 45 units of market rate housing. In addition, there is to be about 20,000 square feet of commercial and ground floor, 40-60 on-site parking spaces, and a roof-top pool is one of the amenities for the development. The location for this development is the city-owned property adjacent to Reade Circle, Pitt Street and Dickinson Avenue.

Director of Community Development Flood stated that the City Council adopted the Dickinson Avenue Corridor Plan, which set out a path for how Dickinson Avenue is seen forming over the years. One of the features of the proposed development would be a right-a-way for Eighth Street continuation, and it would be the proposal to carry it through to Pitt Street. Then eventually over to Atlantic Avenue in some format as properties are developed to have access to the back areas of those properties.

Because of the nature of the development, under the City's current development pattern, whenever there is occupancy of up to four, there is a parking requirement within 400 feet of the development or any actual multi-family development in the downtown area. The City is looking at options to provide some parking about a block away on some city-owned land. Sidewalk would in turn lease the parking spaces from the City long term to provide the bulk of the parking that is required for the use. That area would be basically along Clark Street and Atlantic Avenue on a portion of the Imperial Tobacco site and then some additional property that is just north of that site where Bonners Lane was closed some years ago at the railroad crossing.

Director of Community Development Flood stated that the redevelopment long plan for this area is to have mixed-use housing in the area. This sort of captures and builds upon that. There are other opportunities for development there so it really lends itself for the City to look at this as a leased lot long-term because there may be other parking as this tract is developed in the near future.

City Attorney David Holec stated that a mechanism to effect this development and use of the City property is a community development statute that allows the City to do a private negotiation and sell the property to a developer. The property must be within a community development area and in compliance with the community development plan. In order to take advantage of that, the developer has to pay the fair market value for the



property. The City had appraisals conducted for the property that will be sold. The agreement provides that fair market value will be paid for the property and the lease. An appraisal was done to determine what the fair market value is for that.

The appraised value for the property, a 1.9712 acre tract, is \$1.506 million. This is the tract where the Police/Fire Rescue Building parking lot is located. The provision for the leased area is that they need to have that for a long term period, which is a 40-year lease with an option for an additional 10 years. The developer would be paying \$48 per parking space for 200 spaces. That is a total of \$115,200 for an annual lease payment to the City. That amount would be adjusted over the years to the same rate that applies to what the City charges for all parking in the uptown area. The City's revenue under this mechanism would be the appraised value for the 1.9712 acre tract (\$1.506 million) and the initial year lease payment (\$115,200) over a 40-year period. Within this agreement, the City is required to construct the parking lot and to take on that expense. Additionally, the City will be constructing the parking lot for the displaced City employees, who are currently using the Police/Fire Rescue Building parking lot. The expense for constructing both parking lots is \$1.320 million.

After the public hearing, if the City Council determines to approve the resolution, there is an agreement that provides a 120-day due diligence period where the developer deposits \$15,000. The developer has that 120-day period to explore factors of whether to proceed with the development. It includes such things as title work, environmental work and whatever market studies are determined by the developer. Within that 120-day period, if the developer determines not to proceed with the development, they have the ability to opt out and the \$15,000 is returned to the developer. After the 120 days and if they are still interested and want to continue, they have to deposit another \$15,000 dollars so there is \$30,000 that's been deposited at that time. Then the developer gets to continue with the process for determining whether to go forward and to develop the plans. The closing for that would have to occur within 12 months of the date of the City's agreement. It would basically be eight months after the first 120 days when they would need to make the determination. If there were any issues such as environmental or title issues, then they would give back the deposit, but if they just decide not to go forward, then the City would retain the deposit at that time.

City Attorney Holec stated that one issue in the agreement is a master plan for development with some requirements provided. There is a market rate for professional nonstudent housing units. The way to distinguish between the student and nonstudent is based upon the number of bedrooms in a unit, amenities provided in the unit and the interior finishes. In addition, those two, the student and nonstudent, are to be separate and distinct spaces, and they are not to have common access or share common areas or share common amenities. Those provisions are within there and their development is to comply with those provisions. The City does have the ability to approve the architectural design and the outside building material finishes. Of course, there is a provision that states the City's approval cannot be unreasonable, but there is the provision that the City has the authority to accomplish that.



City Attorney Holec stated that the statutory authority is cited in the resolution. It states: 1) the City Council approves the conveyance on the two tracts to the developer, 2) the lease for a 40-year period with an option for the additional 10 years, 3) what the payments are going to be for those two documents, 4) if the City Council does approve this, then the City is able to proceed to execute the necessary documents, and 5) shall not be effective until receipt by the City of Greenville of a report from the Development Finance Initiative of the School of Government which, in the opinion of the City Manager, advises that the mixed use development project is financially viable and the developers have the capacity to execute the mixed use development project. (That would be a condition and staff recommends it.)

Council Member Blackburn asked if the annual revenue of \$115,000 for the leased parking spaces is guaranteed income.

City Manager Lipscomb stated that the developer is supposed to pay the City for the 200 spaces monthly.

Council Member Croskery asked if there are logistics of making sure that there is not a dead time employees cannot get to some parking place, when the development commences.

City Attorney Holec stated that the agreement provides that the City employees continue to have use of that parking lot until such time that the developer commences construction.

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

Rick Banning of the Sidewalk Development Group spoke in favor of the request, stating Sidewalk is a real estate development company specializing in public-private partnerships and the revitalization of university type of towns and communities and integrating campus, commerce, and community. Sidewalk has offices in Delaware, Baltimore and South Carolina. Three years ago, Sidewalk was able to work with Jim Blount and Michael Overton to understand the Greenville economic conditions and the development opportunities within the City. In terms of looking at Greenville holistically, Sidewalk decided that the Dickinson Avenue Corridor is really designed to be transit oriented and a river, work, and play area to create a 24-7 lifestyle. Sidewalk wants this to integrate some of the old architecture with the new architecture and keep this district as a real cool funky upbeat type of district, yet staying consistent with this whole project. The obvious starting point of bringing this area alive is at the intersection of Reade Street and Dickinson Avenue, which will provide for a gateway to this whole revitalization corridor. Being consistent with the recommendation by the Ayers Saint Gross marketing study, this location is recommended for a combination of housing, retail and office.

Mr. Banning stated that initially, Sidewalk had an idea for this site which incorporates all aspects of housing (specifically a combination of professional housing rental and student housing rental), retail (with a proposed 3,600 square foot restaurant in the corner) and some office space along Reade Street. When there is a mixed-use design project with an



urban environment, like this particular site, it is important to create a single façade look along the Dickinson Avenue and the Reade Street corner with retail, office, and housing yet at the same time to have two distinct separate structures and products between the student and professional housing.

Mr. Banning stated that throughout the process Sidewalk has been working with the City and collaborating on the concepts and making sure that it flows within the transit-oriented part of this project. The Greenville Transportation Activity Center (GTAC) will come through Bonners Lane and out through the corridor to integrate the transit component. It is designed for the transportation of the University, hospital and the whole City. As far as the mix of the old and new architecture, the millennials and the target audience really like more of a modern feel. Sidewalk wanted to have some level of modernization in this project and to seamlessly integrate the older architecture going down Dickinson Avenue and the whole project. Sidewalk is asking for the City Council's approval of the resolution approving the conveyance of this property so that the project can begin.

Mayor Pro-Tem Mercer asked about the artist lofts that appeared on the PowerPoint slide.

Mr. Banning responded that Sidewalk wants the whole area to be consistent with the young professional and the millennial, who like the lofty feel and contemporary type of environment. It is not about the artist lofts per se, but it is more about the lifestyle image.

Mayor Pro-Tem Mercer asked if the rental rate for those artist lofts is the same as the market rate housing.

Mr. Banning responded that it is really more holistically looking at what they are attracting in terms of the whole project, not specifically to a particular loft product.

Council Member Smiley asked about the distinction between what would be aimed at marketing the students versus marketing the young professionals.

Mr. Banning responded that the students' housing is to be a cohabitating environment and the unit designs are more the student type in terms of the size and finishes. Typically, having a 4-bedroom with private bath and a common area and a kitchen and living area within the unit itself. The amenities would be student lounges. The actual product design differentiates itself from the typical professional or market rate type of housing. The operations are significantly different such as the student services and activities, transportation and a nine-month lease versus a 12-month lease. There are things specific to the operation of a student housing facility versus a market facility that differentiates the product and the operation of that product.

Council Member Smiley asked if the firm has other properties that have these two types of operations in close proximity like this proposed one.



Mr. Banning responded that Sidewalk developed a project in New Jersey, which had the exact situation where market and student housing were in the same complex.

Council Member Smiley asked how long has that been operating and running.

Mr. Banning responded that it actually has been about four years.

Council Member Smiley asked if the distinction between the two is consistent that each of the products has attracted a market as Sidewalk projected.

Mr. Banning stated that it is not about trying to keep them separated. The complete difference of the product, design and operation keep them separated.

Council Member Blackburn stated the artist lofts are almost a warehouse district type of approach, which is what happened in New York City during the 70s and 80s. People developed in the warehouse district and the artists were the first ones to go in and it sounds as though Sidewalk intends to continue that. This is a warehouse district project that will incorporate a very modern approach, but also will take tribute to that warehouse and other warehouse district type of projects that have that Bohemian feeling.

Mr. Banning responded that is correct. That really could be a marketing strategy as well to be able to attract different types whether it is technology-oriented or art-oriented.

Mayor Thomas asked about the target dates for opening, and whether there are any elements out of the firm's control in terms of the design layout, roads, and some of the things that the City is doing that could potentially impact that.

Mr. Banning responded Sidewalk is hoping for the summer of 2017 as the target date. Sidewalk must be sure that they have mutual cooperation with the City and the progression. Obviously, there has been no environmental studies done on the property at this point and those need to be looked at first thing. The title search and title process should go smoothly and there should be no issues that would create a problem for them. Sidewalk is comfortable with the market. When the official market studies of the project are launched, they will come back favorable and in support of what Sidewalk's concepts and initial marketing studies have been preliminarily as well as what has come out of the Ayers Saint Gross study.

Mayor Thomas asked if Sidewalk would be interested in participating in a parking deck for that area rather than doing a flat parking lot to provide further stimulus for the district.

Mr. Banning responded that part of the idea is to ensure that there is a growth pattern for parking. Part of the agreement with the parking area that Sidewalk allocated is it is conditioned upon the City's ability to build a parking deck above that so that there will be expansion of parking ability for the area. Sidewalk will have to work the details of potential



displacement of our parking during that construction period, but within the design itself, it does allow for the ability and condition.

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

Bianca Shoneman, Director of Uptown Greenville, spoke in favor of the applicant, stating that Sidewalk's proposed project really unifies as a municipality and the City's vision for a great downtown. Sidewalk proposes to create taxable land and public property that currently does not generate any revenue. One of the biggest challenges in Greenville is not having tax generating property. Any opportunity to have it, if it is done in a pattern in consistence with the City's vision, the City should truly capitalize on that. What is being generated is revenue that could potentially support parking. An analysis has been done. There are some concerns from the existing residents and future entrepreneurs in that area about what to do about parking. If the City is moving forward with urbanization of areas, she highly recommend that the City considers using the revenue from the sale of this property and the proposed lease agreement to look at structured parking for that area. Dickinson Avenue and the Uptown District are very hot and Uptown Greenville is still filtering calls from a variety of different investors. It is time to go vertical in the parking across the City. Suburban parking lots in urban forms do not work.

Ronnie Moody spoke in favor of the request, stating that as a newcomer to Greenville his first encounters were housing and driving to work every day. He thought he was moving from a small town of 1,000-2,000 people to a big city where he could potentially find somewhere to live near his job downtown, but there is no housing there for young professionals and no parking. He graduated from college and does not want to live with students and live their lifestyle. After working all hours of the day, it would be nice to walk home for lunch or have a variety of restaurants to dine. It would be great for the City to have a well-rounded downtown concept.

Michael Saad spoke in favor, stating that this is probably the largest investment that has been made in the Dickinson Avenue area in 50-75 years. Sidewalk is a reputable developer specializing in center city projects so it seems this proposed project would be cohesive with what everyone is looking for. The State has earmarked some money for Dickinson Avenue and that has been delayed unfortunately. There have been three small businesses that opened up recently. If a large developer would come in on Dickinson Avenue and start investing there, it would be a message to the community that Dickinson Avenue is the up and coming area and it is perfect timing. He is excited to see small businesses investing in that area, but when a large developer comes in and drops \$30 million on Dickinson Avenue, it is exciting for the community.

Michael Glenn spoke in favor of the request, stating that there is so much momentum downtown in general. It seems that sight is finally set on downtown and this is where to move Greenville forward with a great gateway to Dickinson Avenue and the warehouse district in general. Having market rate apartments appeals to him and he is out of college,



but there is not a lot of options for people not seeking student housing. To not support this as a City just seems to contradict what has been preached about.

Brad Hartford, one of the four owners of the Dickinson Avenue Public House, spoke in favor of the request. The Pitt County Development Commission (Commission) constantly has discussion about attracting talent to this community. When the Commission is trying to bring people to Pitt County from more urban areas, there is a lack of market rate young professional housing that is walkable with all of the urban amenities that a future workforce desires. The public parking spaces on the corner of Reade Circle and Dickinson Avenue are lumped into the Fire and Police employee parking lot and that will be a loss. But as far as their development and the future development on Dickinson Avenue, there is a fear of losing some of the on-street parking. The Commission would appreciate consideration of off-street public parking south of Reade Circle in the Dickinson Avenue vicinity. Also, the Commission would definitely be in favor of a structured parking deck in that general area.

Jim Blount spoke in favor of the request, stating that he has fond memories of Dickinson Avenue, but this street died in the 80s and Sidewalk's proposed project is an opportunity to reinvigorate that area. He has known Sidewalk's representatives for three years and they made a lot of trips to Greenville. It is a great project and it is good to bring in outside people to get creative ideas and different aspects on things.

Ryan Webb, Publisher of the Greenville Times, stated that he is in favor of a parking lot being built in this area instead of having acres of clustered parking lots. Because of the loss of the Police Department parking lot, that will be a long walk for police officers and residents to their cars. The City should come up with a solution to address the parking because GoScience will be opening and when all of the stores are occupied.. His main concern is parking, but everything else about the project looks great and people have been waiting for this for a long time.

Michael Overton spoke in favor of the request, stating that he has seen projects done by Sidewalk and feels that this firm will be a great asset by bringing new ideas into the City with this exciting project. Mr. Overton asked for the City Council's support of the resolution.

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

Council Member Blackburn asked how this project will affect the Old Imperial Tobacco factory property.

Director of Community Development Flood delineated the area on the map, and responded the northern end of the site was vacant property and that is the extent of where the parking will touch the Imperial Tobacco Warehouse. It is adjacent to the factory.



Council Member Blackburn stated that when looking at getting away from surface parking and certainly if something takes place on the Imperial Tobacco Warehouse land, the City will definitely be looking at additional parking.

Council Member Blackburn asked staff to talk about how that might happen or is it too early to speculate.

Director of Community Development Flood stated that there is a provision in the agreement that says that the City determines whether that structured parking is needed. The City would work with the developers in a due diligence period to help relocate the parking while that parking deck would be under construction. It is realized that this area has a lot of promise and potential and the likelihood of a future parking deck is a real possibility. That is the reason for the agreement provisions allowing the City to explore what would need to be done and actually construct a parking deck at this location. The city will work with the developers to have their parking restructured at the location.

Council Member Blackburn asked will the bus to the Rocky Mount train station be available at the GTAC.

Public Works Director Kevin Mulligan delineated the GTAC area on the map and responded that is correct. The northern bay area of the GTAC is identified as having essentially two ECU buses as well as an Amtrak shuttle and Greyhound bus. That is exactly where they will pick up passengers.

Motion was made by Council Member Smith and seconded by Council Member Glover to adopt the resolution approving the conveyance of property and a lease for the Sidewalk project. Motion carried unanimously.

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**OTHER ITEMS OF BUSINESS**

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UPDATE ON AIR SERVICE – JERRY VICKERS, EXECUTIVE DIRECTOR, PITT-GREENVILLE AIRPORT

Chairperson John Banks of the Pitt-Greenville Airport Authority (Authority) stated that the two hangars are finally under construction. Even with the weather conditions, the project is on schedule and the completion date is December 19, 2015. No leases have been signed, but there are great prospects.

Executive Director Jerry Vickers of the Pitt-Greenville Airport (PGV) stated that U. S. Airways, soon to become American Airlines, provides the commercial air service in Greenville. There are four flights per day to and from Charlotte, North Carolina. Current daily operations reflect three jets and one turboprop. PGV had five flights the majority of last year so that is hurting PGV on the number of seats provided. 2010 was the record year



for passenger traffic trends. They have become flat because PGV has reached a plateau on the aircraft that can be provided until the public can be given some additional choices other than 4-6 flights to Charlotte.

Executive Director Vickers gave information about PGV's flight performance, stating there have been several questions about flight delays, cancellations, and diversions, which are due to several factors. According to the entire U. S. Airways system, statistically, PGV's delays, cancellations and diversions during July and August are insignificant. One reason that PGV has flight delays is because one-third of PGV's traffic goes to the northeast to weather prone congested airports in the country (LaGuardia and J. F. Kennedy) and to the Midwest (O'Hara). The flights coming into Greenville connect through Charlotte arriving late due to weather delay, air traffic control, and aircraft maintenance and crew shortages. That has a trickle-down effect to PGV's flights schedule as well.

Executive Director Vickers stated that a few ways that PGV can improve air service includes working through the existing airline to increase the flights per day and the usage of larger aircraft and to get better ratio of jets to turboprops. PGV continually tries to make those incremental changes, but the big deal is to get the second airline. For the past three years, the Authority has applied for an air service grant to the U.S. Department of Transportation. This year, PGV is applying for a grant in the amount of \$500,000 to help with a local match of \$690,000. 16 local organizations including the City of Greenville are providing assistance for match money and the Authority appreciates that support. If PGV receives the grant along with the local match, the total would be \$1.2 million to put on the table for an airline.

Executive Director Vickers stated this year's application is focused on the demand in the community for a second airline. PGV partnered with the East Carolina University School of Business, and they did a great study and questionnaire, which gave reasons for PGV's application to be looked at and to tweet PGV's processes and procedures. The grant awards should be announced by September 30, 2015. It is a federal program, the money must be allocated by October 1, 2015, and the grant is good for three years. Receiving this grant is absolutely crucial.

Mayor Thomas asked about an element related to the length of the runway.

Executive Director Vickers responded that the physical runway has been extended by 670 feet. All of the runway cannot be used because the next phase of the project moves all of the pilots' navigational aids out farther. The Federal Aviation Administration must develop and test new flight procedures. Based on certain conditions, approximately, 1,000 feet of the runway is not usable until all of those things are done. In February 2016, PGV will have that project completed.



RESOLUTION AUTHORIZING THE SALE OF PROPERTY LOCATED ON WEST FIFTH STREET AND ALBEMARLE AVENUE BY THE NEGOTIATED OFFER, ADVERTISEMENT, AND UPSET BID METHOD – (Resolution No.052-15)

City Attorney David Holec stated that this item involves selling a piece of city-owned property. Taft-Ward Investments, LLC, the developers of the Campus-Edge Project, approached the City with a proposal to buy the city-owned parcel at the corner of West Fifth Street and Albemarle Avenue. The purpose for their proposal is to relocate a fraternity upon this site so that the fraternity's current location on East Eleventh Street could be used as a component of the planned Campus-Edge Project.

The Campus-Edge Project is a planned mixed-use development containing ground floor retail space of approximately 20,000 square feet, multi-story residential units for students, and a parking deck. It is to be located near the East Carolina University (ECU) campus within the area bounded by Tenth Street, Charles Boulevard, Eleventh Street and Charles Street. The City would benefit from the Campus-Edge development as a result of the addition of the quality development in this prominent area as the City has the Tenth Street Connector built and constructed there. Also, there is the increase in tax revenue, which the City will receive.

The City owns the entire tract, but the City has retained what is labeled as new right-of-way for the purpose of constructing a roundabout there. That intersection will help in the traffic flow in the area and, of course, it will be an improvement to that area. It is sufficient for the fraternity to be developed and it is abutting against the railroad tract and has the Fifth Street access way and Bonners Lane. The City negotiated offer with the developer for the property is \$50,000, based upon an appraised value.

City Attorney Holec explained the negotiated offer, advertisement, and upset bid method, and stated that there are restrictive conveyances, which are included in the offer. Vegetation will be planted upon the property along the rights-of-way of West Fifth Street and Albemarle Avenue as a beautification. Vegetation will be planted and maintained next to the railroad tract in order to have buffering purposes from adjoining properties. The exterior appearance of any building or structure, which is going to be constructed upon this property, is subject to approval of the City. This will ensure that it is generally compatible with other buildings and structures in the neighborhood and the buildings and grounds of this property are to be maintained. There is a condition in the offer that the special use permit, which is required for a fraternity, be obtained for that commitment. The developers have already applied for that special use permit and that will be heard later this month.

City Attorney Holec stated that additional provisions of the offer is a donation in the amount \$100,000 will be made to the City or a trust designated by the City. It is for purposes to benefit the West Greenville community. As the City follows some statutory language as far as community benefits for low and moderate income persons and that would be restrictive use for that donation, the offer to purchase also includes an additional



provision to ensure that the development of the Campus-Edge Project does occur. This sale is to promote that development because that is important to the City in connection with this. In the event that development does not occur within the timeframe of August 30, 2020, the City is entitled to receive an additional \$100,000 payment.

Council Member Blackburn asked about the zoning on the parcel.

Director of Community Development Merrill Flood responded that for the special use, the zoning is R6 or CDF.

Motion was made by Council Member Croskery and seconded by Mayor Pro-Tem Mercer to adopt the resolution authorizing the sale of property located on West Fifth Street and Albemarle Avenue by the negotiated Offer, advertisement, and Upset Bid Method. Motion carried unanimously.

#### AMENDMENT TO SOUTH GREENVILLE ARCHITECTURAL SERVICES CONTRACT

Director of Recreation and Parks Gary Fenton reported that the development of the architectural plans for the South Greenville Park and Recreation Center are underway. At its February 9, 2015 meeting, the City Council approved an architectural services contract for the Center in the amount of \$172,000 with Hite Associates. Since that time, it was learned that the scope of the project makes LEED (Leadership in Energy and Environmental Design) Silver Certification a requirement under the City Council's policy established some time ago. The LEED Certification requirement is based on the fact that this project includes some demolition and then replacement of the demolished area and even an expansion of that area. That total new area is more than 10,000 square feet, which is the cutoff for the LEED Certification. The LEED Certification will significantly increase the work that is required of Hite Associates and its subcontractors, increasing the contract by \$46,246, and increasing the total contract cost to \$218,245. The additional cost can be absorbed in the overall project.

Motion was made by Council Member Croskery and seconded by Mayor Pro-Tem Mercer to amend the contract for architectural services related to the South Greenville Park and Recreation Center renovations to include LEED Silver Certification design and administration and increase Hite Associates compensation by \$46,245, to a total of \$218,245. Motion carried unanimously.

#### 2016 CITY COUNCIL MEETINGS SCHEDULE

After a brief discussion, it was the consensus of the City Council to table this item until the November meeting.

Motion was made by Council Member Blackburn and seconded by Council Member Smith to table this item until November 2015. Motion carried unanimously.



## TAR RIVER WEST ACCESS POINT

Mayor Pro-Tem Mercer stated that this item was placed on the agenda for City Council's discussion about the City giving more access to the Tar River and getting more people to enjoy the Tar River. One thing that is missing is the kayak and canoe access point west of the Town Common. A representative of the Friends of Greenville Greenways (FROGGS), Mark Gillespie, will give information regarding the possibility of an ongoing initiative to meet this need.

Mr. Gillespie stated that both the Tar River Legacy Plan and Town Common Master Plan envision Town Common as a site for recreation with Town Common serving as a hub for activity. The problem is there is not adequate river access to allow that vision to become a reality.

Mr. Gillespie explained why there is a need for an upriver ramp at the Town Common, stating a person unfamiliar with canoeing or kayaking would feel that it is certainly fine to put-in at Town Common and go down to Port Terminal. There is a problem with that model because the Port Terminal ramp is built for power boats and not for kayaks. The Port Terminal is really too short for a good river experience. On weekends, the Port Terminal ramp is crowded and kayakers are bobbing around for 10-20 minutes or more trying to get in and they are competing with large power boats and there are a lot of users' conflicts.

Any canoe/kayak vendor needs to be based at Town Common where there is eventually going to be facilities to support their operations. That is in the Town Common Master Plan and what is envisioned. As it stands now, if the kayakers go down to Port Terminal, vendors are asked to wait until people arrive and the vendors are wasting their time sitting in the parking lot. That is not a viable long term solution for any business person.

Mr. Gillespie stated that currently, the closest upriver ramp is the wildlife ramp off Route 222 in Falkland. It is a nice ramp, but it is an all day excursion of approximately 11 miles. That is an extremely long run for the average river user and it is not practical for a rental vendor to use that.

For public-private partnerships to succeed, government must create the opportunity and foster the economic or infrastructure conditions to attract that private sector partnership. In this case, that infrastructure is as simple as providing an upriver ramp access creating an accessible drop-off for all river users and that infrastructure allows the vendor to operate out of Town Common rather than wasting an entire day at Port Terminal. Those infrastructure improvements create the economic climate conditions for success. This is an important piece of the Tar River Legacy Plan implementation. That plan states goals to make the Tar River accessible and usable to the citizens. It is a plan with goals transforming the river and doing an important quality of life component in Greenville.



Mr. Gillespie stated that it has been said that great cities have great public spaces. That is what makes cities unique and special. The Tar River can be and needs to be a great public space, but only if Greenville invests in that infrastructure to support the vision. This is a piece of that recreational quality of life where the developers are creating those spaces for the young professionals to stay and develop businesses and a future in Greenville. This creates economic activities and interests in Greenville. This is about creating high quality life in Greenville. The request is to form an aesthetic group and investigate the potential of a ramp.

Motion was made by Mayor Pro-Tem Mercer and seconded by Council Member Croskery to direct staff to work with Mark Gillespie, representative of FROGGS, to explore the possibility of a Tar River west access point and make a report to the Recreation and Parks Commission.

Mayor Thomas asked if there is a plan identifying potential areas for embarkation and deparcation on this 6-mile stretch that is within the City of Greenville.

Director of Recreation and Parks Gary Fenton responded that there is no plan at this time, but there are some ideas and one is near the Dog Park. The area that Mr. Gillespie is referring to is certainly a viable place for put-in. The challenge is that there is no City land presently. There is a little bit of Greenville Utilities Commission (GUC) land beyond its north side facility. From Town Common westward it is probably going to be a bigger challenge than it is from Town Common eastward. Sound Rivers is currently trying to get a recreational grant to actually create an ADA accessible kayak/canoe launch. That will be great assistance as well, but that does not negate the need for west side access.

Mayor Thomas stated that FROGGS is obviously a key stakeholder. There are a lot of neighborhoods through that area, and commercial vehicles are coming in and out of them different hours of the day and night. If it is going to impact and impose on some neighborhoods, the City should make sure that it is all inclusive so that all stakeholders are at the table to develop a plan.

Mayor Thomas stated that he is unaware if staff has a plan.

Director of Recreation and Parks Fenton stated that staff has been working a little bit on the extension of the Greenway from Town Common over to the Moye Boulevard/Fifth Street area. That area hugs the river predominantly until it gets to Memorial Drive and goes under the bridge and so on. If there might be an area there, the trail is where it becomes closer to the river. It is not a good place and some people today get in the river there. The Greenway is quite a bit of distance above the river so that may not be an option. The planners of the Greenway should be involved in this project as well.

Council Member Smith recommended that all of the interested stakeholders will work on this project should be included in the motion.



Mayor Pro-Tem Mercer accepted the friendly amendment to include all of the interested stakeholders to work on this project.

There being no further discussion, the motion passed unanimously to direct staff to work with Mark Gillespie, representative of FROGGS, and interested stakeholders to explore the possibility for a Tar River west access point and make a report to the Recreation and Parks Commission.

#### INTRODUCTION OF ECU STUDENT GOVERNMENT ASSOCIATION OFFICERS

Mark Matulewicz, President of the East Carolina University (ECU) Student Government Association (SGA) summarized some of SGA's initiatives. The Pirate Access Line is a collaboration between the Students' Disability Services, ECU Transit, ECU Parking and SGA. Essentially, SGA is creating a new shuttle system for students who have permanent or temporarily disability services. These students struggle on campus in everyday activities, and the shuttle system will provide them transportation to and from their classes. The next initiative, Senate in a Minute, was created to use a YouTube Channel and videotape their Senate meetings and condense them into a one-minute segment that will be sent to students, faculty and administrators and more importantly the ECU Board of Trustees. This will be a great opportunity for students to stay up to date with what is going on at their campus and to attend the meetings and speak about various issues. Also, SGA has been revamping the Shipmates Leadership Program, a program designed specifically for first-year students who are interested in becoming involved with SGA and develop a career and prepare to run for positions in the upcoming spring semester. SGA took the initiative of creating a student discount card and wanted to promote the businesses in downtown Greenville. They have 30 discounts thus far offering from buy one get one free to 10% off specials. 10,000 cards have been ordered and by the end of September 2015, the cards will be available for purchase.

Carson Rhodes, Executive Director of Local and State Affairs of the SGA, reported that SGA is working in collaboration with the Black Student Union and the Student Activities Board on the North Civility Day event. This civility summit involves facilitating conversations about strategies that can be used to promote stability and social justice on the ECU campus as well as within the community. Another one of SGA's ideas is Debate Week, which will consist of a different debate each day from October 19 – October 22, 2015. The idea is to have open debates available for the students and the public as well including debates between liberal and conservative political analysts, the College Democrats and Republicans, City Council District 3 candidates, and the three mayoral candidates. He has been participating in events across the campus and the community registering voters. He is starting a student organization on campus to work and promote students' participation in politics especially on the state and local levels. Their mission statement is to actively engage students in the political process by registering and encouraging them to vote, while also educating them on issues that directly affect our future, such as the rising cost of tuition and student loan debt.



SGA President Matulewicz stated that SGA's regular meetings are held Monday – Wednesday: Senate meetings are held on Monday, 6:30 p.m.; Executive Cabinet meetings take place at 7:00 p.m. on Tuesday; and Shipmates meetings take place on Wednesday. SGA has a \$140,000 budget appropriated specifically for student organizations such as recent requests were received for trips to Washington, D.C and Honduras. The SGA Office location is at 101 Mendenhall Student Center.

### RAILROAD CROSSINGS

Mayor Thomas stated that over the past year and a half, there has been much discussion about lane miles, cycle time for resurfacing the roads and undercutting of roads that are not fixed. A key component is there are shared spaces on City roads having unique issues and there are shared responsibilities and easements. As the City looks to pave Arlington Boulevard and other major roads and is asking the State to resurface Evans Street, Greenville Boulevard and all of the City's major arteries, the City is taking a beating through these different railroad crossings across the City.

Public Works Director Kevin Mulligan stated the Department of Transportation (DOT) Planning Department and Railroad Division have undertaken the planning and implementation of 14 projects in Greenville. Some of them have been delayed due to some Powell Bill funding challenges. There are two railroads: CSX is the north south one and Carolina Coastal is the east west and goes through the City, which is a much smaller operation than CSX. Carolina Coastal railroad is on Evans Street, south of Fourteenth Street. DOT has an easement and likes to address their facilities and assets by themselves. Some of the ones that are challenging the City have been identified and looked at and some of them are slowly being improved. Staff will meet with Carolina Coastal and discuss this further.

Mayor Thomas asked whether the railroad crossing on Evans Street near Fourteenth Street is one of the 14 projects.

Public Works Director responded that is not on the list at the moment. Hopefully, this one will be tackled because it is relatively simple, but consideration is given to how much funding DOT has to tackle these assets throughout their inventory. The 14 projects predated this conversation. Certainly, the successful one at Fourteenth Street, just east of Greenville Boulevard was one of those 14 as well as the medians south of Fourteenth Street on Greenville Boulevard.

Mayor Thomas asked if DOT would be interested in the cost sharing on some of these projects.

Public Works Director Mulligan responded absolutely. Staff will present that to them.

Mayor Thomas stated that some people do not understand the process and think that the City is in charge of making these areas. There are some things that City can do and he



wanted to start this discussion and process. That was a perfect example of an area that has really deteriorated and no matter how much road repair done by the City or State, if there is a horrible railroad crossing the wear and tear on vehicles is a major concern. The City will readdress this issue in a few months.

#### ADA COMPLAINT CROSSWALKS AND ADA ISSUES FOR CROSSWALKS ON HIGHWAY 43 NORTH NEAR THE HOSPITAL

Mayor Thomas stated that he asked that this item be placed on the agenda not only because of the issues at the crosswalks on Highway 43 near the hospital, but because the City received funding to improve several crosswalks across the City to make them safer. While walking or driving motorized wheelchairs down the median in the City, several individuals have been injured in traffic. It is extremely dangerous and the City must consider all of its populations. There are key areas needing focus, especially near the hospital. Mayor Thomas asked James Yahnker to share information about his advocacy for the disabled, and his experience and suggestions regarding the crosswalks in Greenville.

Mr. Yahnker stated that as a result of his disability he does not drive. For many years, he has been a City of Greenville resident and an employee at the hospital. When he lived two blocks from the hospital campus, Arlington Boulevard was a two-lane road and as the campus expanded, Arlington Boulevard expanded from two lanes to four lanes. Crossing that road was not the major issue at the time, however, while on the hospital campus, he has been hit by cars on three occasions. His chief concern about the pedestrian crosswalk at Arlington Boulevard and Beasley Drive is when pressing the pedestrian signal it also allows drivers in the far right hand lane to turn as pedestrians are crossing the intersection. He does not travel down the medians in the City plus after his second accident, he became very ingenious and added a special light on his wheelchair.

Mr. Yahnker stated that another concern is that after his second accident, he was told by a City representative that it would irritate drivers in the far turning lane to have to wait for pedestrians to cross at that location. What is better? Does the City want to irritate drivers or does the City want individuals to safely cross the road? People using cellphones while they are driving is an irritant for everyone. Irritated drivers who wait at pedestrian crosswalks would feel a lot better than those who do not and may injure and/or possibly kill someone and then they would be devastated for the rest of their lives.

Council Member Smith asked if there is a way individuals could make their transition across the road safely after the signal is pressed before drivers make the turn in the right hand lane.

Public Works Director Kevin Mulligan responded that pedestrians' having the right-a-way in the crosswalks is a State law. The right hand turn law is when it is free, there cannot be a pedestrian there. If the button is pushed, the pedestrians get extra time to cross the street. The City could look at installing 4-way reds at the Arlington Boulevard and Highway 43 location and the Department of Transportation would have to come onboard as well.



Council Member Blackburn stated during her travel in Virginia, South Carolina and Georgia, there are “State Law – Must Stop for Pedestrians” wands in the crosswalks. That is an easy and immediate fix.

Public Works Director Mulligan stated that there is a sign indicating the pedestrian crosswalk at Moye Boulevard, between the ECU parking lot and the Health Sciences location.

Council Member Blackburn asked whether three “State Law – Must Stop For Pedestrians” signs could be placed between all the lanes, especially when there are people like Mr. Yahnker trying to cross the street at that location.

Public Works Director Mulligan responded that the City would hesitate placing those signs in the white lines because cars will hit them and the City would be providing replacements frequently. The alternative is the rectangular rapid flashing beacons (RRFBs) in the crosswalks, and they can be motion activated or activated by a button. The City is planning to pilot and introduce two RRFBs, which are really effective and they draw attention that there are pedestrians in the crosswalk.

Council Member Glover stated after driving in Greenville for many years and seeing the traffic growth and travelling to large and small cities, the drivers in the City are horrible. They block the stop lights, drive through red lights, and stop their cars in the middle of the intersections. A lot of jaywalkers do not use crosswalks at the intersection and will walk out in front of drivers’ cars. People should be aware that when making the right hand lane turn, drivers should stop before proceeding to avoid hitting someone. However, Mr. Yahnker is crossing the streets the right way and he is still being hit by cars.

Council Member Glover recommended having officers policing at the most heavily traffic travelled intersections such as the one at Arlington Boulevard near the Convention Center. It is ridiculous that some citizens cannot exit their driveways or on some streets within a reasonable length of time because of the heavy traffic in Greenville.

Mayor Thomas asked Yahnker about the occurrences of his three accidents.

Mr. Yahnker responded that his three accidents occurred during the day. The catalyst for that problem is that the Vidant Medical Center and Medical School are there and growing along with the Geriatric Center. That is a conglomeration of two of the largest businesses in Greenville and when individuals are travelling at 8:00 a.m. and 5:00, they are worried about clocking in and out of work. Those are the rush hours and that is the reason for the mass of traffic in Greenville. There are a lot of careless drivers, but their mindset is getting to work and going home.

Mayor Thomas stated that it would be good to know that a conversation has been had with Pitt County, the State and the Vidant Medical Center about these issues. Also, the City



would like to know if there are any innovative strategies that everybody can bring to the table to create more safety in Greenville.

Council Member Glover stated that the City should have the Americans with Disabilities Act community and representatives involved with those discussions and planning.

Mayor Pro-Tem Mercer stated that the Public Transportation and Parking Commission should be engaged as well.

#### LONG-TERM BOND STRATEGY

This item is continued until October 2015.

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#### **COMMENTS BY MAYOR AND CITY COUNCIL**

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

Council Member Glover expressed her concern about how the amendment to the ordinance regulating outside storage of tires has affected the small tire service businesses. Sometimes, the City Council will adopt ordinances without considering that the large businesses have power and small businesses do not. Perhaps, the City Council and staff should review and revisit the amendment to the ordinance to determine how it is affecting the small tire businesses. A lot of people, including students as well, cannot afford to buy new tires and do purchase the used ones instead. In the minutes, it was stated that six businesses would be affected by that ordinance amendment. Another concern is the Fire/Rescue Department is not coordinating with the Planning Department in regards to the 20 feet separation between racks and property lines, rights-of-way and buildings, considering that small businesses do not have that much space. The tire service businesses have really been cleaned up since the City Council discussed their activities.

Council Member Glover asked staff to prepare proposed revisions to the ordinance, based upon the concerns that have been received this evening, and to bring them back to the City Council at a later date.

Motion was made by Council Member Glover and seconded by Council Member Smith to direct the City Attorney and City Manager to review the ordinance amendment about outside tire storage and enforcement.

Mayor Thomas stated that there seems to be some disproportional inconsistency and enforcement. Any time a new set of rules is passed there are always things that are not anticipated, and the rules are needed, but the City cannot be so rigid that the City cannot learn to improve a set of rules. The amendment to the ordinance was done for a reason and has been successful, but there have been some unintended consequences that have harmed



hard working people. They came to the meeting late because they were working and often time does not permit them to watch the City Council meetings. They are struggling to make ends meet like many people are doing and the City Council and staff will look at what has been done and sharpen the ordinance a bit.

Council Member Glover stated that she spoke with the small business owners regarding how the City's fines are hurting their businesses.

Council Member Glover accepted the friendly amendment presented by Council Member Croskery to suspend enforcement or fines until staff's report is brought back to the City Council.

Director of Community Development Merrill Flood stated that it would be helpful for the City Council to receive a report from staff about what has been done. Thirty-six (36) businesses have been visited by staff and out of the 36, it really comes down to about 9 citations. Directing staff to give the City Council a report might give some more information about enforcement.

Mayor Thomas asked what department is responsible for the enforcement.

Director of Community Development Flood responded that the enforcement is carried out by a combination of the Planning and Fire/Rescue Departments staff, who jointly visit these locations. The City has suspended actions for about eight months, and the City is now in the period where businesses are required to come into compliance.

Mayor Thomas asked if staff is aware of the comments about commercial grade tires.

Director of Community Development Flood responded that there might be some confusion because there is one industrial location, which is handled differently than what the ordinance was written for.

Council Member Smiley stated that putting halt to enforcement actions is premature until the City Council actually figure out what is going on. This ordinance was put in place at the request of the City Council giving staff clear direction. Staff waited nine months before putting any enforcement in place and now they are starting to have teeth and people have to adjust to it. He has no problem with looking over and making sure that the City is right. When fines are put in place, there is always going to be a period of adjustment. If the City drags that out and stop and then go back again, the City is going to have the same period of adjustment and will be right back where it is now five or six months from now.

Council Member Blackburn stated that she spoke to gentlemen, who are concerned, and she does not know of all of the stipulations, but she called staff. Some of the stipulations of this ordinance makes it unworkable for small businesses, especially those who might not have much of a margin. Also, they have fines that are threatening their livelihood. The City of



Greenville should not threaten to put anybody out of business because of having too many tires outside of their business, if it is not known that is a suitable limit for tires.

The motion to direct staff to assess and come back with a report on enforcement and inconsistencies, if any, and all fines are ceased until staff comes back with a report for the City Council passed with a 5:1 vote. Mayor Pro-Tem Mercer and Council Members Smith, Glover, Blackburn, and Croskery voted in favor of the motion and Council Member Smiley voted in opposition.

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**CITY MANAGER'S REPORT**

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Monthly Update on Performance Management System

Director of Human Resources Leah Futrell reported that the Performance Management System project will be finalized by September 30, 2015. The consultant will return to Greenville on September 29 and September 30, 2015 and present the final product to the City Manager and Management Team. During that time, supervisors and managers will be trained on implementing the new system.

Director of Human Resources Futrell stated that the proposed pay matrix and funding for the Performance Management System have to be approved by the City Council. With that understanding, the plan is to bring back the pay matrix proposal and system information to the City Council at a later date. Then the City Council will have a better understanding of how the system works and the information for budget purposes as the City Council heads into its upcoming 2016 Planning Session.

Director of Human Resources Futrell stated that the preliminary plan is for the evaluation period to run from November 2015 to June 2016, an eight-month period. That is shorter than the traditional one-year period because that is the City's kick-off year and then going forward the evaluation period will be annually.

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**CLOSED SESSION**

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Council Member Croskery moved to enter closed session in accordance with G.S. §143-318.11(a)(1) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, said laws rendering the information as privileged or confidential being the Open Meetings Law, and in accordance with G.S. §143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body; and G.S. §143-318.11 (a)(6) to consider the qualifications, competence, performance,



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

Mayor Thomas declared the City Council in Closed Session at 10:25 p.m. and called a brief recess to allow Council Members to relocate to Conference Room 337.

Upon conclusion of the closed session discussion, motion was made by Council Member Smith and seconded by Council Member Croskery to return to open session. Motion was approved unanimously, and Mayor Thomas returned the City Council to open session at 10:56 p.m.

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**ADJOURNMENT**

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Motion was made by Council Member Croskery and seconded by Council Member Smith to adjourn the meeting. Motion carried unanimously. Mayor Thomas declared the meeting adjourned at 10:57 p.m.

Respectfully Submitted

Polly Jones  
Deputy City Clerk

OFFICIAL MINUTES  
MEETING OF THE CITY COUNCIL  
CITY OF GREENVILLE, NORTH CAROLINA  
MONDAY, JANUARY 11, 2016



The Greenville City Council met in a regular meeting on the above date in the Council Chambers, third floor of City Hall, with Mayor Allen M. Thomas presiding. Mayor Thomas called the meeting to order at 6:00 p.m. Council Member Rick Smiley asked those present to observe a moment of silence, followed by the Pledge of Allegiance.

Those Present:

Mayor Allen M. Thomas; Mayor Pro-Tem Kandie D. Smith; Council Member Rose H. Glover; Council Member McLean Godley; Council Member Rick Smiley; Council Member P. J. Connelly; and Council Member Calvin R. Mercer

Those Absent:

None

Also Present:

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

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**APPROVAL OF THE AGENDA**

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

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**PUBLIC COMMENT PERIOD**

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Dave Barham – No Address Given

Mr. Barham stated that according to a local radio station's discussion about a farm report, tyrannical environmentalists of the United States Environmental Protection Agency (EPA) are using regulations to take jurisdiction over private property east of I-95 in North Carolina. Those regulations cover "Waters of the United States" (WOTUS), and this is not related to the federal Clean Water Act's jurisdiction or big bodies of water. The EPA might be given the authority to regulate a puddle of water caused by heavy rain that is in front or back yards or on farmlands. This is a heinous land grab, and a judge of the United States Court of Appeals for the Federal Circuit restricted and questioned the agency's authority to regulate certain bodies of water.



Adrienne Harrington

As representative of a non-profit for sterilizing and vaccinating feral cats, Ms. Harrington stated that she was contacted by the residents of Eastbrook Drive, who have been feeding and caring for some feral cats and were informed that those cats would be trapped and removed. Ms. Harrington stated that information about the program for trapping animals in the City of Greenville should be conveniently accessible for the citizens such as publishing the information at the City's website.

Marion Blackburn

Ms. Blackburn thanked the people in the audience who are supporters of a newly formed organization, the Animal Welfare Coalition. The amendment of the ordinance related to the City's Trap-Neuter-Return program was approved when she was serving on the Greenville City Council. She would like to make sure that this program has the support and visibility that it needs to be successful because community and pet cats in Greenville are very important to the community and to the people who give them care. A Trap-Neuter-Return program allows volunteers with grant and/or personal funding to go into areas to spay, neuter, and vaccinate them. These cats are registered and taken care of in an orderly fashion.

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**CONSENT AGENDA**

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

- Minutes from the November 30 and December 7, 2015 City Council meetings
- Resolution to abandon an electric easement for Berkeley Apartments, LLC and authorize the deed of release – (Resolution No. 001-16)
- Removed ordinance and reimbursement resolution for an amendment to Greenville Utilities Commission's Capital Project Budget for the Southside Wastewater Pumping Station Upgrade Project for Separate Discussion
- Ordinance reducing the speed limit on a portion of County Home Road – (Ordinance No. 16-001)
- Extension of Agreement with Greenville Public Access Television Corporation
- Resolution declaring two vehicles as surplus and authorizing disposition by public auction – (Resolution No. 002-16)
- Various tax refunds greater than \$100



- Budget ordinance amendment #6 to the 2015-2016 City of Greenville budget (Ordinance #15-032) and amendment to the Project Budget Ordinance (Ordinance #15-053) – (Ordinance No. 16-002)

Council Member Glover requested to remove the ordinance and reimbursement resolution for an amendment to Greenville Utilities Commission’s Capital Project Budget for the Southside Wastewater Pumping Station Upgrade Project for separate discussion.

Mayor Thomas requested to remove the extension of the agreement with the Greenville Public Access Television Corporation for separate discussion.

Motion was made by Mayor Pro-Tem Smith and seconded by Council Member Glover to approve the remaining items under the Consent Agenda. Motion carried unanimously.

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**CONSENT AGENDA ITEMS FOR SEPARATE DISCUSSION**

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ORDINANCE AND REIMBURSEMENT RESOLUTION FOR AN AMENDMENT TO GREENVILLE UTILITIES COMMISSION’S CAPITAL PROJECT BUDGET FOR THE SOUTHSIDE WASTEWATER PUMPING STATION UPGRADE PROJECT FOR SEPARATE DISCUSSION

Council Member Glover asked about the additional \$3 million to do this upgrade project.

Council Member Glover stated that the City Council approved Greenville Utilities Commission’s (GUC) budget on June 11, 2015.

City Manager Lipscomb responded that the engineering estimate was done on this project, but when GUC actually bid the project it came in much higher and the system may have deteriorated more than what GUC thought.

Council Member Smiley stated that the issues discussed by the GUC Board at its December 17, 2013 meeting were the facility is unique, a huge amount of the work is underground and the facility is in poor condition and nothing was done for a long time. There were three bids and one of the bidders backed out because that company had plenty of work to do. So, GUC rebid the work and when those bids came in, the bid prices were higher than GUC originally hoped.

Mayor Thomas asked whether the original facility was built in the 1960s. Mayor Thomas asked was the last work done 30-40 years ago.

City Manager Lipscomb responded that is correct. The last upgrade was done in 1999.

Mayor Pro-Tem Smith stated that \$6 million is a double amount for this project.



Mayor Pro-Tem Smith asked why were the bids not opened.

Council Member Smiley stated that the rule of the bid process is to get a number of bids before considering any of them, and if the required number of bids is not received, the bids cannot be opened. When the required number of bids was not received, GUC had to put the work back out for bid and collect them again.

Council Member Glover stated that seemingly, GUC is trying to catch up with something that has gotten away from them over the years.

Mayor Pro-Tem Smith stated that one of the things that she has learned from GUC is a lot of investigation is done for GUC's projects before doing them. From the beginning, if a project might be approximately \$3-\$5 million, and then doubling the amount of the project to \$6 million is an increase, which has not happened in her six years on the City Council. Another concern is how many similar GUC projects will come before the City Council for consideration. Citizens would like to know how this will affect them because everybody is concerned about their utility bills, and that additional money could be used to find ways to keep those utility bills low.

Motion was made by Council Member Glover and seconded by Mayor Pro-Tem Smith to table this item for the January 14, 2016 City Council meeting for further discussion and to direct staff to contact Greenville Utilities Commission's representatives to be present at that meeting. Motion carried unanimously.

#### EXTENSION OF THE AGREEMENT WITH THE GREENVILLE PUBLIC ACCESS TELEVISION CORPORATION

Mayor Thomas explained that this item was removed from the Consent Agenda for separate discussion to give the Greenville Public Access Television Corporation's (GPAT) services some exposure.

City Attorney Holec stated that GPAT operates the public access channel for the City. There are three channels: the government, public access and institutional channels that the City has on the cable television system. GPAT has been actually operating the public access channel since 2006 pursuant to an agreement with the City. The City's current agreement with GPAT started July 1, 2012 for a two-year period. That agreement provided for two (2) two-year extensions. GPAT has already gone through the second year extension and in accords with that existing contract, GPAT is asking for an extension for the final two-year period available under that contract. GPAT has followed the procedure and made a request to the City Council for its contract to be extended for the two-year period.

Mayor Pro-Tem Smith asked about the benefit of an extension versus a new contract, which would be longer so that the City does not have to continue to extend the contract.



City Attorney Holec responded that this is how the City Council initially set up the contract for the six-year period. The City could do it the other way, but this is just following what is in the existing contract. In two years or even before then, the City Council could look at a potential extension provision for that.

Mayor Pro-Tem Smith asked whether this is the third two-year period and the final one.

City Attorney Holec responded that is correct according to the current contract.

Mayor Pro-Tem Smith asked after the end of that period, if the City Council wanted to have another six-year contract with GPAT, could that be done.

City Attorney Holec responded that is correct.

As a representative of GPAT, Cherie Speller stated that GPAT was established by the City Council in 1999. GPAT is a non-profit organization with a small budget, but a stable one because of its contract with the City of Greenville and support from the Pitt County Commissioners and through some cable fees. Also, GPAT has some very committed supporters of the channel who make small, but timely donations. This non-profit is neither an emergency agency nor a human healthcare agency. So, with regards to fundraising, GPAT is still trying to determine its niche in fundraising because people tend to support those types of agencies first.

Ms. Speller explained the services provided to the community by GPAT. 80% of GPAT's programming is submitted by community groups and that is what is done at other public channels. GPAT gives citizens the opportunity to submit programs that they want to see on television. Also, GPAT Director Jake Postma produces about 20% of its programming in the studio including mostly programs by Real Crisis Director and GPAT's Board Member Mary Smith. Ms. Smith hosts a program for non-profits, which is a part of GPAT's mission to help non-profits in the community to give the public an idea of what they do and how they might be able to help them without having to pay expensive advertising and television fees. For example, non-profits are able to submit programs regarding their need for volunteers or inform people about their fundraising projects.

Ms. Speller stated that another unique service provided by GPAT is during election season, GPAT offers candidates, who are on the Pitt County ballots, to create a program about the office that they are seeking and their goals and objectives for the community. GPAT is looking forward to having the March primary candidates coming into the studio within the next month to make a 30-minute program about the candidates' efforts. Candidates have an option to submit their own produced programs as well. It is very important to give candidates an opportunity for the voters to hear from them directly in an uncut, unedited way, which is a great service that GPAT provides. GPAT is looking forward to the replacement of Steve Hawley, who served as a great ally for GPAT. Carol Jones is the County's public relations representative.



Council Member Connelly asked if GPAT has any plans for upgrading its equipment.

Ms. Speller responded that the equipment is old and with GPAT's limited budget, GPAT has a basic replace as needed plan in place presently. Recently, their nexus system was replaced and it runs pretty much the whole thing. GPAT has a long list of wants and wishes, and periodically, a couple of benefactors will do whatever is possible relating to GPAT's equipment.

Mayor Pro-Tem Smith commended GPAT on its services, stating that many people stay at home often and these programs give them an opportunity to know about some of the things that are happening in the City.

Mayor Pro-Tem Smith asked whether the two-year extensions that the City has in place with the contract have in any way hindered what GPAT is doing. Mayor Pro-Tem Smith asked whether the contracts should be longer for stability and how does the approval of the extension works for GPAT as an organization.

Ms. Speller responded that GPAT has a system in place for extending the contract and the contract extensions have not created any problems.

Motion was made by Council Member Glover and seconded by Council Member Connelly to extend the agreement for a two-year period commencing on July 1, 2016, and terminating on June 30, 2018. Motion carried unanimously.

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**NEW BUSINESS**

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PRESENTATION BY BOARDS AND COMMISSIONS

Environmental Advisory Commission

Chairperson David Kimmel acknowledged the City Council Liaison, City staff liaisons and current members of the Environmental Advisory Commission (EAC), and he summarized the EAC's 2015 goals and 2016 priorities:

**2015 Environmental Advisory Commission Goals**

1. **Identify and deploy ways in which to engage citizens (including students) in addressing environmental sustainability issues**  
*Have engaged with Love a Sea Turtle to become involved in Earth Day events at River Park North*
2. **Continue to increase deliberate and intentional engagement with the City Council & other Commissions**



*The EAC members review activities of other commissions and report on the potential environmental impacts and opportunities for environmental education*

3. **Identify and suggest ways to reduce volume of our waste**  
*Working with other commissions on a resolution to suggest reduce use of single-use plastic bags*
4. **Seek ways to preserve our water resources**  
*Continuing to implement the EAC Stormwater Grant Program; provide further input on the Watershed Master plan and increase public awareness of plan and need to monitor our water resources*
5. **Incorporate service learning students from ECU in the pursuit of the EAC goals**  
*ECU service learning students have been involved in environmental survey of Greenville citizens*
6. **Seek opportunities to continue to promote environmental education**  
*Supported a resolution that resulted in the posting of "no idling" signs at specified places in the City*
7. **Develop an inventory of the City's environmental sustainability accomplishment's achievements**
8. **Develop a culture of measuring and disseminating the results of the EAC efforts**  
*Developed a comprehensive strategic plan that lists the past history of the EAC and lists potential targets for future goals as well as dissemination suggestions.*

Chairperson Kimmel stated that regarding the EAC's 2016 priorities, the members added two other goals: 1) Focus on the reduction of greenhouse gases generated by City activities, and 2) Develop a resolution that focuses on the adoption of renewable energy initiatives. The members are hoping to learn more about and to address the greenhouse gases. The energy initiatives resolution will help the City save money and help them to invest in new technology.

Chairperson Kimmel stated that the EAC will continue to increase deliberate and intentional engagement with the City Council and other boards and commissions in order to make sure that the EAC is providing adequate advisory information to the City Council. Also, the members will promote and expand the EAC grant program, which has been successful. Last year, with the grant recipient, Love a Sea Turtle, the EAC was able to give funds that would expose hundreds of kids over the summer to take a look at water quality in the Tar River. The following are the 2012-2016 EAC grant program recipients:

- 2012-2013 Grant Recipient – Wahl-Coates 4-H Group
- 2013-2014 Grant Recipient – J.H. Rose High School



- 2014-2015 Grant Recipient – Ridgewood Elementary
- 2015-2016 Grant Recipient – Love a Sea Turtle

UPTOWN GREENVILLE MID-YEAR REPORT

As Executive Director, Bianca Shoneman introduced Marybeth Eason, Uptown Greenville’s newest chairman, and she gave a detailed mid-year report of the activities and accomplishments of Uptown Greenville. Uptown Greenville is the voice of the downtown. It exists to promote quality cultural, residential, and economic development. In 2015, Uptown Greenville estimated a tally of \$ \$394,000,000 in public and private investment in the Central Business District from 2013-2018. In 2004, based on the census, Uptown Greenville estimates that there were about 545 people living in the Uptown District. Gather: Uptown, Sidewalk, and Taft-Ward are three student projects that represent an accumulative total of 2,400 living in the Uptown District from 2014-2018. That is a 400% increase in residential population in the Uptown District. From January 1, 2015 to December 31, 2015, 24 new businesses and 91 new full or part-time jobs were calculated in the Central Business District.

Ms. Shoneman reported that Uptown Greenville invested \$72,300 in uptown alone to complement public improvements.

<b>Uptown Greenville Public Improvements</b>	
LED Lights along Dickinson Avenue	\$2,000
Summer Lamppost Banners	\$800
Live United Courtyard	\$32,000
Clock faces, Uptown Parking Deck	\$30,000
NC Arts Grant, Greenville Grooves	\$7,500
<b>Total investment \$72,300</b>	

As part of the contribution that the City gives Uptown Greenville, and in turn, Uptown Greenville translated that into about \$100,000 in media and impressions for the City’s logo. 10,000 Uptown Greenville bags were produced and distributed at events and to uptown merchants to promote the brand. “Eat Up” guides were updated and 7,000 were distributed to East Carolina University (ECU) residents and throughout the campus, medical district, and area hotels. A “Love Local” sticker campaign was launched, and during the December 2015 holiday, a giant mistletoe ball was placed at the Five Points Plaza for people to smutch under.

Ms. Shoneman stated that in tandem with the Arts Council and the Convention and Visitors Bureau, Uptown Greenville partnered on this ever wonder campaign. Many CVBs across the country are doing this events calendar. Uptown Greenville works and intends to insure that all events through the arts, convention center, and the Uptown District are being



promoted in concert with one another. The Uptown Greenville Umbrella Market 2015 was by far one of the best ever, having close to 700 vendors at each event with its Market Manager's ability to bring in great food events. Uptown Greenville partnered with the Greenville Police Department on National Night Out, which was a great success. 18 food trucks from several cities as far as Raleigh down to Wilmington were welcomed. Approximately, 4,000 people attended that event. Also, Wells Fargo has been the headline sponsor for Freeboot for 16 years.

In tandem with the Economic Development Office, Uptown Greenville celebrated its first winter with the Uptown Retail Challenge. In concert with the City's Economic Development Office, Pirates Radio, WOOW, Chamber of Commerce, Daily Reflector, Greenville Times, and Uptown Greenville, a Greenville native, fashion merchandising graduate made a nontraditional transition from a virtual store to actual bricks and mortar located in the Evans Street area.

Ms. Shoneman stated that other highlights of this mid-year report include 700 people volunteered with Uptown Greenville in 2015. In 2016, there will be a substantial amount of construction including the Town Creek Culvert, 10<sup>th</sup> Street Connector Project, Municipal Building Parking Lot and the Gather: Uptown. ECU will begin to capture and maybe make some movements with that administrative services building. The Gather: Uptown will represent a gross net of approximately 66,000 GSF of new administrative space in the Uptown District and a fixed gear parking deck. Now in its 101<sup>st</sup> year of construction and livability, Uptown Greenville would like the Uptown Theater to be back online, operable and totally functional. The Uptown Hotel is making waves. Fundraising for the Center City Concept Plan is something that has been in mind for a long time. In 2004, Uptown Greenville had a master plan that was adopted alongside of West Greenville. While now 12 years into that plan, it is time for fundraising and thinking about master planning for the uptown and its complimentary residential neighborhoods.

Ms. Shoneman stated that Uptown Greenville will host the 2016 State of the District on February 9 and the following day Uptown Greenville will host a 100 plus people meeting, "For the Love of Greenville". This meeting will be facilitated by an international sought after speaker and urban activist, Peter Kageyama. Ms. Shoneman thanked City Manager Lipscomb for sponsoring that event, stating Uptown Greenville appreciates that investment.

Mayor Thomas stated that there are different types of commodity and currency and currency is not all green. Generating over 700 volunteers indicates how rich Greenville is in currency that Uptown Greenville brings to this City.

Ms. Shoneman stated that in 2012, Uptown Greenville was able to go from a part-time entity to a full-time one because of an alliance between the City of Greenville, ECU and the Vidant Medical Center. That was a three-year relationship and it has been extended for another three years. All of the partners again are saying that the retention and beautification of the downtown matters to their placement and growth. Uptown Greenville



is appreciative of the initial meeting to Durham and the investments from those major stakeholders.

Mayor Thomas stated that City representatives and partners will continue to look at other communities as the City must continue to evolve. There are so many special places having a sense of place and Greenville has made such great strides, but there is still a lot of work to do. The gallery district concept is important because so much incredible talent in theater, dance, music, word art is at Pitt Community College and East Carolina University campuses and around the City. For the most part, at no fault of their own, they are trapped on campus because the City cannot get the region to the talent. A world class cellist and violinist performed at ECU. A venue space should be created across the Uptown District. People from Tarboro, Vanceboro or New Bern could come to the Starlight Cafe, Crossbones Tavern, and Tavern on 4<sup>th</sup> Street to see something that they never expect to see on Tuesday night in Greenville. There is a need to flip the script. He is about leveraging the gyms in this community, but the biggest challenge is that people can be only at so many places at so many times. He is cognizant of that, but he still dares to dream. When people talk about Asheville and other cities, we want to be mentioned in the same breath in terms of a sense of culture and place and having that drumbeat.

Mayor Pro-Tem Smith thanked Uptown Greenville for its continued partnership with the City and for improving District 1. She is looking forward to the continued growth because with a 400% increase in the population, there are going to be a lot of things changing in Greenville.

Council Member Glover stated that it makes a difference when a City drives its own economic development engine. For so many years, Greenville was dependent on the County's economic development office. Also, it makes a difference when a city has a City Manager who is economic development driven as City Manager Barbara Lipscomb is. Some comments were made by people when the City Council created its Economic Development Office. After hearing Uptown Greenville's mid-year report, no one can deny that this Office has done great things for the Center City. It will continue to do great as we bring in new businesses and as the look of the City changes. It is an exciting time for Greenville.

RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING AND LEASE AGREEMENTS WITH SOUND RIVERS, INC. – (Resolution No. 003-16)

Director of Recreation and Parks Gary Fenton stated that finally staff is able to bring the City Council a memorandum of understanding (MOU) and a lease agreement for the development and operation of three camping platforms at various locations along the Tar River in Greenville. This project is a partnership with Sound Rivers, Inc. (Sound Rivers), previously, the Neuse River and Pamlico-Tar River Foundations. It is a follow-up to a Tar River Legacy Plan recommendation for the development of such riverside camping facilities. Matt Butler, Environmental Projects Manager of Sound Rivers and Parks Manager Lamarco Morrison are present this evening to answer any questions the City Council might have.



Director of Recreation and Parks Fenton stated that this partnership entails sharing the cost of developing these three platforms with the City contributing \$10,000, which is half of the construction cost. The non-profit, Love a Sea Turtle, is contributing \$5,000 and the remaining money is being raised by Sound Rivers. Sound Rivers will also be addressing most but not all of the maintenance and operational responsibilities. The western most site is on the south side of the Tar River at the property referred to as the Phil Carroll Nature Preserve. Both second and third sites are on the north side of the Tar River. The second site is at River Park North, and the third site is on city-owned property, which is designated for the use and benefit of the Greenville Utilities Commission (GUC). Because of that, the City sought GUC's support of the MOU and lease agreement between the City and Sound Rivers. The GUC Board unanimously passed a resolution in support of that MOU and lease agreement at its December 17, 2015 meeting.

Director of Recreation and Parks Fenton stated that the three sites are about 3-4 miles apart, on the west, east and central part of the City. The agreement requires that Sound Rivers secure and pay for the liability insurance to protect themselves, the City and GUC from potential liability. The City and GUC will be named as additional insurers and the policy has a combined single limit of at least \$2 million. Once completed, these three camping platforms will become part of the Sound Rivers' system of overnight camping facilities up and down the Pamlico and Tar Rivers, which already includes platforms in Tarboro and Washington, North Carolina. These facilities will ultimately stretch from the headwaters of the Tar River in Granville County to the white open waters of Beaufort, Hyde and Pamlico Counties. Recreational paddlers, boaters, and fishermen are welcomed to use these facilities year round. However, users must first make a reservation through Sound Rivers. Since the platform mentioned at River Park North will also be used for an outdoor classroom and will be accessible from land as well as from the Tar River, staff at River Park North will be processing reservations for that particular facility. Sound Rivers will refer anyone who is interested in leasing that platform to River Park North.

Mayor Pro-Tem Smith asked whether these camping platforms once built, will be considered or designated as parkland.

Director of Recreation and Parks Fenton responded that is correct. They are actually in what is considered to be parkland. However, it is a 10-acre piece of that public land. The one at the far west and the one in the central part at River Park North are on what is proclaimed today as parkland, that being the River Park North and the Phil Carroll Nature Preserve.

Mayor Pro-Tem Smith asked whether with the porch being screened in, is there a good locking system for those who would like to spend the night.

Mr. Butler responded that Sound Rivers currently does not have a locking system there and that is to actually prevent any sort of vandalism. If locks are used, since it is just a screened in porch, then it is going to promote people vandalizing those platforms. Latches are used to keep any wildlife out of them. Sound Rivers had seven platforms built currently and has not had any issues. Sound Rivers' system is modeled after the Roanoke River partner, and



their system has 16 platforms and those have been in place for 15 years. Roanoke River has not had any issues either. It is a reservation only system and up to this point and hopefully, throughout the future, Sound Rivers will not have any issues with anyone being confronted at the platforms. The camping platforms have been successful without additional security.

Mayor Pro-Tem Smith asked whether snakes will crawl through or under the screened in porch.

Mr. Butler responded that they put screening actually under the deck and around the platform on the porch, which has a roof as well. It is 100% snake proof once someone is inside of there.

Mayor Thomas asked whether the camping platforms are accessible by land or only by water.

Mr. Butler responded that the one at River Park North will be accessible by land because it will be used as an outdoor classroom. The Phil Carroll Nature Reserve's property will be extremely difficult to access by land because of the nature of the property. It is very swampy. One would have to gain access to the platform on GUC's property and then get to the back of the property to gain access to the one at River Park North. A layer of security by GUC will keep people off of its property and Sound Rivers' system users are only to access the platforms by water.

Council Member Connelly asked whether the City will profit from the reservations since the City will handle them for the camping platform at River Park North.

Director of Recreation and Parks Fenton responded that certainly the revenues from that particular site will come to the City. The City will charge the same amount that Sound Rivers charges.

Motion was made by Council Member Mercer and seconded by Council Member Godley to adopt the resolution approving the memorandum of understanding and the lease agreements with Sound Rivers, Inc. and authorizing the City Manager to execute these documents. Motion carried unanimously.

**RESOLUTION ACCEPTING AN AMENDED STATE REVOLVING LOAN OFFER RELATING TO THE TOWN CREEK CULVERT AND BMP RETROFIT PROJECT – (Resolution No. 004-16)**

Civil Engineer III Lisa Kirby stated that the majority of the funding for the Town Creek Culvert is through a green infrastructure loan that the City received from the Clean Water State Revolving Fund. The Town Creek Culvert runs from 8<sup>th</sup> Street near the UNX Building down through East Carolina University (ECU) property near the parking lots and finding outlets under the Greene Street Bridge at Town Creek. It is composed of 6 Best Management Practices (BMPs), which are stormwater treatment facilities and those include wetlands, bioretention cells, permeable pavers and a unique regenerative



stormwater conveyance (RSC). The City is processing the RSC in the area from 3<sup>rd</sup> to 4<sup>th</sup> Street. The City will have the largest RSC in North Carolina. The entire system will remove approximately 252 pounds of nitrogen per year from the watershed, which is extraordinary.

Civil Engineer Kirby stated that the regional RSC works like a series of step pools. It will be an open conveyance and boulders will be brought in and the water gets its treatment from actually infiltrating through each of the deep pools. The City has also partnered with ECU on some educational components for this RSC because it is unique in North Carolina. Students will be doing research and having outdoor labs in this environment. The overall project from a treatment perspective is very similar to converting approximately 10% of the watershed from an urban environment to a coastal plain forest. That equates to about 8-10 city blocks.

Civil Engineer Kirby summarized the funding timeline, stating that the City applied for funds in August 2013 and submitted the application to the Division of Water Infrastructure (DWI). In August 2014, the City's engineering report and an environmental documentation was approved by DWI and then in November 2014, the City Council adopted a resolution accepting a loan offer for \$10 million, which was the original estimate of the loan. Staff revised the engineering report and the environmental document and gained approval by DWI in August 2015. In November 2015, the City Council approved an amendment to the original application to increase the loan amount to \$13,340,571 with no interest, which is the current funding offer before the City Council this evening. This is a savings of approximately \$4,500,000 in interest alone. The City has finished the final design and that was delivered to the State on December 18, 2015 for their review and approval. The goal is to commence construction in October of this year.

Motion was made by Council Member Smiley and seconded by Council Member Mercer to adopt the resolution accepting the State Revolving Loan offer of \$13,340,571 and giving assurances to the North Carolina Department of Environment and Natural Resources that all items specified in the loan offer will be adhered to. Motion carried unanimously.

#### UPDATE ON TOWN CREEK CULVERT FAILURE AT 3<sup>RD</sup> STREET

Public Works Director Kevin Mulligan explained that on December 31, 2015, a 10' x 4' box culvert collapsed at 3<sup>rd</sup> Street. That section of the Town Creek Culvert is located between Reade and Summit Streets. At a state of the stormwater utility workshop in May 2013, there was discussion about the 10<sup>th</sup> Street Connector's impact on the Town Creek Culvert. The Town Creek Culvert should be replaced because the existing flooding conditions are greatly undersized - it is sized for a two-year storm and is being designed currently for a 20-year storm. It was constructed in the 1930s and is an aging infrastructure with many different types of construction (brick culvert, concrete, reinforced or non-reinforced) and added flow is from the North Carolina Department of Transportation's (DOT) 10<sup>th</sup> Street Connector construction.



In January 2013, the survey and inspection were performed and the Town Creek Culvert's overall condition was fair to poor. Generally, most of the Town Creek Culvert was in poor condition including longitudinal cracking in the roof and floor, concrete spall with exposed reinforcement, tap in locations with no patching/sealing and utility conflicts. The boxed culvert is exactly where the failure occurred and its conditional assessment is fair for the walls and floor and poor for the roof, which collapsed. A 36" pipe is collecting the stormwater drainage from the streets above it and the culvert is conveying all of the flow for uptown. Also, a pipe is at this location for the area around 3rd Street. The 8" x 6" arched culvert behind the collapsed section of the box culvert is also in poor condition. The road is closed due to the unstable conditions of the situation. Staff met with several contractors and DOT's road and bridge maintenance unit about the possible repairs and direction to take. One of the key components is the 100% design plans are completed and were submitted to the State a month ago and are currently being reviewed.

Public Works Director Mulligan summarized the following three options for addressing the Town Creek Culvert failure:

### OPTIONS

**Option One:** *Stabilize slope, keep road closed, and continue with planned project (Construction Start – October 2016)*

**Option Two:** *Stabilize slope, keep road closed, and separate 3<sup>rd</sup> Street improvements (Construction Start – July 2016)*

**Option Three:** *Stabilize, repair, open road, and then replace with planned project*

Anything that the City does will make the location safe. The first option is to remove the collapse, to see what is going with the roof and to look at the arch culvert. The road will remain closed while doing that and the City will continue with the planned project. The City will have its final design and DOT's comments in April, and the construction bid will be put out as an August award and October construction. Alternatively, staff had a discussion with the Bureau of Infrastructure about separating the 3<sup>rd</sup> Street piece, which would be fundable by the grant, but there will be more engineering associated and a significant cost increase. The bid price would be higher than just leaving the 3<sup>rd</sup> Street improvements as part of the whole project. Another option is to stabilize this starting between the end of this week and the beginning of next week, repair the entire existing culvert, repair the road and then replace with a planned project. Anything that is done there as far as repairing the road and existing culvert will be ripped out before five months later.

Public Works Director Mulligan stated that Option One is probably the most prudent. The location is not ideal to have a road closed, but all of the houses are located east of the failure and the parking lot and entrances are west of this failure. The road can be secured and there are detours in place at 1<sup>st</sup> and 4<sup>th</sup> Streets. The following is an overall schedule of the Town Creek Culvert Project:



## Town Creek Culvert

Fall 2013	Surveys
2014-2015	Analysis and Design
November 2015	Complete Final Design
Winter 2016	Permits/Easements
Spring 2016	Advertise for Construction
Summer 2016	Review Construction Bids
August 2016	Award Construction Contract
Summer 2018	Complete Construction

Mayor Thomas asked if the City anticipated this failure.

Public Works Director Mulligan responded that in January 2014, the entire structure was looked at and the City was aware of its poor condition. If money is spent on trying to shore up all of the poor areas in the culvert, while waiting for this project, the City will have spent several millions of dollars than to rip that out and continue on with the new project. The City is speeding ahead with the design, which is time consuming. But the design will be bid this spring.

Mayor Thomas asked whether there are other areas similar to this one that could be a problem between now and October.

Public Works Director Mulligan responded that many other areas in the culvert were rated as poor. There is no good location for this to happen, but out all of the locations this is probably one with the least amount of traffic and impacts.

Mayor Pro-Tem Smith stated that when looking at the situation with the collapse, the City is blessed that no one was injured.

Mayor Pro-Tem Smith asked whether the high risk areas, if any, could be checked such as where there is a lot of foot or vehicular traffic to determine what could be done to avoid something like this from happening.

Public Works Director Mulligan responded that would be somewhat difficult to do because of several factors including the connection of the arch culvert and box culvert, water was coming in through that seam, and the old type of construction. The reinforcement with the concrete was in poor condition, rusted away and exposed. A lot of that is occurring in this culvert and that is why it became a priority project back in 2013.

Public Works Director Mulligan stated that they will probably start the 3<sup>rd</sup> Street project and move south going upstream. Typically you would work from the river back, but there is not a lot of work in this project that is downstream of 3<sup>rd</sup> Street. There are time limits on how long you can be at each intersection or how long the contractor can close an intersection. If the City had to pick a location, 3<sup>rd</sup> Street may have been chosen.



Council Member Smiley asked if the City Council approves Option One, could pedestrians and bicycle access be made possible along there safely. Is it possible to isolate a section of the sidewalk for that purpose?

Public Works Director Mulligan responded that currently the sidewalk is blocked off. There are 6 or 8 feet of construction fencing or chained linked fencing and the City is renting some chained linked fencing for a period of 6-8 months to replace the orange fencing. The street will be blocked off with an 8 feet high chained linked fencing and come against the curb face and then go back down through north south and then east west, which will open up that sidewalk. It is an emergency situation that the City addresses stabilizing this immediately and removing the collapse and not having additional problems. The stabilization process is expected to start the latter half of this week and the beginning of next week.

Council Member Mercer asked about the approximate lifespan of the infrastructure system that the City is putting in the entire project.

Public Works Director Mulligan responded that the lifespan would be 50-70 years.

Council Member Godley stated that the roads are closed, but many students are back in town this week and they will be walking to the Uptown District. The last thing the City would want to happen is someone walking into an area of this collapse causing a personal injury and a liability for the City.

Council Member Godley asked whether there is any collaboration with the Greenville Police Department to make sure that students are aware of this situation.

Public Works Director Mulligan responded that instead of using those available traffic barriers, an 8 feet chained link fencing wall will be secured.

Council Member Godley asked if there is any financial difference between Options One and Two.

Public Works Director Mulligan responded that Option Two would be approximately \$400,000 more expensive than Option One.

Motion was made by Council Member Smiley and seconded by Council Member Glover to approve Option One. Motion carried unanimously.

#### 2016-2017 AND 2017-2018 BUDGET SCHEDULE OPTIONAL AMENDMENT

City Manager Lipscomb explained that she recently provided the City Council with a budget schedule. One of the things that she has been hearing from the City Council is an interest to have more input and information. Therefore, she is recommending February 22, March 21, and April 18, 2016 as three dates that staff could perhaps give some updates as staff and the City Council develop the budget. They would start with the General Fund, move into the Enterprise Funds and then the Capital Program. If the City Council uses that schedule,



approximately two weeks later, staff would present the official budget in May 2016. City Manager Lipscomb asked for additional meeting dates, if any, from the City Council.

After a brief discussion, motion was made by Council Member Connelly and seconded by Council Member Glover to add budget sessions at 6:00 p.m. in the Council Chambers on February 22, March 21 and April 18, 2016 to the budget schedule. Motion carried unanimously.

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**REVIEW OF JANUARY 14, 2016 CITY COUNCIL MEETING**

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The Mayor and City Council reviewed the agenda for the January 14, 2016 City Council meeting.

After a brief discussion, motion was made by Council Member Mercer and seconded by Mayor Pro-Tem Smith to add an item on the agenda for the January 14, 2016 City Council meeting to discuss reducing the membership and quorum number for the Greenville Bicycle and Pedestrian Commission. Motion carried unanimously.

Motion was made by Mayor Pro-Tem Smith and seconded by Council Member Connelly to place an item on the agenda for a February 2016 City Council meeting to discuss and review the number and attendance of current members for the 21 City of Greenville's boards and commissions. Motion carried unanimously.

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**COMMENTS BY MAYOR AND CITY COUNCIL**

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

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**CITY MANAGER'S REPORT**

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Discussion of City Council Planning Session

City Manager Lipscomb summarized the draft agenda for the 2016 City Council Planning Session, stating the facilitator is anticipated to be representatives from Fountain Works again this year. Friday, January 29, 2016 will be devoted to economic development with the City's new Economic Development Manager, Roger Johnson, giving the presentation. An update on the City's economic development program and projects will follow his presentation and dinner. Mayor Thomas has asked to have discussion related to competitive analysis regarding building inspections and retail activities. The City Council requested the discussion about a strategy for uptown parking.



City Manager Lipscomb stated that on Saturday, January 30, 2016 starting at 8:30 a.m., there will be a mid-year budget update followed by the budget forecast for 2017 and 2018. The long-term capital debt planning is the bond strategy that the City Council wanted to have. In the afternoon, goals and objectives will be discussed. Also, there is discussion for requested items received from the Mayor and City Council including the Human Relations Office, timing of evaluations for Charter Officers and Sanitation and Transit Funds review.

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**ADJOURNMENT**

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Motion was made by Mayor Pro-Tem Smith and seconded by Council Member Glover to adjourn the meeting. Motion carried unanimously. Mayor Thomas declared the meeting adjourned at 7:38 p.m.

Respectfully Submitted

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

Polly Jones  
Deputy City Clerk



# City of Greenville, North Carolina

Meeting Date: 2/8/2016  
Time: 6:00 PM

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**Title of Item:** Resolution amending the City of Greenville Personnel Policies to add Ethics and Code of Conduct Policy

**Explanation:** **Abstract:** The proposed amendment to the City's Personnel Policies adds a new section, Article VI, Section 23.0, Ethics and Code of Conduct Policy.

**Explanation:** As part of the City's 2014-15 financial audit, the City's independent, external audit firm, Cherry Bekaert, issued a letter to management that included observations and recommendations for improvement with concerns to the City's internal control environment. A sound internal control environment exists in order to prevent, detect, and correct financial misstatements in a timely manner.

Cherry Bekaert's review of the City's internal control environment observed that the City did not have a formal ethics policy or conflict of interest policy applicable to employees. Both an ethics policy and a conflict of interest policy are intended to set the tone on acceptable and/or nonacceptable employee behavior and actions that could impact the integrity and reliability of the City's financial operations. Cherry Bekaert's recommendation was to establish an ethics policy and conflict of interest policy for employees.

The proposed amendment adds a new section, Article VI, Section 23.0, Ethics and Code of Conduct Policy, to the City's Personnel Policies and establishes requirements for ethical behavior, personal integrity, and public trust for all City employees.

**Fiscal Note:** No direct cost

**Recommendation:** Adopt the resolution amending the City of Greenville Personnel Policies

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Attachments / click to download

 [resolution\\_amending\\_Personnel\\_Policies\\_re\\_Ethics\\_and\\_Code\\_of\\_Conduct\\_Policy\\_1021087](#)

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RESOLUTION NO. \_\_\_\_\_  
A RESOLUTION AMENDING THE CITY OF GREENVILLE PERSONNEL POLICIES

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, RESOLVES:

Section 1. That Article VI of the City of Greenville Personnel Policies is hereby amended by the addition of Section 23.0 Ethics and Code of Conduct Policy to read as follows:

**SECTION 23.0 ETHICS AND CODE OF CONDUCT POLICY**

SECTION 23.1 Purpose

Every employee has the personal responsibility to read, know, and comply with the requirements contained in this Ethics and Code of Conduct Policy. This Policy establishes requirements for ethical behavior, personal integrity and public trust. Compliance with these requirements is a condition of employment, and failure to comply may result in discipline up to and including dismissal.

SECTION 23.2 Policy

Ethics is a system of moral principles that govern the behavior of an individual or group of people. The purpose of this Ethics and Code of Conduct Policy is to establish ethical standards of conduct for employees of the City of Greenville to not only do what is legal, but to also do what is right. It is not a substitute for the law or for an employee's best judgment. The City upholds, promotes, and requires the highest ethical standards of all employees, including full-time, part-time, seasonal, and temporary employees. In establishing this Ethics and Code of Conduct Policy, the City desires to promote public trust, employee confidence in City government, preserve government integrity, and protect the public against decisions affected by undue influence, conflicts of interest, or any other violation of this Policy.

SECTION 23.3 Applicability

This policy shall apply to all employees of the City of Greenville.

SECTION 23.4 Principles

- A. **ETHICAL:** Employees will be ethical.
1. Employees shall be honest, forthright, and trustworthy in every instance and without excuse.
  2. Employees shall not falsify, misrepresent, misuse, or deceptively alter information or make fraudulent claims.
  3. Employees shall not reveal confidential or private information or use such information for speculation or personal gain.

4. Employees shall not use their office or position to obtain official information about any person or entity outside of the performance of official responsibilities.
5. Employees shall not use their office or position for their direct or indirect personal benefit, gain, profit, or to obtain special privileges or exceptions for themselves or their immediate families, or to improperly benefit other entities.
6. Employees shall not use City property or City time for personal convenience or financial gain. Employees shall use City computing resources in accordance with the City's Computer Security and Use Procedure.

**B. EQUALITY:** Employees will provide equal treatment to employees, prospective employees, and citizens.

1. Employees in dealing with or interacting with the public and other employees shall treat fairly and equally all without regard to race, color, religion, age, gender, disability, national origin, genetic information, sexual orientation, gender identity/reassignment or expression, military or veteran status, marital status, or any characteristic protected by applicable law.
2. Employees shall avoid bias and respect cultural differences.

**C. CONFLICTS OF INTEREST:** Employees will avoid conflicts of interest and the appearance thereof.

1. Conflicts of interest occur when an employee is no longer able to remain impartial when choosing between the interests of the City and his or her personal interests.
2. Employees shall not engage in any activity that conflicts with their duties or responsibilities.
3. Employees shall immediately inform their supervisor or manager if involved in a situation that may cause a conflict of interest or present the appearance of conflicting interests.
  - a. The employee shall identify his or her interest, that is, the benefit or advantage that would be gained or lost if the City acted on the manner in various ways, and the underlying basis of it, such as ownership, an investment, contract, claim, employment, relationship, etc.
4. No employee will influence the City's selection of, or conduct business with, a corporation, person, or firm proposing to do business with the City if the employee has a direct or indirect personal relationship or financial interest in the company.
5. No employee shall accept any gift, whether in the form of service, loan, thing, or promise, from any person, firm, or corporation which to his or her knowledge seeks a contract with the City or who desires other official action from the City.

**D. BEHAVIOR:** Employees will be respectful and service-oriented toward the public and other employees, and will perform duties to the best of their ability.

1. Employees shall maintain public confidence in their office and performance through professional conduct and appearance.
2. Employee influence on others shall remain professional. Employees are expected to maintain the highest levels of professional behavior when dealing with employees that they supervise or could influence.

- a. Employees shall not pressure other employees, verbally or otherwise, to do unethical, illegal, or immoral acts.
- b. Employees shall not grant or request personal favors.
3. Employees shall at all times be aware of public perception and avoid even the appearance of improper behavior.

**E. LAW AND POLICY:** Employees will abide by the law and City policy.

1. Employees will uphold the laws and regulations of the United States as well as those of state and local governments, and will not engage in activities that undermine that authority.
2. Employees will not illegally or inappropriately disclose information that is confidential, privileged, or otherwise not publicly available.
3. Employees will comply with laws, whether on-duty or off-duty.
4. Employees will be familiar with and abide by all City policies.
5. Employees shall not retaliate against any employee who in good faith reports an incident of ethical violation.

**F. OUTSIDE EMPLOYMENT:** Employees may engage in outside employment, consulting work, or self-employment only if the work does not compete with or create a conflict of interest with an employee's duty to the City.

1. Outside employment includes any employment external to the City, including self-employment.
2. Outside employment shall not impair independence of judgment or action in the performance of official City duties, nor will it interfere with the time and attention devoted to the employee's job with the City. Employees will not use City equipment for an outside job. Employees shall not conduct or perform duties or business related to outside employment during City work time. Employees must obtain department head approval to engage in outside employment.

**SECTION 23.5**      Mandatory Reporting Requirement

Every City employee is required by this Policy to report immediately, which means as soon as is practical or no longer than 48 hours, any known or suspected unlawful or unethical work behavior. If questions arise related to whether behavior is unlawful or unethical, employees shall contact their supervisor, department head, or Human Resources for assistance.

The City encourages employees to follow the chain of command where possible when dealing with a job-related complaint. However, due to the possibility that one's supervisor may be involved in a suspected ethical concern, any employee who feels that it would be more reasonable and prudent may notify anyone listed below, orally or in writing:

1. The employee's immediate supervisor;
2. The employee's department head;
3. The Director of Human Resources;
4. An Assistant City Manager;

5. The City Attorney;
6. The City Manager.

This Policy prohibits retaliation against any employee who in good faith reports an incident of ethical violation.

Section 2. All inconsistent provisions of former resolutions are hereby repealed.

Section 3. This resolution shall be effective on February 8, 2016.

ADOPTED this the 8<sup>th</sup> day of February, 2016.

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Allen M. Thomas, Mayor

ATTEST:

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Carol L. Barwick, City Clerk



# City of Greenville, North Carolina

Meeting Date: 2/8/2016  
Time: 6:00 PM

**Title of Item:** Resolution amending the Assignment of Classes to Pay Grades and Ranges (Pay Plan) and approval of reclassification requests

**Explanation:** **Abstract:** To maximize the effectiveness of organizational structure, the Community Development Department is proposing to reclassify an existing Building Inspector position to Lead Building Inspector and move the Chief Building Inspector position from Pay Grade 119 to Pay Grade 120 due to additional responsibilities.

**Explanation:** An existing Building Inspector position is proposed to be reclassified to Lead Building Inspector. The Lead Building Inspector position will improve efficiency in the day-to-day operations of the Inspections Division by handling the more complex and technical problems and customer inquiries. The Lead Building Inspector position is proposed for pay grade 115 because it is a lead position. The lead work is in addition to the regular duties of a Building Inspector. Therefore, the proposed Lead Building Inspector position will, as a primary duty, perform skilled technical inspection work in securing compliance with state and local building, plumbing, mechanical, energy, and related codes and ordinances. Lead positions do not perform the full range of supervision over others but assist in supervising other employees by training new employees, assigning work, and performing other limited supervisory duties. Because of the limited supervisory responsibility of lead positions, lead positions are classified one pay grade higher than the base classification.

Code Enforcement is currently a division within the Police Department. Code Enforcement is proposed to be transferred to the Inspections Division of the Community Development Department. As a result, the Chief Building Inspector will be responsible for managing building inspection, plan review, and code enforcement programs for the City. The addition of Code Enforcement includes additional supervisory responsibilities, addressing citizen concerns, problem solving, and requires practical knowledge of an additional technical area for the Chief Building Inspector. The job documentation denoting the changes was submitted to Segal Waters Consulting for review. Segal Waters recommends that the Chief Building Inspector position be assigned to pay grade 120 due to

the additional responsibilities.

A summary of the changes is reflected below:

Current position title	Current pay grade	Proposed position title	Proposed pay grade
Building Inspector	114	Lead Building Inspector	115
Chief Building Inspector	119	Chief Building Inspector	120

Although not a part of this request, the transition of Code Enforcement to the Community Development Department will impact other positions within the City. As a result, the Director of Community Development and other similarly classified positions will be re-evaluated over the next few months, and recommended changes will be submitted as part of the budget process for FY 16/17.

**Fiscal Note:**

The recommended pay grade reclassifications will result in an increase in each position's salary, and respective employer-paid benefits, as summarized below:

Building Inspector to Lead Building Inspector:	\$3,595
Chief Building Inspector reclassification:	\$4,818
<b>Total fiscal impact</b>	<b>\$8,413</b>

Sufficient personnel funds are available in the departmental budget to cover the requests during FY 15/16.

**Recommendation:**

Approve the resolution amending the Assignment of Classes to Pay Grades and Ranges (Pay Plan) to incorporate the proposed changes.

**Attachments / click to download**

 [COG Organization Chart](#)

 [resolution\\_amending\\_the\\_pay\\_plan\\_effective\\_1\\_11\\_16\\_1019064](#)

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RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AMENDING THE CITY OF GREENVILLE  
ASSIGNMENT OF CLASSES TO SALARY GRADES AND RANGES (PAY PLAN)

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA,  
RESOLVES:

Section 1. The City of Greenville Assignment of Classes to Salary Grades and Ranges is hereby amended by adding the following classifications:

<u>Classification Title</u>	<u>Pay Grade</u>
Lead Building Inspector	115
Chief Building Inspector	120

Section 2. The City of Greenville Assignment of Classes to Salary Grades and Ranges is hereby amended by deleting the following classification:

<u>Classification Title</u>	<u>Pay Grade</u>
Chief Building Inspector	119

Section 3. All inconsistent provisions of former resolutions, ordinances, or policies are hereby repealed.

Section 4. This resolution shall be effective February 8, 2016.

Adopted this the 8<sup>th</sup> day of February, 2016.

\_\_\_\_\_  
Allen M. Thomas, Mayor

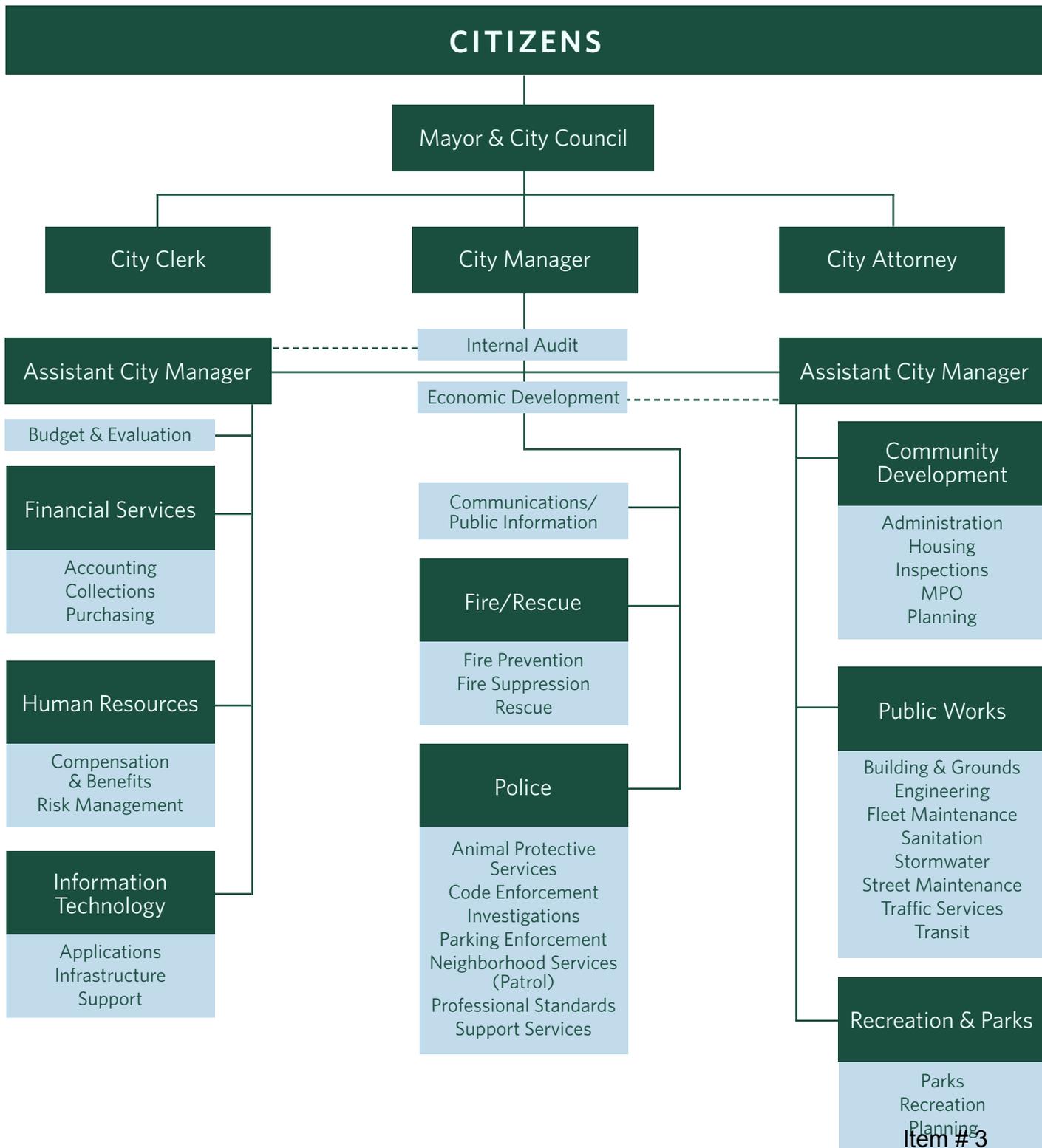
ATTEST:

\_\_\_\_\_  
Carol L. Barwick, City Clerk

1019064



*Find yourself in good company*





# City of Greenville, North Carolina

Meeting Date: 2/8/2016  
Time: 6:00 PM

**Title of Item:** Resolution approving the extension of the lease agreement with Lucille W. Gorham Intergenerational Community Center, Inc. for the second floor of the Lessie Bass Building located at 1100 Ward Street

**Explanation:** **Abstract:** The Lucille W. Gorham Intergenerational Center is owned by the City of Greenville and managed by East Carolina University. Since 2010, the Lucille W. Gorham Intergenerational Community Center, Inc., has leased the second floor of the Lessie Bass Building located at 1100 Ward Street. It is proposed to extend this lease.

**Explanation:** The Lucille W. Gorham Intergenerational Community Center, Inc. has leased the second floor of the Lessie Bass Building since March 1, 2010. The current lease expires on February 29, 2016. The Lucille W. Gorham Intergenerational Community Center, Inc. has requested that the lease be extended. They are agreeable to a six (6) month extension. The six (6) month extension was proposed so that their lease will expire and be eligible for renewal at the same time as the lease of the first floor of the Lessie Bass Building with the State of North Carolina.

The extension of the lease is for a six-month period from March 1, 2016, to August 31, 2016. The terms and conditions of the lease basically parallel the provisions of the lease with the State of North Carolina for the first floor except that the rental amount is a nominal amount of \$1. It is not proposed to include the payment of a market rent for this lease since this lease never included a provision for the payment of more than a nominal rent as did the lease for the first floor of the Lessie Bass building or a provision involving a cost sharing of repair and maintenance expenses as did the leases for the School building and the Rectory and the Annex.

The lease provides for the nonprofit to cooperate with East Carolina University relating to matters involving the shared use of the Lessie Bass Building. A copy of the lease is attached.

The Lucille W. Gorham Intergenerational Community Center, Inc. filed its Articles of Incorporation as a nonprofit corporation with the North Carolina Secretary of State on October 7, 2009. The incorporators listed in the Articles of Incorporation are Dr. Tom Irons, Gracie Vines, William Robinson, Rose H. Glover, Mildred Council, Ozie L. Hall, and Howard Conner. The citizens involved with this nonprofit corporation have worked with East Carolina University in providing the programs and activities at the Lessie Bass Building in order to meet the objective of providing a multidisciplinary community center to meet needs that exist in West Greenville. The nonprofit corporation was formed so that the community could more formally become involved in the Center including leasing the second floor of the Lessie Bass Building so that additional areas could be available for some programs and activities.

**Fiscal Note:**                    \$1 to be received as a lease payment for the six-month period.

**Recommendation:**        Approval of the resolution which approves the extension of the lease agreement with the Lucille W. Gorham Intergenerational Community Center, Inc.

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**Attachments / click to download**

- [2016 Resolution](#)
- [Lease Agreement w/Exhibit A](#)

RESOLUTION NO. - 16

RESOLUTION APPROVING THE EXTENSION OF THE LEASE AGREEMENT WITH  
LUCILLE W. GORHAM INTERGENERATIONAL COMMUNITY CENTER, INC.

WHEREAS, North Carolina General Statute 160A-272 authorizes the City Council of the City of Greenville to approve a lease of property for a term of less than ten (10) years for any property owned by the City for such terms and upon such conditions as City Council may determine; and

WHEREAS, City Council does hereby determine that the property herein described will not be needed by the City for the term of the lease.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that it does hereby approve the extension of the Lease Agreement with the Lucille W. Gorham Intergenerational Community Center, Inc., for the property located on the second floor of the Lessie Bass Building located at 1100 Ward Street, Greenville, North Carolina, for a term of six (6) months, and for a rental payment of one dollar, and does further authorize the City Manager to execute said extension to the Lease Agreement.

This the 8th day of February, 2016.

\_\_\_\_\_  
Allen M. Thomas, Mayor

ATTEST:

\_\_\_\_\_  
Carol L. Barwick, City Clerk

**NORTH CAROLINA  
COUNTY OF PITT**

**LEASE  
AGREEMENT**

THIS LEASE AGREEMENT, made and entered into this the \_\_\_\_ day of February, 2016, by and between the City of Greenville, a North Carolina municipal corporation, Party of the First Part and hereinafter referred to as LESSOR, and Lucille W. Gorham Intergenerational Community Center, Inc., a North Carolina non-profit corporation, Party of the Second Part and hereinafter referred to as LESSEE;

Subject to the terms and conditions of this Lease Agreement, LESSOR does hereby let and lease unto the LESSEE, and LESSEE does hereby lease from the LESSOR, the following described premises located in Greenville, North Carolina:

The office space located on the second floor of the Lessie Bass Building located at 1100 Ward Avenue, Greenville, North Carolina.

The terms and conditions of this Lease Agreement are as follows:

1. Term.

The term of this Lease Agreement is for a period of six (6) months, commencing on the 1st day of March, 2016, and expiring on the 31<sup>st</sup> day of August, 2016.

2. Rent.

The rent shall be ONE DOLLAR, and shall be paid by the first day of March, 2016. The rent payment shall be delivered to the Director of Financial Services of the City of Greenville, P.O. Box 7207, Greenville, NC 27835.

3. Use of Leased Premises.

During the term of this Lease Agreement, LESSEE shall conduct programs and activities at the leased premises which relate to a multidisciplinary community center in order to meet the needs of West Greenville including, but not limited to, youth development, adult education, job training and placement, home ownership counseling, and social work. LESSEE shall make no other use of the leased premises without the prior written consent of the LESSOR. LESSEE shall be responsible, at its expense, for providing the staffing, furniture, equipment, supplies and other items necessary for the programs and activities which the LESSEE conducts.

4. Parking Lot and Common Areas.

LESSEE shall have the use of the parking lot at the Lucille W. Gorham Intergenerational Center and the common areas, as designated by the LESSOR, of the Lucille W. Gorham Intergenerational Center on the same basis and pursuant to the same regulations and requirements as applicable to other persons and entities that are leasing portions of the Lucille W. Gorham Intergenerational Center. For the purpose of this Lease Agreement, the Lucille W.

Gorham Intergenerational Center is defined as the property and buildings shown on the attached Exhibit A which is herein incorporated by reference.

5. Intergenerational Center.

LESSOR and LESSEE understand and agree that this Lease Agreement and the programs and activities being provided by the LESSEE at the leased premises are a component of the efforts of the LESSOR and East Carolina University to provide, at the Lucille W. Gorham Intergenerational Center, a multidisciplinary community center in an attempt to meet needs that exist in West Greenville by providing services and activities in such areas which may include, but are not necessarily limited to, the following: adult education, job training and placement, home ownership readiness counseling, and social work. LESSEE understands and agrees that East Carolina University will develop regulations relating to the use of the Lucille W. Gorham Intergenerational Center by the tenants of the Lucille W. Gorham Intergenerational Center. It is understood and agreed that said regulations shall not result in a fee or a charge to the LESSEE unless the LESSEE expressly agrees. The LESSEE agrees that the regulations relating to the use of the Lucille W. Gorham Intergenerational Center which are developed by East Carolina University shall be binding upon the LESSEE. The LESSEE shall comply with the regulations relating to the use of the Lucille W. Gorham Intergenerational Center which are developed by East Carolina University. Additionally, the LESSEE shall cooperate with East Carolina University and the other tenants of the Lucille W. Gorham Intergenerational Center in order to assist in the effort to provide a multidisciplinary community center at the Lucille W. Gorham Intergenerational Center in order to meet needs that exist in West Greenville.

6. Activities Report.

LESSOR and LESSEE understand and agree that the leased premises will be actively used by the LESSEE. Within thirty (30) days of a request, the LESSEE shall provide a written report to the LESSOR or its designee of the programs, activities, and services being provided on the leased premises so that a report about the Lucille W. Gorham Intergenerational Center can be generated.

7. Signage.

No signs shall be erected on the leased premises or the Lucille W. Gorham Intergenerational Center without the prior written approval of the LESSOR. It is understood and agreed that the LESSOR has the sole right to name the Lucille W. Gorham Intergenerational Center and the buildings located at the Lucille W. Gorham Intergenerational Center.

8. Shared Use of Building.

It is understood that the LESSEE is only leasing the second floor of the Lessie Bass Building and that the first floor of the Lessie Bass Building is being leased by the State of North Carolina for use by East Carolina University. The LESSEE will cooperate with East Carolina University in connection with access to the Lessie Bass Building, the provision of services at the Lessie Bass Building, and other matters relating to the shared use of the Lessie Bass Building. In the event there is a conflict relating to any matter involving the shared use of the Lessie Bass Building which cannot be resolved by the LESSEE and East Carolina University, the LESSEE

shall comply with the decision of East Carolina University relating to the unresolved matter involving the shared use of the Lessie Bass Building since it is understood and agreed that East Carolina University has the primary use of the Lessie Bass Building and LESSEE has a supplemental use of the Lessie Bass Building.

9. Repairs and Maintenance.

LESSEE agrees to accept the leased premises in its existing condition. The LESSOR shall, at its expense, be responsible for the following maintenance at the leased premises:

- (a) Maintenance of heating and air conditioning systems, electrical facilities, lighting fixtures and sockets, hot and cold water facilities, and toilet facilities.
- (b) Maintenance of lawns and parking areas.
- (c) Fire extinguisher servicing, pest control, and outside trash disposal.

The LESSOR shall be responsible for the maintenance and repairs to the leased premises so that the leased premises are kept in good repair and tenantable condition, to the end that all facilities are kept in an operative condition. Maintenance shall include, but is not limited to, furnishing and replacing electrical light fixture ballasts, heating and air conditioning filter pads, and broken glass.

The LESSEE shall, at its sole cost and expense, be responsible for keeping the leased premises in a good, clean, neat, attractive, pleasant and sanitary condition at all times. The LESSEE shall be responsible for providing and paying for all charges for housekeeping, cleaning, and janitorial services at the leased premises.

10. Alterations and Improvements.

No alterations, additions, improvements, or renovations shall be made to the leased premises without the prior written consent of the LESSOR.

11. Utilities.

It is understood that East Carolina University is responsible for the utility expense at the Lessie Bass Building. Therefore, the LESSEE shall not be responsible for providing and paying for any charges for electricity, lighting, heating, water, air conditioning, and sewer used by LESSEE in connection with the occupancy of the leased premises. The LESSEE shall be responsible, at its expense, for the telephone charges, network connection charges, and all similar charges in connection with the occupancy of the leased premises.

12. Insurance.

The LESSEE will at all times during the term of this Lease Agreement, at its own cost and expense, insure and keep in effect insurance on the leased premises against claims for personal injury or property damage under a policy of general liability insurance with a combined single limit of not less than \$1,000,000 with the LESSOR named as an additional named insured,

written by an insurance company or companies authorized to do business in the State of North Carolina. The LESSEE shall provide the LESSOR with a certificate of insurance evidencing said coverage.

13. Damage or Destruction by Fire or Other Casualty.

In the event that the building located on the leased premises is destroyed by fire or other casualty or act of God, then this Lease Agreement shall terminate as of the time of such destruction without action on the part of either the LESSOR or the LESSEE. In the event that the building located on the leased premises is so damaged by fire, other casualty, or act of God that more than fifty percent (50%) of the floor space of the building cannot reasonably be used by LESSEE in the conduct of its activities, or the building is so damaged by fire or other casualty or act of God that it cannot, in the LESSOR's opinion, be economically repaired, then either party shall have the option to terminate this Lease Agreement by the provision of written notice to the other party.

14. Assignment and Subletting.

LESSEE may not assign or transfer this Lease Agreement or sublet the leased premises or any part of the leased premises without the prior written consent of the LESSOR.

15. Indemnity.

To the extent permitted and limited by the laws of North Carolina, LESSEE agrees to indemnify and hold harmless the LESSOR and its officers and employees from and against any and all liabilities, claims, and demands whether from injury to person, loss of life, or damage to property, associated with the programs and activities conducted by the LESSEE on or within the demised premises. To the extent permitted and limited by the laws of North Carolina, LESSEE agrees to indemnify and hold harmless East Carolina University and its officers and employees from and against any and all liabilities, claims, and demands whether from injury to person, loss of life, or damage to property, associated with the programs and activities conducted by the LESSEE on or within the demised premises.

16. Surrender on Termination.

Upon the termination of this Lease Agreement for any reason, the LESSEE shall yield and deliver peaceably to the LESSOR possession of the leased premises and any alterations, additions, and improvements made by LESSEE thereto, promptly and in good condition, order, and repair, except for reasonable wear and tear and acts of God.

17. Default.

If LESSEE shall neglect to pay any annual installment of rent when due, or shall neglect to do and perform any other matter agreed to be done, and shall remain in default for a period of thirty (30) days after receiving written notice from LESSOR calling attention to the non-payment or default, LESSOR may declare this Lease Agreement terminated and take possession of the leased premises without prejudice to any other legal remedy it may have on account of such default. If LESSOR neglects to do or perform any matter agreed to be done in this Lease

Agreement and shall remain in default for a period of thirty (30) days after written notice from the LESSEE calling attention to such default, the LESSEE may declare this Lease Agreement terminated without prejudice to any other legal remedy it may have on account of such default.

18. Liens.

The LESSEE agrees that it will not permit the claim of any contractor, sub-contractor, mechanic, laborer or materialmen to become and remain a lien on the leased property or upon the right, title or interest of the LESSEE created by this Lease Agreement after the indebtedness secured by such lien shall become due unless the same is in the process of actually being contested in good faith on the part of the LESSEE and in any event the LESSEE will protect, indemnify and save harmless the LESSOR from and in respect of any and all such claims.

19. Access.

LESSEE will be able to secure and restrict access to the leased premises when not in use for its activities except in connection with access relating to the shared use of the Lessie Bass Building with East Carolina University. Notwithstanding the foregoing, LESSOR and LESSOR's officers and employees shall have full access to enter the leased premises anytime to examine the condition thereof or make repairs, additions or alterations as may be necessary for the safety, preservation or improvement of the property which the LESSOR, in its sole discretion, determines to make or for any other purpose which the LESSOR deems appropriate as it relates to the physical facility and equipment. In addition, East Carolina University shall have the right to access the leased premises in what reasonably appears to be an emergency situation (e.g. the presence of smoke) for purposes of taking action believed necessary to preserve the health or safety of persons or property. East Carolina University will make a good faith effort to contact a representative of LESSEE by telephone prior to accessing the leased premises if the situation allows, but in any event will notify LESSEE that such access has been made immediately afterward. LESSEE will provide emergency contact information to East Carolina University and update the same as necessary.

20. Quiet Enjoyment.

LESSOR agrees that LESSEE, upon payment of rent and performing the agreements in this Lease Agreement may peacefully and quietly have, hold and enjoy the said leased premises in accordance with all the terms of this Lease Agreement.

21. Notices.

Any notice provided for herein shall be deemed to have been served sufficiently when presented personally or sent by first class mail addressed as follows:

If to LESSOR:  
City Manager  
City of Greenville  
P.O. Box 7207  
Greenville, NC 27835

If to LESSEE:  
Lucille W. Gorham Intergenerational  
Community Center, Inc.  
Gracie M. Vines, Registered Agent  
1104 Ward Street  
Greenville, NC 27834

Addresses for the purpose of this section can be changed by written notice to the other party by certified mail with returned receipt requested.

22. Legal and Regulatory Duties.

The LESSEE shall observe all applicable local, state, and federal laws and regulations as they pertain to LESSEE's use and occupation of the leased premises. LESSEE shall indemnify and hold harmless the LESSOR from and against any liability arising from such laws or regulations caused by LESSEE's use or occupation of the leased premises.

23. Amendment.

This Lease Agreement shall not be altered, amended or modified except by an agreement in writing executed by the duly authorized officials of the LESSOR and LESSEE.

24. Memorandum of Understanding.

It is understood that the LESSOR and East Carolina University have entered into a Memorandum of Understanding for the purpose of providing a cooperative effort between the LESSOR and East Carolina University for the operation of the Lucille W. Gorham Intergenerational Center in order to provide a multidisciplinary community center in an attempt to meet needs that exist in West Greenville.

25. Entire Agreement.

This Lease Agreement is the only agreement between the parties hereto with respect to the subject matter hereof and contains all of the terms agreed upon, and there are no other agreements, oral or written, between the parties hereto with respect to the subject matter thereof.

IN WITNESS WHEREOF, the parties hereto have caused this Lease Agreement to be executed in duplicate originals as of the day and year first above written.

**CITY OF GREENVILLE**

BY: \_\_\_\_\_  
Barbara Lipscomb, City Manager

**LUCILLE W. GORHAM  
INTERGENERATIONAL  
COMMUNITY CENTER, INC.**

BY: \_\_\_\_\_  
Thomas G. Irons, Co Chair

**NORTH CAROLINA  
PITT COUNTY**

I, \_\_\_\_\_, Notary Public in and for the aforesaid County and State, do hereby certify that Barbara Lipscomb, City Manager for the City of Greenville, personally appeared before me on this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal, this the \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print Name

My Commission Expires: \_\_\_\_\_

**NORTH CAROLINA  
PITT COUNTY**

I, \_\_\_\_\_, Notary Public in and for the aforesaid County and State, do hereby certify that Thomas G. Irons, Co Chair of the Lucille W. Gorham Intergenerational Community Center, Inc., personally appeared before me on this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal, this the \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print Name

My Commission Expires: \_\_\_\_\_

**Exhibit A: Lucille W. Gorham Intergenerational Center**



Building	Name
A	Former Sanctuary
B	Former Rectory
C	Former Annex
D	Former School
E	Lessie Bass Building

Boundary of Property

Item # 4





# City of Greenville, North Carolina

Meeting Date: 2/8/2016  
Time: 6:00 PM

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**Title of Item:** Proposed fees for auditing services

**Explanation:** On April 30, 2015, Cherry Bekaert, LLP was awarded a contract for auditing services for an intended agreement for five years beginning the fiscal year ending June 30, 2015, and continuing through the fiscal year ending June 30, 2019, subject to annual contract approval by City Council. This is the second year of the contract. The originally proposed fees for auditing services for the fiscal year ending June 30, 2016, totaled \$70,500 in the first year's contract. The fees were recalculated and have increased to \$117,500 to include the additional cost of auditing with new financial system implementation. The annual contracts will be authorized once audit fees are approved by City Council.

**Fiscal Note:** In accordance with the firm's proposal, the cost of the audit for the fiscal year ending June 30, 2016 will be \$117,500. Funds for this contract are available in the Financial Services Department's budget.

**Recommendation:** Approve the auditing services fees for the contract with Cherry Bekaert, LLP for the fiscal year ending June 30, 2016.

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# City of Greenville, North Carolina

Meeting Date: 2/8/2016  
Time: 6:00 PM

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

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

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

<b><u>Payee</u></b>	<b><u>Adjustment Refunds</u></b>	<b><u>Amount</u></b>
Borquez, Angelicia R.	Registered Property Tax	\$ 110.46
County of Lenior, Tax Department	Registered Motor Vehicle	1,067.80
Kidd, William J.	Registered Motor Vehicle	215.96
Lewis, Allison D.	Registered Motor Vehicle	155.86
Lynch's Leasing, Inc.	Registered Property Tax	6,637.87
Moore, Chelsey L.	Registered Motor Vehicle	110.11
Romero-Vasquez, Edgar I.	Registered Motor Vehicle	155.49
Talfaire, Ethel O.	Registered Motor Vehicle	208.40
Violante Esquivel, Alex A.	Registered Motor Vehicle	100.87

**Fiscal Note:** The total to be refunded is \$8,762.82.

**Recommendation:** Approval of tax refunds by City Council

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# City of Greenville, North Carolina

Meeting Date: 2/8/2016  
Time: 6:00 PM

**Title of Item:** Budget amendment to the Fiscal Year 2015-2016 Vehicle Replacement Fund

**Explanation:** **Abstract:** Public Works is requesting approval to modify the Vehicle Replacement List for fiscal year 2015-2016 due to cost increases, vehicle accidents, and a shift in response policy by the Fire-Rescue Department.

**Explanation:** For fiscal year 2015-2016, the following adjustments are requested to the Vehicle Replacement Fund (VRF):

FY 2016 Budget		\$3,811,283
Replacement of Unit 6884	\$125,000	
Unit 7078 EMS (ambulance)	100,000	
Unit 7051, 5796, 5913	<u>102,521</u>	
		<u>327,521</u>
Revised FY 2016 Budget		<u>\$4,138,804</u>

The following is a description of the requested adjustments to the VRF:

Unit 6884 – Pumper/Ambulance – The City has been working with the manufacturer that supplied the previous pumper/ambulance. Spartan Manufacturing could not provide a delivery date for the cab and chassis needed for the pumper/ambulance. Due to the unknown delivery date, the Fire-Rescue Department and Public Works Department decided to purchase the pumper/ambulance from Pierce Manufacturing. This is a slightly different type of pumper/ambulance but is the preferred vehicle type. This will require additional funds of \$125,000. The total cost of this unit is \$775,000. There is currently \$650,000 included in the VRF for replacement of the current ambulance. The current ambulance will be reassigned to the Police Department and retrofitted to become the hostage negotiation vehicle.

Unit 7078 –2010 Chevrolet G4500 EMS – This vehicle was involved in an

accident. Public Works evaluated the condition of the vehicle and recommended that it be refurbished. A new cab and chassis will be purchased, and damage to the rear patient compartment (bus) will be repaired. These repairs will include rehabilitating the bus floor, walls, cabinets, and other areas requiring attention. This will provide the City a new unit which would be replaced in 7 years. The refurbished patient compartment, cab, and chassis will cost approximately \$100,000.

Unit 5796 & 5913 – The Fire-Rescue Department requested to replace two station support vehicles with two sport utility vehicles (SUVs). The SUVs will be used as quick response vehicles (QRV) and enable the Fire-Rescue Department to provide a paramedic at the scene of a call more efficiently. The acquisition of these vehicles will support the Fire-Rescue EMS deployment operations. The QRVs will be utilized in emergency response and should be equipped with the applicable warning devices. The purchase of the two station vehicles was originally planned at \$26,500 per vehicle. Additional funding in the amount of \$57,021 is being requested in order to upgrade these two vehicles.

Unit 7051 – 2011 Ford Crown Victoria - This vehicle was involved in a single vehicle collision and was totaled as a result of damage to the rear suspension, sub-frame, and rear body. This vehicle was assigned to the K-9 unit. The Crown Victoria model no longer satisfies the mission of this unit. It will be replaced with a Chevrolet Tahoe which will allow a K-9 cage to be installed. This vehicle will also provide space for the essential equipment needed for this unit. Because this vehicle was deemed totaled, it was not part of the FY 2016 Vehicle Replacement Fund. Staff is requesting \$45,500 to be added to this year's replacement fund.

Units 5796, 5913, and 7051 will be purchased under the North Carolina Sheriff's Association contract. The required increase to the budget for these vehicles is \$102,521.

The existing level of funding within the VRF, based on existing vehicle rental rates, is approximately \$4M.

**Fiscal Note:**

The requested amendment seeks to appropriate the VRF's fund balance in the amount of \$327,521 for fiscal year 2016 to cover the full cost of the recommended replacements. This will increase the budget from \$3,811,283 to \$4,138,804. There are sufficient funds within the VRF to address this budget request. The VRF had an Unrestricted Fund Balance of approximately \$5,752,707 at June 30, 2015.

The requested amendment to the VRF will be part of Item D of Budget Ordinance Amendment #7, which is included on the Consent Agenda of the February 8, 2016 City Council meeting. Therefore, approval of Item D of Budget Ordinance Amendment #7 is contingent on the approval of this request to amend the fiscal year 2016 VRF. By approving this amendment request, and the subsequent purchase of the pumper ambulance, the City will save approximately

\$30,000 prior to a price increase in March 2016.

**Recommendation:** City Council approve the budget amendment to the Vehicle Replacement Fund in the amount of \$327,521 so that the vehicles listed above can be purchased.

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# City of Greenville, North Carolina

Meeting Date: 2/8/2016  
Time: 6:00 PM

**Title of Item:** Purchase order request for one pumper/ambulance for the Fire-Rescue Department

**Explanation:** **Abstract:** The Fire-Rescue Department requests approval to replace an existing EMS Vehicle with a pumper/ambulance at a cost of \$694,386. The EMS Vehicle meets the criteria for replacement and has been approved by City Council as a part of the FY 15/16 Vehicle Replacement Fund authorized purchases. The newly purchased pumper/ambulance will replace one (1) EMS Vehicle currently assigned to the Fire-Rescue Department. The EMS unit will then be repurposed for use by the Police Department replacing their existing Hostage Negotiation vehicle.

**Explanation:** The Fire-Rescue Department requests approval for purchasing one (1) pumper/ambulance at a cost of \$694,386. The purchase is being made from Pierce Manufacturing through the Houston-Galveston Area Council (HGAC) Contract. The proposed vehicle has met all of the replacement criteria within the Vehicle Replacement Fund Procedures. In order to take advantage of a discount offer by the manufacturer, a chassis payment of \$420,766 will be made 120 days before delivery, and \$12,623 will be credited from the final amount. By purchasing the vehicle prior to March of this year, the City will save approximately \$30,000.

The replaced EMS unit will be repurposed for use by the Police Department to replace their existing Hostage Negotiation vehicle. The existing Hostage Negotiation vehicle will be sold as surplus.

**Fiscal Note:** The requested pumper/ambulance is a replacement vehicle and is included in the City's approved FY 15/16 Vehicle Replacement Program Purchase List. The vehicle will be purchased upon approval of the budget amendment request to the Vehicle Replacement Fund.

**Recommendation:** City Council approve the purchase order request for one pumper/ambulance from

Pierce Manufacturing through the Houston-Galveston Area Council Contract (HGAC) for a total amount of \$694,386.

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 [FR EMS Vehicle Backup](#)

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January 12, 2016

Greenville Fire Department  
Attn: Captain Steve Nichols, Logistics  
500 South Greene Street  
Greenville, NC 27834

Dear Captain Nichols,

I have provided with this letter the proposal sheet for the Pierce Velocity Transport Engine. Enclosed are the specifications the truck along with warranties.

The unit price and discounts are below.

Pierce Velocity Transport Engine **\$694,386.00**

If you choose to take advantage of the chassis pre pay 120 days before delivery, cost of the chassis would be \$420,766.00 and \$12,623.00 would be credit from the final amount.

If the purchase order does not get to Atlantic Emergency Solutions by February 20, 2016, the cost of the truck will go up 3%. This proposal has been made with a price increase hold until that time.

The final total includes the Performance bond, HGAC fee, delivery, training, air fare for three trips to the factory. Three trips are for four people. Our quoted delivery time is 9.5 to 10.5 months on after the order is placed.

The purchase order should be made out to Atlantic Emergency Solutions, 12351 Randolph Ridge Lane, Manassas, VA 20109. If you need any further information, please let us know.

Sincerely,

Wade M. Farior  
Regional Account Manager



## PROPOSAL FOR FURNISHING FIRE APPARATUS

City of Greenville  
Greenville Fire Department  
500 South Greene Street  
Greenville, NC 27834

January 12, 2016

The undersigned is prepared to supply for you, upon an order being placed by you, for final acceptance by Pierce Manufacturing, Inc., in its home office of Appleton, Wisconsin, the apparatus and equipment herein named and for the following prices:

**One (1) 2017 Pierce Velocity Transport Engine specified here in \_\_\_\_\_ \$694,386.00**

This purchase is made through the HGAC Contract.

**If the purchase order does not get to Atlantic Emergency Solutions by February 20, 2016, the cost of the truck will go up 3%. This proposal has been made with a price increase hold until that time.**

Said apparatus and equipment are to be built and shipped in accordance with specifications hereto attached. Delays due to strikes, war, or intentional conflict, failures to materials or other causes beyond our control not preventing, within about **9.5 to 10.5 months** after receipt of this order and the acceptance thereof at Pierce Mfg. in Appleton, Wisconsin, and to be delivered to you at **Greenville Fire Dept.**

The specifications herein contained shall form a part of the final contract, and are subject to changes desired by the purchaser, provided such alterations are interlined prior to the acceptance by the company of the order to purchase, and provided such alterations do not materially affect the cost of the construction of the apparatus.

The proposal for fire apparatus confirms with all Federal Department of Transportation (DOT) rules and regulations in effect at the time of bid, and with all National Fire Protection Association (NFPA) Guidelines for Automotive Fire Apparatus as published at the time of bid, except as modified by customer specifications. Any increased cost incurred by first party because of future changes in or additions to said DOT or NFPA standards will be passed along to the customer as an addition to the price set forth above.

Unless accepted within 45 days from date, the right is reserved to withdraw this proposition.

Atlantic Emergency Solutions

By: Wade Farrior



# City of Greenville, North Carolina

Meeting Date: 2/8/2016  
Time: 6:00 PM

**Title of Item:** Budget ordinance amendment #7 to the 2015-2016 City of Greenville budget (Ordinance #15-032) and amendment to the Project Budget Ordinance (Ordinance #15-053)

**Explanation:** **Abstract:** This budget amendment is for City Council to review and approve proposed changes to the adopted 2015-2016 budget and other funds as identified.

**Explanation:** Attached for consideration at the February 8, 2016 City Council meeting is an ordinance amending the 2015-2016 City of Greenville budget (Ordinance #15-032) and an amendment to the Project budget (Ordinance #15-053). For ease of reference, a footnote has been added to each line item of the budget ordinance amendment, which corresponds to the explanation below:

**A** To appropriate fund balance to transfer funds, approved during the November 12, 2015 City Council meeting, to the Capital Reserve Fund for Dickinson area (sidewalks and Brownfields) projects (\$1,447,301).

**B** To appropriate additional funds approved for an increase in loan assistance from the Clean Water State Revolving Funds. The loan amount will be utilized to fund the Town Creek Culvert and BMP Retrofit Project. The original loan amount of \$9,959,308 was increased to \$13,340,571 based on an updated cost estimate. The total project is at \$16,707,671. This item was discussed during the January 11, 2016 City Council meeting (\$5,603,263).

**C** To appropriate funds that will be received from Greenville Utilities Commission (GUC) to pay for the design work that will be performed on an area water main replacement for the Greenville Transportation Activity Center (GTAC) Project (\$20,500).

**D** To appropriate fund balance within the Vehicle Replacement Fund to pay for upgrades to vehicles and for vehicle accidents that have occurred during this fiscal year (\$327,521).

**Fiscal Note:**

The budget ordinance amendment affects the following budgets: increases the General Fund by \$1,447,301; increases the Capital Reserve Fund by \$1,447,301; increases the Enterprise Capital Projects Fund by \$5,603,263; increases the Public Works Capital Project Fund by \$20,500; and increases the Vehicle Replacement Fund by \$327,521.

<u>Fund Name</u>	<u>Amended Budget</u>	<u>Proposed Amendment</u>	<u>Amended Budget 2/8/2016</u>
General	\$78,796,326	\$1,447,301	\$80,243,627
Capital Reserve	50,000	1,447,301	1,497,301
Enterprise Capital Projects	16,028,413	5,603,263	21,631,676
Public Works Capital Projects	31,172,186	20,500	31,192,686
Vehicle Replacement	3,839,362	327,521	4,166,883

**Recommendation:**

Approve budget ordinance amendment #7 to the 2015-2016 City of Greenville budget (Ordinance #15-032) and amendment to the Project Budget Ordinance (Ordinance #15-053)

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 [Budget Amendment FY 2016 1009148](#)

ORDINANCE NO. 16-  
CITY OF GREENVILLE, NORTH CAROLINA  
Ordinance (#7) amending the 2015-2016 Budget (Ordinance #15-032) and amendment to the Project Budget Ordinance  
(Ordinance #15-053)

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

**Section I:** Estimated Revenues and Appropriations. **General Fund**, of Ordinance 15-032, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ORIGINAL 2015-2016 BUDGET	#7 Amended 2/8/16	Total Amendments	Amended 2015-2016 Budget
<b>ESTIMATED REVENUES</b>				
Property Tax	\$ 32,020,369	\$ -	\$ -	\$ 32,020,369
Sales Tax	16,627,515	-	-	16,627,515
Video Prog. & Telecom. Service Tax	904,000	-	-	904,000
Rental Vehicle Gross Receipts	126,929	-	-	126,929
Utilities Franchise Tax	6,052,187	-	-	6,052,187
Motor Vehicle Tax	1,018,705	-	-	1,018,705
Other Unrestricted Intergov't Revenue	806,227	-	-	806,227
Powell Bill	2,235,741	-	-	2,235,741
Restricted Intergov't Revenues	1,018,844	-	144,927	1,163,771
Licenses, Permits and Fees	4,418,874	-	-	4,418,874
Rescue Service Transport	3,085,803	-	-	3,085,803
Parking Violation Penalties, Leases, & Meters	362,600	-	-	362,600
Other Sales & Services	427,400	-	-	427,400
Other Revenues	292,446	-	49,575	342,021
Interest on Investments	553,761	-	-	553,761
Transfers In GUC	6,500,000	-	-	6,500,000
Other Financing Sources	62,596	-	-	62,596
Appropriated Fund Balance	1,591,683	A 1,447,301	1,943,445	3,535,128
<b>TOTAL REVENUES</b>	<b>\$ 78,105,680</b>	<b>\$ 1,447,301</b>	<b>\$ 2,137,947</b>	<b>\$ 80,243,627</b>
<b>APPROPRIATIONS</b>				
Mayor/City Council	\$ 511,661	\$ -	\$ -	\$ 511,661
City Manager	1,619,586	-	-	1,619,586
City Clerk	259,086	-	-	259,086
City Attorney	468,242	-	-	468,242
Human Resources	2,527,943	-	86,683	2,614,626
Information Technology	3,028,347	-	124,000	3,152,347
Fire/Rescue	13,421,532	-	18,700	13,440,232
Financial Services	2,479,816	-	4,563	2,484,379
Recreation & Parks	7,600,386	-	738,480	8,338,866
Police	23,353,229	-	157,866	23,511,095
Public Works	8,825,596	-	1,364,826	10,190,422
Community Development	2,657,084	-	412,694	3,069,778
OPEB	450,000	-	-	450,000
Contingency	200,000	-	(200,000)	-
Indirect Cost Reimbursement	(1,268,214)	-	-	(1,268,214)
Capital Improvements	3,034,892	-	(2,408,945)	625,947
Total Appropriations	\$ 69,169,186	\$ -	\$ 298,867	\$ 69,468,053
<b>OTHER FINANCING SOURCES</b>				
Transfers to Other Funds	\$ 8,936,494	A \$ 1,447,301	\$ 1,839,080	\$ 10,775,574
	\$ 8,936,494	\$ 1,447,301	\$ 1,839,080	\$ 10,775,574
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 78,105,680</b>	<b>\$ 1,447,301</b>	<b>\$ 2,137,947</b>	<b>\$ 80,243,627</b>

**Section II:** Estimated Revenues and Appropriations. **Capital Reserve Fund**, of Ordinance 15-032 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ORIGINAL 2015-2016 BUDGET		Amended 2/8/16	Total Amendments	Amended 2014-2015 Budget
<b>ESTIMATED REVENUES</b>					
Transfer from General Fund	\$ 50,000	A	\$ 1,447,301	\$ 1,447,301	\$ 1,497,301
<b>TOTAL REVENUES</b>	<b>\$ 50,000</b>		<b>\$ 1,447,301</b>	<b>\$ 1,447,301</b>	<b>\$ 1,497,301</b>
<b>APPROPRIATIONS</b>					
Capital Reserve	\$ 50,000	A	\$ 1,447,301	\$ 1,447,301	\$ 1,497,301
Total Expenditures	\$ 50,000		\$ 1,447,301	\$ 1,447,301	\$ 1,497,301
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 50,000</b>		<b>\$ 1,447,301</b>	<b>\$ 1,447,301</b>	<b>\$ 1,497,301</b>

**Section III:** Estimated Revenues and Appropriations. **Enterprise Capital Projects Fund**, of Ordinance 15-053, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ADJUSTED BUDGET		Amended 2/8/16	Total Amendments	Amended Budget
<b>ESTIMATED REVENUES</b>					
Stormwater Drainage Maintenance Improvement Project	\$ 1,281,000		\$ -	\$ -	\$ 1,281,000
Town Creek Culvert Project	11,104,408	B	5,603,263	5,603,263	16,707,671
Watershed MasterPlan Project	3,643,005		-	-	3,643,005
<b>TOTAL REVENUES</b>	<b>\$ 16,028,413</b>		<b>\$ 5,603,263</b>	<b>\$ 5,603,263</b>	<b>\$ 21,631,676</b>
<b>APPROPRIATIONS</b>					
Enterprise Capital Projects Fund	\$ 16,028,413	B	\$ 5,603,263	\$ 5,603,263	\$ 21,631,676
Total Expenditures	\$ 16,028,413		\$ 5,603,263	\$ 5,603,263	\$ 21,631,676
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 16,028,413</b>		<b>\$ 5,603,263</b>	<b>\$ 5,603,263</b>	<b>\$ 21,631,676</b>

**Section IV:** Estimated Revenues and Appropriations. **Vehicle Replacement Fund**, of Ordinance 14-036, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ORIGINAL 2015-2016 BUDGET		Amended 2/8/16	Total Amendments	Amended 2014-2015 Budget
<b>ESTIMATED REVENUES</b>					
Rental Income	\$ 2,807,071		\$ -	\$ -	\$ 2,807,071
Appropriated Fund Balance	1,032,291		327,521	327,521	1,359,812
<b>TOTAL REVENUES</b>	<b>\$ 3,839,362</b>		<b>\$ 327,521</b>	<b>\$ 327,521</b>	<b>\$ 4,166,883</b>
<b>APPROPRIATIONS</b>					
Vehicle Replacement	\$ 3,839,362		\$ 327,521	\$ 327,521	\$ 4,166,883
Total Expenditures	\$ 3,839,362		\$ 327,521	\$ 327,521	\$ 4,166,883
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 3,839,362</b>		<b>\$ 327,521</b>	<b>\$ 327,521</b>	<b>\$ 4,166,883</b>

**Section V:** Estimated Revenues and Appropriations. **Public Works Capital Projects Fund**, of Ordinance #15-053, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ADJUSTED BUDGET		Amended 2/8/16	Total Amendments	Amended 2015-2016 Budget
<b>ESTIMATED REVENUES</b>					
Stantonsburg Rd./10th Street Connector Project	\$ 6,022,000		\$ -	\$ 22,950	\$ 6,044,950
Thomas Langston Rd. Project	3,980,847		-	-	3,980,847
GTAC Project	8,796,417	C	20,500	20,500	8,816,917
Energy Efficiency Project	777,600		-	-	777,600
King George Bridge Project	504,999		-	-	504,999
Energy Savings Equipment Project	2,591,373		-	-	2,591,373
Convention Center Expansion Project	4,688,000		-	-	4,688,000
Street Improvements Project	2,788,000		-	1,000,000	3,788,000
<b>TOTAL REVENUES</b>	<b>\$ 30,149,236</b>		<b>\$ 20,500</b>	<b>\$ 1,043,450</b>	<b>\$ 31,192,686</b>
<b>APPROPRIATIONS</b>					
Public Works Capital Projects Fund	\$ 30,149,236	C	\$ 20,500	\$ 1,043,450	\$ 31,192,686
Total Expenditures	\$ 30,149,236		\$ 20,500	\$ 1,043,450	\$ 31,192,686
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 30,149,236</b>		<b>\$ 20,500</b>	<b>\$ 1,043,450</b>	<b>\$ 31,192,686</b>

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

Adopted this 8th day of February, 2016.

\_\_\_\_\_  
Allen M. Thomas, Mayor

ATTEST:

\_\_\_\_\_  
Carol L. Barwick, City Clerk



# City of Greenville, North Carolina

Meeting Date: 2/8/2016  
Time: 6:00 PM

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**Title of Item:** Presentations by Boards and Commissions

a. Board of Adjustment

**Explanation:** The Board of Adjustment is scheduled to make their annual presentation to City Council at the February 8, 2016, meeting.

**Fiscal Note:** No direct cost for the presentation.

**Recommendation:** Hear the presentation from the Board of Adjustment.

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# City of Greenville, North Carolina

Meeting Date: 2/8/2016  
Time: 6:00 PM

**Title of Item:** 2016 City of Greenville Federal Agenda

**Explanation:** **Abstract:** The Ferguson Group has been retained to represent the City of Greenville's interests by assisting with identification of and application for federal funding opportunities for the City of Greenville. Each year it is customary for City staff to identify priority projects that will be pursued by The Ferguson Group in marketing the City of Greenville's interests in Washington, D.C. The proposed 2016 City of Greenville Federal Agenda is presented for review and adoption.

**Explanation:** Jennifer Imo of The Ferguson Group has been in consultation with the Mayor and Members of City Council and City staff. Representatives of The Ferguson Group visited Greenville on August 4, 2015, and met with the Mayor, City Council Members, and staff to develop a list of projects that would be a priority for the City for the upcoming year. Suggestions by the Mayor, Members of City Council and staff have been investigated and developed into a plan of work for 2016. These items are presented for final approval.

The Ferguson Group has been instrumental with the submittal of the TIGER Grant, COPS and Lead-Based Paint grants, and lobbying members of the U.S. Congress on behalf of the City of Greenville. The COPS grant was approved for funding in the amount of \$500,000.

The items presented represent projects and programs that will be matched with federal grant programs and legislative focus.

**Fiscal Note:** There is no fiscal impact to the current budget with the adoption of the 2016 City of Greenville Federal Agenda.

**Recommendation:** Adopt the recommended 2016 City of Greenville Federal Agenda.

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 [2016\\_Federal\\_Agenda\\_1020557](#)

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## CITY OF GREENVILLE, NORTH CAROLINA 2016 FEDERAL AGENDA

PROJECT/ISSUE	ACTION ITEM
<b>PUBLIC SAFETY</b>	
<b>Police Department</b>	<p>Pursue assistance for various technology needs, including additional body cameras.</p> <p>Support Greenville Officer Watch (GROW) efforts – Focused Deterrence Program.</p> <p><b>Potential funding opportunities:</b></p> <ul style="list-style-type: none"> <li>• DOJ’s Edward Byrne JAG</li> <li>• Smart Policing Initiative</li> <li>• Body-Worn Camera (BWC) Pilot Partnership Program</li> <li>• Firehouse Subs for equipment (applications due March 4, June 3, September 2, December 2, 2016)</li> </ul> <p><b>Greenville PD received a \$500,000 COPS Hiring Grant to hire four officers. Secured Congressional support letters from Reps. Butterfield and Jones &amp; Sens. Burr and Tillis.</b></p>
<b>Fire-Rescue Department</b>	<p>Pursue assistance for various equipment needs.</p> <p><b>Potential funding opportunities:</b></p> <ul style="list-style-type: none"> <li>• FEMA’s Assistance to Firefighters Grant Program (applications due January 15, 2016)</li> <li>• Firehouse Subs for smoke alarms</li> </ul>
<b>Firefighter Health, Wellness and Safety</b>	<p>Pursue assistance for CPAC equipment and maintenance (\$200,000) and other firefighter needs.</p> <p><b>Potential funding opportunities:</b></p> <ul style="list-style-type: none"> <li>• FEMA’s Fire Prevention and Safety Grant Program (applications due April 2016)</li> <li>• Firehouse Subs</li> </ul>

ECONOMIC DEVELOPMENT	
<b>Lead-Based Paint Abatement</b>	<p>Pursue federal assistance for lead-based paint abatement and education.</p> <p><b>Potential funding opportunities:</b> HUD’s Office of Healthy Homes and Lead Hazard Control; secure debrief from 2015 application</p>
<b>Urban Farm Network</b>	<p>Pursue assistance for the City of Greenville and Greenville Harvest to provide access to healthy food sources for federally-designated food desert in West Greenville.</p> <p><b>Potential funding opportunities:</b></p> <ul style="list-style-type: none"> <li>• USDA’s Local Foods Promotion Program Implementation Grant; secure debrief from 2015 application</li> <li>• EPA’s Local Food Local Places</li> </ul>
<b>West Greenville - Neighborhood Revitalization Strategy Area</b>	<p>Support efforts to further develop the Neighborhood Revitalization Strategy Area.</p>
<b>Go Science Center</b>	<p>Pursue assistance for exhibit space and programming at the Science Center (Challenger exhibit).</p> <p><b>Potential funding opportunities:</b> Institute of Museum and Library Sciences</p>
<b>Improved Internet Access</b>	<p>Pursue assistance to provide high-speed Internet access to certain areas in Greenville.</p>
<b>Antenna Replacement</b>	<p>Explore funding opportunities to replace and relocate radio antenna in Town Common Park that services minority-owned and operated local radio station.</p> <p><b>Potential funding opportunities:</b></p> <ul style="list-style-type: none"> <li>• Small Business Administration’s 8(a) Business Development Program</li> <li>• Corporation for Public Broadcasting</li> <li>• Federal Communications Commission</li> </ul>
<b>Capacity Building for Non-Profits</b>	<p>The City of Greenville receives HOME funds from HUD; 15% of its allocation must go to a Community Housing Development Organization (CHDO); Greenville’s CHDO needs assistance with capacity building; assistance could come from:</p> <ul style="list-style-type: none"> <li>• National Community Development Association</li> <li>• National Association of Housing and Redevelopment Officials (NAHRO)</li> <li>• HUD Training and Technical Assistance</li> </ul>

<b>LABOR AND WORKFORCE DEVELOPMENT</b>	
<b>Workforce Development Initiative</b>	<p>Greenville is working with Pharma / Life Sciences and Pitt Community College. The City also wants to expand to medical patenting.</p> <p>Explore funding options with U.S. Departments of Labor and Health and Human Services.</p>
<b>Small Business Development</b>	<p>The City will continue to fund upstarts with seed money using HUD CDBG funds, but would like to expand its offerings to both retail (current focus) and restaurants.</p> <p>Explore funding options with the Small Business Administration.</p>
<b>ENERGY AND ENVIRONMENT</b>	
<b>Tar River Legacy Plan</b>	<p>Work with the U.S. Army Corps of Engineers to identify funding opportunities to address various aspects of the Plan, including bulk head replacement, stream restoration and other Plan elements.</p>
<b>Town Creek Culvert</b>	<p>Work with the NCDEQ to request a change from the existing \$13M State Revolving Loan Fund's 0% interest loan to one with negative interest or principal forgiveness.</p>
<b>Watershed Master Plan</b>	<p>Identify funding opportunities for implementation of the Greenville Watershed Master Plan.</p> <p><b>Potential funding opportunities:</b></p> <ul style="list-style-type: none"> <li>• Corps of Engineers Section 205 Program</li> <li>• EPA</li> </ul>
<b>Flood-Prone Properties</b>	<p>Secure federal assistance to acquire properties subject to recurring flooding.</p> <p><b>Potential funding opportunities:</b> FEMA's Hazard Mitigation Program, Pre-Disaster Mitigation Program, and Flood Mitigation Assistance Program.</p>

TRANSPORTATION AND INFRASTRUCTURE	
<b>Pitt - Greenville Airport</b>	<p>Pursue assistance to expand flight options at Pitt-Greenville Airport.</p> <p><b>Potential funding opportunities:</b> DOT's Small Community Air Service Development Program Grant (secured Congressional support in 2015 from Reps. Butterfield and Jones &amp; Sens. Burr and Tillis, but application was not successful).</p>
<b>Tar River</b>	<p>Pursue federal assistance for dredging and to provide navigation improvements.</p> <p><b>Potential funding opportunities:</b></p> <ul style="list-style-type: none"> <li>• Corps of Engineers Section 107</li> <li>• Corps of Engineers Section 204</li> </ul>
<b>Greenville Transportation Activity Center</b>	<p>Pursue federal assistance for infrastructure development around GTAC, including 8<sup>th</sup> Street between Pitt and Dickinson Roads.</p> <p><b>Potential funding opportunities:</b></p> <ul style="list-style-type: none"> <li>• DOT's Transportation Alternatives Program (TAP)</li> <li>• DOT's Congestion Mitigation and Air Quality (CMAQ) Program</li> <li>• Economic Development Administration (EDA)</li> <li>• Federal Transit Administration</li> </ul>
<b>8<sup>th</sup> Street</b>	<p>Pursue federal assistance to extend 8<sup>th</sup> Street by GTAC.</p> <p><b>Potential funding opportunities:</b></p> <ul style="list-style-type: none"> <li>• DOT's TAP</li> <li>• DOT's CMAQ</li> <li>• EDA</li> </ul>
<b>Parking Lot</b>	<p>Pursue assistance to build a parking lot north of 8<sup>th</sup> Street.</p> <p><b>Potential funding opportunities:</b> Economic Development Assistance</p>
<b>264 Interstate Designation</b>	<p>The FAST Act designated the Raleigh-Norfolk Corridor as a "High Priority Corridor" on the National Highway System. Work with Greenville's Congressional delegation, DOT and NCDOT to include as part of that designation US264 from I-795 in Wilson to the Southwest Bypass in Greenville (~35 miles).</p>

RECREATION AND PARKS	
<b>Pedestrian Bridge</b>	Explore funding opportunities to construct a pedestrian bridge from Town Common Park to the River Park North Boardwalk (connecting to Greene Street Vehicular Bridge).
<b>Historic Drill Tower Preservation Project (in Dream Park)</b>	Explore funding opportunities for tower preservation project.
<b>Public Art Projects</b>	Secure assistance for public arts projects.  <b>Potential funding opportunities:</b> National Endowment for the Arts (NEA) Our Town Grant Program; secure debrief for previously unfunded Our Town application.
<b>STE(A)M Initiatives at Youth Facilities</b>	Explore funding opportunities with the U.S. Department of Education and NEA.
OTHER PRIORITIES	
<b>Animal Welfare</b>	Explore funding opportunities to address animal welfare needs throughout the City with a focus on underserved residents and addressing their animals' needs.
<b>Financing</b>	Support tax-exempt municipal bonds and marketability of municipal bonds. <ul style="list-style-type: none"> <li>Support <a href="#">H.R. 2209</a>, a bill to classify municipal securities as high quality liquid assets.</li> </ul>
<b>Online Sales Tax Legislation</b>	Support passage of legislation that would grant state and local governments the authority to collect taxes on Internet and mail-order sales.
<b>FY 2017 Budget and Appropriations</b>	Support full funding for the federal programs included on the City's Federal Agenda, such as: <ul style="list-style-type: none"> <li>HUD Community Development Block Grant</li> <li>HUD HOME Investment Partnership Program</li> <li>DOJ Byrne Justice Assistance Grants</li> <li>DOJ COPS Hiring</li> </ul>
<b>Grants</b>	Pursue relevant federal, state and foundation grant opportunities and secure congressional support for same.



# City of Greenville, North Carolina

Meeting Date: 2/8/2016  
Time: 6:00 PM

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**Title of Item:** Update on Trillium Playground Project at the Town Common

**Explanation:** **Abstract:** Planning for the Trillium Accessible Playground Project at the Town Common is well underway. Staff will share an update with City Council regarding the specific site being considered and other details of the project.

**Explanation:** In December 2015, opposition was expressed about a possible site for the new Trillium-funded accessible playground at the Town Common, citing concerns that it might interfere with amphitheater operations. An alternate location to the east of the initial site has been identified, and staff wishes to share current information about that site as well as some current design details of this exciting project.

**Fiscal Note:** No cost to the City.

**Recommendation:** No action required.

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[Trillium Concept 1020692](#)

Radio Town



Attachment number 1  
Page 1 of 1

Existing Parking Lot

1st Street

0' 15' 20' 40'  
Scale: 1"=20'



# City of Greenville, North Carolina

Meeting Date: 2/8/2016  
Time: 6:00 PM

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**Title of Item:** Membership and attendance for City Boards and Commissions

**Explanation:** At their January 11, 2016 meeting, the City Council asked that information be provided for discussion at a February meeting related to the number of members for each of the City's boards and commissions and the attendance records of each. Basic information on the number of members for each of the City's Boards and Commissions is provided with this agenda item along with summary data related to member attendance at meetings over the past year.

**Fiscal Note:** No direct cost to the City.

**Recommendation:** Review and discuss the information provided and give staff direction on what, if any, changes are desired related to membership for any or all City boards and commissions.

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[Board Commission Membership Attendance Summary 1020679](#)

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## CITY OF GREENVILLE

### Board/Commission Membership & Attendance Summary

1. Affordable Housing Loan Committee
  - 8 members
    - Members should be racially diverse with experience and an interest in housing.
    - Members may be of the following professions: banker, lawyer, realtor, developer, member of the building profession, member of a social service organization or housing group.
  - Met 9/12 times in 2015; 1 meeting cancelled due to lack of quorum, 2 meetings cancelled due to lack of items.
  
2. Board of Adjustment
  - 11 members – 7 regular, 4 alternate
    - 6 regular City members, 3 alternate City member
    - 1 regular County member, 1 alternate County member – county members must reside in the ETJ
  - Met 9/12 times in 2015; 1 meeting cancelled due to inclement weather, 2 meetings cancelled due to lack of items.
  
3. Community Appearance Commission
  - 11 members
  - Met 4/10 times in 2015; 1 meeting cancelled by the committee Chair, 5 meetings cancelled due to lack of quorum.
  
4. Environmental Advisory Commission
  - 7 members:
    - 1 lawyer or other person with knowledge of environmental regulations and environmental safety practices
    - 1 building contractor, land developer, or someone with construction techniques
    - 1 member of a local environmental group
    - 1 educator or the natural or physical sciences, or physician
    - 1 professional engineer
    - 1 At-Large member from the Greenville community
    - 1 At-Large member from the Greenville community with skills and an interest in environmental health, safety, and/or medicine
  - Met 10/11 times in 2015; 1 meeting cancelled due to lack of quorum

5. Firefighters Relief Fund Committee
  - 5 members
    - 2 members appointed by the firefighters
    - 2 members appointed by the City Council
    - 1 member appointed by the Insurance Commission
    - City Residency is a requirement
  - Met 0/4 times in 2015 due to lack of items
6. Greenville Bicycle and Pedestrian Commission
  - 9 members (reduced from 12 members at the January 14, 2016 Council meeting)
  - Met 5/10 times in 2015, 5 meetings were cancelled due to lack of quorum
7. Greenville Utilities Commission
  - 8 members
    - 6 members appointed by the City Council, one of whom shall be the City Manager; city residency is required
    - 2 members nominated by the Pitt County Board of Commissioners and appointed by the City Council; shall be confirmed residents of Pitt County, but outside of the City limits and must be customers of GUC
  - Met 12/12 times in 2015
8. Historic Preservation Commission
  - 10 members
    - Members must be residents of the City of Greenville
    - Individuals who have demonstrated special interest, experience, or education in history, architecture, and/or archaeology
  - Met 8/11 times in 2015, 1 meeting cancelled due to inclement weather, 2 meetings cancelled due to lack of quorum.
9. Housing Authority
  - 7 members
    - 1 member appointed by the Mayor
    - 6 members appointed by the City Council, with at least 1 of the members being a person who is directly assisted by the Authority
  - Met 10/11 times in 2015, 1 meeting cancelled due to lack of quorum
10. Human Relations Council
  - 18 members
    - 15 regular members
    - 1 member from East Carolina University
    - 1 member from Pitt Community College
    - 1 member from Shaw University
  - Met 10/12 times in 2015, 2 meetings cancelled due to quorum

11. Investment Advisory Committee

- 3 members
  - Individuals with a background in investing and money management
- Met 1/3 times; meetings were halted during the committee's organizational process

12. Neighborhood Advisory Board

- 15 members
  - 2 regular members from each of the 5 City Council Districts
  - 1 alternative member from each of the 5 City Council Districts
  - Members are elected by liaisons from their respective City Council District
  - Liaisons are appointed by neighborhood associations
- Met 10/12 times in 2015, 2 meetings cancelled by motion for Summer Break and Winter Break

13. Pitt-Greenville Airport Authority

- 8 members
  - 3 members appointed by the City Council
  - 3 members appointed by the Pitt County Board of Commissioners
  - 1 City Council Ex-Officio member
  - 1 County Commissioner Ex-Officio member
- Met 12/12 times in 2015

14. Pitt-Greenville Convention & Visitors Authority

- 11 members
  - 5 members appointed by the City Council
    - ✓ 2 owners/operators of hotels, motels, or other taxable accommodations
    - ✓ 1 individual who is directed involved in tourist/convention-related business, but does not own/operate a hotel, motel, or other taxable accommodation.
    - ✓ 2 residents of Greenville, none of whom is involved in a tourist or convention-related business, or owns or operates a hotel, motel, or other taxable accommodation.
  - 5 members nominated by the City Council and appointed by the Pitt County Board of Commissioners
    - ✓ 2 owners/operators of hotels, motels, or other taxable accommodations
    - ✓ 1 individual who is directed involved in tourist/convention-related business, but does not own/operate a hotel, motel, or other taxable accommodation.
    - ✓ 2 residents of Pitt County, but not of Greenville, none of whom is involved in a tourist or convention-related business, or owns or operates a hotel, motel, or other taxable accommodation.
  - 1 member appointed by the Chairman of the Board of Directors of the Pitt-Greenville Chamber of Commerce
- Met 5/5 times in 2015

15. Planning & Zoning Commission

- 12 members – 9 regular, 3 alternate
  - 7 regular members and 2 alternate members appointed by the City Council; must reside in the City limits
  - 2 regular members and 1 alternate member appointed by the Pitt County Board of Commissioners, must reside outside of the corporate limits of the City, but within the limits of the extraterritorial jurisdiction of the City
- Met 11/12 times in 2015, 1 meeting cancelled due to lack of quorum

16. Police Community Relations Committee

- 9 members
  - 7 members appointed by the City Council; one from each district including one by the Council Member At-Large and one by the Mayor
  - 1 member to be the Police Chief
  - 1 member to be the Assistant City Attorney
- Met 9/10 times in 2015, 1 meeting cancelled

17. Public Transportation & Parking Commission

- 7 members
- Met 9/10 times in 2015, 1 meeting cancelled due to lack of quorum

18. Recreation & Parks Commission

- 9 members
- Met 8/10 times in 2015, 1 meeting cancelled due to inclement weather, 1 meeting cancelled due to lack of quorum

19. Redevelopment Commission

- 7 members appointed by the City Council; one from each City Council member including one by the Council Member At-Large and one by the Mayor
- Met 8/12 times in 2015, 4 meetings cancelled due to lack of items

20. Sheppard Memorial Library Board

- 9 members
  - 6 members appointed by the City Council,
  - 3 members appointed by the County Commissioners
- Met 4/4 times in 2015

21. Youth Council

- 20 members
  - 15 members from the Pitt County Public High Schools, with no more than 3 representatives per school
  - 5 members from private schools, charter schools, and home schools located in Pitt County, of which there can be no more than representative from each school
- Met 18/20 times in 2015, 2 cancelled due to lack of quorum