A regular meeting of the Greenville City Council was held on Thursday, January 10, 2019 in the Council Chambers, located on the third floor at City Hall, with Mayor P. J. Connelly presiding. Mayor Connelly called the meeting to order at 6:00 pm. Rabbi Harley Karz-Wagman of Congregation Bayt Shalom gave the invocation on behalf of Council Member Smiley, followed by the Pledge of Allegiance.

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

Those Absent:
None (Note: District 1 seat vacant when meeting convened)

Also Present:
City Manager Ann E. Wall, City Attorney Emanuel D. McGirt, City Clerk Carol L. Barwick and Deputy City Clerk Polly Jones

**APPROVAL OF THE AGENDA**

Upon motion by Council Member Smiley and second by Council Member Bell, the City Council voted unanimously to approve the agenda as presented.

**PUBLIC COMMENT PERIOD**

Mayor Connelly opened the public comment period at 6:10 pm, explaining procedures which should be followed by all speakers.

Pam Strickland – 4128 Dale Drive - Farmville
Ms. Strickland, along with the Pitt County Coalition Against Human Trafficking, thanked Greenville for their support and the proclamation recognizing January as Human Trafficking Awareness Month. Ms. Strickland stated that the Coalition is open to the public and invited all that were interested to attend and join. She then read the following proclamation:

**Begin Copy**
WHEREAS, human trafficking involves the recruitment, harboring, transportation or provision of a person for labor or commercial sex through the use of force, fraud or coercion; and

WHEREAS, human trafficking violates basic human rights and deprives victims of human dignity and freedom. Victims are dehumanized and forced into modern-day slavery; and

WHEREAS, it is imperative that we educate our communities, our young people and families to take an active interest in learning how to recognize the risks and resist predators who use coercion and threats to manipulate children as young as 12 into labor or sex trafficking; and

WHEREAS, in recognition of the need for that education, the NC General Assembly recently enacted legislation mandating that sex trafficking prevention and awareness information be included in the sexual health education curriculum; and

WHEREAS, every law enforcement officer in North Carolina received Human Trafficking training in 2016; and

WHEREAS, in recognition of the importance of access to services, the NC General Assembly enacted legislation effective January 1, 2018 requiring that many businesses post the National Human Trafficking Hotline; and

WHEREAS, the City of Greenville is committed to protecting people vulnerable to human trafficking and taking action to end human trafficking through prevention, prosecution, and partnerships;

NOW, THEREFORE, I, P.J. Connelly, Mayor of the City of Greenville, do hereby proclaim January 2019 as

HUMAN TRAFFICKING AWARENESS & PREVENTION MONTH

in Greenville and commend its observance to all citizens.

This 10th day of January 2019.

**End Copy**
greenways. Her purpose in speaking tonight is to invite the Council and everyone listening to their annual fund-raiser on Saturday, January 26th at the Pitt Street Brewing Company from 4:00-6:30 pm.

Hearing no one else who wished to speak during the Public Comment period, Mayor Connelly closed the public comment period at 6:18 pm.

SPECIAL RECOGNITIONS

JESSIE GRANT – PUBLIC WORKS DEPARTMENT RETIREE

City Manager Ann Wall, accompanied by Mayor Connelly, Public Works Director Kevin Mulligan and Sanitation Manager Delbert Bryant, recognized Jessie Grant on the occasion of his retirement from the Public Works Department’s Sanitation Division. She then read and presented Mr. Grant with a plaque honoring his 30 years of service to the citizens of Greenville.

MILTON CARNEY – FIRE-RESCUE DEPARTMENT RETIREE

City Manager Ann Wall, accompanied by Mayor Connelly and Fire-Rescue Chief Eric Griffin, recognized Milton Carney on the occasion of his retirement from Greenville Fire-Rescue. She noted that Chief Carney served 12 years in the United States Air Force, then read and presented Chief Carney with a plaque honoring his nearly 26 years of service to the citizens of Greenville.

APPOINTMENTS

APPOINTMENT OF A PERSON TO FILL THE VACANCY IN THE OFFICE OF COUNCIL MEMBER FOR DISTRICT 1

City Attorney Emanuel McGirt stated it is the City Council’s authority and responsibility to appoint someone to fill the vacancy for District 1 which resulted from Kandie D. Smith’s election to the NC House of Representatives. City Clerk Carol Barwick has provided the City Council with copies of the applications and supporting material. The City Council has received applications from 1) Shawan M. Barr, 2) Kelly L. Darden, Jr. 3) Monica Daniels and 4) Christopher Dolin.

Mayor Connelly called for nominations for the appointment of the person to fill the vacancy in the Office of Council Member for District 1.
Council Member Litchfield nominated Monica Daniels to fill the vacancy in the Office of Council Member for District 1.

Mayor Pro-Tem Glover nominated Shawan M. Barr to fill the vacancy in the Office of Council Member for District 1.

Council Member Smiley nominated Kelly L. Darden, Jr. to fill the vacancy in the Office of Council Member for District 1.

There being no further nominations, Mayor Connelly declared that the nominations were closed and stated the City Council would vote on nominees in the order nominations were made.

The City Council voted 4-1 to appoint Monica Daniels to fill the vacancy in the Office of Council Member for District 1. Mayor Pro-Tem Glover cast the dissenting vote.

City Attorney McGirt stated that Ms. Daniels received the majority vote and there is no need to go further with the remainder of the nominees.

Mayor Connelly declared Monica Daniels as the appointee to fill the vacancy in the Office of Council Member for District 1.

City Clerk Carol Barwick administered the Oath of Office to Council Member Monica Daniels.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Affordable Housing Loan Committee
Appointment was continued.

Community Appearance Commission
Council Member Smiley continued the appointment for Byron Aynes’ seat.

Environmental Advisory Commission
Council Member Meyerhoeffer continued the appointment for Nathaniel Hamilton and Durk Tyson’s seat.

Firefighters Relief Fund Committee
Council Member Smiley made a motion to appoint William Franklin to a two-year term that will expire January 2021. Council Member Litchfield seconded the motion and it carried unanimously.
Greenville Bicycle & Pedestrian Commission
Council Member Bell made a motion to appoint Traye Smith to a second three-year term that will expire January 2022. Council Member Meyerhoeffer seconded the motion and it carried unanimously.

Council Member Bell made a motion to appoint Chad Carwein to a first three-year term that will expire January 2022. Council Member Smiley seconded the motion and it carried unanimously.

Council Member Bell continued all remaining appointments.

Historic Preservation Commission
Council Member Litchfield made a motion to appoint Jeremy Jordan and Scott Wells to first three-year terms that will expire January 2022. Council Member Bell seconded the motion and it carried unanimously.

Human Relations Council
Mayor Pro-Tem Glover continued all appointments.

Police Community Relations Committee
Mayor Connelly appointed Betsy Ray to a first two-year term that will expire October 2020.

Mayor Pro-Tem Glover appointed Lennard Naipaul to fill an unexpired term that will expire October 2019.

Redevelopment Commission
Council Member Bell made a motion to appoint Martin Tanski to a five-year term that will expire November 14, 2023. Council Member Smiley seconded the motion and it carried unanimously.

Youth Council
Mayor Pro-Tem Glover continued all appointments

NEW BUSINESS

PUBLIC HEARINGS

ORDINANCE TO ANNEX SAVANNAH PLACE, SECTION 4, PHASE 1 INVOLVING 4.928 ACRES LOCATED AT THE CURRENT TERMINUS OF CAMILLE DRIVE – (Ordinance No. 19-002)
Planner Chantae Gooby showed a map depicting the proposed annexation area, which is located within Winterville Township in voting district #2. The property is currently vacant with no population. A population of 26 is expected at full development. Current zoning is R9S (Residential-Single-Family), with the proposed use being 12 single-family lots. Present tax value is $61,600, with tax value at full development estimated at $2,947,200.

Mayor Connelly declared the public hearing for the proposed annexation open at 6:39 pm and invited anyone wishing to speak in favor to come forward.

Hearing no one, Mayor Connelly invited comment in opposition. Also hearing none, Mayor Connelly closed the public hearing at 6:40 pm.

Council Member Meyerhoeffer moved to adopt the ordinance to annex Savannah Place, Section 4, Phase 1 involving 4.928 acres located at the current terminus of Camille Drive. Council Member Smiley seconded the motion, which passed by unanimous vote.

**ORDINANCE TO ANNEX LANGSTON WEST, PHASE 11, SECTION 1 INVOLVING 11.1420 ACRES LOCATED AT THE CURRENT TERMINUS OF BIRCH HOLLOW DRIVE – (Ordinance No. 19-003)**

Planner Chantae Gooby showed a map depicting the proposed annexation area, which is located within Winterville Township in voting district #2. The property is currently vacant with no population. A population of 59 is expected at full development. Current zoning is R20 (Residential-Agricultural), with the proposed use being 27 single-family residences. Present tax value is $278,550, with tax value at full development estimated at $8,286,300.

Mayor Connelly declared the public hearing for the proposed annexation open at 6:41 pm and invited anyone wishing to speak in favor to come forward.

Hearing no one, Mayor Connelly invited comment in opposition. Also hearing none, Mayor Connelly closed the public hearing at 6:42 pm.

Council Member Smiley moved to adopt the ordinance to annex Langston West, Phase 11, Section 1 involving 11.1420 acres located at the current terminus of Birch Hollow Drive. Council Member Bell seconded the motion, which passed by unanimous vote.

**ORDINANCE REQUESTED BY KENNETH AND CHRISTINE LLOYD, SR. TO REZONE 0.3416 ACRES LOCATED ALONG THE EASTERN RIGHT-OF-WAY OF WATAUGA AVENUE AND 130+/- FEET SOUTH OF FARMVILLE BOULEVARD FROM R6 (RESIDENTIAL ([HIGH DENSITY MULTI-FAMILY]) TO CH (HEAVY COMMERCIAL)**

Planner Chantae Gooby stated Kenneth and Christine Lloyd, Sr. have requested to rezone 0.3416 acres located along the eastern right-of-way of Watauga Avenue and 130+/- feet
south of Farmville Boulevard from R6 (Residential ([High Density Multi-family]) to CH (Heavy Commercial).

Due to the size of the tract, it is undevelopable, therefore, a traffic volume report was not generated. During the review process, measures to mitigate the traffic will be determined.

In 1969, the property was zoned to its current zoning. Water and sanitary sewer are available to the property. There are no known historical conditions/constraints on this property.

The property is located in the Harris Mill Run / Schoolhouse Branch Watershed. Since the property is less than 0.5 acres, stormwater rules will not apply. If stormwater rules apply, 10-year detention would be required. Since it is located in the West Greenville Revitalization Area, it is exempt from water quality requirements.

Under the current zoning, Ms. Gooby stated the property could accommodate two (2) single-family lots. Due to the size of the tract, it is undevelopable, but staff would anticipate the tract to be incorporated into the CH-zoned tracts to the north when they are developed. The anticipated build-out time is within 1-2 years.

Surrounding land uses and zoning are as follows:
North: CH - One (1) vacant lot (under common ownership of the applicant)
South: R6 - One (1) vacant lot (under common ownership of the applicant)
East: R6 - One (1) single-family residence and one (1) vacant lot (under common ownership of the applicant)
West: R6 - One (1) single-family residence and one (1) vacant lot

Ms. Gooby stated that, in staff’s opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use Plan and Character Map. "In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

Ms. Gooby stated the Planning and Zoning Commission voted 6 to 2 in favor of recommending approval of the request at its November 20, 2018 meeting.

Mayor Connelly declared the public hearing for the proposed rezoning open at 6:45 pm and invited anyone wishing to speak in favor to come forward.
Steve Spruill – No Address Given
Mr. Spruill, representing the applicant, spoke about the benefits of the rezoning, noting that the adjoining property is owned by the applicant and is already zoned commercial. The NC Department of Transportation took about half an acre of the adjoining property for their construction project of Farmville Boulevard and they have a utility easement around the perimeter, making another 2/10 acre unbuildable. While Mr. Lloyd was compensated for the property taken, the loss makes the remainder less usable than it was before. Mr. Spruill said he anticipates if this request is approved, the applicant would recombine the two parcels to afford greater flexibility for development. He is available to answer any questions the Council may have.

Kenneth Lloyd, Sr. – No Address Given
Mr. Lloyd stated he is requesting this rezoning in order to give him a large enough area to do something good for the community. He noted he was not the owner of the property at the time there were so many convenience stores in that area, but indicated he wants the opportunity to get his money back from the investment by building something worthwhile there.

Hearing no one else wishing to speak in favor of the proposed rezoning, Mayor Connelly invited comment in opposition.

Rufus Huggins – No Address Given
Mr. Huggins thanked Mayor Pro-Tem Glover for attending the impromptu neighborhood meeting which gave the people an opportunity to speak to the owner of this property. They expressed their concerns about what the property had been in the past and the possibility of commercial zoning bringing it back to that. They were not satisfied with any of his answers and asked him to come before Council to ask that this request be denied. The people of that neighborhood formed the first neighborhood association in Greenville and cleaned up the neighborhood from what it once was. They do not want it to return to what it was before. If Mr. Lloyd wants to get his money back, he needs to build houses there.

Frank Morgan – No Address Given
Mr. Morgan stated he’s lived in this neighborhood since 1973 and was there when the two stores were there. Residents were unable to sleep at night because of gunshots. When Mr. Lloyd came to their neighborhood meeting, he said he wanted to have the property zoned to heavy commercial so he could sell it. Once he sells it, he has no control over what goes on the lot. Mr. Morgan asked that the Council deny the request to rezone to heavy commercial.

Milton Ryals – No Address Given
Mr. Ryals said he lives at the corner of Farmville and Manhattan. He stated he would have no problem with Mr. Lloyd building houses on this property, but if it is rezoned, he can put anything he wants there. Mr. Ryals also expressed concerns about property values.
Hearing no one else wishing to speak in opposition, Mayor Connelly closed the public hearing at 7:03 pm.

Council Member Smiley moved to deny the proposed amendment and to make a finding and determination that, although the rezoning request is consistent with the comprehensive plan, there is a more appropriate zoning classification and, therefore, denial is reasonable and in the public interest. Council Bell seconded the motion to deny, which passed by unanimous vote.

ORDINANCE REQUESTED BY BENT CREEK, LLC TO REZONE 2.002 ACRES LOCATED ALONG THE WESTERN RIGHT-OF-WAY OF PORT TERMINAL ROAD AND 750 +/- FEET NORTH OF EAST 10TH STREET FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO CH (HEAVY COMMERCIAL) - (Ordinance No. 19-004)

Planner Chantae Gooby stated Bent Creek, LLC has requested to rezone 2.002 acres located along the western right-of-way of Port Terminal Road and 750 +/- feet north of East 10th Street from RA20 (Residential-Agricultural) to CH (Heavy Commercial).

Based on the possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 80 trips to and from the site on East 10th Street, which is a net increase of 42 additional trips per day. During the review process, measures to mitigate the traffic will be determined.

In 1976, the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned to RA20 as part of a large-scale ETJ extension. Water will be provided by Eastern Pines Water Corporation; however, sanitary sewer is not currently available. There are no known historical conditions/constraints on this property.

The property is located in the Hardee Creek Watershed. If stormwater rules apply, it would require 10-year detention and nitrogen and phosphorous reduction. It is not located in the Special Flood Hazards Area. Therefore, development is not subject to the Flood Damage Prevention Ordinance.

Under the current zoning, Ms. Gooby stated the property could accommodate four (4) single-family lots. Under the proposed zoning, the site could accommodate 17,000+/- square feet of auto/boat repair. The anticipated build-out time is within 1-2 years.

Surrounding land uses and zoning are as follows:
North: RA20 - East Carolina Masonry
South: RA20 - One (1) single-family residence
East: RA20 - Vacant
West: R6A - The Davis Apartments
Ms. Gooby stated that, in staff’s opinion, the request is in compliance with Horizons 2026: Greenville’s Community Plan and the Future Land Use Plan and Character Map. “In compliance with the comprehensive plan” should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

Ms. Gooby stated the Planning and Zoning Commission voted 6 to 2 in favor of recommending approval of the request at its December 18, 2018 meeting.

Mayor Connelly declared the public hearing for the proposed rezoning open at 7:13 pm and invited anyone wishing to speak in favor to come forward.

Mike Baldwin – No Address Given
Mr. Baldwin, representing the applicant, spoke about the benefits of the rezoning and stated he is available to answer any questions the Council may have.

Hearing no one else wishing to speak in favor of the proposed rezoning, Mayor Connelly invited comment in opposition. Also hearing none, Mayor Connelly closed the public hearing at 7:16 pm.

Council Member Bell moved to adopt the ordinance to rezone 2.002 acres located along the western right-of-way of Port Terminal Road and 750 +/- feet north of East 10th Street from RA20 (Residential-Agricultural) to CH (Heavy Commercial). Mayor Pro-Tem Glover seconded the motion, which passed by unanimous vote.

ORDINANCE REQUESTED BY ACP HOLDINGS, LLC TO REZONE A TOTAL OF 14.925 ACRES LOCATED AT THE CURRENT TERMINUS OF ALLEN RIDGE DRIVE FROM R9S (RESIDENTIAL-SINGLE-FAMILY [MEDIUM DENSITY]) AND OR (OFFICE-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) TO R6A-RU (RESIDENTIAL [MEDIUM DENSITY]-RESTRICTED RESIDENTIAL OVERLAY DISTRICT AND OR (OFFICE-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) – (Ordinance No. 19-005)

Planner Chantae Gooby stated ACP Holdings, LLC has requested to rezone a total of 14.925 acres located at the current terminus of Allen Ridge Drive from R9S (Residential-Single-family [Medium Density]) and OR (Office-Residential [High Density Multi-family]) to R6A-RU (Residential [Medium Density])-Restricted Residential Overlay District and OR (Office-Residential [High Density Multi-family]).

Based on the possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 531 trips to and from the site on Allen Road, which is a net
increase of 110 additional trips per day. During the review process, measures to mitigate the traffic will be determined.

In 2001, the subject property was part of a large-scale extra-territorial jurisdiction (ETJ) extension and was zoned OR (Office-Residential). In 2005, the subject properties was rezoned to its current zoning. Water and sewer are available. There are no known historical conditions/constraints on this property.

The property is located in the Greens Mill Run Watershed. If stormwater rules apply, it would require 25-year detention and nitrogen and phosphorous reduction. It is not located in the Special Flood Hazards Area. Therefore, development is not subject to the Flood Damage Prevention Ordinance.

Surrounding land uses and zoning are as follows:
North: OR - Allen Ridge Subdivision (undeveloped)
South: R9S - Allen Ridge Subdivision (single-family)
East: OR - Allen Ridge Subdivision (duplexes)
West: R9S - Allen Ridge Subdivision (undeveloped)

Ms. Gooby stated the Planning and Zoning Commission voted unanimously to recommend approval of the request at its December 18, 2018 meeting.

Mayor Connelly declared the public hearing for the proposed rezoning open at 7:20 pm and invited anyone wishing to speak in favor to come forward.

Mike Baldwin – No Address Given
Mr. Baldwin, representing the applicant, spoke about the benefits of the rezoning and stated he is available to answer any questions the Council may have.

Hearing no one else wishing to speak in favor of the proposed rezoning, Mayor Connelly invited comment in opposition. Also hearing none, Mayor Connelly closed the public hearing at 7:23 pm.

Mayor Pro-Tem Glover moved to adopt the ordinance to rezone a total of 14.925 acres located at the current terminus of Allen Ridge Drive from R9S (Residential-Single-family [Medium Density]) and OR (Office-Residential [High Density Multi-family]) to R6A-RU (Residential [Medium Density])-Restricted Residential Overlay District and OR (Office-Residential [High Density Multi-family]). Council Member Bell seconded the motion, which passed by unanimous vote.

RESOLUTION AUTHORIZING THE SALE OF CITY-OWNED PROPERTY LOCATED AT 610 ROOSEVELT AVENUE TO DEMETRIS DANIELS – (Resolution No. 005-19)
Senior Planner Tiana Berryman stated staff has identified Demetris Daniels as a prospective home buyer for City-owned property at 610 Roosevelt Avenue. Ms. Berryman requested authorization to sell the property, noting that the buyer is proposing a closing date on or before February 28, 2019 and will occupy the home as his principal residence.

The home has three bedrooms, two bathrooms, and is approximately 1,487 square feet. The fair market value on the home is $100,000, which was previously set by the City Council.

Mayor Connelly declared the public hearing open at 7:26 p.m. and invited anyone who wished to speak in favor of the proposed sale to come forward.

**Demetris Daniels**

Mr. Daniels stated this will be his first time buying a home and it will be the primary residence for himself and his son. He said he is very grateful for the opportunity.

Hearing no one else wishing to speak in favor, Mayor Connelly invited comment in opposition. Hearing no one, Mayor Connelly closed the public hearing at 7:28 p.m.

Mayor Pro-Tem Glover made a motion to approve the resolution. Council Member Meyerhoeffer seconded the motion, which passed by unanimous vote.

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**OTHER ITEMS OF BUSINESS**

**DISCUSSION OF BICYCLE AND PEDESTRIAN COMMISSION REQUEST FOR TEMPORARY MORATORIUM ON SHARED USE ALTERNATIVE TRANSPORTATION SYSTEMS WITHIN THE CITY OF GREENVILLE**

City Attorney Emanuel McGirt stated Council Member Bell asked that a discussion be added to the agenda relative to the Bicycle and Pedestrian Commission’s request as stated above. They are requesting a moratorium prohibiting bike-sharing companies from leaving their bikes on the sidewalk. Mr. McGirt feels the City has authority to regulate the sidewalks, and some cities do have ordinances exercising their police power to regulate companies like LimeBike, but he feels it is premature to do so in Greenville unless there is a finding of significant problems. In addition, it is his understanding that ECU has an agreement with LimeBike, so they should probably be a stakeholder in any decision the City might make.

Chad Carwein, Chair of the Bicycle and Pedestrian Commission, stated they have seen shared use alternative transportation system implemented in other cities in Eastern North Carolina and the nation without ordinances on the books to regulate things like the number and placement of bikes, eScooters and other types of alternative transportation, not to mentioned the ones that are to come that haven’t been imagined yet. It is a matter of
safety. Rogue launching is already occurring in other communities where companies come in and dump 500-1,000 bikes within the City. It becomes a scramble as cities then try to retroactively regulate these types of transportation. The proposed resolution includes a one-year sunset clause to give City staff time to develop an ordinance to regulate shared use alternative transportation companies.

Mayor Connelly expressed some interest in a registration process as new companies come in, but felt a moratorium would be premature as there are so many students and citizens without a car.

Council Member Bell asked that staff do some research on how other cities control where these bikes can be placed when not in use.

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**CITY MANAGER’S REPORT**

City Manager Wall gave no report.

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**COMMENTS FROM THE MAYOR AND CITY COUNCIL**

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

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**ADJOURNMENT**

Council Member Bell moved to adjourn the meeting, seconded by Council Member Meyerhoeffer. There being no further discussion, the motion passed by unanimous vote and Mayor Connelly adjourned the meeting at 7:57 pm.

Respectfully submitted,

Carol L. Barwick
CMC
City Clerk