The Greenville City Council met in a regular meeting on the above date at 6:00 p.m. in the Council Chambers, third floor of City Hall, with Mayor Allen M. Thomas presiding. Mayor Thomas called the meeting to order. Council Member Calvin R. Mercer 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**

City Manager Barbara Lipscomb requested to add two items to the agenda, including an acceptance of the EPA Brownfield Grant and a closed session regarding personnel.

Council Member Glover requested to move the presentation by the Neighborhood Advisory Board after the Public Comment Period.

Motion was made by Council Member Smiley and seconded by Council Member Connelly to approve the agenda with the recommended changes. Motion carried unanimously.

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**PUBLIC COMMENT PERIOD**

Andrea and Hunter Hardison – 574 Milton Drive, Winterville, NC

Ms. Hardison stated that the Bradford Creek Public Golf Course influences the lives of the youth of Greenville and Pitt County, particularly her son, Hunter, who is hearing impaired. At five years old, she was told by him that he wanted to play golf, which is one of the sports
that he can play due to his impairment, and having access to the golf course has given him the chance of fulfilling his dream.

Ms. Hardison stated that most families cannot afford to do this athletic activity without this facility. Mike Cato has been instrumental in bringing youth into the game of golf. She fears that the City’s decision to put the golf course under a management company would deprive youth like her son from the chance to play a sport that they enjoy. Many youth have earned a scholarship by the programs offered at the golf course, and the decision made by the City Council will surely impact the youth as well as adults in the community.

Jim Hooker – 3605 Balley Lane
Mr. Hooker made comments about the suggestion by the Pitt County Council on Aging that the City should extend its transit services to and from this facility. That is a significant issue for seniors because the Pitt County Council on Aging is the only place where some seniors in the County can get a free meal and socialize with people in their own age group. There are about 100 people on a waiting list for Meals on Wheels and the program loses about 5-10 of them every year. They never get food because they are on that waiting list.

Mr. Hooker stated that the connection between that bus travel and those people on the waiting list is critical to get people to and from the facility. It allows them to know about its mission. That activity is a very important part of what is integral to the community. There are other organizations in the area including the Alice Keene Park, a farmer’s market, and a dog and cat pound. There is a need to protect the lives of these seniors and extending the transit service in that area should happen.

John Joseph Laffiteau – Roadway Inn and Suites, Room 253
Mr. Laffiteau made comments about an incident involving him and the Sheppard Memorial Library staff in 2014, and he provided City Clerk Carol Barwick with a package regarding “Thinking Critically”.

Jim Decker – George Road
Mr. Decker made comments about contract negotiations for the golf management agreement at the Bradford Creek Public Golf Course, stating that the City of Greenville is not in the golf business, but it is in the quality of life business. He is not hearing about a proposal to turn the management of Elm Street Park, Boyd Lee Park or Jaycees Park over to a management company. The leaders of the City have generally followed the principles that parks are created not to generate a profit, but to profit the generation of the community.

SPECIAL RECOGNITIONS

Mayor Thomas recognized the presence of the delegation from Yeonsu-gu of Incheon, South Korea. Mayor Thomas and Yeonsu-gu Mayor Lee Jae-Ho signed the Friendship City
Agreement, which notes that the two cities will pursue joint development by working on exchanges and cooperation in diverse fields, including but not limited to economy, education, and culture.

**CONSENT AGENDA**

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

- Minutes from City Council Workshops held on April 18 and August 25, 2016 and from regular City Council meetings held on February 9, April 19, and April 24, 2017
- *Removed For Separate Discussion* Resolution Amending the Assignment of Classes to Salary Grades and Ranges
- Status update on FEMA Reimbursement from Hurricane Matthew
- Various tax refunds greater than $100
- Ordinance and Reimbursement Resolution Amending Greenville Utilities Commission’s FY 2016-17 Budget and various capital projects budgets – (Ordinance No. 17-037; Resolution No. 035-17)
- Budget Ordinance Amendment #8 to the 2016-2017 City of Greenville budget (Ordinance #16-036), Public Works Capital Projects Fund (Ordinance #17-024), Recreation & Parks Capital Projects Fund (Ordinance #17-024), Special Revenue Grants Fund (Ordinance #11-003), Facility Improvement Fund (Ordinance #16-036), and Stormwater Utility Fund (Ordinance #16-036) – (Ordinance No. 17-038)

Council Member Smith requested to remove the resolution amending the assignment of classes to salary grades and ranges under the Consent Agenda for separate discussion.

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

**CONSENT AGENDA ITEMS FOR SEPARATE DISCUSSION**

RESOLUTION AMENDING THE ASSIGNMENT OF CLASSES TO SALARY GRADES AND RANGES – (Resolution No. 036-17)

Mayor Pro-Tem Smith stated there is no budget impact related to this reclassification of positions, but she is trying to decipher some of the changes. For example, she is trying to
understand the correlation between the GIS Technician and the Senior Economic Developer positions. Mayor Pro-Tem Smith asked whether the City no longer needs a GIS Technician.

Assistant City Manager Merrill Flood responded that this request is related to the change of the position title for existing personnel and not a change in personnel duties and the actual work being done.

Mayor Pro-Tem Smith asked whether the City is eliminating that person altogether.

Assistant City Manager Flood responded that the City switched existing personnel with existing titles to create the Office of Economic Development (OED). When the individual was switched over to OED, the employee’s position title was GIS Technician II and the employee’s work is still data mining and mapping, but really in the economic world, the individual is more of an Economic Developer. The position title is being changed to reflect the work duties as opposed to changing the salary.

Mayor Pro-Tem Smith asked about the vacant Planner II positions.

City Manager Lipscomb responded that there were economic developer people who were pulled from the Planners and so the job description is being changed to reflect that they are economic developers and are no longer doing the traditional Planner II job.

Mayor Pro-Tem Smith asked whether there would be a shortage of personnel in the Planning Division.

City Manager Lipscomb responded no. The employee was moved to the OED years ago, but the job titles were not changed at that time.

Mayor Pro-Tem Smith stated that her concern is there being a shortage of personnel in one division and things might be undone.

Mayor Pro-Tem Smith stated that regarding the Telecommunications Supervisor within the Greenville Police Department (GPD), the position title is being renamed in order to accurately reflect the work the individual is supposed to be doing. Mayor Pro-Tem Smith asked whether the GPD is having problems with the recruitment for that position.

City Manager Lipscomb responded that is a position title change.

Chief of Police Mark Holtzman responded that the GPD is having problems and the people who have applied do not understand the position with the current title.

Motion was made by Council Member Smiley and seconded by Council Member Glover to adopt the resolution. Motion carried unanimously.
PUBLIC HEARINGS

PUBLIC HEARING ON PROPOSED FISCAL YEAR 2017-18 BUDGETS INCLUDING PUBLIC HEARING TO BE HELD CONCURRENTLY ON PROPOSED STORMWATER MANAGEMENT UTILITY RATE INCREASE

City of Greenville including Sheppard Memorial Library and Pitt-Greenville Convention & Visitors Authority and the Greenville Utilities Commission

Assistant City Manager Michael Cowin summarized the following highlights of the proposed City of Greenville Fiscal Year (FY) 2017-2018 Budget:

TOP 10 BUDGET HIGHLIGHTS

- Maintains Current Tax Rate at 52 C
- Invests 84% of All Revenues Into Core Public Services & Obligated Debt
- Provides an Average 3.2% Wage Rate Increase for Employees
- Includes Funding for an Additional 2.0 – 4.0 Police Positions (Grant Pool)
- Includes Funding for the Employee Health Clinic
- Increases Funding for Street Improvements to $2.2 Million
- Provides Funding of $200,000 for Street Lighting
- Includes $461,033 in Funding for the Town Common Project (#1 Priority)
- Provides $1.54 Million in Funding for Facility Improvement Projects
- Provides Funding of $2,000,631 for Capital Projects

Assistant City Manager Cowin stated the current overall budget stands at approximately $383,445,625 with the City’s operating funds comprising almost of that total at $129,243,088 (33.7%). The Greenville Utilities Commission ($250,541,773 – 65.3%), Convention & Visitors Authority ($1,228,484 – 0.3%), and the Sheppard Memorial Library ($2,432,280 – 0.6%) make up the remainder of the overall budget. Two-thirds of the City of Greenville’s budget is coming in the form of dollars rolling through its General Fund at $82,713,799. Two-thirds of the revenue of the General Fund are coming from the property tax revenues ($32,750,000) and sales tax ($18,823,000).

Assistant City Manager Cowin stated that at its May 5, 2017 meeting, the City Council looked at the City’s tax rate in comparison to benchmark cities. The four municipalities with the
highest tax rate are the same four that have the lowest tax revenues per penny: Highpoint, Greenville, Gastonia, and Jacksonville. Staff was asked what does this look like when it is broken down on a per capita basis. There is an interesting variation in the following chart where four municipalities (Asheville, Wilmington, Concord, and Highpoint) have property tax revenues per capita of at least $500 per capita ranging from $534 up to $612. On the other end of the scale, Gastonia, Jacksonville, Fayetteville and Greenville have property tax revenues per capita in the $300 range ($338-$356). On its own, that per capita number is just a number. It really means that Greenville's property tax revenues per capita of $356 compared to Highpoint is the difference based on Greenville’s population. It would take an increase of $3 million in Greenville’s tax base to equate to a $534 per capita.

Assistant City Manager Cowin stated that approximately two-thirds of the operating expenses in the General Fund fall within personnel. The City invests highly in its personnel at $53,265,688 to carry out its mission. The Operating Expense is projected at $17,490,441; Capital/Facility Projects at $5,642,631; Other Transfers at $7,074,558; and Indirect Cost at (1,459,519), which is charged back to the other funds, totalling $82,013,799.

Assistant City Manager Cowin stated that the proposed budget as it stands tonight is different from the proposed budget presented in May 2017 based on the motions made by the City Council at that meeting. The following is a reconciliation of those adjustments from the May 8, 2017 meeting:
Assistant City Manager Cowin explained that the revenues and expenses within the General Fund stood at $81,913,799. Since that point and time, the City had increases in its expenses in the budget of approximately $300,000 and various adjustments to offset that increase in expense. There was a $100,000 increase in revenue and a ($200,000) in reduction in the budget expense to net out to a General Fund budget of approximately $82,013,799.

Assistant City Manager Cowin gave an overview of the increases and the adjustments to cover the increases. There are increases in the Street Improvements budget of $200,000 and Street Lights budget of $100,000. That brings the budget for street improvements to approximately $2,200,000 for next year, which is a $500,000 increase from the current year budget of $1,700,000. When looking at the funding that has been appropriated to street improvements over the last few years along with the dollars appropriated through the 2014 General Obligation Bond, $17,550,000 has been allocated and appropriated to street improvements in the City of Greenville. That is over a 100 lane miles of resurfacing, which is absolutely outstanding.

Assistant City Manager Cowin stated that the Street Lights budget was increased from $100,000 to $200,000. When looking at that in conjunction with the current year budget of $250,000, $450,000 was put into street lighting improvements within its communities.

Assistant City Manager Cowin explained that in order to cover that increase in expense, there had to be various different adjustments to the budget. They are as follows:
Assistant City Manager Cowin gave a breakdown of the Recreation and Parks Capital Projects to cover the increase for additional street improvements and street lighting:

<table>
<thead>
<tr>
<th>Adjustment</th>
<th>Amount</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>R&amp;P Capital Projects Adjustment</td>
<td>$120,000</td>
<td>40.0%</td>
</tr>
<tr>
<td>CDBG Fund Allocation</td>
<td>$100,000</td>
<td>33.3%</td>
</tr>
<tr>
<td>Routers/Switches Adjustment</td>
<td>$50,000</td>
<td>16.7%</td>
</tr>
<tr>
<td>Public Works Budget Adjustment</td>
<td>$30,000</td>
<td>10.0%</td>
</tr>
<tr>
<td><strong>Total Budget Adjustments</strong></td>
<td><strong>$300,000</strong></td>
<td>100.0%</td>
</tr>
</tbody>
</table>

* Accounts for the Largest Percentage of the Overall Reduction

Assistant City Manager Cowin stated that within the overall budget, there are fee schedule adjustments and they were also included within the approved Financial Plan. For 2017-2018, the Sanitation backyard service is being eliminated except for special situations based on needs by some of the City’s citizens. There is a $.25 increase in the curbside rates going from $15.75 to $16 per month. Additionally, there is the scheduled increase in the stormwater fees going from $4.85 to $5.35, which is a minor increase in order to cover the $100,000 plus for deferred stormwater projects identified within the Watershed Master Plan.

Council Member Connelly asked with the increase in the stormwater fees, is there any scheduled plan or is the City putting the funds in an account where it continues to grow.
Council Member Connelly stated that the Town Creek Culvert project was supposed to be completed, but the bids were too high.

Assistant City Manager Cowin responded that the Town Creek Culvert project is out to bid again and the bids are supposed to be returned and opened this Thursday. The City just finished appropriating another $5,000-$6,000 in conjunction within the Stormwater Fund for the Town Creek Culvert project. The increase for FY 2017-2018 will not even put a dent in the $100,000,000 plus for the City’s projects, but that is where the dollars will be used.

City Manager Lipscomb stated that the Stormwater Committee is meeting right now and will give the City Council some priorities in terms of the projects. The citizens are going to be working with the consultant hired by the City.

Council Member Connelly asked if there are any projects in the works over the next fiscal year.

Public Works Director Kevin Mulligan responded that mid-way through next budget year, the City will probably lose one of its main contributors to the Stormwater Fund. So the $.50 will not go as far as historically. Usually each $.50 gets the City about the $.5 million.

Mayor Pro-Tem Smith asked staff to give more information about the City losing one its contributors to the Stormwater Fund.

Director Mulligan responded that the General Assembly is in the middle of passing a Bill which will exempt airport roadway from contributing to the stormwater utility.

Mayor Pro-Tem Smith asked if that is the Bill lobbied by the County.

Director Mulligan responded that the County supported that Bill.

Director Mulligan stated that the City will lose about $100,000 so the $500,000 will be $400,000 or because it is happening in January, the City will receive about $450,000 next year but certainly less. The Watershed Master Plan indicated that the City has 200 plus miles of pipes and 80 miles of ditches and 20,000 structures which all are in various states of aged decay. The City Council has identified its top priorities needing to be addressed. The annual need identified to keep up with the City's infrastructures is close to $15 million with the new projects and existing infrastructure and this gets the City to about $16.5 million. There is quite a delta between what the City needs versus what the City has. The City is no different from many municipalities in the nation.

Director Mulligan stated identifying priorities is critical to do, but the Town Creek Culvert is one of the major projects. When the City was looking at the First Street Connector, the first design that came to the City showed that the City would need to increase the size of the Vance Street outlet as well as the Town Creek Culvert. The Department of Transportation worked with the City to move a lot of the water to the Town Creek Culvert so that City
could leave Vance Street alone. So instead of having two $20 million projects, the City has one.

Director Mulligan stated that in trying to control what the City must spend, there are much smaller identified projects in addition to the Town Creek Culvert, but immediate needs in conjunction with road resurfacing is what the City wants - to get the much smaller identified projects first and then do the road resurfacing.

Council Member Connelly asked whether the City received approval for interest-free financing for the Town Creek Culvert project.

Director Mulligan responded that the City received a $13.3 million zero interest loan from the State Clean Water Revolving Fund, which is probably the largest stormwater award in the country to date. That potentially saves the City $5 million in interest.

Council Member Connelly asked about the length of the term.

Director Mulligan responded 15 years.

Mayor Pro-Tem Smith asked whether the City will be receiving the $450,000 this year from the Pitt-Greenville Airport until January 2017.

Director Mulligan responded that is the increase citywide. It will not be the total $100,000 because it is scheduled to happen January 1, 2018 so it will be about a $50,000 deduction instead of $100,000.

Assistant City Manager Cowin stated that with the increase in the rate, that would go from $110,000 since it is a half year and the City will be losing about $55,000-$60,000 in the first year.

Assistant City Manager Cowin reminded the City Council that the FY 2017-2018 Budget is scheduled to be adopted at its meeting on June 8, 2017.

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

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**OTHER ITEMS OF BUSINESS**

**PRESENTATIONS BY BOARDS AND COMMISSIONS**

**Neighborhood Advisory Board**
Chairperson Betty Hines gave the mission of the Neighborhood Advisory Board (NAB) and provided information regarding the Board’s accomplishments. During 2016-2017 the NAB
out a set of specific goals and processes in their work plan to reorganize and educate and to refocus while accomplishing their goals. The members worked to strengthen their goals and gain a better understanding of carrying out their mission and objectives. The Ombudsman position was filled by Christi Williamson, which gives the NAB added staff support to assist the members in completing their goals.

Chairperson Hines reported that the NAB held educational sessions and encouraged the board members to conduct on-line community research. Some of their sessions were the Horizons 2026 Greenville’s Community Plan presented by Chief Planner Thomas Weitnauer. Ombudsman Williamson presented how to download and to use the City’s Compass application so that the NAB members could use their mobile devices to quickly submit service requests. The Greenville Watershed Master Plan was presented by Civil Engineer III Lisa Kirby. Chief of Police Mark Holtzman gave an overview of the City’s crime map and analysis and information to the NAB’s Safety Committee about the “What to do if someone is stopped by the Police” video.

Chairperson Hines reported that the NAB Executive Committee was created to give general directions and recommendations to their Board. Several standing committees were established: Community Building, Land Use and City Services and Public Safety. The members held an NAB overview and education meeting for new liaison and alternate members to introduce them to the NAB’s procedures and guidelines. With their community outreach, the members created an updated information folder on How to Start a Neighborhood Association for distribution, updated the welcome packets for new residents, and finalized and received the Greenville Neighborhood Assistance magnet. The NAB members participated in several community events such as the Spring Clean-up, Chat with the Chief, District Town Hall meetings, community groundbreaking ceremonies, and the East Carolina Brody School of Medicine Women’s event.

Chairperson Hines reported that the members made other accomplishments including the following:

- Re-activated Oak Grove Neighborhood association in District 1
- Held the NAB Bi-annual Liaisons Feedback Meeting
- Held the 2017/2018 Board Member Elections for Liaison and Alternate Liaison
- Reviewed and in the process of updating all Neighborhood Association membership information for neighborhoods throughout the City. This effort will create a current list of members, contracts, and bylaws
- On-going dissemination of Talent Bank applications and NAB information to Neighborhood/Homeowner Associations

Chairperson Hines stated that the NAB’s community partnerships and collaboration are 1) ECU Department of Geography, Urban and Regional Planning Program, 2) Greenville Police Department, 3) Greenville Bicycle and Pedestrian Committee, 4) Police Community Relations Committee, and 5) Uptown Greenville. Their additional activities included working with the Ideas for a Safer Neighborhood and East Carolina University Urban and
Regional Planning Program, who did an awesome job on their project and having a joint meeting with the Police Community Relations Committee in District 5. Neighborhood associations throughout Greenville gathered together for their annual spring meetings and picnics. The purpose is to welcome new members and to stay connected to current events going on in their community.

**EAST CAROLINA UNIVERSITY CAMPUS LAW ENFORCEMENT AGENCY EXTENDED JURISDICTION AGREEMENT AND COOPERATION AGREEMENTS FOR MUTUAL ASSISTANCE WITH EAST CAROLINA UNIVERSITY POLICE DEPARTMENT – (Contract Nos. 2209, 2210, and 2211)**

Assistant City Attorney Donald Phillips explained that the Greenville Police Department (GPD) and East Carolina University Police (ECU Police) have been discussing cooperative measures which will:

- Provide extended jurisdiction and designated authority to ECU Police to include the area within the City’s corporate limit; and
- Have ECU Police provide four loaned ECU Police Officers to GPD in the Center City area from Wednesdays through Sundays at no cost to the City.

Assistant City Attorney Phillips gave information regarding three agreements, which will 1) enhance overall law enforcement capabilities, 2) improve response effectiveness and efficiency, and 3) provide a highly visible law enforcement presence in the Center City Area.

**Extended Jurisdiction Agreement**

Currently, ECU Police officers are statutorily limited to “all property owned or leased to the institution employing the campus police officer and that portion of any public road or highway passing through such property or immediately adjoining it, wherever located.” Under State law, the City and ECU can enter into “joint agreements” “to extend the law enforcement authority of campus police officers into any or all of the municipality’s jurisdiction and to determine the circumstances in which this extension of authority may be granted.” Accordingly, the agreement must be approved by City Council and the ECU Board of Trustees. The proposed agreement will amend the September 26, 2006 Agreement.

The current extended jurisdiction area is the “Campus Law Enforcement Agency Area of Extended Jurisdiction” and will supplanted by the proposed agreement, which will allow for the ECU Police Officers to have extended jurisdiction throughout the corporate City limits.
Under the current Extended Jurisdiction Agreement, the ECU Police Officers are limited to 1) probable cause to believe that a person to be arrested has committed a felony; or 2) probable cause to believe that the person to be arrested has committed a misdemeanor in or out of the officer’s presence and has probable cause to believe that either the person to be arrested will not be apprehended unless immediately arrested; the person to be arrested may cause physical injury to self or others unless immediately arrested; or the person to be arrested may damage property of another unless immediately arrested.

The proposed Extended Jurisdiction Agreement includes the following:

**AS PROPOSED**

- ECU Police Officers will have extended jurisdiction to all of the City’s territorial jurisdiction within the corporate boundaries of the City.

- The authority of ECU Police officers acting in the extended jurisdictional area is simplified and clarified.
Within the extended area of jurisdiction, ECU Police Officers will have the same powers, rights, privileges, and immunities (including the powers of arrest and those relating to civil actions and payment of judgments) as GPD officers, including all law enforcement powers as authorized by statute, case law, and the common law of the State of North Carolina.

ECU Police Officers will be authorized to conduct routine law enforcement patrols within the extended area of jurisdiction.

This will include:
- Traveling to and from property leased by ECU.
- The performance of routine law enforcement activity.
- Participating in joint operations with GPD.
- Participating in a request by GPD under a mutual assistance agreement.

ECU will have designated and clarified primary responsibilities.

ECU Police will have and maintain primary responsibility in the following instances:

1. Responding to calls for service and investigate offenses in the statutory area of jurisdiction.
2. Responding to calls from and investigating offenses committed on the following portion of the ECU Police extended area of jurisdiction: all buildings, rooms, adjacent grounds, common areas, and parking areas of all commercial and residential properties leased by ECU within the corporate limits of the City; and
3. Responding to calls and investigating offenses committed on the ECU Police statutory area of jurisdiction for which the suspect or alleged perpetrator is no longer present on the ECU Police statutory area of jurisdiction, whether or not officers are in active or immediate pursuit.

GPD and ECU Police agree to periodically participate in joint training exercises and programs.

GPD and ECU Police agree to independently conduct ongoing officer training related to community policing, sensitivity, and bias-based policing.

The Agreement may be terminated at any time.

Mutual Assistance Agreement
This is the second part of the overall three-agreement proposal. By existing City ordinance, the Greenville Police Chief may enter into mutual assistance agreements with other law enforcement agencies. The ECU Police and GPD can assist each other by providing temporary assistance when requested such as equipment, supplies, and manpower to a
reciprocating agency under a mutual assistance agreement. The agreement would supplant the October 5, 2005 agreement, which is currently in place.

The proposed Mutual Assistance Agreement includes the following:

**AS PROPOSED**

- Establishes that the loaned officer while temporarily assigned to the requesting agency, shall have the same jurisdiction, powers, rights, privileges, and immunities (including those relating to the defense of civil actions and payments of judgments) as the officers of the requesting agency in addition to those the loaned officer normally possesses.

- Identifies command structure, discipline, compensation, and workers’ compensation coverage for loaned officers.

*Request for Assistance under the Mutual Assistance Agreement*

As proposed this agreement defines the City as the requesting agency and ECU as the loaning agency. This agreement defines the “Center City Area.”

**Proposed “Center City Area”**

*Area where four (4) ECU Police officers will assist the City.*
Additionally, this proposed request for assistance agreement with ECU includes the following:

AS PROPOSED

- At no cost to the City, ECU agrees to provide to the City four (4) loaned officers to be assigned to the Center City Area and assume the non-exclusive responsibility with GPD as follows:

  1. ECU will provide to the City two (2) loaned officers from Wednesday night through Sunday morning of each week, during times as assigned by GPD but not less than 80 hours every two-weeks, for the duration of the agreement.
  2. ECU will provide to the City two (2) additional loaned officers not to exceed six consecutive hours per day per officer, Wednesday night through Sunday morning of each week for the duration of the agreement.

- The loaned officers shall have the same powers, rights, privileges, and immunities (including those relating to civil actions and payment of judgments) as GPD officers, including all law enforcement powers as authorized by statute, case law, and the common law of the State of North Carolina.

- Identifies the command structure, discipline, compensation, and workers’ compensation coverage for loaned officers.

- The agreement is temporary—the term of the agreement will be for a twelve (12) month period commencing on August 1, 2017 and terminating on July 31, 2018.

Assistant City Attorney Phillips stated that the three agreements being presented this evening are a total package for the City Council’s approval and for the other two the Chief has the authority to do that. The GPD and ECU Police are strongly requesting the City Council’s consideration and approval of the proposal.

Mayor Pro-Tem Smith stated that a driver’s license check by the ECU Police occurred in the ECU area. The location was off-campus but also within the City limits. Mayor Pro-Tem Smith asked whether the ECU Police Officers can do a license check without the GPD knowing about it.

Assistant City Attorney Phillips responded regarding the GPD knowing about a driver’s license check, the ECU Police Officers already have the authority under 116-40.5A to take enforcement action on that portion of any public road or highway passing through such property or adjacent property owned by ECU.

Mayor Pro-Tem Smith asked whether the ECU Police Officers are able to do a checkpoint on Evans and 5th Streets in the uptown area without contacting the GPD.
Assistant City Attorney Phillips responded yes because they still have statutory guidelines under 20-16.3A that they do have to abide by depending on the check in station. One of the components of this is extended as proposed in Item 2.24 stating that “Unless otherwise specified, the City police shall have primary responsibility for those portions of any public road or highway passing through such property or immediately adjoining all commercial and residential properties leased by ECU wherever located within the City and all other instances including but not limited to parking violations occurring”.

Assistant City Attorney Phillips stated that the GPD is trying to build in that the GPD has primary responsibility in those situations. That still does not change the fact that ECU could do that, but in that type of situation where they are going to set up a check in station, the City is looking for a partnership and communication.

Mayor Pro-Tem Smith asked if the GPD Police Officers arrive at a scene and there is an incident, who takes over at that point.

Chief of Police Mark Holtzman responded that the GPD will take over at that the point. In the agreement, it indicates who has primary jurisdiction on that roadway in front of a property owned by the University. Right now, the State law gives them the right to do a check in station on 5th Street in front of the University and even on Cotanche Street in front of that building that they leased downtown, on Evans Street near the property where parking lots are, and pretty much anywhere they own a property and parking lot. The State law already gives them full jurisdiction on that roadway.

Chief Holtzman stated that the GPD wants to spell out in the agreements what happens when something takes place on that roadway. He would rather have GPD Police Officers investigating and taking primary responsibility for that investigation. That is what they worked out in the agreements. The initial responsibility is going to be that of the GPD.

Chief Holtzman explained that regarding what prevents the ECU Police from doing a check in station anywhere in the public, there are benefits to any agreement. One is the four ECU Police Officers downtown working with the GPD saving the City a couple of $100,000 annually in manpower and $10,000 of overtime. If the University’s students are downtown, the ECU Police should be there helping the GPD with them and that is what the agreement does. The concerns are what prevents the ECU Police from going on West 5th Street where the University has no property and doing a license check in station. Technically, nothing prevents the ECU Police from doing so, but that is when the partnership and management are involved.

Chief Holtzman explained that the ECU Police does not want their officers near an area spending their time patrolling a neighborhood, unless the GPD ask for their assistance for a specific reason. The best example is downtown. The GPD has West 5th Street covered, but if there is a call for an incident at the student housing complex, right now the ECU Police Officers can drive by that problem. This agreement will allow them to take an initial response. In the agreement, it states that the ECU Police does not take over the
investigation and the GPD will show up and take over the investigation on the City's property.

Chief Holtzman stated that another important thing is when giving someone jurisdiction in the community as a search warrant, he does not want someone kicking in doors in areas without his knowledge. This agreement spells out the Chief of Police will be notified of their having an investigation which leads to that and the ECU Police must have a search or arrest warrant outside of their jurisdiction and clearly in the City of Greenville.

Chief Holtzman stated that the City could terminate the agreement at any time. The community needs to understand there has been some extended jurisdiction for years in this community. The ECU Police has been able to patrol outside of their borders and into the downtown full grid area all the way up to Greenville Boulevard. For about 20 years, both the GPD and ECU Police are accredited by the same national law enforcement agency.

Chief Holtzman stated that another concern is how will the ECU Police treat the citizens and community.

Mayor Pro-Tem Smith stated that is a major concern. The agreement is great because it extends the amount of officers on hand to help with problems. The ECU Police should be downtown because of the students. The question from the community is if there is a complaint, what process will be taken because that is the University’s police and the process for the GPD is known. The citizens need clarification about what exactly should they do.

Chief Holtzman responded that would be part of the messaging. If GPD receives a complaint, it will be shared with the ECU Police and vice versa. Also, this agreement locks in the ECU’s Fair and Impartial Police Training moving forward that both the GPD and ECU Police must continue on that same path of fair and impartial policing – how well people are treated fairly. The over community policing issue with the check in stations is going to be clear understanding between the GPD Chief of Police, ECU Chief of Police, and ECU Public Safety Director on what needs to be done and where it should be done.

Mayor Pro-Tem Smith asked how would the City know that the ECU Police is going to implement the same type of training because were the Police Officers trying to protect people from ECU in the incident of someone being handcuffed and beaten by an ECU Police Officer. Mayor Pro-Tem Smith stated that particular incident cannot be tied to the entire ECU Police.

Chief Holtzman responded that inquiry goes back to the Fair and Impartial Police Training. It is important that the GPD and ECU Police stay on track with one another as far as the close management style, policies and procedures, and training is key as well as communications. When mistakes occur, they are fully investigated and procedures and standards are in place for complaints. If a complaint is reported, it will be handled in a very professional manner.
ECU Public Safety Director Bill Koch stated that this is really about partnerships whether it is in the uptown area, on campus or in the community. Partnerships have helped them grow in economic and it is partnerships that has helped with parking in uptown and policing as well. The ECU Police’s intent is not to patrol outside of its jurisdiction, but as they are going from one campus to another and ECU’s locations are all over the City, the ECU Police want to be able to assist and to protect the community. If any traffic or speed limit checks are done, the ECU Police will be doing that in correlation with the GPD.

City Attorney David Holec stated that this is a project that Assistant City Attorney has been working on with the University Attorney’s Office for several months. So, he has invested a lot of work into this agenda item and that is why the City Council is getting a lot of legalese from him.

City Attorney Holec stated that the ECU Board of Trustees is scheduled to consider these agreements at its July meeting.

Motion was made by Council Member Godley and seconded by Council Member Connelly to approve the three agreements. Motion carried unanimously.

**CONTRACT NEGOTIATIONS FOR GOLF MANAGEMENT AGREEMENT**

Recreation and Parks Director Gary Fenton stated that the City Council instructed staff to look into the possibility of a golf management firm operating the Bradford Creek Public Golf Course with a target of increasing financial efficiency while maintaining the high quality golf services that currently exist, including an active vibrant youth program. A Request For Proposals (RFP) was issued to identify companies interested in contracting with the City to operate the golf course with 26 firms being mailed or emailed the RFP directly as well as it being published and posted at the City’s website by Purchasing Manager Denisha Harris. A committee composed of Assistant City Manager Michael Cowin, Business Analyst Byron Hayes, Park Superintendent Dean Foy and himself received presentations from the three firms that submitted proposals, Billy Casper Golf, Cornerstone Golf, and Pope Golf.

Director Fenton stated that Billy Casper Golf currently manages 140 golf courses, one of which is Harper Pointe in New Bern, owned by the Fairfield Harbour Property Owners Association. A board member reported that the Board is quite satisfied with the golf course and that they actually expanded their management contract to other areas beyond the golf course. According to that board member, revenues have increased 30%.

Director Fenton stated that the committee clearly feels that Billy Casper Golf had the best proposal out of the three interviewed and was best equipped to be successful. Of the 140 golf courses managed currently by the company, 80 are municipal owned golf courses. Park Superintendent Foy checked the company’s listed references including the ones in Knoxville, Tennessee and Harrisburg, Pennsylvania. Both are recommending renewal of
the initial five-year agreement with Billy Casper Golf. There are a lot more operating golf courses and obviously with 140, staff can check them.

Director Fenton stated that staff is seeking permission to negotiate the provisions of the draft management agreement with Billy Casper Golf which will then be brought back to the City Council with all of the specifics for consideration and possible approval, probably in August 2017. Staff envisioned the agreement to include a not to exceed amount that would conceivably be reduced over time and would be somewhat less than the subsidy that has been invested in operating the course in recent years. This period of negotiation will also provide time to contact additional Billy Casper Golf customers and gather input.

Council Member Connelly asked what stood out about Billy Casper Golf when the committee was looking at different management firms.

Director Fenton stated that with the magnitude of golf courses managed by Billy Casper Golf, they have a wealth of resources and a great ability for economy of scale with buying things in great quantity for all of their golf courses instead of buying them for each one. A team accompanied Billy Casper Golf to give their presentation and the talents of the various members were evident. They would discuss some increase in fees. Most companies would, but Billy Casper Golf seemed reasonable and were not going overboard as far as something that would make the golf course less than a publicly popular operation. He feels that the members of the committee were impressed with how polished and professional they were in their approach.

Council Member Connelly asked was there any discussion about taking away services or different programs.

Director Fenton responded no. That is a negotiated item for discussion. Billy Casper Golf does recognize the City Council’s concern is to maintain the level of service and accessibility to the public. They understand that it is not about making the golf course into a country club. The committee wants to look at specifics in the draft agreement to make sure before coming back to the City Council with a proposal that all the things wanted would be in the agreement.

Council Member Connelly asked if Billy Casper Golf had managed Brook Valley Country Club.

Director Fenton responded that staff received a communication to that effect today. Greenville Country Club purchased the Brook Valley Country Club, but he is unaware whether it was purchased before Billy Casper Golf had exited or at the same time. He stated they will look into the matter.

Council Member Connelly asked if there had been any discussion about how well Billy Casper Golf managed the Brook Valley Country Club.
Superintendent Foy stated that there were a lot of grey areas and the bottom line is there was a mutual termination with the Brook Valley Golf Club contract, and what led to it is unknown by the committee. Today, staff received an article from a concerned citizen about an issue Black Mountain had with Billy Casper Golf. He personally spoke to the Assistant City Manager in Black Mountain and was informed that Black Mountain rushed into the contract without taking time to get into the details of establishing a not to exceed clause. At no time did Billy Casper mislead Black Mountain. Also, the Assistant City Manager stated that Black Mountain negotiated a less than perfect contract; politics got involved three months after Billy Casper Golf was managing the golf course and elections were held. The article indicates that Black Mountain lumped capital improvement funds with the cost of operating the golf course in the amount of $400,000. Billy Casper Golf managed Black Mountain for 32 months and mutually agreed to terminate the contract.

Council Member Connelly stated that he received information as well about Black Mountain rushing through contracts.

Assistant City Manager Cowin stated that not only did Billy Casper Golf have the most favorable financial position, but it also had a high sense of concentration on increasing the number of rounds at the golf course annually back to a level the golf course had five years ago. Billy Casper Golf's emphasis is analyzing those numbers and trying to maximum the number of rounds through making sure that one round does not go to waste, looking at off times and maybe adjusting the rates even downward in order to entice individuals to come out into the course or otherwise there would be no activity at the golf course. Their presentation reflected the emphasis on numbers and the analytical aspects of their operations.

Council Member Smiley asked how does the management of the golf course by a firm works. Council Member Smiley stated that management company runs it, there are revenues and expenses, the firm has a charge as well, and the gain or loss remains the responsibility of the City.

Director Fenton responded that the City is responsible for the remains up to a certain point. The City would put a certain amount in but could not exceed over a certain amount. There is a management fee. The management firm will not be able to raise fees without the permission of the City, but they will come to the City about staffing positions and those are things to negotiate. But, it would still be considered as the City's golf course.

Council Member Smiley stated that if the sole goal was to save money then a management company is not needed to provide less service for less money. The City could operate the golf course, close it down five days a week, and have a lower quality product for less money and a manager is not needed to do that. Presumably, the City is looking for someone to give a higher quality product or at least the same product the City has already more efficiently. The City wants more positive experiences at this park.
Council Member Mercer stated that the City would want to continue at least the same level of programming and quality of such. He is leery about going down this path with a management company. If the vote is to do so, he will not be satisfied with staff coming back with a vague statement about the City is going to continue quality and programming. Even if the City or someone else runs the golf course the programs will change and evolve, and some will drop out and come in so there could not be fixed programs.

Council Member Mercer stated that specificity will be necessary in the contract and it will become tedious with the negotiation. He will not feel comfortable with negotiating with a management company until there is a legal contract that will ensure that the City maintains a certain level and quality of programming. Another concern about a management company is the maintenance of the City’s facilities and not taking care of the golf course is not acceptable.

Council Member Mercer asked are there any comments and thoughts about the maintenance of this facility in the hands of someone who is not the owner.

Director Fenton responded that this company is established enough that if they failed at maintenance then they would fail totally. An escape clause must be written to terminate the agreement, if necessary and a plan for how the plan would operate the next date after getting out of that agreement. The company recognizes that the City has an investment/asset that it wants to protect. The City’s expectations must clear and staff must to monitor the golf course fairly regularly.

City Manager Lipscomb stated the City must continue to invest in its assets too and cannot just turn the golf course over to the company. The City will negotiate and determine what the capital improvement projects and investments are and how much incoming money is needed to make this work. So, the City and the management firm do not degrade what the City has and move forward.

Council Member Godley asked how much has the golf course been operating in the red for the past five years.

Assistant City Manager Cowin responded that for FY 2015-2016, there were $637,000 in revenues and $861,000 in expenses and that was a loss of ($224,000). This fiscal year, 2016-2017, the revenues are projected at about $560,000 and expenses are at $781,000 and that is a net negative of ($222,000). For next fiscal year with all things held constant, $630,000 is projected for revenues and $760,000 for expenses and a net negative of ($139,000). As a reminder, two positions were reduced in the process.

Motion was made by Mayor Pro-Tem Smith and seconded by Council Member Godley to approve the contract negotiations for a golf management agreement. Motion carried unanimously.
REQUEST TO UTILIZE FEDERAL AND STATE ASSET FORFEITURE FUNDS TO PURCHASE VARIOUS EQUIPMENT FOR THE POLICE DEPARTMENT

Chief of Police Mark Holtzman gave information regarding the replacement of equipment and the purchase of advancement technology for the Greenville Police Department’s (GPD) Forensic Unit and the armored rescue vehicle. None of this money is from tax dollars and is from seized funds from drug dealers, and it is both Federal and State asset forfeiture funds.

Chief Holtzman stated that the first piece of equipment is the mini-caliber robot ($54,110) to replace the one without an arm, which can open a door and the robot also has a camera and a microphone, which can be used for communications.

Mayor Pro-Tem Smith asked what will be done with the current robot.

Chief Holtzman responded that the current robot is no longer working and it will be donated to the robotic team at the Pitt Community College as a project for them.

Chief Holtzman stated the crash and crime scene laser scanning system ($123,299) is a piece of advanced technology and he described the current method used opposed to using this technology. If there is a crash on a road, the GPD shuts down the road for hours doing a reconstruction where the Police Officers pinpoint all those locations and then go back to recreate that scene somehow. This computer takes an image of the crash which goes into the data bank and recreates the crash scientifically. Also, if a crime scene takes place inside a house, the GPD takes a lot of pictures, draws a sketch, and is left with a 2D image of that. This technology creates a 3D image and can actually stitch multiple images together virtually being able to move through an entire house to the crime scene. The GPD is able to perform a laser scanning first and then collect all of the evidence. It speeds up the GPD’s time and efficiency in the field and makes a great presentation in court proceedings.

Mayor Pro-Tem Smith asked about the cost for training.

Chief Holtzman responded that the training is included in the price of the technology. A demonstration was given at an actual crash in Greenville.

Mayor Pro-Tem Smith asked are any upgrades to the GPD’s current computers involved.

Chief Holtzman responded that the GPD’s computers will be able to handle the software.

Chief Holtzman stated there are two more items for traffic safety, the three-line message board ($17,000) and speed patrol trailer ($8,347) and they are replacements. The message board has some speed and radar capability and the GPD uses this a lot for messaging in neighborhoods where there are problems with speeding plus it collects data such as traffic volume, high traffic times of day, and vehicular count.
Chief Holtzman stated the 30 Tasers and Holsters ($41,340) are also replacements with a lifespan and instead of using the GPD’s budgetary money the asset forfeiture funds will be used. The last piece of equipment is the Ballistic Resistant Emergency Rescue Vehicle ($259,559). The Ballistic Resistant Emergency Rescue Vehicle will not be used during peaceful planned marches or protests that are constitutionally protected by the First Amendment.

Chief Holtzman stated that The GPD has developed a policy that governs and restricts the use of this vehicle under certain conditions so as not to negatively impact public perception. This armored vehicle will be used as part of the de-escalation model to safely resolve crisis negotiations. As a partnership, the Pitt County Sheriff’s Office has agreed to contribute $20,000 towards the purchase of the vehicle for use as needed within Pitt County. Chief Holtzman read the following letter from Pitt County Sheriff Neil Elks:
Mayor Pro-Tem Smith stated there is community concern about the City purchasing equipment which creates the feeling that the GPD is militarized. The policies established for this vehicle are critical and the City must continue to make sure that it is aware of the GPD’s relationship with the community. When mending fractured parts of a community to get everybody on the same page, the City must be mindful of purchases such as the armored vehicle. Even though it is not taxpayers’ money being used for this purchase, the money from the asset forfeiture funds still affects the citizens. The last thing wanted is to make people feel that they are unsafe from their community’s law enforcement force.

Chief Holtzman stated that the color of this vehicle is intentional; it is not military green. There are much more militaristic vehicles and this one fits Greenville.

Mayor Thomas stated this is an example of good dialogue about policy with good leadership in the community that restricts and prevents. To make sure that the armored vehicle is used for its intended use, which is getting families and making sure GPD’s Police Officers are out of harm’s way. As long as policy adheres to those goals, the City will be able to point at the lives saved.

Council Member Godley made comments about 911 and stated that the City of Greenville needs to be able to give its Police Officers the tools to protect its citizens and to resolve a situation. The City needs to be prepared and be able to respond because of massive terror attacks.

Council Member Smiley asked regarding the City’s providing mutual aid to other forces and communities, if the City uses this armored vehicle in another area, would GPD’s trained personnel deploy and operate the vehicle.

Chief Holtzman stated that is correct.

Motion was made by Council Member Godley and seconded by Council Member Glover to use Federal and State asset forfeiture funds for the purchase of the stated needs. Motion carried unanimously.

DORMITORY-STYLE STUDENT HOUSING - APPROACH TO PUBLIC INPUT AND SOLICITATION FOR CONSULTANT

Motion was made by Mayor Pro-Tem Smith and seconded by Council Member Godley to proceed with the discussion of the dormitory-style housing – approach to public input and solicitation for a consultant, to continue the remaining items on the agenda, including amended expenditures from the North Carolina Department of Commerce Downtown Revitalization Grant funds, proposed Jobs Creation Grant Program, and the acceptance of an EPA Brownfields Grant until Thursday night’s meeting, and to enter into Closed Session. Motion carried unanimously.
Chief Planner Thomas Weitnauer stated that a recent request to allow various types of student housing projects has generated significant discussion among Council Members and throughout the community. During its May 8, 2017 meeting, the City Council directed staff to look into potential vendors to conduct a study on dormitory-style student housing, to report back to the City Council in June, and to begin implementation of a public input process.

Chief Planner Weitnauer reported that staff summarized a study used by the City of Auburn, Alabama at the May 8, 2017 City Council meeting. Staff contacted the consultant who prepared the study, which was used by Auburn, and drafted a Request for Qualifications (RFQ) to issue. The scope of services would be very similar to what Auburn used because it seems to be that this city has problems similar to the City of Greenville, with the goal being to determine if the market for dormitory-style housing will be saturated after the projects in the pipeline are built-out.

Chief Planner Weitnauer reported that the proposal for a series of public sessions is to have one during the day and one in the evening in the Third Floor Gallery at City Hall and another one at the Planning and Zoning meeting in July. Additionally, an online survey could be done and then have a session reserved for the consultant in early September to drill down even further.

Chief Planner Weitnauer stated that staff is seeking direction from the City Council to authorize the City to issue a RFQ to commission the student and market rate housing analysis to determine where the market is saturated and to approve a series of public input sessions.

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

AMENDED EXPENDITURES FROM NORTH CAROLINA DEPARTMENT OF COMMERCE DOWNTOWN REVITALIZATION GRANT FUNDS - (Continue to Thursday)

PROPOSED JOBS CREATION GRANT PROGRAM - (Continue to Thursday)

ACCEPTANCE OF AN EPA BROWNFIELDS GRANT (ADDED) - (Continue to Thursday)

**REVIEW OF JUNE 8, 2017 CITY COUNCIL AGENDA**

There was no review of the agenda for the June 8, 2017 City Council meeting due to the approval of the motion to continue the remaining items on the agenda until Thursday and to enter Closed Session.
CITY MANAGER’S REPORT

No comments were made by the City Manager due to the approval of the motion to continue the remaining items on the agenda until Thursday and to enter Closed Session.

COMMENTS BY MAYOR AND CITY COUNCIL

No comments were made by the Mayor and City Council due to the approval of the motion to continue the remaining items on the agenda until Thursday and to enter Closed Session.

CLOSED SESSION

Mayor Pro-Tem Smith moved to enter Closed Session in accordance with G.S. §143-318.11(a)(6) to consider qualifications, competence, performance, and conditions of appointment of a public officer or employee. Council Member Godley seconded the motion, which passed by unanimous vote.

Mayor Thomas declared the City Council in Closed Session at 8:40 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 Smiley and seconded by Council Member Godley to return to open session. Motion was approved unanimously, and Mayor Thomas returned the City Council to open session at 8:49 p.m.

ADJOURNMENT

There being no further business before the City Council, motion was made by Council Member Smiley and seconded by Council Member Godley to adjourn the meeting. Motion carried unanimously, and Mayor Thomas declared the meeting adjourned at 8:50 p.m.

Respectfully Submitted

Polly Jones
Deputy City Clerk