



**WINTERVILLE TOWN COUNCIL AGENDA
MONDAY, MARCH 11, 2024 - 6:00 PM
WINTERVILLE TOWN HALL ASSEMBLY ROOM**

- I. CALL TO ORDER.**
- II. INVOCATION.**
- III. PLEDGE OF ALLEGIANCE.**
- IV. WELCOME.**
- V. ROLL CALL.**
- VI. APPROVAL OF AGENDA.**
- VII. RECOGNITION OF EMPLOYEES:**
 1. Officer Sean Pena, Police Department.
- VIII. PROCLAMATIONS:**
 1. Women's History Month.
 2. Joyce Harris Mills Weldin.
- IX. PUBLIC COMMENT:** *The Public Comment period of thirty minutes provides an opportunity for residents to comment on any item included in the agenda or to address the Town Council on any other matter related to the Town of Winterville. For an item included in the Public Hearing section of the agenda, residents should address the Council at the time the Mayor invites public comment on the item. No public comment may be made to the Council during the meeting, except during the Public Comment period or as part of a Public Hearing. Individual speakers are limited to a maximum of three minutes, and no more than three speakers may address the Council on a single matter. The Town Council may elect to take no action on the matter addressed by a speaker, may schedule the matter for further consideration at a future Council meeting, or may refer the matter to Town staff for disposition. Copies of the Town Public Comment Policy are available in the rear of the Assembly Room.*
- X. CONSENT AGENDA:** *The following items are considered routine in nature and will not be discussed by the Town Council unless a Councilman or citizen requests that an item be removed from the Consent Agenda for further discussion. The Mayor may allow citizens to address an item or ask questions.*
 1. Approval of the following sets of Council Meeting Minutes:
 - January 20, 2024 Council Orientation Meeting Minutes; and
 - January 30, 2024 Council Vision Setting A Meeting Minutes; and
 - February 6, 2024 Council Vision Setting B Meeting Minutes; and
 - February 12, 2024 Regular Meeting Minutes.
 2. Budget Amendment 2023-2024-5.
 3. Schedule Public Hearing for the April 8, 2024 Regular Council Meeting: Ludie Ange Moore Family Partnership Rezoning.

XI. OLD BUSINESS:

1. Human Relations Board Discussion.

XII. NEW BUSINESS:

1. Approval of Financing Terms and Agreement with First Citizens Bank for Equipment.
2. Southbrook Phase 1 Preliminary Plat.

XIII. OTHER AGENDA ITEMS:

1. Stray Animals/Loose Pets. (Councilwoman Hawkins).
2. Town Spring Beautification. (Councilwoman Hawkins).

XIV. ITEMS FOR FUTURE AGENDAS/FUTURE WORK SESSIONS:

XV. ANNOUNCEMENTS:

1. Planning and Zoning Board Meeting: Monday, March 18, 2024 @ 7:00 pm - Town Hall Assembly Room.
2. Board of Adjustment Meeting: Tuesday, March 19, 2024 @ 7:00 pm - Town Hall Assembly Room.
3. Recreation Advisory Board: Tuesday, March 26, 2024 @ 6:30 pm – Operation Center.
4. April Agenda Information and Abstracts Due: Wednesday, March 27, 2024.
5. Human Relations Board Meeting: Thursday, March 28, 2024 @ 7:00 – Executive Conference Room.
6. Good Friday Holiday - Town Offices Closed: Friday, March 29, 2024.
7. Agenda Review Meeting: Thursday, April 4, 2024 @ 4:00 pm – Town Hall Executive Conference Room.
8. Regular Town Council Meeting: Monday, April 8, 2024 @ 6:00 pm - Town Hall Assembly Room.
9. NCLM Town and State Dinner: Wednesday, April 10, 2024 at 5:15 pm - 8:00 pm - The Firehouse, 109 E Ash Street, Goldsboro, NC.

XVI. REPORTS FROM THE TOWN ATTORNEY, MAYOR AND TOWN COUNCIL, AND TOWN MANAGER.

XVII. ADJOURN.

SPECIAL NOTICE: *Anyone who needs an interpreter or special accommodations to participate in the meeting should notify the Town Clerk, Don Harvey at (252) 756-2221 ext. 2344 at least forty-eight (48) hours prior to the meeting. (Americans with Disabilities Act (ADA) 1991.)*



PROCLAMATION
Women's History March 2024

WHEREAS, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

WHEREAS, American women have played and continue to play critical economic, cultural, and social roles in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

WHEREAS, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

WHEREAS, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, American women have served our country courageously in the military; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which created a more fair and just society for all; and

WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history; and

NOW, THEREFORE, I, Brandy Harrell, Mayor Pro Tem of the Town of Winterville hereby designate March as "Women's History Month" honoring the contribution and legacy of women.

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 11th day of March 2024.

Brandy Harrell, Mayor Pro Tem

Attest:

Donald Harvey, Town Clerk



PROCLAMATION
JOYCE HARRIS MILLS WELDIN

WHEREAS, the Winterville Community; would like to recognize Joyce Harris Mills Weldin for being the first Woman to run for public office in Winterville; and,

WHEREAS, she is the daughter of Jarvis and Peggy Harris who lived at 120 Depot Street, Winterville North Carolina; and,

WHEREAS, she ran for town alderman sometime around 1972 at the request of several town citizens who wanted to see a change for women and thought she would be a good representative for the Town of Winterville; and,

WHEREAS, there was only one seat up for election; and,

WHEREAS, she ran against Tyree Stocks and Calvin Henderson; and,

WHEREAS, Calvin Henderson won the election; and,

WHEREAS, the Daily Reflector published an article about Joyce Harris Mills being the first female to run for a seat on the Board of Alderman for the Town of Winterville.

NOW, THEREFORE, I, Brandy Harrell, Mayor Pro Tem of the Town of Winterville hereby honor her contribution and hereby proclaim.

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 11th day of March 2024.

Brandy Harrell, Mayor Pro Tem

Attest:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: March 11, 2024

Presenter: Donald Harvey, Town Clerk

Item to be Considered

Subject: Council Meeting Minutes.

Action Requested: Approval of Minutes.

Attachment: Draft Minutes of the Council meetings listed below.

Prepared By: Donald Harvey, Town Clerk

Date: 2/28/2024

ABSTRACT ROUTING:

TC: 3/4/2024

TM: 3/4/2024

Final: tlp - 3/4/2024

Supporting Documentation

Approval of the following sets of Council Meeting Minutes:

- ❖ January 20, 2024 Council Orientation Meeting Minutes; and
- ❖ January 30, 2024 Council Vision Setting A Meeting Minutes; and
- ❖ February 6, 2024 Council Vision Setting B Meeting Minutes; and
- ❖ February 12, 2024 Regular Meeting Minutes.

Budgetary Impact: NA.

Recommendation: Approval of Minutes.



**WINTERVILLE TOWN COUNCIL ORIENTATION MEETING MINUTES
SATURDAY, JANUARY 20, 2024 - 8:00 AM
WINTERVILLE TOWN HALL EXECUTIVE CONFERENCE ROOM**

The Winterville Town Council met in a Regular Meeting on the above date at 8:00 AM in the Town Hall Executive Conference Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Brandy Harrell, Mayor Pro Tem
Shantel Hawkins, Councilwoman
Johnny Moye, Councilman
Veronica W. Roberson, Councilwoman
Lisa Smith, Councilwoman
Keen Lassiter, Town Attorney
Terri L. Parker, Town Manager
Anthony Bowers, Assistant Town Manager
Donald Harvey, Town Clerk

CALL TO ORDER: Mayor Hines called the meeting to order.

INVOCATION: Councilman Moye gave the Invocation.

PLEDGE OF ALLEGIANCE: Mayor Hines led everyone in the Pledge of Allegiance.

WELCOME: Mayor Hines welcomed the public.

APPROVAL OF AGENDA:

Councilwoman Roberson asked to add the Human Relations Board to the items to discuss.

Motion made by Mayor Pro Tem Harrell and seconded by Councilwoman Smith to approve the amended agenda. Motion carried unanimously, 5-0.

BREAK FOR BREAKFAST:

Mayor Hines noted the following items from Kirby Smart: 1. There is a cost associated with leadership. A degree of sacrifice. 2. You will be disliked for the best decisions you make. 3. You will be misunderstood at times and not have the opportunity to defend yourself.

ITEMS FOR CONSIDERATION:

1. BRIC MATCHING FUNDS COMMITMENT LETTER – APPROVAL.

Assistant Town Manager Bowers presented the BRIC Grant Application requesting a “Letter of Commitment for Funding the Local Match.” The Town has already transferred \$3.2 million dollars for

this project, and it is set aside in the capital project fund. The letter states that at a minimum the Town will commit \$2,854,800. Which has already been exceeded.



WINTERVILLE

A slice of the good life!

LOCAL MATCH FUND COMMITMENT LETTER

2571 Railroad Street
PO Box 1459
Winterville, NC 28590

Phone: (252) 215-2340
Fax: (252) 215-2450
www.wintervillenc.com

01-20-2024
Steve McGugan
State Hazard Mitigation Officer
4238 MSC, Raleigh, NC 27699-4238

Re: BRIC2023 Subapplication

Dear Mr. McGugan:

As part of the Building Resilient Infrastructure in Communities grant process, our sub-application in FEMA-Go offered a non-federal match of 35% . This letter serves as the Town of Winterville's commitment to meet the local match fund requirements as proposed in the 2023 proposal.

SOURCE OF NON-FEDERAL FUNDS:	LOCAL AGENCY FUNDING <input checked="" type="checkbox"/>	OTHER NON-FEDERAL FUNDING <input type="checkbox"/>	PRIVATE NON-PROFIT FUNDING <input type="checkbox"/>	STATE AGENCY FUNDING <input type="checkbox"/>
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NAME OF FUNDING SOURCE:

FUNDS AVAILABILITY DATE:

PROVIDE EXACT MONTH/DATE/YEAR OF AVAILABILITY OF FUNDS

FEDERAL SHARE AMOUNT REQUESTED:

MUST MATCH \$ AMOUNT PROVIDED IN SUBAPPLICATION

LOCAL SHARE AMOUNT MATCH:

MUST EQUAL THE \$ AMOUNT PROVIDED IN THE SUBAPPLICATION

FUNDING TYPE:

EXAMPLES: ADMINISTRATION, CASH, CONSULTING FEES, ENGINEERING FEES, FORCE ACCOUNT LABOR, AGENCY PERSONNEL, PROGRAM INCOME, ETC.

Please contact Anthony Bowers at 252-756-2221 with any questions.

Sincerely,

Anthony Bowers
Assistant Town Manager
252-756-2221 Ext. 2348
Anthony.bowers@wintervillenc.com

Motion made by Councilwoman Smith and seconded by Mayor Pro Tem Harrell to approve the BRIC Matching Funds Commitment Letter. Motion carried unanimously, 5-0.

2. NCDPS DESIGNATION OF APPLICANTS AGENT – APPROVAL.

Assistant Town Manager Bowers presented the resolution to authorize the Assistant Town Manager to sign and act on behalf of the Town for the 2023 BRIC (Building Resiliency in Communities) application. This will be used in the application process; as well as, grant management if awarded.

RESOLUTION DESIGNATION OF APPLICANT'S AGENT North Carolina Division of Emergency Management	
Organization Name (hereafter named Organization) Town of Winterville	Disaster Number:
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate):	
Applicant's Fiscal Year (FY) Start 2024	Month: 7 Day: 1
Applicant's Federal Employer's Identification Number 56 - 6001376	
Applicant's Federal Information Processing Standards (FIPS) Number	
PRIMARY AGENT	SECONDARY AGENT
Agent's Name Anthony Bowers	Agent's Name Jessica Manning
Organization Town of Winterville	Organization Town of Winterville
Official Position Assistant Town Manager	Official Position Finance Director
Mailing Address PO Box 1495	Mailing Address PO Box 1459
City, State, Zip Winterville NC 28590	City, State, Zip Winterville NC 28590
Daytime Telephone (252) 756-2221	Daytime Telephone (252) 756-2221
Facsimile Number	Facsimile Number
Pager or Cellular Number (252) 902-9336	Pager or Cellular Number
<p>BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this <u>20th</u> day of <u>Jan</u>, 20<u>24</u>.</p>	
GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title Richard Hines, Mayor	Name Donald Harvey
Name and Title Brandy Harrell, Mayor Pro Temp	Official Position Town Clerk
Name and Title 1-20-2024	Daytime Telephone (252) 756-2221
CERTIFICATION	
<p>I, <u>Donald Harvey</u>, (Name) duly appointed and <u>Town Clerk</u> (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of <u>Winterville Town Council</u> (Organization) on the <u>20th</u> day of <u>January</u>, 20<u>24</u>.</p>	
Date: <u>1-20-2024</u>	Signature: _____
Rev. 06/02	

Motion made by Councilwoman Smith and seconded by Councilwoman Roberson to approve Assistant Town Manager Bowers as the NCDPS Designation of Applicants Agent. Motion carried unanimously, 5-0.

Town Attorney Lassiter presented the following information for discussion and questions. Council and Staff discussed the information during the presentation.

TOWN COUNCIL ORIENTATION MEETING
Town Attorney - Outline of Topics

- 1) Legal Authority for Town to Act
 - a) North Carolina General Statutes
 - i) 160A - Cities and Towns
 - ii) 160D - Local Planning and Development Regulations
 - b) Town Charter and Code of Ordinances
 - c) Board Policies and Procedures Manual
 - i) Adopted in 2008. Rules of Procedure approved by Council.
 - d) Review of Key Statutes, Ordinances and Rules Related to Operation of Town
 - i) Oath of Office - NCGS §160A-61

§ 160A-61. Oath of office.

Every person elected by the people or appointed to any city office shall, before entering upon the duties of the office, take and subscribe the oath of office prescribed in Article VI, § 7 of the Constitution. Oaths of office shall be administered by some person authorized by law to administer oaths and shall be filed with the city clerk. (R.C., c. 111, s. 12; Code, s. 3799; Rev., s. 2920; C.S., s. 2628; 1971, c. 698, s. 1.)

- ii) Vacancies - NCGS §160A-63, Charter §2.7 & Rule 20

§ 160A-63. Vacancies.

A vacancy that occurs in an elective office of a city shall be filled by appointment of the city council. If the term of the office expires immediately following the next regular city election, or if the next regular city election will be held within 90 days after the vacancy occurs, the person appointed to fill the vacancy shall serve the remainder of the unexpired term. Otherwise, a successor shall be elected at the next regularly scheduled city election that is held more than 90 days after the vacancy occurs, and the person appointed to fill the vacancy shall serve only until the elected successor takes office. The elected successor shall then serve the remainder of the unexpired term. If the number of vacancies on the council is such that a quorum of the council cannot be obtained, the mayor shall appoint enough members to make up a quorum, and the council shall then proceed to fill the remaining vacancies. If the number of vacancies on the council is such that a quorum of the council cannot be obtained and the office of mayor is vacant, the Governor may fill the vacancies upon the request of any remaining member of the council, or upon the petition of any five registered voters of the city. Vacancies in appointive offices shall be filled by the same authority that makes the initial appointment. This section shall not apply to vacancies in cities that have not held a city election, levied any taxes, or engaged in any municipal functions for a period of five years or more.

In cities whose elections are conducted on a partisan basis, a person appointed to fill a vacancy in an elective office shall be a member of the same political party as the person whom he replaces if that person was elected as the nominee of a political party. (R.C., c. 111, ss. 9, 10; Code, ss. 3793, 3794; Rev., ss. 2921, 2931; C.S., ss. 2629, 2631; 1971, c. 698, s. 1; 1973, c. 426, S. 11; C. 827, S. 1; 1983, C. 827, S. 1.)

iii) Compensation of Mayor and Council - NCGS §160A-64

§ 160A-64. Compensation of mayor and council.

(a) The council may fix its own compensation and the compensation of the mayor and any other elected officers of the city by adoption of the annual budget ordinance, but the salary of an elected officer other than a member of the council may not be reduced during the then-current term of office unless he agrees thereto. The mayor, councilmen, and other elected officers are entitled to reimbursement for actual expenses incurred in the course of performing their official duties at rates not in excess of those allowed to other city officers and employees, or to a fixed allowance, the amount of which shall be established by the council, for travel and other personal expenses of office; provided, any fixed allowance so established during a term of office shall not be increased during such term of office.

(b) All charter provisions in effect as of January 1, 1972, fixing the compensation or allowances of any city officer or employee are repealed, but persons holding office or employment on January 1, 1972, shall continue to receive the compensation and allowances then prescribed by law until the council provides otherwise in accordance with this section or G.S. 160A-162. (1969, c. 181, s. 1; 1971, c. 698, s. 1; 1973, c. 426, s. 12; c. 1145; 1979, 2nd Sess., c. 1247, s. 1.)

iv) Composition of Council - §160A-66 & Charter §2.1 & §2.2

§ 160A-66. Composition of council.

Unless otherwise provided by its charter, each city shall be governed by a mayor and a council of three members, who shall be elected from the city at large for terms of two years. (1971, c. 698, s. 1.)

v) General Powers of Mayor and Council - NCGS §160A-67 & Charter §2.3

§ 160A-67. General powers of mayor and council.

Except as otherwise provided by law, the government and general management of the city shall be vested in the council. The powers and duties of the mayor shall be such as are conferred upon him by law, together with such other powers and duties as may be conferred upon him by the council pursuant to law. The mayor shall be recognized as the official head of the city for the purpose of service of civil process, and for all ceremonial purposes. (1971, c. 698, s. 1.)

vi) Organizational Meeting - NCGS §160A-68

§ 160A-68. Organizational meeting of council.

(a) The council may fix the date and time of its organizational meeting. The organizational meeting may be held at any time after the results of the municipal election have been officially determined and published pursuant to Subchapter IX of Chapter 163 of the General Statutes but not later than the date and time of the first regular meeting of the council in December after the results of the municipal election have been certified pursuant to that Subchapter. If the council fails to fix the date and time of its organizational meeting, then the meeting shall be held on the date and at the time of the first regular meeting in December after the results of the municipal election have been certified pursuant to Subchapter IX of Chapter 163 of the General Statutes.

(b) At the organizational meeting, the newly elected mayor and councilmen shall qualify by taking the oath of office prescribed in Article VI, Section 7 of the Constitution. The organization of the council shall take place notwithstanding the absence, death, refusal to serve, failure to qualify, or nonelection of one or more members, but at least a quorum of the members must be present.

(c) All local acts or provisions of city charters which prescribe a particular meeting day or date for the organizational meeting of a council are hereby repealed. (1971, c. 698, s. 1; 1973, c. 426, s. 13; c. 607; 1979, c. 168; 1979, 2nd Sess., c. 1247, s. 2; 2017-6, s. 3; 2018-146, ss: 3.1(a), (b), 6.1.)

vii) Mayor Presides Over Council - NCGS §160A-69 & Code §31.01

§ 160A-69. Mayor to preside over council.

The mayor shall preside at all council meetings, but shall have the right to vote only when there are equal numbers of votes in the affirmative and in the negative. In a city where the mayor is elected by the council from among its membership, and the city charter makes no provision as to the right of the mayor to vote, he shall have the right to vote as a council member on all matters before the council, but shall have no right to break a tie vote in which he participated. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 3.)

viii) Mayor Pro Tempore - NCGS §160A-70, Charter §2.4 & Code §31.02

§ 160A-70. Mayor pro tempore; disability of mayor.

At the organizational meeting, the council shall elect from among its members a mayor pro tempore to serve at the pleasure of the council. A councilman serving as mayor pro tempore shall be entitled to vote on all matters and shall be considered a councilman for all purposes, including the determination of whether a quorum is present. During the absence of the mayor, the council may confer upon the mayor pro tempore any of the powers and duties of the mayor. If the mayor should become physically or mentally incapable of performing the duties of his office, the council may by unanimous vote declare that he is incapacitated and confer any of his powers and duties on the mayor pro tempore. Upon the mayor's declaration that he is no longer incapacitated, and with the concurrence of a majority of the council, the mayor shall resume the exercise of his powers and duties. In the event both the mayor and the mayor pro tempore are absent from a meeting, the council may elect from its members a temporary chairman to preside in such absence. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 4.)

ix) Regular and Special Called Meetings - NCGS §160-71

§ 160A-71. Regular and special meetings; recessed and adjourned meetings; procedure.

(a) The council shall fix the time and place for its regular meetings. If no action has been taken fixing the time and place for regular meetings, a regular meeting shall be held at least once a month at 10:00 A.M. on the first Monday of the month.

(b)

- (1) The mayor, the mayor pro tempore, or any two members of the council may at any time call a special council meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. The notice shall be delivered to the mayor and each councilman or left at his usual dwelling place at least six hours before the meeting. Only those items of business specified in the notice may be transacted at a special meeting, unless all members are present or have signed a written waiver of notice. In addition to the procedures set out in this subsection or any city charter, a person or persons calling a special meeting of a city council shall comply with the notice requirements of Article 33C of General Statutes Chapter 143.
- (2) Special meetings may be held at any time when the mayor and all members of the council are present and consent thereto, or when those not present have signed a written waiver of notice.

(3) During any regular meeting, or any duly called special meeting, the council may call or schedule a special meeting, provided that the motion or resolution calling or scheduling any such special meeting shall specify the time, place and purpose or purposes of such meeting and shall be adopted during an open session.

(b1) Any regular or duly called special meeting may be recessed to reconvene at a time and place certain or may be adjourned to reconvene at a time and place certain, by the council.

(c) The council may adopt its own rules of procedure, not inconsistent with the city charter, general law, or generally accepted principles of parliamentary procedure. (1917, c. 136, subch. 13, s. 1; C.S., s. 2822; 1971, c. 698, s. 1; 1973, c. 426, s. 14; 1977, 2nd Sess., c. 1191, s. 7; 1979, 2nd Sess., c. 1247, s. 5; 1989, c. 770, s. 37.)

x) Quorum - NCGS §160A-74, Charter §2.6, Code §30.05 & Rule 22

§ 160A-74. Quorum.

(a) A majority of the actual membership of the council plus the mayor, excluding vacant seats, shall constitute a quorum. A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for purposes of determining whether or not a quorum is present.

(b) Any member present by means of simultaneous communication in accordance with G.S. 166A-19.24 shall be counted as present for the purposes of whether a quorum is present only during the period while simultaneous communication is maintained for that member. (1917, c. 136, subch. 13, s. 1; C.S., s. 2821; 1971, c. 698, s. 1; 1975, c. 664, s. 5; 1979, 2nd Sess., c. 1247, s. 6; 2020-3, s. 4.31(t).)

xi) Council to Organize Town Government - NCGS §160A-146, Charter §4.1 & 4.2 & Code §31.03

§ 160A-146. Council to organize city government.

The council may create, change, abolish, and consolidate offices, positions, departments, boards, commissions, and agencies of the city government and generally organize and reorganize the city government in order to promote orderly and efficient administration of city affairs, subject to the following limitations:

- (1) The council may not abolish any office, position, department, board, commission, or agency established and required by law;
- (2) The council may not combine offices or confer certain duties on the same officer when such action is specifically forbidden by law;
- (3) The council may not discontinue or assign elsewhere any functions or duties assigned by law to a particular office, position, department, or agency. (1971, C. 698, S. 1.)

xii) Statutory Powers Given to Town Manager - NCGS §169A-148

§ 160A-148. Powers and duties of manager.

(a) The manager shall be the chief administrator of the city. The manager shall be responsible to the council for administering all municipal affairs placed in the manager's charge by the council, and shall have the following powers and duties:

- (1) He shall appoint and suspend or remove all city officers and employees not elected by the people, and whose appointment or removal is not otherwise provided for by law, except the city attorney, in accordance with such general personnel rules, regulations, policies, or ordinances as the council may adopt.

- (2) He shall direct and supervise the administration of all departments, offices, and agencies of the city, subject to the general direction and control of the council, except as otherwise provided by law.
- (3) He shall attend all meetings of the council and recommend any measures that he deems expedient.
- (4) He shall see that all laws of the State, the city charter, and the ordinances, resolutions, and regulations of the council are faithfully executed within the city.
- (5) He shall prepare and submit the annual budget and capital program to the council.
- (6) He shall annually submit to the council and make available to the public a complete report on the finances and administrative activities of the city as of the end of the fiscal year.
- (7) He shall make any other reports that the council may require concerning the operations of city departments, offices, and agencies subject to his direction and control.
- (8) He shall perform any other duties that may be required or authorized by the council.
- (9) The manager shall receive a minimum of six clock hours of education upon the occurrence, or within six months of the occurrence, of any of the following:
 - a. The Local Government Commission is exercising its authority under Article 10 of Chapter 159 of the General Statutes with respect to the city.
 - b. The city has received a unit letter from the Local Government Commission due to a deficiency in complying with Chapter 159 of the General Statutes.
 - c. The city has an internal control material weakness or significant deficiency in the most recently completed financial audit.
 - d. The city is included on the most recently published Unit Assistance List issued by the Department of State Treasurer.

(b) The education shall incorporate fiscal management and the requirements of Chapter 159 of the General Statutes. The education may be provided by the Local Government Commission, the School of Government at the University of North Carolina, the North Carolina Community College System, the North Carolina League of Municipalities, the North Carolina Association of County Commissioners, or other qualified sources at the choice of the governing board and upon the prior approval of the Local Government Commission. The clerk to the governing board shall maintain a record verifying receipt of the education by the manager and shall provide this information, upon request, to the Secretary of the Local Government Commission. (1969, c. 629, s. 2; 1971, c. 698, s. 1; 1973, c. 426, s. 22; 2021-124, s. 5.)

xiii) Town Clerk - NCGS §160A-I 71, Charter §4.3, Code §31.04

§ 160A-171. City clerk; duties.

There shall be a city clerk who shall give notice of meetings of the council, keep a journal of the proceedings of the council, be the custodian of all city records, and shall perform any other duties that may be required by law or the council. (1917, c. 136, subch. 13, s. 1; C.S., s. 2826; 1941, c. 103; 1949, c. 14; 1971, c. 698, s. 1.)

xiv) Town Attorney - NCGS §160A-I 73, Charter §4.4, Code §31.07

§ 160A-173. City attorney; appointment and duties.

The council shall appoint a city attorney to serve at its pleasure and to be its legal adviser. (1971, c. 698, s. 1.)

- e) Council Meetings
 - i) Regular Meetings-NCGS §160A-71, Charter §2.5, Code §30.02, Rule 1
 - ii) Special Called Meetings - NCGS §160A-71, Code §30.03, Rule 2
 - iii) Emergency Meetings.
- f) To Hold a Council Meeting and to Take Action - Must have a quorum
- g) Voting - NCGS §160A-75, Charter §2.3, Rule 7

§ 160A-75. Voting.

(a) No member shall be excused from voting except upon matters involving the consideration of the member's own financial interest or official conduct or on matters on which the member is prohibited from voting under G.S. 14-234 or G.S. 160D-109. In all other cases except votes taken under G.S. 160D-601, a failure to vote by a member who is physically present in the council chamber, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote. The question of the compensation and allowances of members of the council is not a matter involving a member's own financial interest or official conduct.

(b) Notwithstanding subsection (a) of this section, a vote or failure to vote by any member present by means of simultaneous communication in accordance with G.S. 166A-19.24 shall be treated as if the member were physically present only during the period while simultaneous communication is maintained for that member.

(c) An affirmative vote equal to a majority of all the members of the council not excused from voting on the question in issue, including the mayor's vote in case of an equal division, shall be required to adopt an ordinance, take any action having the effect of an ordinance, authorize or commit the expenditure of public funds, or make, ratify, or authorize any contract on behalf of the city. In addition, no ordinance nor any action having the effect of any ordinance, except an ordinance on which a public hearing must be held pursuant to G.S. 160D-601 before the ordinance may be adopted, may be finally adopted on the date on which it is introduced except by an affirmative vote equal to or greater than two thirds of all the actual membership of the council, excluding vacant seats and not including the mayor unless the mayor has the right to vote on all questions before the council. For purposes of this section, an ordinance shall be deemed to have been introduced on the date the subject matter is first voted on by the council. (1917, c. 136, subch. 13, s. 1; C.S., s. 2821; 1971, c. 698, s. 1; 1973, c. 426, s. 16; 1979, 2nd Sess., c. 1247, s. 7; 1983, c. 696; 2001-409, s. 9; 2005-426, s. 5.1(a); 2013-126, s. 11; 2015-160, s. 5; 2019-111, s. 2.5(n); 2020-3, ss. 4.31(h), 4.33(a); 2020-25, s. 51(a), (b), (d).)

- h) Town Meeting Agenda
 - i) Public Comment - NCGS §160A-81.1

§ 160A-81.1. Public comment period during regular meetings.

The council shall provide at least one period for public comment per month at a regular meeting of the council. The council may adopt reasonable rules governing the conduct of the public comment period, including, but not limited to, rules (i) fixing the maximum time allotted to each speaker, (ii) providing for the designation of spokesmen for groups of persons supporting or opposing the same positions, (iii) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall, and (iv) providing for the maintenance of order and decorum in the conduct of the hearing. The council is not required to provide a public comment period under this section if no regular meeting is held during the month. (2005-170, s. 3.)

ii) Public Hearings - NCGS §160A-81

§ 160A-81. Conduct of public hearings.

Public hearings may be held at any place within the city or within the county in which the city is located. The council may adopt reasonable rules governing the conduct of public hearings, including but not limited to rules (i) fixing the maximum time allotted to each speaker, (ii) providing for the designation of spokesmen for groups of persons supporting or opposing the same positions, (iii) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall, and (iv) providing for the maintenance of order and decorum in the conduct of the hearing.

The council may continue any public hearing without further advertisement. If a public hearing is set for a given date and a quorum of the council is not then present, the hearing shall be continued until the next regular council meeting without further advertisement. (1971, c. 698, s. 1.)

2) Open Meetings Law - NCGS §143-318.11(a)

§ 143-318.11. Closed sessions.

(a) Permitted Purposes. - It is the policy of this State that closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in this section. A public body may hold a closed session and exclude the public only when a closed session is required:

- (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.
- (2) To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award.
- (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, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.
- (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.
- (5) 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 (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

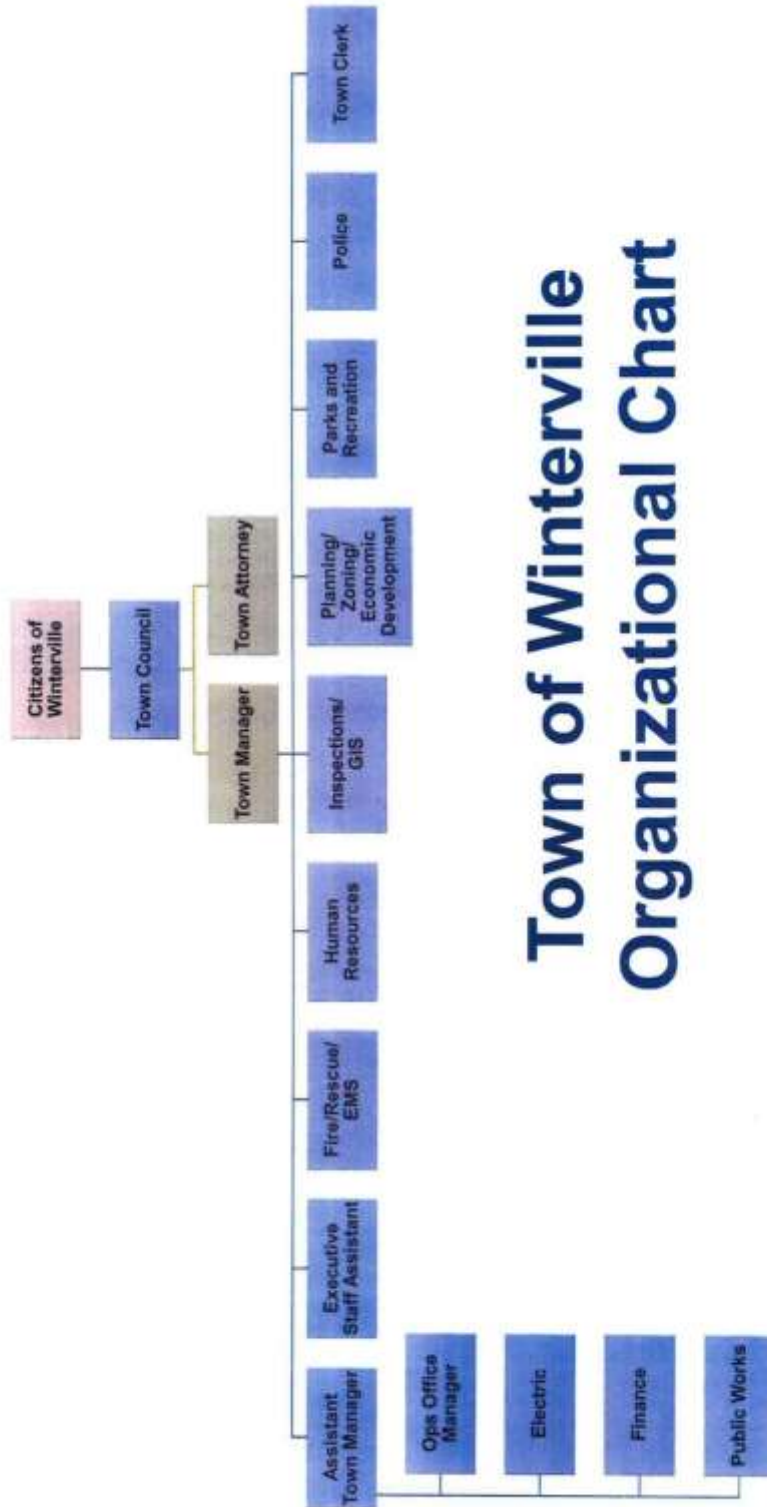
- (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.
- (7) To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.
- (8) To formulate plans by a local board of education relating to emergency response to incidents of school violence or to formulate and adopt the school safety components of school improvement plans by a local board of education or a school improvement team.
- (9) To discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.
- (10) To view a recording released pursuant to G.S. 132-1.4A.

(b) Repealed by Session Laws 1991, c. 694, s. 4.

(c) Calling a Closed Session. - A public body may hold a closed session only upon a motion duly made and adopted at an open meeting. Every motion to close a meeting shall cite one or more of the permissible purposes listed in subsection (a) of this section. A motion based on subdivision (a)(l) of this section shall also state the name or citation of the law that renders the information to be discussed privileged or confidential. A motion based on subdivision (a)(3) of this section shall identify the parties in each existing lawsuit concerning which the public body expects to receive advice during the closed session.

(d) Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 570, s. 2. (1979, c. 655, s. 1; 1981, c. 831; 1985 (Reg. Sess., 1986), c. 932, s. 5; 1991, c. 694, ss. 3, 4; 1993 (Reg. Sess., 1994), C. 570, S. 2; 1995, C. 509, S. 84; 1997-222, S. 2; 1997-290, S. 2; 2001-500, S. 2; 2003-180, s. 2; 2013-360, s. 8.41(b); 2014-79, s. 9(a); 2016-88, s. 3.)

Town Manager Parker presented the following Chain of Command/Organization Chart including lines of communication for discussion and questions. Council and Staff discussed the information.



As of January 2024

Town of Winterville Organizational Chart

Remaining information from the Agenda will be moved to Vision Setting Meetings on January 30th and February 6th.

ADJOURN:

Motion made by Councilwoman Roberson and seconded by Councilwoman Smith to adjourn the meeting. Motion carried unanimously, 5-0. Meeting adjourned at 12:05 pm.

Adopted this the 11th day of March 2024.

Brandy Harrell, Mayor Pro Tem

ATTEST:

Donald Harvey, Town Clerk

DRAFT



**WINTERVILLE TOWN COUNCIL
TUESDAY, JANUARY 30, 2024 – 5:30 PM
VISION SETTING PART A MEETING MINUTES**

The Winterville Town Council met in a Regular Meeting on the above date at 5:30 PM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Brandy Harrell, Mayor Pro Tem
Shantel Hawkins, Councilwoman
Johnny Moye, Councilman
Veronica W. Roberson, Councilwoman
Lisa Smith, Councilwoman
Keen Lassiter, Town Attorney
Terri L. Parker, Town Manager
Anthony Bowers, Assistant Town Manager
Chris Williams, Interim Police Chief
Cliff McGuffin, Public Works Director
Robert Sutton, Electric Director
Ron Mills, Electric Systems Superintendent
Jessica Manning, Finance Director
Evan Johnston, Building Inspector/Code Enforcement Officer
Diane White, Parks and Recreation Director
Jordan Shirley, Parks and Recreation Programming Supervisor
Josh Edens, Parks and Recreation Maintenance Supervisor
Stephen Penn, Planning and Economic Development Director
Willie Gay, Building Inspector/GIS Technician
Angela Fuller, Human Resource Director
Donald Harvey, Town Clerk

CALL TO ORDER: Mayor Hines called the meeting to order.

INVOCATION: Mayor Pro Tem Harrell gave the Invocation.

PLEDGE OF ALLEGIANCE: Mayor Hines led everyone in the Pledge of Allegiance.

WELCOME: Mayor Hines welcomed the public.

APPROVAL OF AGENDA:

Motion made by Councilman Moye and seconded by Mayor Pro Tem Harrell to approve the agenda. Motion carried unanimously, 5-0.

BREAK FOR DINNER

Town Attorney Lassiter: Planning and Zoning Board and Board of Adjustment and process.

Town Attorney Lassiter presented the following information for discussion and questions. Council and Staff discussed the information during the presentation.

1. Planning and Zoning Board - NCGS §160D-301, Code §32.065, Zoning Ordinance - §13.4

§ 160D-301. Planning boards.

- (a) Composition. - A local government may by ordinance provide for the appointment and compensation of a planning board or may designate one or more boards or commissions to perform the duties of a planning board. A planning board established pursuant to this section may include, but shall not be limited to, one or more of the following:
 - (1) A planning board of any size or composition deemed appropriate, organized in any manner deemed appropriate; provided, however, the board shall have at least three members.
 - (2) A joint planning board created by two or more local governments pursuant to Part 1 of Article 20 of Chapter 160A of the General Statutes.
- (b) Duties. - A planning board may be assigned the following powers and duties:
 - (1) To prepare, review, maintain, monitor, and periodically update and recommend to the governing board a comprehensive plan, and such other plans as deemed appropriate, and conduct ongoing related research, data collection, mapping, and analysis.
 - (2) To facilitate and coordinate citizen engagement and participation in the planning process.
 - (3) To develop and recommend policies, ordinances, development regulations, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner.
 - (4) To advise the governing board concerning the implementation of plans, including, but not limited to, review and comment on all zoning text and map amendments as required by G.S. 160D-604.
 - (5) To exercise any functions in the administration and enforcement of various means for carrying out plans that the governing board may direct.
 - (6) To provide a preliminary forum for review of quasi-judicial decisions, provided that no part of the forum or recommendation may be used as a basis for the deciding board.
 - (7) To perform any other related duties that the governing board may direct. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).)

Completed applications shall be received a minimum of ten (10) days prior to the Planning Board meeting at which the proposed amendment is scheduled to be considered.

All applications for amendment shall contain, as a minimum, a description of the proposed change and if it would require a change of the zoning maps, the application shall include a map drawn to a scale of not less than four hundred (400) feet to the inch and not more than twenty (20) feet to the inch showing the land covered by the proposed amendment, a legal description of the property and a list of names and addresses of all owners of property involved in the map change and all adjoining owners as shown on County tax records.

Section 13.4 Planning Board Action

The Zoning Administrator shall present any properly completed application for amendment to the Planning Board at its next regularly scheduled meeting occurring at least ten (10) days after filing of such application with the Zoning Administrator.

The Planning Board shall either recommend in favor of an amendment or in opposition to an amendment by simple majority vote of those present and voting. The Board may also propose conditions to their recommendation. A tie vote on a proposal shall be considered to be in opposition to such amendment. If the Planning Board should fail to act on any proposed amendment within ninety (90) days after it is presented to the Board such failure to act shall be considered to be a favorable recommendation for the purposes of this procedure. *(2000 Zoning Ordinance 0-5/-02/49900 adopted 02//4/200)0*

Section 13.5 Town Council Action

The Zoning Administrator shall present any proposed amendments to the Town Council at its next regular scheduled meeting, following Planning Board action, at which it hears rezoning proposals. The Zoning Administrator shall transmit to the Town Council the Planning Board's record of action on the proposed amendments.

The Town Council shall take such lawful action on such proposals as it may deem advisable provided that no zoning amendment shall be adopted until after a public hearing shall have been held. Notwithstanding the provisions of Section 13.6, a simple majority vote of the Town Council shall be required to amend this ordinance. Notice of public hearing shall be given as required by N.C.G.S. 1600.

Section 13.6 Protest Petition

(Section Removed - Repealed by Session laws 2015- 160, s.2, effective August 1, 2015 and applicable to zoning ordinance changes initiated on or after that date.)

Section 13.7 Special Provisions for Conditional Districts

Proposals for rezoning to any Conditional District shall be requested during a rezoning. Such proposals and requests shall be processed and considered in in the same procedure as conventional rezoning proposals, except as otherwise set forth herein, and the voting shall be the same as that required for zoning matters.

In approving a Conditional District, the Town Council shall make the following affirmative findings.

2. Board of Adjustment - NCGS §160D-302, Zoning Ordinance §12.1

§ 160D-302. Boards of adjustment.

(a) Composition. - A local government may by ordinance provide for the appointment and compensation of a board of adjustment consisting of five or more members, each to be appointed for three-year terms. In appointing the original members or in the filling of vacancies caused by the expiration of the terms of existing members, the governing board may appoint certain members for less than three years so that the terms of all members shall not expire at the same time. The governing board may appoint and provide compensation for alternate members to serve on the board in the absence or temporary disqualification of any regular member or to fill a vacancy pending appointment of a member. Alternate members shall be appointed for the same term, at the same time, and in the same manner as regular members. Each alternate member serving on behalf of any regular member has all the powers and duties of a regular member.

(b) Duties. - The board shall hear and decide all matters upon which it is required to pass under any statute or development regulation adopted under this Chapter. The ordinance may designate a planning board or governing board to perform any of the duties of a board of adjustment in addition to its other duties and may create and designate specialized boards to hear technical appeals. If any board other than the board of adjustment is assigned decision-making authority for any quasi-judicial matter, that board shall comply with all of the procedures and the process applicable to a board of adjustment in making quasi-judicial decisions. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).)

Section 12.1 Establishment of Board of Adjustment

A Board of Adjustment is hereby established. Said Board shall consist of five (5) members; four (4) members of the Board shall be appointed by the Town Council and shall be residents of the Town of Winterville, and one (1) member shall be appointed by the Board of County Commissioners of Pitt County, all for overlapping terms of three (3) years. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment.

The member appointed to the Board by the Board of County Commissioners as representative of the extraterritorial area outside the Town of Winterville shall be a resident of such area and a citizen of Pitt County. Such member shall have equal rights, privileges, and duties with other members of the Board in all matters. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision or determination of any administrative official charged with enforcement of this ordinance or to decide in favor of the applicant any matter upon which it is required to pass under the Zoning Ordinance or to affect any variation of such Ordinance.

In addition to the regular members, the Town Council may appoint one (1) alternate member, who shall be a resident of the Town of Winterville and the Board of Commissioners of Pitt County may appoint one (1) alternate member, who shall be a resident of the extraterritorial area, each for three (3) year terms. The Chairman of the Board of Adjustment, or in his absence the acting chairman, may appoint the alternates to sit for any regular members in case of the absence or disqualification of any regular members. In such case the alternate members shall have the same powers and duties of the regular members they are replacing during such time. In no case, however, shall more than five (5) regular members or combination of regular members and the alternate members be empowered to vote on any matter that comes before the Board. (2000 Zoning Ordinance, 0-51-02149900, adopted 02/14/2000)

Section 12.2 Proceedings of the Zoning Board of Adjustment

The Board of Adjustment shall elect a chairman and a vice-chairman from its members who shall serve for one (1) year or until re-elected or until their successors are elected. The Board shall appoint a secretary, who may be a municipal officer, an employee of the Town, or a Member of the Board of Adjustment. The Board shall adopt rules and by-laws in accordance with the provisions of this Ordinance and of Chapter 1600 of the General Statutes of North Carolina.

Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. The chairman, or in his absence the vice-chairman, may administer oaths and compel the attendance of witnesses by subpoena. All meetings of the Board shall be open to the public. (2000 Zoning Ordinance, 0-51-02149900, adopted 02/14/2000)

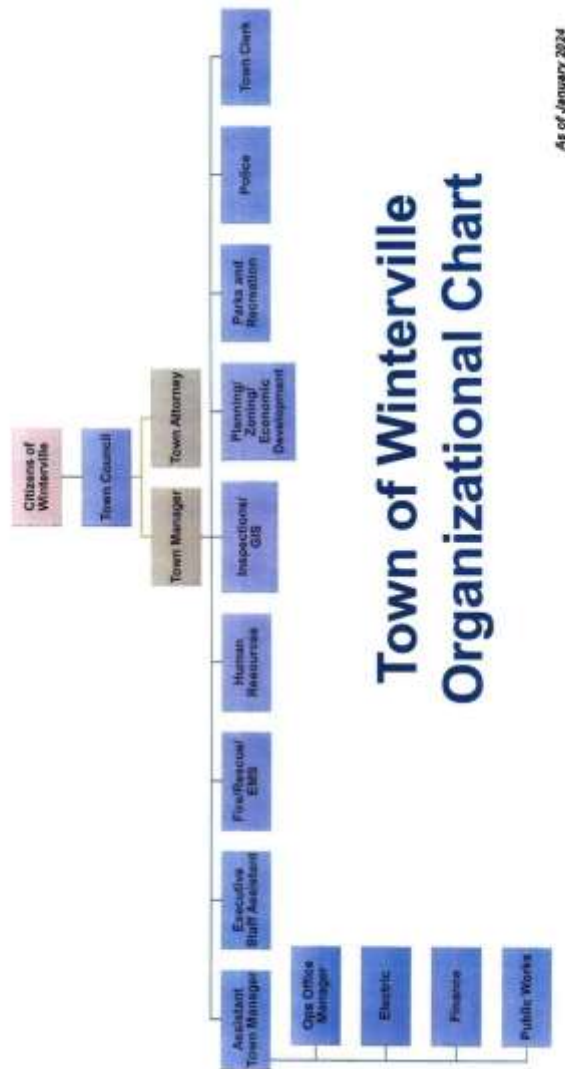
Section 12.3 Appeals, Hearings and Notice

An appeal from the decision of the Zoning Administrator may be taken by the aggrieved party to the Board of Adjustment. Such appeal shall be taken within forty-five (45) days by filing with the Zoning Administrator a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken. The Board of Adjustment shall fix a reasonable time for.

Town Manager Parker / Assistant Town Manager Bowers:

- 1. Chain of Command for communication.

Town Manager Parker presented the following Chain of Command/Organization Chart including lines of communication for discussion and questions. Council and Staff discussed the information.



2. Organizational Structure/Departmental Operations.

Assistant Town Manager Bowers gave the following Organizational Structure/Departmental Operations presentation. Council and Staff discussed the information.

MS4 was defined for all as "Municipal Separate Storm Sewer System". The Recycle/Solid Waste Work Session date was changed to Monday, February 26th at 5:30 pm due to conflicts.

A presentation slide for the Town of Winterville. It features a blue and white abstract background with a green horizontal bar at the top left. The text is centered and reads: "Town of Winterville" in a large serif font, followed by "ASSISTANT TOWN MANAGER" and "ANTHONY BOWERS" in a smaller sans-serif font.

Town of
Winterville

ASSISTANT TOWN MANAGER
ANTHONY BOWERS

A presentation slide titled "Span of Operations". It features a blue and white abstract background with a green horizontal bar at the top left. The title "Span of Operations" is in a large serif font. Below it is a list of departments in a smaller sans-serif font: "FINANCE DEPARTMENT", "ELECTRIC DEPARTMENT", "WATER DEPARTMENT", "SEWER DEPARTMENT", "STORMWATER DISTRIBUTION", "STREETS", "SANITATION", and "FLEET MAINTENANCE". A large grey arrow on the left points towards the list.

Span of Operations

FINANCE DEPARTMENT
ELECTRIC DEPARTMENT
WATER DEPARTMENT
SEWER DEPARTMENT
STORMWATER DISTRIBUTION
STREETS
SANITATION
FLEET MAINTENANCE

Finance Department

CUSTOMER SERVICE
UTILITY BILLING

WE PROCESS 4,800 BILLS A MONTH

MANAGE THE ERP (ENTERPRISE RESOURCE PLANNING) SOFTWARE
PAYROLL FOR OVER 100 EMPLOYEES BIWEEKLY

ACCOUNTING

TAX COLLECTION

COLLECTION EFFORTS ON 5,420 PARCELS ANNUALLY

Finance Department

MANAGING THE ANNUAL AUDIT

A PROCESS THAT ONLY A FINANCE DIRECTOR CAN FULLY UNDERSTAND

RISK MANAGEMENT

ACCOUNTS PAYABLE – NEARLY 200 VENDORS PER MONTH

ACCOUNTS RECEIVABLE

Electric Department

SOURCE

KINGS MOUNTAIN ENERGY MARKET – PRODUCTION

DUKE ENERGY – TRANSMISSION

GREENVILLE UTILITIES - TRANSMISSION

ELECTRIC SERVICE DISTRIBUTION

3 SUBSTATIONS

OVERHEAD DISTRIBUTION

UNDERGROUND DISTRIBUTION

SERVICE LINES TO THE CUSTOMER

METERING

Electric Department

ESTIMATED 45 MILES OF DISTRIBUTION LINES

STREETLIGHTS IN OUR SERVICE AREA

3,580 CUSTOMERS- READ, BILL, COLLECT MONTHLY

WE INSTALL ALL OF OUR INTERNAL DISTRIBUTION SYSTEM- IT IS NOT CONTRACTED OUT

Water Department

WATER DISTRIBUTION SYSTEM

70 MILES OF WATER LINE

1 WATER TOWER

WATER SOURCE

2 WELLS AND WATER PURCHASE AGREEMENT WITH GUC

METERING

CUSTOMER SERVICE

HEAVILY REGULATED BY THE STATE – TESTING/LICENSES/ OPERATOR STANDARDS/
PERMITS

Sewer Department

SEWER COLLECTION SYSTEM

28 PUMP STATIONS AND GROWING – 48 PUMPS THAT AVERAGE \$20,000 EACH
FORCE MAINS, GRAVITY MAINS

DENALI SUBDIVISION – STEP SYSTEM – 70 INDIVIDUAL PUMP STATIONS
SERVICE LINES

CMSD SEWER TREATMENT FACILITY

LOCATED IN GRIFTON NC

SHARED FACILITY WITH AYDEN, AND GRIFTON

EQUATES TO 48% OF THE OPERATING BUDGET

HEAVILY REGULATED BY THE STATE – LICENSES/ OPERATOR STANDARDS/
REPORTING STANDARDS – DISCHARGE/FLOWS/SPILLS

Stormwater Department

STORMWATER COLLECTION SYSTEM

OPEN DITCHES/ CULVERTS/CATCH BASINS/RETENTION PONDS

BILLING IS BASED ON AN "ERU" EQUIVALENT RESIDENTIAL UNIT = 2,000 SQ. FT OF IMPERVIOUS SURFACE

RESIDENTIAL CUSTOMERS ARE BILLED FOR 1 ERU

COMMERCIAL CUSTOMERS ARE BILLED BASED ON ACTUAL IMPERVIOUS SURFACE SQ. FOOTAGE

ADOPTED THE NEUSE TAR HAZARD MITIGATION PLAN

HEAVILY REGULATED BY LOCAL ORDINANCE, STATE, AND FEDERAL AGENCIES

Sanitation Department

SOLID WASTE COLLECTION SYSTEM

EXTERNAL – CONTRACT – GFL (HOUSEHOLD AND RECYCLING)

INTERNAL – STAFF AND EQUIPMENT

ROUTES

3 LIMB, 2 GRASS, 2 BULK, 2 CONSTRUCTION 1 WHITE GOODS AND TIRES

MINIMUM OPERATION OF 4 DAYS A WEEK

Streets Department

WE HAVE 48.8 MILES OF STREETS TO MAINTAIN

STREETS SWEEPING RUNS 3 DAYS A WEEK

RESURFACING AND SIDEWALKS ARE ONLY FUNDED WITH POWELL BILL FUNDS

POWELL BILL FUNDS DO NOT PROVIDE ENOUGH FUNDING TO KEEP UP!

SIDEWALKS

GENERAL MAINTENANCE – POT HOLE MANAGEMENT AND PAINTING

MAINTAINING AND MOWING STREET RIGHT OF WAY THROUGHOUT TOWN

Fleet Maintenance & Construction Inspection

FLEET MAINTENANCE

IN THE DEPARTMENTS THAT I OVERSEE, WE HAVE A COMBINED 80 VEHICLES AND PIECES OF EQUIPMENT THAT HAVE TO BE MAINTAINED.

WE USE A COMBINED INTERNAL AND EXTERNAL REPAIR PROCESS.

WE OPERATE EXPENSIVE HIGHLY SPECIALIZED EQUIPMENT THAT IS NOT CHEAP TO REPAIR.

CONSTRUCTION INSPECTION

WE HAVE ONE INSPECTOR THAT IS ON SITE AT ALL OF THE WATER, SEWER, AND STORMWATER PROJECTS, THERE ARE A LOT OF PROJECTS!

General Notes / Tidbits

FINANCE IS THE BACKBONE OF THE ORGANIZATION

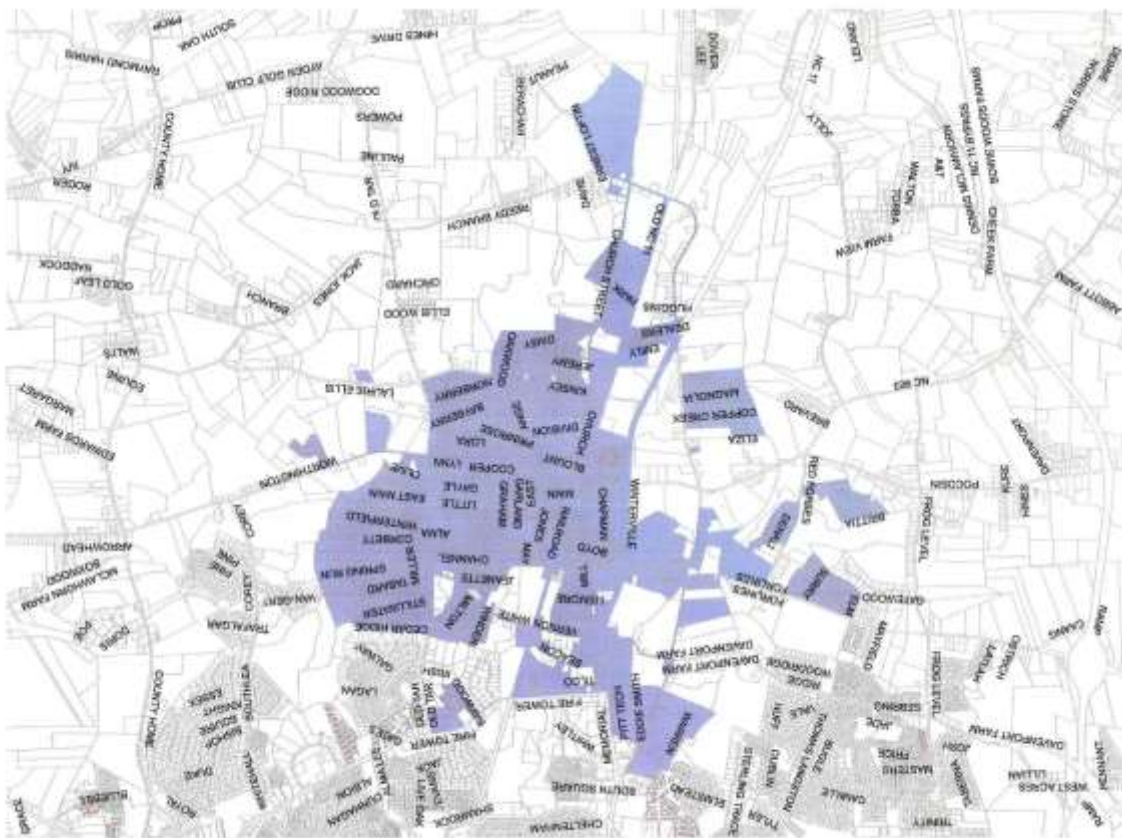
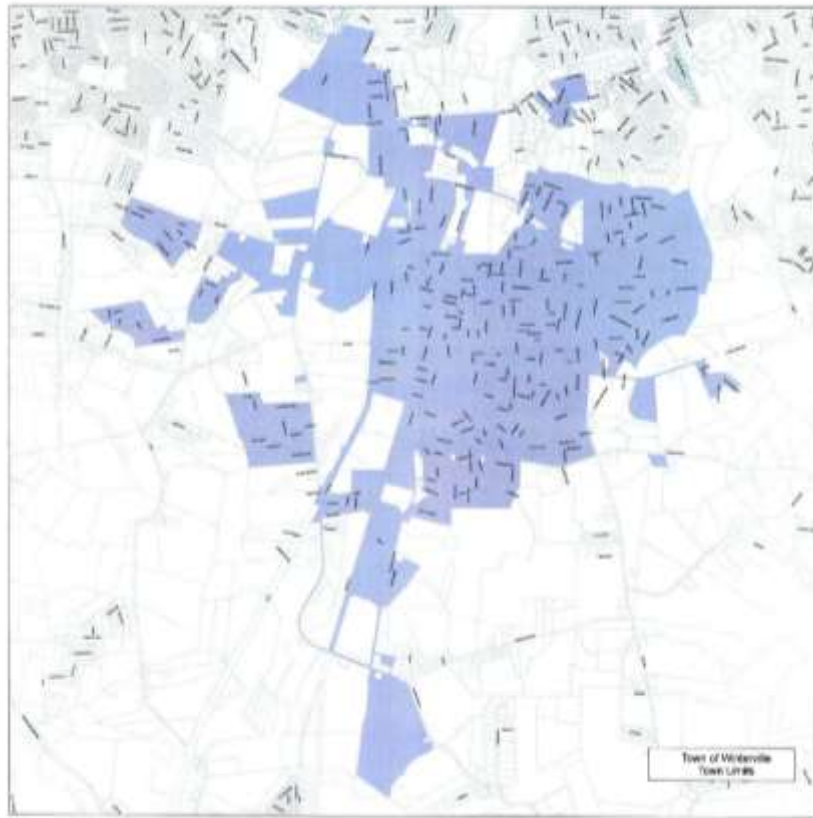
ELECTRIC FUND PROVIDES MUCH NEEDED ADDITIONAL REVENUE THAT KEEPS THE TAX RATE LOW

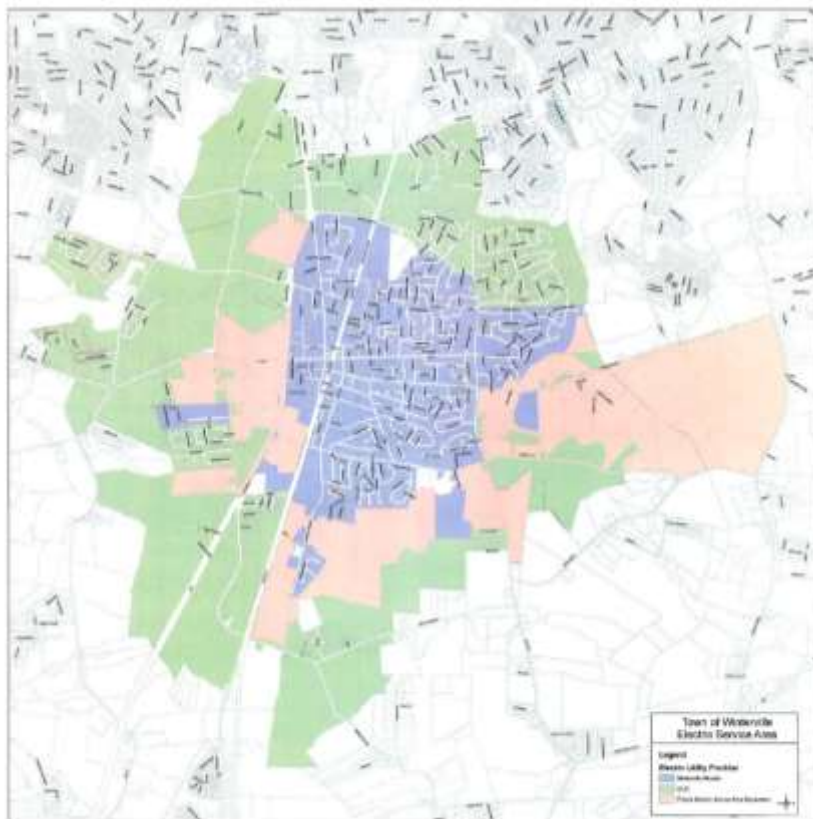
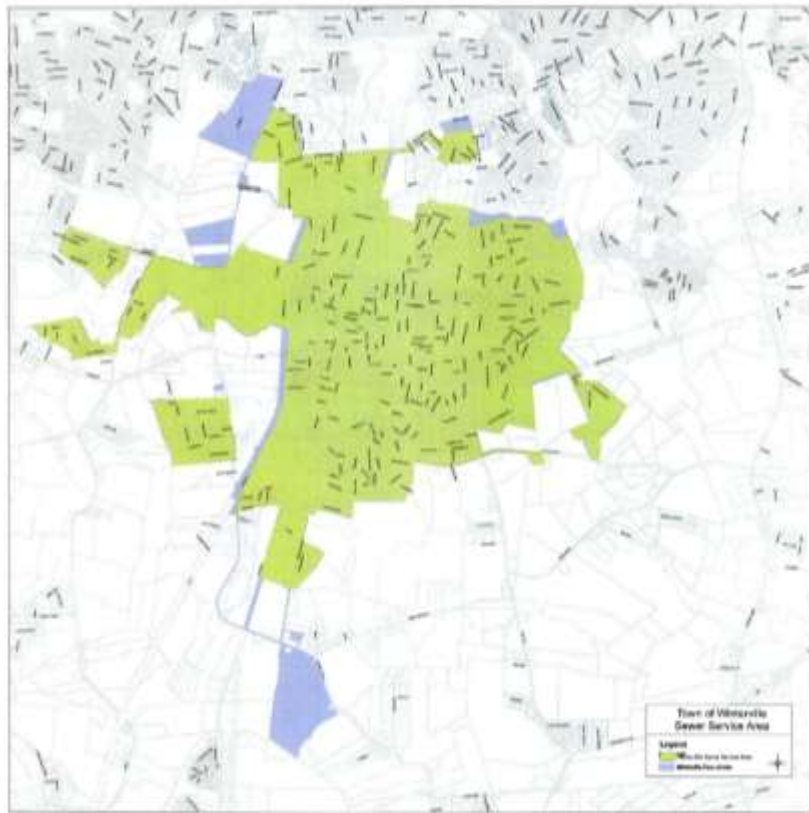
WITHOUT QUALITY AND WELL-MAINTAINED WATER AND SEWER, THE TOWN DOES NOT GROW!

PUBLIC WORKS MAINTAINS THE CITIZENS QUALITY OF LIFE.

Questions







Town Manager Parker gave the following Organizational Structure/Departmental Operations presentation. Council and Staff discussed the information.

There was in-depth discussion concerning minimum housing code, parks and recreation, and Police Department relations.



- ❖ Executive Staff Assistant – manages the Town Manager’s office.

- ❖ Town Clerk – official keeper of the Town records. Also acts as the Public Information Officer.



❖ The Fire and Rescue Department has a full-time Fire Chief, Assistant Fire Chief, Office Manager, 4 Captains, 4 Fire Engineers, and 4 Firefighters. There are also part-time positions and volunteers.

❖ Winterville EMS is a separately chartered organization which works out of Winterville. The Town has 2 full-time Paramedics that work in EMS. We are reimbursed by WEMS.



❖ Human Resources is a new Department created in 2023. Duties of the Department include recruitment, on-boarding of personnel, off-boarding of personnel, benefit maintenance, maintenance of personnel records, etc.



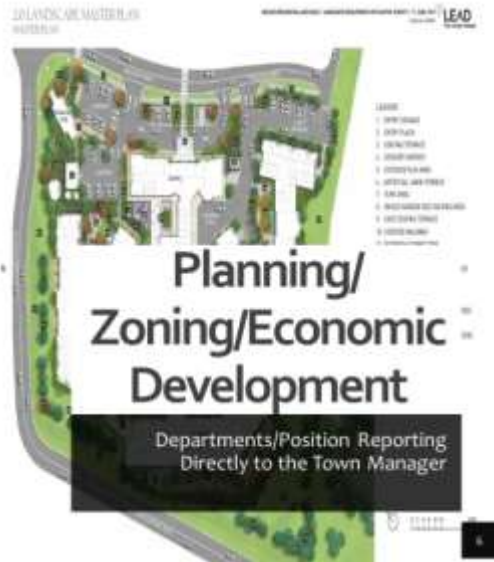
❖ The Department consists of 1 full-time Building Inspector/Code Enforcement Officer, 1 Building Inspector/GIS Technician, 1 part-time Building Inspector and 1 part-time Permit Clerk.

❖ Duties include performing building inspections, code enforcement (weeded lots, minimum housing, etc.), mapping, etc. The Town brought inspections back in-house in 2012-2013.



- ❖ The Department consists of 1 full-time Planning and Economic Development Director and 1 full-time Economic Development Planner.

- ❖ The Department is charged with all the planning and zoning, land use, and economic development for the Town.



- ❖ The Department consists of 1 full-time Parks and Recreation Director, 1 Programming Supervisor, 1 Programmer, 1 Parks Maintenance Supervisor, and 1 Parks Maintenance Worker. There also several part-time and seasonal employees.

- ❖ The Department is charged with as all parks and recreation as well as several town events. The town currently has 3 parks.



- ❖ The Department has 1 full-time Chief, 2 Lieutenants, 4 Sergeants, 12 Patrol Officers, 3 Investigators, 3 School Resource Officers, and an Office Manager.

- ❖ The Department in charge of all law enforcement functions of the town as well as working with law enforcement issues in other jurisdictions when needed.





Committees and Boards:

Town Manager Parker gave an overview of the following the following Committees and /Boards. Council and Staff discussed the information.

1. MPO.
2. Audit committee.
3. Mid-East.
4. Library.
5. CMSD.
6. Human Relations Board: County.

Councilwoman Hawkins will represent the Town and NAACP on the Pitt County Human Relations Board.

7. Human Relations Board: Town.

Councilwoman Roberson represents Council on the Winterville Human Relations Board. It was noted that this Board is struggling.

ITEMS FOR DISCUSSION:

1. State of the Budget - FY 2023-2024:

Town Manager Parker, Assistant Town Manager Bowers, and, Finance Director Manning gave the following State of the Budget - FY 2023-2024 presentation. Council and Staff discussed the information.



Town of Winterville

Budget Highlights and Outlook

FY 2023-2024 Revenues

- General Fund
- Recreation Fund
- Electric Fund
- Water Fund
- Sewer Fund
- Stormwater Fund

General Fund

- Revenues are on target for the current Fiscal Year.
- As of the end of January we will have completed 58% percent of the year.
- Revenues are currently at 66% of the total revenue budget.
- With budgeted inter-fund transfers accounting for 13.7% of the General Fund Revenues.
- Property Tax revenue is at 98.58% of the Budget.

General Fund

- Vehicle Property Tax is currently on target for what is expected for this time of the year. We are averaging about \$60,928, monthly, which is approximately the same as last year.
- Local Option Sales Tax is currently 51.25% of the estimated Budget.
- Utility Franchise Taxes are on target with relation to budget estimates.
- GF is balanced with a \$612,972 Fund Balance appropriation. Up by \$105,870 from the PY.
- Balanced with Electric Fund cont. of \$650,000

Recreation Fund

- There is \$42,033 used from Retained Earnings to balance the Recreation Fund Budget.
- The Recreation Fund has collected 86% of budgeted revenues. Many of the program revenues are collected in the Spring.
- 82% of Recreation Revenues are transferred from the General Fund.

Electric Fund

- The Electric Fund has sales revenues that are currently on target with expectations in the amount of \$6,730,560.
- Revenues are at 58% with 58% of the year billed.
- \$2,783,713 from Retained Earnings was used to balance the Electric Fund Budget.

Water Fund

- The Water Fund is on target with water sales at 51% for the year.
- Current sales are at \$803,879 for the year.
- The Water Fund used \$599,845 of Retained Earnings to balance the Budget.

Sewer Fund

- The Sewer Fund Sales are on target with \$1,217,953 in sales. Which is 52% of the sales budgeted for the year.
- This fund was balanced with \$174,806 from Retained Earnings.
- There is a transfer from the Water fund for \$260,000 as well that will be paid back over a period of 5 years beginning next fiscal year.

Stormwater Fund

- Stormwater billings are \$268,126 or 51% of the Budget.
- There were \$113,232 from Retained Earnings used to balance the budget.

FY 2023-2024 Expenditures

- General Fund
- Recreation Fund
- Electric Fund
- Water Fund
- Sewer Fund
- Stormwater Fund

General Fund

- At this point in the year, we have had four Budget Amendment changes in the General Fund Budget.
- I would expect at least two more Budget Amendments before year-end.
- In the General Fund the Town has spent 52% of the funds that were appropriated.
- There are still capital outlay purchases to be made.

Recreation Fund

- The Recreation Fund is approximately the same as last year, with 32% of the yearly appropriations having been spent.
- \$382,816 of the \$1,209,284 budgeted has been spent.
- Capital spending for Recreation this year is estimated around \$19,600.

Electric Fund

- The “Purchase for Resale” line item is currently ahead of target with \$1,826,314 of the \$5,000,000 having been spent. This is 37% of the budget for the year. Although Natural Gas prices have remained steady the last 6 months, fluctuations will continue to drive this line item.
- The total fund expenditure is at 46% of the appropriation for the year.
- The total Electric Fund Budget is \$10,587,713.

Water Fund

- The total expenditure is at 59% of the appropriation for the year.
- “Purchase for Resale” is at 31% of the Budget for the year with \$171,563 of the \$559,460 having been spent.
- The total Water Fund Budget is \$2,334,878.
- The Water Fund contributed \$260,000 to the Sewer Fund that will be paid back over the next five years.

Sewer Fund

- The Sewer Fund has currently spent 40% of its annual appropriation.
- CMSD expense is 44% of the Annual Budget.
- The total Sewer Fund Budget is \$2,893,294.

Stormwater Fund

- The Stormwater Fund has spent 31% of its annual appropriation of \$1,129,412
- The largest appropriations in the Stormwater Fund are Contracted Services for \$205,313 and the AIA Grant for \$400,000.

Fund Balance Status

- Our GF unassigned Fund Balance as of 6-30-23 was 124.25%. Up from 118.44% in 2022.
- The Town appropriated \$612,972 up from \$507,102 a \$105,870 increase to balance the Budget this year. Unassigned FB is \$12,142,151 or 76% of Annual Operating Expense.
- The Fund Balance percentage presented for the General Fund includes the Recreation Fund. The Recreation Reserve has \$181,470.

Fund Balance Status

- The Powell Bill Fund has a Fund Balance of \$788,947.
- The Electric Fund has Unrestricted Retained Earnings in the amount of \$7,706,705 or 73% of the Annual Operating Budget.
- The Water Fund has Retained Earnings in the amount of \$2,078,804 or 89% of the AOB.
- The Sewer Fund has RE in the amount of \$978,749 which is 29% of the AOB.
- The Storm Water Fund has RE in the amount of \$4,532,641 or 402% of the AOB

Factors for Next Year

- We have four loans coming off the books this year.
- The Electric Fund - \$98,112 for the Electric Substation Modification.
- The General Fund - \$101,610 for the Recreation Park Expansion, and \$11,932 for the Downtown Land Acquisition.
- The Sewer Fund - \$32,689 for the Sewer Rehab Project.

Unfunded Commitments

- Old Tar Road widening, Utility and Pedestrian.
- CMSD Commitments.
- Pump Station Rehab Project \$6,000,000. Rate increase of \$6.00 – \$7.00 per month to cover the debt service payment.
 - Getting ready to go out to bid.
 - Waiting on one easement on the RE Davenport property
- Pay Study Implementation.

Unfunded High Priorities

- Multipurpose Facility
- Multipurpose operation and maint. cost.
- Cemetery development and maint. cost.
- Pedestrian and Street Improvement Program
- Stormwater Railroad St. Project
- Fire Training Ground

Unfunded High Priorities

- Electric Power Cost Adj. – Monitoring Closely – waiting on the Rate Structure Study
- Sanitation / Services
- Public Works Facility Improvements
- Expansion of property for the Town's future growth.
- Water Looping Project, New 10 inch main to service new Church St developments
- Water Tower

External Factors For Next Year

- Housing permits issued by the Planning Dept. increased to 160 in 2023 up from 109 in 2022. Permits are expected to be steady in the next FY with a possible small decline in inventory.
- The unemployment rate for Greenville is 3.8% up slightly from 3.6% for 2022.
- Sales Tax Revenue should be stable.

External Factors For Next Year

- Overall economists are suggesting a slowdown in the state's economic growth, but one that is modest and not catastrophic. There are still concerns over a potential recession.
- The Federal Reserve is projected to start easing interest rates in 2024.
- The inflation rate has begun to slowly decline but continues to cause project cost to be high
- Construction material is up 37.7% since 2020.
- Cost of Living Raises

External Factors For Next Year

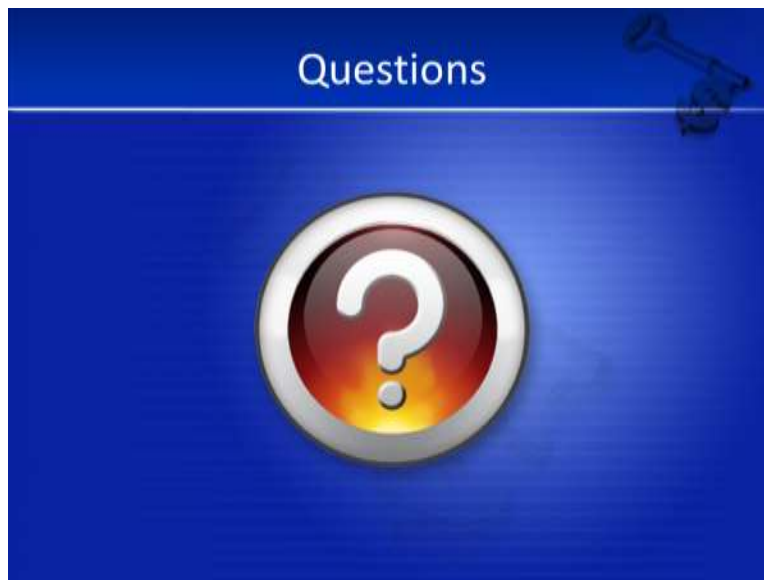
- The CPI for the last 12 months was 3.4% according to the US Bureau of Labor Statics. 6.5% last year.
- Inflation rate for 2023 is expected to be 2.3% according to Statista and potentially 2.5% according to Market Watch.
- Sales and Use Tax has remained stable this year. We are at 51% of the budget, so we are on target.

External Factors For Next Year

- Expecting increases in Health Insurance in the 5% to 9% range.
- Current Tax Levy yields \$87,878 for each 1 cent.
- Pitt County has conducted a county wide reappraisal of real property effective as of January 1, 2024. The County expects to mail the 2024 reappraisal notices by the middle of February.

External Factors For Next Year

- The initial estimate shows taxable values increasing by approximately \$302,466,590.
- Est. Increase of \$1,436,000 in revenue
- Revenue Neutral calculation must be presented in the budget.



MAYOR AND COUNCIL COMMENTS.

Town Manager Parker: Noted the Audit Letter that needs to be signed by all of Council.

Councilwoman Smith: Thanks to all for being here this evening; guests, and Staff to take part in the meeting.

Councilwoman Roberson: Thanks to all for being here this evening; guests, and Staff to take part in the meeting.

Mayor Pro Tem Harrell: Thank you and good night to all.

Councilman Moyer: We do have a new Council. We need to meet as needed to sacrifice for the new members serving.

Councilwoman Hawkins: Thanks to all the participants, invested stakeholders, and Staff. Citizens of Winterville are at the top of the organizational chart.

Mayor Hines: Keep our thoughts and prayers for families in need. Noted we are elected to serve our time.

ADJOURN:

Motion made by Councilman Moyer and seconded by Councilwoman Roberson to adjourn the meeting. Motion carried unanimously, 5-0. Meeting adjourned at 9:02 pm.

Adopted this the 11th day of March 2024.

Brandy Harrell, Mayor Pro Tem

ATTEST:

DRAFT



**WINTERVILLE TOWN COUNCIL
TUESDAY, FEBRUARY 6, 2024 – 5:30 PM
VISION SETTING PART B MINUTES**

The Winterville Town Council met in a Vision Setting Part B Meeting on the above date at 5:30 PM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Brandy Harrell, Mayor Pro Tem (arrived at 6:25 pm)
Shantel Hawkins, Councilwoman
Johnny Moye, Councilman
Veronica W. Roberson, Councilwoman
Lisa Smith, Councilwoman
Terri L. Parker, Town Manager
Chris Williams, Interim Police Chief
David Moore, Fire Chief
Robert Sutton, Electric Director
Ron Mills, Electric Systems Superintendent
Jessica Manning, Finance Director
Evan Johnston, Building Inspector/Code Enforcement Officer
Diane White, Parks and Recreation Director
Jordan Shirley, Parks and Recreation Programming Supervisor
Josh Edens, Parks and Recreation Maintenance Supervisor
Stephen Penn, Planning and Economic Development Director
Angela Fuller, Human Resource Director
Donald Harvey, Town Clerk

CALL TO ORDER: Mayor Hines called the meeting to order.

INVOCATION / BLESSING: Councilwoman Smith gave the Invocation and Blessed the meal.

PLEDGE OF ALLEGIANCE: Mayor Hines led everyone in the Pledge of Allegiance.

WELCOME: Mayor Hines welcomed the public.

APPROVAL OF AGENDA:

Motion made by Councilwoman Roberson and seconded by Councilwoman Smith to approve the agenda. Motion carried unanimously, 4-0.

BREAK FOR DINNER

ITEMS FOR DISCUSSION:

1. Council Vision Setting Process/Discussion

Town Manager Parker gave the following presentation for discussion and questions. Council and Staff discussed the information in-depth.

Town of Winterville Vision Setting Meeting

- Winterville Assembly Room
- 5:30 pm
- February 6, 2024



2024 Vision Setting Meeting Goals/Projects – FY 2024-2025

- Hiring Personnel/Increase Employee Diversity – *constant and ongoing*
- Succession Planning
- Focus on Downtown Redevelopment
Downtown Beautification
Paving - *underway*
Market on the Square Plan
Lighting - *underway*
- Website Redesign - *underway*
- Town App/Citizen Notification System – *underway*

2024 Vision Setting Meeting Goals/Projects – FY 2024-2025

- Identifying Ways to Increase the Town's Revenue – *constant and ongoing*
- Strategic Planning
- Economic Development – *constant and ongoing*
- Expansion of Workforce to Handle the Growth of the Town
- Classification/Pay Study & Personnel Policy Update - *underway*



Public Building Needs:

(this list is not inclusive and is subject to change)

- **Town Hall**
 - Drive through, Parking Plan, Dumpster
 - Repair/Replace Walkway at Front Entrance
 - Add lighting to Assembly Room Steps and Walkway
 - Paint Inside of Building
- **Public Safety**
 - Roof (100-120K)
 - Renovate Sleeping Quarters, Evidence Room, and Storage
 - Repair Showers (underway, waiting 2nd Quote)
 - HVAC, Carpet, Paint

Public Building Needs:

(this list is not inclusive and is subject to change)

- **Library**
 - Front Steps (Temporarily Fixed)
 - Carpet, Paint
 - Lighting
 - Roof
 - Backflow Preventor Vault Leaks
- **Public Works**
 - Additional Space Needed (Indoor & Outdoor)
- **Electric**
 - Additional Space Needed (Indoor & Outdoor)





Public Building Needs:

(this list is not inclusive and is subject to change)

- Fuel Pumps
 - Replace Pumps
 - Canopy/Shelter
 - Concrete Pad
 - Update Landscaping/Fencing



2024 Vision Setting Meeting Goals/Projects

Multi-Purpose Facility	Additional Park facilities (including east side of Town)	Additional amenities at Wilcrest Park	Walking Trails/Streets/Street Repair/Resurfacing	Railroad Street/Nobel Canal Drainage Basin
Stormwater Projects	Sewer Projects	Water Projects	Electric Projects	Future/Amended Services



2024 Vision Setting Meeting

Closing Questions or Comments?

Council and Staff discussion included downtown, traffic patterns, Powell Bill, rebranding the Town, Council's vision, citizen input, priority of needs, mission statement, mobile app, long term costs, collective agreement on direction, and many comments on the multi-purpose building.

Motion made by Councilwoman Hawkins and seconded by Councilman Moyer to prepare a survey and distribute to the public on the Multi-Purpose Building.

Council and Staff discussed the process, needs assessment, getting the word out to citizens, timeline, scheduling, hiring assistance, grants, and budgetary needs/impact. After discussion, the vote was taken.

Motion failed, 2-3. Councilwoman Hawkins and Councilman Moyer voted in favor. Mayor Pro Tem Harrell, Councilwoman Roberson, and Councilwoman Smith opposed.

Town Manager Parker noted that we have been having technical problems with our internet and connectivity in Town Buildings. The Voting Process software was explained and the process of voting at future meetings.

MAYOR, AND TOWN COUNCIL COMMENTS:

Councilwoman Hawkins: Town has been discussing the Multi-Purpose Building since 2006. Citizen input is important, look at what the citizen want.

Councilman Moyer: Thanked Staff for taking the initiative to proceed with the Multi-Purpose Building.

Mayor Pro Tem Harrell: Thanked Staff for their commitment and dedication. Meetings like tonight are needed.

Councilwoman Roberson: Thanks to Staff.

Councilwoman Smith: Thanks to Staff

Manager Parker: None

Mayor Hines: None

ADJOURN:

Motion made by Councilwoman Roberson and seconded by Councilman Moyer to adjourn the meeting. Motion carried unanimously, 5-0. Meeting adjourned at 8:11 pm.

Adopted this the 11th day of March 2024.

Brandy Harrell, Mayor Pro Tem

ATTEST:

Donald Harvey, Town Clerk



**WINTERVILLE TOWN COUNCIL
MONDAY, FEBRUARY 12, 2024 – 6:00 PM
REGULAR MEETING MINUTES**

The Winterville Town Council met in a Regular Meeting on the above date at 6:00 PM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Brandy Harrell, Mayor Pro Tem
Shantel Hawkins, Councilwoman
Johnny Moye, Councilman
Veronica W. Roberson, Councilwoman
Lisa Smith, Councilwoman
Keen Lassiter, Town Attorney
Anthony Bowers, Assistant Town Manager
Chris Williams, Interim Police Chief
David Moore, Fire Chief
Cliff McGuffin, Public Works Director
Robert Sutton, Electric Director
Jessica Manning, Finance Director
Willie Gay, Building Inspector/GIS Technician
Diane White, Parks and Recreation Director
Stephen Penn, Planning and Economic Development Director
Angela Fuller, Human Resource Director
Absent: Evan Johnston, Building Inspector/Code Enforcement Officer
Absent: Terri L. Parker, Town Manager
Absent: Donald Harvey, Town Clerk

CALL TO ORDER: Mayor Hines called the meeting to order.

INVOCATION: Councilman Moye gave the Invocation.

PLEDGE OF ALLEGIANCE: Mayor Hines led everyone in the Pledge of Allegiance.

WELCOME: Mayor Hines welcomed the public.

ROLE CALL: Present: Councilwoman Smith, Councilwoman Roberson, Mayor Pro Tem Harrell, Councilman Moye, Councilwoman Hawkins, Mayor Hines. All present

APPROVAL OF AGENDA:

Motion made by Councilman Moye and seconded by Councilwoman Roberson to approve the agenda. Motion carried unanimously, 5-0.


RECOGNITION OF NEW EMPLOYEES:

- 1. Officer Taylor Kriner, Police Department.
- 2. Officer Joseph Roach, Police Department.
- 3. Andrew "Drew" Gardener, Electric Department.

PROCLAMATIONS: Mayor Hines read the Proclamation.

- 1. Black History Month.

Councilwoman Roberson Roberson and Councilman Moye shared events upcoming for Black History Month.



**PROCLAMATION
BLACK HISTORY MONTH**

WHEREAS, Black History Month affords special opportunity to become more knowledgeable about black heritage, and to honor the many black leaders who have contributed to the progress of our nation; and

WHEREAS, such knowledge can strengthen the insight of all our citizens regarding the issues of human rights, the great strides that have been made in the crusade to eliminate the barriers of equality for minority groups, and the continuing struggle against racial discrimination and poverty; and

WHEREAS, much of the Town of Winterville's honor, strength and stature can be attributed to the diversity of cultures and traditions that are celebrated by the residents of this great region; and

WHEREAS, February has been designated as Black History Month in which we pause to reflect on the contributions of the African American community, and we recognize this year's Black History Month theme of "Black Health and Wellness;" and

WHEREAS, African Americans have played significant roles in the history of North Carolina State's economic, cultural, spiritual, and political development while working tirelessly to maintain and promote their culture and history; and

WHEREAS, as a result of their determination, hard work, intelligence and perseverance, African Americans have worked tirelessly to maintain and promote a valuable and lasting contribution to the Town of Winterville, our state, and nation achieving exceptional success in all aspects of society including business, education, politics, economy, culture, science, arts, and history; and

WHEREAS, this observance affords special opportunity to become more knowledgeable about black heritage, and to honor the many black leaders who have contributed to the progress of our nation and community; and

WHEREAS, such knowledge can strengthen the insight of all our citizens regarding the issues of human rights, the great strides that have been made in the crusade to eliminate the barriers of equality for minority groups, and the continuing struggle against racial discrimination and poverty; and

WHEREAS, we join with all Americans in celebrating our diverse heritage and culture and continuing our efforts to protect democracy for all people, and recognizing the vital achievements of our local African American residents; and

NOW, THEREFORE, BE IT RESOLVED, that I do hereby proclaim February 2024 as Black History Month and express special commendation to the dedicated volunteers who have labored so diligently to make this observance a reality in our community.

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 12th day of February 2024.

Richard E. Hines, Mayor

Attest:

Donald Harvey, Town Clerk

PUBLIC HEARINGS:

1. Ange Plaza Lot 25 & 33 Annexation Request (Parcels 52602 & 84684) “Lowe’s Foods”.

Planning and Economic Development Director Penn gave the following presentation:

Town of
WINTERVILLE
A slice of the good life!

Town Council— February 12, 2024

Ange Plaza Lot 25 and 33
Annexation
Parcel 52602 & 84684

Presenter:
Stephen Penn,
Director of Planning & Economic Development



Town of
WINTERVILLE
A slice of the good life!

Ange Annexation

- Applicant: Winterville Commons, LLC
- Location: North-eastern corner of Beacon Drive and Flower Drive. (Lowe’s Foods Development)
- Parcel Numbers: 52602 & 84684
- Site Data: 10.7009
- Current Zoning District: General Business.

- Adjacent property owners, and those within 100' were mailed notification of the Annexation request on January 26, 2024 to notify them of the request and P&Z Meeting.
- Advertised Public Hearing Within the Daily Reflector on January 31, 2024 & February 7, 2024.



Staff Recommendation:

- Approval of Annexation Request.
- Annexation will become official on February 29, 2024

Mayor Hines declared the public hearing open, asked if anyone would like to speak in favor of the annexation request. No speakers

Mayor Hines asked if anyone would like to speak in opposition of the annexation/rezoning request. No speakers

Mayor Hines asked for any further discussion or any more questions. Hearing none what is Council's pleasure.

Motion made by Councilwoman Roberson and seconded by Mayor Pro Tem Harrell to approve the annexation request. Motion carried unanimously, 5-0.

PUBLIC COMMENT: Mayor Hines read the Public Comment Policy.

1. Valerie Tyson – Celebrating Women request from Greenville Pitt Education Association, Inc.
2. Mattie deJesus – Discussed the Train Depot and the Winterville Historical and Arts Society.

CONSENT AGENDA:

Items included in the Consent Agenda:

1. Approval of the following sets of Council Meeting Minutes:
 - January 8, 2024 Regular Meeting Minutes; and
2. Release and Refund of Taxes

Motion made by Councilwoman Roberson and seconded by Councilman Moye to approve the consent agenda Motion carried unanimously, 5-0.

OLD BUSINESS:

None

NEW BUSINESS:

1. Parks and Recreation Advisory Board Appointments.

Director of Parks and Recreation White noted that the Recreation Advisory Board (RAB) is composed of seven (7) Resident members, two (2) Non-Resident (ETJ) members, and one (1) Alternate member that may be a resident or non-resident.

The Recreation Advisory Board (RAB) currently has one (1) Resident vacancy. Staff recommends appointing current RAB Alternate and Winterville resident Katrina Jones to fill the vacant RAB Resident position. Appointing Ms. Jones to the Resident position results in one (1) vacant RAB Alternate position.

There are currently applications on file and confirmed they are still interested in which the applicant indicated RAB as either their sole interest or first preference. The applicants, all of whom are Town residents, are as follows (listed in order of receipt):

- John Powell
- Melanie Miller
- Johnathan Powell
- Shetoria Roach

Staff recommends appointing one (1) of the individuals to the now vacant RAB Alternate position.

Motion made by Councilwoman Smith and seconded by Mayor Pro Tem Harrell to appoint Katrina Jones to the resident position. Motion carried unanimously, 5-0.

Motion made by Councilman Moye and seconded by Councilwoman Roberson to appoint Melanie Miller to the alternate position. Motion carried unanimously, 5-0.

2. ElectriCities Appointments to Non-Power Agency Board of Directors.

Staff presented the needs on for appointments needed to Non-Power Agency Board of Directors.

The Non-Power Agencies BOC has a Winterville representative position to be filled. There is also an alternate position vacant. Having at least one designee is good but two is not required but would be helpful. It is not a demanding role and they normally just meet every two years virtually as the BOC appoints someone from the Non-Power Agencies members to serve on the Board of Directors. The individual will receive a variety of communications that is pertinent to our community. To fill the positions, the Town Council can make the appointments by motion at a Town Council meeting.

Motion made by Councilwoman and seconded by Councilman Moye to remove Tony Moore and appoint Councilwoman Smith to the representative position on the ElectriCities Non-Power Agency Board of Directors. Motion carried unanimously, 5-0.

Motion made by Councilman Moye to appoint Councilwoman Roberson to the alternate position on the ElectriCities Non-Power Agency Board. Councilwoman Roberson declined.

Motion made by Councilwoman Roberson to appoint Mayor Pro Tem Harrell to the alternate position on the ElectriCities Non-Power Agency Board. Mayor Pro Tem Harrell declined.

Motion made by Mayor Pro Tem Harrell and seconded by Councilwoman Hawkins to appoint Councilwoman Hawkins to the alternate position on the Electricities Non-Power Agency Board of Directors. Motion carried unanimously, 5-0.

OTHER AGENDA ITEMS:

1. Town Hall Meeting. (Citizens of Winterville, Town EMS/Fire, Town Police and Town Staff) (Councilwoman Hawkins).

Council and Staff discussed the Town Hall Meeting date.

Motion made by Councilwoman Hawkins and seconded by Councilman Moye to hold the Town Hall Meeting on Thursday, March 7, 2024 from 6:00 pm – 7:00 pm. Motion carried unanimously, 5-0.

2. Intersection of Old Tar Road/Vernon White. (Councilwoman Hawkins).

3. Town-Based Transportation - Next Steps. (Councilwoman Hawkins).

4. Multi-Purpose Community Center. (Councilwoman Hawkins).

Assistant Town Manager Bowers gave an update on the soil study for the Multi-Purpose Building property.

5. Fair Housing. (Councilwoman Hawkins).

Council and Staff discussed Councilwoman Hawkins' items. Staff is working on timelines and benchmarks for the items. Councilwoman Hawkins encouraged the public to speak out regarding needs. Mayor Hines suggested to allow Staff time to report back on the items.

6. Old Tar Road/Vernon White Road Intersection. (Councilwoman Roberson). Staff to reach out to NCDOT concerning the issue.

ITEMS FOR FUTURE AGENDA/FUTURE WORK SESSIONS:

ANNOUNCEMENTS: The following announcements were presented by Assistant Town Manager Bowers:

- 2024 Primary Early Voting: February 15 – March 2, 2024 – Community Room.
- Planning and Zoning Board Meeting: Monday, February 19, 2024 @ 7:00 pm - Town Hall Assembly Room.
- Board of Adjustment Meeting: Tuesday, February 20, 2024 @ 7:00 pm - Town Hall Assembly Room.
- Town Council Recycle/Solid Waste Work Session: Monday, February 26, 2024 @ 5:30 pm - Town Hall Assembly Room.
- Human Relations Board Meeting: Thursday, February 22, 2024 @ 7:00 – Town Hall Executive Conference Room.
- Recreation Advisory Board: Tuesday, February 27, 2024 @ 6:30 pm – Operation Center.
- 2024 Election Primary: March 5, 2024 – Community Room and Operation Center Training Room.
- Agenda Review Meeting: Thursday, March 7, 2024 @ 4:00 pm – Town Hall Executive Conference Room.
- Easter Eggstravaganza: Saturday, March 9, 2024 from 11:00 am to 1:00 pm - Winterville Recreation Park.
- Regular Town Council Meeting: Monday, March 11, 2024 @ 6:00 pm - Town Hall Assembly Room.

REPORTS FROM THE TOWN ATTORNEY, MAYOR, AND TOWN COUNCIL, AND TOWN MANAGER:

Attorney Lassiter: No report tonight. I do point out that we have a closed session pursuant to Attorney-Client Privilege to speak with the town attorney regarding a privilege and confidential matter.

Councilwoman Smith: Thank you to everybody who came out this evening; thank you to staff; thank you to members of the community; thank you to our elected officials, County Commissioner Smith for joining us tonight. I thank everybody and want to assure you that we are all members of this community and are proud of our community and we want to see growth and progress. I do want us to do so wisely and to take into consideration things like our infrastructure and long-term goals and make sure that we are doing things in a manner that is manageable and sustainable and that will benefit all our constituents. I thank you for being here this evening.

Councilwoman Roberson: I would like to thank everyone that is here for the meeting tonight; our citizens and our staff. I appreciate all that you do and our citizens just make sure you always let your elected officials let know the things that you want to see in our community, the things that you have concerns.

Mayor Pro Tem Harrell: I would echo Councilwoman Smith and Councilwoman Roberson. Thank you to the staff for all that you do and the things that we do not know that you do, all your hard work thank you. We thank those joining us tonight, I am happy to see a lot of faces in the audience so, continue to come back and learn more and grow with us as a community. Also want to say February is Heart Month so make sure that you take the time to exercise, also women Listen to Your Heart because we are prone for heart and cardiovascular disease.

Councilwoman Hawkins: I wanted to say it was a wonderful Black History Program yesterday. I would like to acknowledge and thank Miss Mattie deJesus for putting that together. We had young and young beautifully seasoned. We had all demographics there, and when we say the people. The Constitution of the United States says we the people and we are the people as I sit up here as a Town Councilwoman, I am also the people and a citizen here. I would like to thank the staff for all you do, I would like to thank law enforcement for protecting and securing us I would like to thank Chief Williams for when I left the last meeting, he ensured that I got into my car safely, that meant a lot to me, it is the little things that mean so much and what I say again we are better together. Thank you, I would like to thank this board.

Councilman Moyer: This new board is really coming together, and I thank God for that I thank God for this the staff that we do have here and I would like to thank County Commissioner Smith for being here tonight. I would like to thank Mr. Hunsucker for coming out tonight and the work that he helped yesterday with the program that we had at the Train Depot. I just want to say thank you and Miss Mattie deJesus and your staff did an excellent job. I want to thank you for the recognition that you gave me yesterday. All our citizen here tonight especially without you there is no need for us. You see Johnny Moyer not doing correctly do not talk about him, tell him I am enough that you can be able to tell me. I like to say to everyone especially all the ladies and the men Happy Valentine's Day.

Assistant Town Manager Bowers: Want to send a get well soon out to several staff members who you know put us in a little bit of a scramble today, but we all worked together as a team, everybody stepped up to help keep this meeting on schedule and keep everything from falling apart and you know some critical people were out and so it was a team effort to pull all this together and still keep things going so we could still have this meeting S we hope they will get well soon the people that are out sick and thank you to everybody that stepped up and helped.

Mayor Hines: Thank you to Assistant Town Manager Bowers for your role tonight. Thank you, Willie Gay, for your role tonight. But that just goes the show can go on. You what type of town we have when

one person is down someone else picks it up. That shows you what type of Board we have when one person is down the other person picks it up. This is not a one man show, we are a Town, this town was here before me, this town going to be here after me but it is only as good as what we put into it and we are going to do our best to make sure that we move this town forward.

CLOSED SESSION:

NCGS § 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, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded. (Attorney-Client Privilege).

Motion made by Councilwoman Roberson and seconded by Councilman Moye to go into Closed Session. Motion carried unanimously, 5-0. Entered Closed Session at 7:37 pm.

ADJOURN:

Motion made by Mayor Pro Tem Harrell and seconded by Councilman Moye to adjourn the meeting. Motion carried unanimously, 5-0. Meeting Adjourned 8:22 pm.

Adopted this the 11th day of March 2024.

Brandy Harrell, Mayor Pro Tem

ATTEST:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: March 11, 2024

Presenter: Jessica Manning, Finance Director

Item to be Considered

Subject: Budget Amendment 2023-2024-5

Action Requested: Approval of Budget Amendment.

Attachment: Budget Amendment 2023-2024-5.

Prepared By: Jessica Manning, Finance Director

Date: 2/28/2024

ABSTRACT ROUTING:

TC: 3/4/2024

TM: 3/4/2024

Final: tlp - 3/4/2024

Supporting Documentation

This is the fifth budget amendment for the 2023-2024 Fiscal Year.

The first item in this amendment addresses the need to appropriate funds in the Police department for gun sights and a drone as well as money to process drug evidence in the amount of \$32,300. These funds will be allocated from the Asset Forfeiture account.

The second item addresses the need to appropriate funds in the Water department to cover the cost of replacing a water line on Depot Street in the amount of \$79,000. The water line needed to be replaced because the line was constructed of a material that is no longer allowed to be used. At some point in the future this line will have to be replaced. To keep from having to cut open a new street and replace the line in the future, it was determined that it was more economical to replace the line while the street was open.

Budgetary Impact: The total budget amendment will increase the budget in the amount of \$111,300.

Recommendation: Staff recommends Council approve the budget amendment.

BUDGET ORDINANCE AMENDMENT 2023-2024-5

BE IT ORDAINED by the Governing Board of the Town of Winterville, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2024:

SECTION 1. Revenues are to be changed as follows:

LINE ITEM DESCRIPTION	Fund	Account	Increase	Decrease
Fund Balance Appropriation	General	10-0000-00 3831	\$32,300.00	
Fund Balance Appropriation	Water	61-0000-00 3831	\$79,000.00	
Total			\$111,300.00	\$0.00

SECTION 2. Appropriations are to be changed as follows:

LINE ITEM DESCRIPTION	Account	Department	Fund	Increase	Decrease
Authorized Forfeiture Allocation	10-4310-00	4263	Police General	\$32,300.00	
Capital Outlay	61-7210-00	7150	Water	\$79,000.00	
Total				\$111,300.00	\$0.00

Adopted the 11th day of March 2024.

Brandy Harrell, Mayor Pro Tem

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: March 11, 2024

Presenter: Stephen Penn, Planning and Economic Development Director

Item to be Considered

Subject: Ludie Ange Moore Family Partnership Rezoning.

Action Requested: Schedule Public Hearing on the Rezoning Request for April 8, 2024 meeting.

Attachment: Rezoning Application, Rezoning Map, Legal Description, Notification of Rezoning, Address Labels to Adjacent Property Owners, and Staff Report.

Prepared By: Stephen Penn, Planning and Economic Development Director

Date: 5/30/2023

ABSTRACT ROUTING:

TC: 5/30/2023

TM: 3/4/2024

Final: tlp - 3/4/2024

Supporting Documentation

Applicant: KPMEHRA,LLC.

Location: 161 Vernon White Road; Northeast of the Vernon White Road, Mill Street, and Winterville Parkway Intersection.

Parcel Numbers: 54421

Site Data: 1.57 Acres.

Current Zoning District: Agricultural Residential (AR)

Proposed Zoning District: General Business (GB)

Staff Analysis:

The 1.57-acre property is designated as a Regional Center according to the Future Land Use Map and Comprehensive Plan. Much of the surrounding properties are commercially zoned with the exception of a 100' (+/-) portion of this property's south-western property line that is adjacent to an Agricultural Residentially Zoned Single-Family Home.

The proposed General Business Zoning District is consistent with the Comprehensive Land Use Plan and is compatible with the existing development and trends in the surrounding area.

Staff recommends approval of the rezoning request for the 1.57-acre parcel from AR to GB.

- The **Planning and Zoning Board** reviewed this request at their February 19, 2024 regular meeting and unanimously recommended **approval** of this application.
- Please review the attached documents, staff report, Comprehensive Land Use Plan, and Zoning Ordinance for more detail and information on the proposal.

Budgetary Impact: TBD.

Recommendation: Schedule Public Hearing on the Rezoning Request for April 8, 2024 meeting.



REZONING APPLICATION
TOWN OF WINTERVILLE
2571 Railroad Steet
P O Box 1459
Winterville, NC 28590
Phone: (252) 756-2221

Staff Use Only
Appl. # _____

OWNERSHIP INFORMATION:

Applicant: KPMEHRA, LLC

Address: 738 Lexington Drive, Greenville, NC 27834

Phone #: 352-615-2727

Owner: Ludie Ange Moore Family Partnership

Address: PO Box 1207, Winterville, NC 27834

Phone #: 252-714-5816

PROPERTY INFORMATION

Parcel #: 54421 Area (square feet or acres): 1.57 acres

Current Land Use: Single Family Residence

Location of Property: Vernon White Rd. & Winterville Parkway

ZONING REQUEST

Existing Zoning: AR - Agricultural-Residential Requested Zoning: GB - General Business

Reason for zoning change: The requested General Business zoning (GB) will allow for a higher density urban development in close proximity to existing commercial development with access to a major thoroughfare (NC Highway 11) and is in general conformance with the Land Use Plan. The requested zoning also matches the existing zoning located immediately to the north, west, and south of the property.

This application shall be accompanied by the following items:

- A map drawn to a scale of not less than 400 feet to the inch and not more than 20 feet to the inch showing the land covered by the proposed amendment;
- A legal description of the property;
- A list of the names and addresses of all owners of property involved in the map change and all adjoining property owners as shown on County tax records;
- A filing fee according to a regularly adopted Fee Schedule of the Town.

OWNER/AGENT STATEMENT

I, Sanjay Mehra, being the Owner or Agent (if Agent, complete section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for 02 / 19 / 2024.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance may result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

SMel Signature 2/2/2024 Date

NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

I, Ludie Moore, being the Owner of the property described herein, do hereby authorize Sanjay Mehra as agent for the purpose of this application.

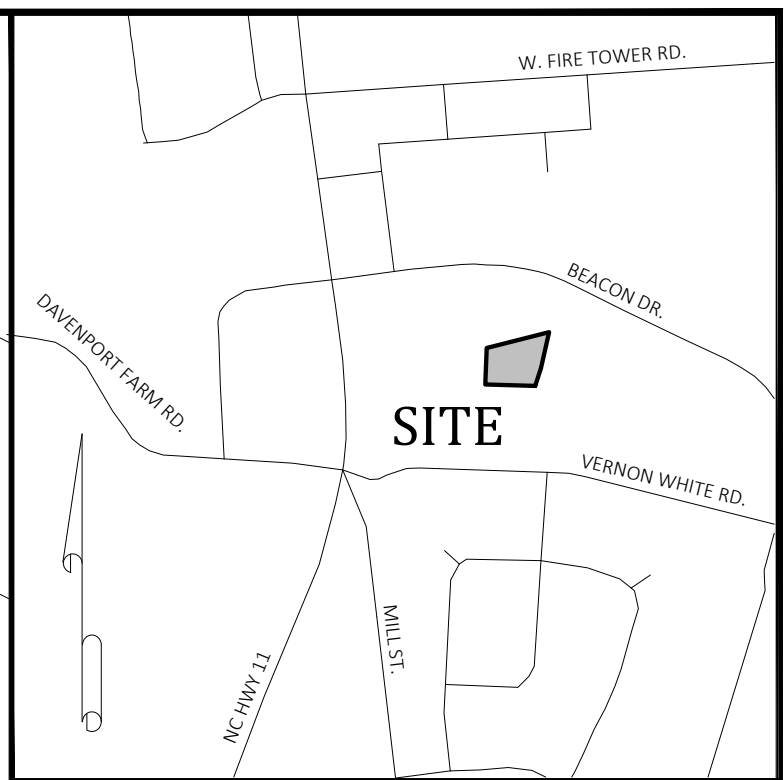
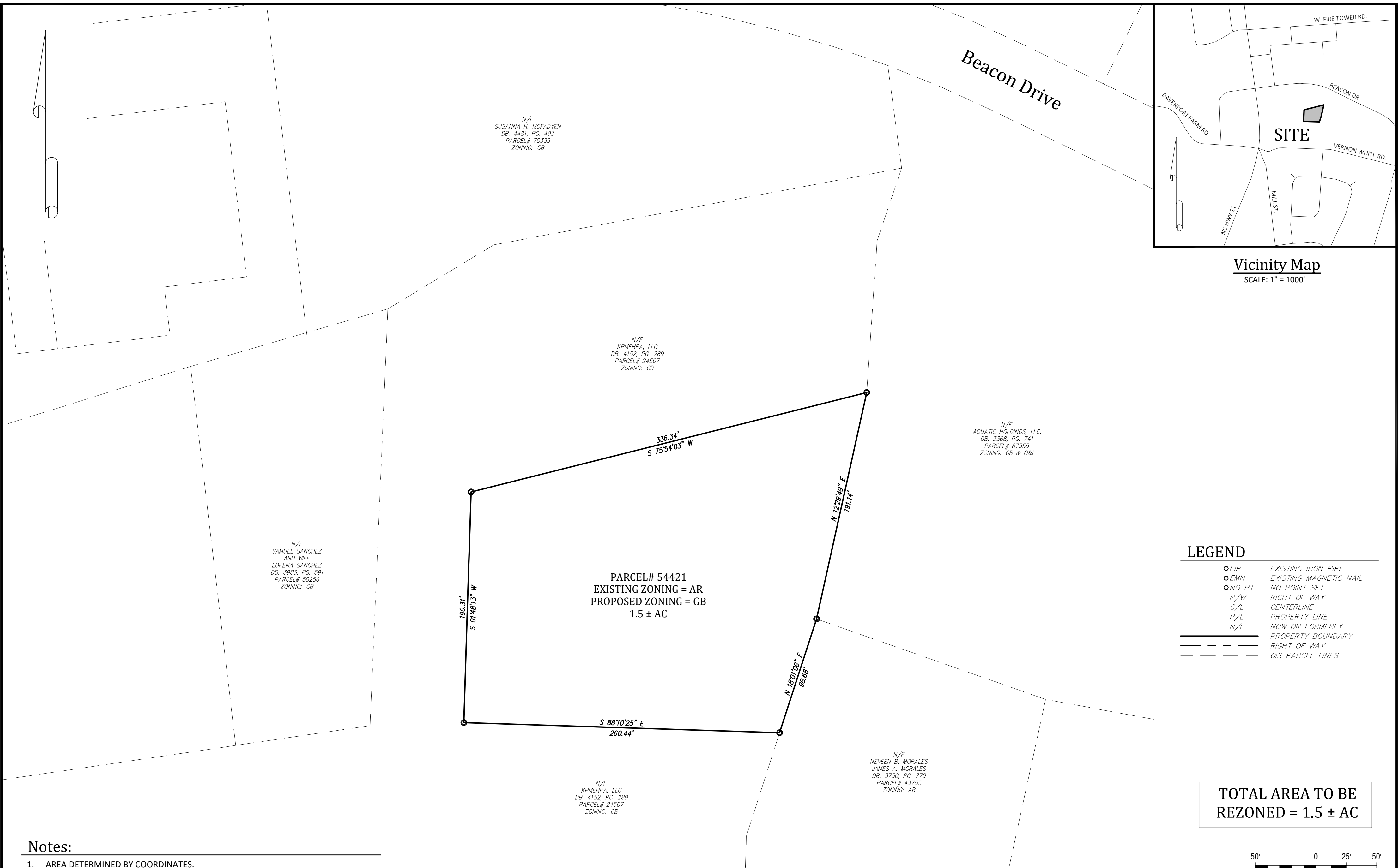
Ludie Moore Signature 2-2-24 Date

Sworn to and subscribed before me, this 2nd day of February, 2024.



Kelli L. Gill Notary Public

My Commission Expires: September 25, 2026

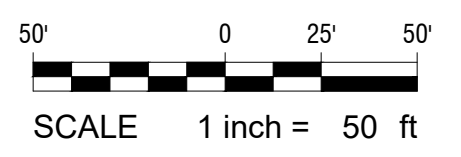


Vicinity Map
SCALE: 1" = 1000'

LEGEND

- EIP EXISTING IRON PIPE
- EMN EXISTING MAGNETIC NAIL
- NO PT. NO POINT SET
- R/W RIGHT OF WAY
- C/L CENTERLINE
- P/L PROPERTY LINE
- N/F NOW OR FORMERLY
- PROPERTY BOUNDARY
- RIGHT OF WAY
- GIS PARCEL LINES

TOTAL AREA TO BE REZONED = 1.5 ± AC



Notes:

1. AREA DETERMINED BY COORDINATES.
2. THIS MAP WAS PREPARED FOR REZONING PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON.
3. BOUNDARY INFORMATION SHOWN HEREON WAS DRAWN FROM DEED AND MAP REFERENCES AND INFORMATION PROVIDED BY THE PITT COUNTY OPIS WEBSITE AND DOES NOT REPRESENT AN ACTUAL FIELD SURVEY BY THIS FIRM.
4. THIS IS A REZONING REQUEST COMPOSITE BOUNDARY MAP OF PITT COUNTY TAX PARCEL NUMBER 54421.
5. AS SHOWN ON FEMA FIRM NO 3720466600J & 3720466700K DATED JULY 7, 2014; THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.

Owner:
LUDIE ANGE MOORE
FAMILY PARTNERSHIP
PO BOX 1207
WINTERVILLE, NC 27834

References:
D.B. 4152, PG. 289
D.B. 3983, PG. 591
M.B. 50, PG. 129
M.B. 55, PG. 106
M.B. 311, PG. 170
D.B. 1127, PG. 758

STATE OF NORTH CAROLINA, PITT COUNTY

I, J. DANTZLER WITHERS, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM DEEDS AND MAPS OF RECORD AS REFERENCED HEREON AND THAT NO FIELD SURVEY WAS PERFORMED IN THE PREPARATION OF THIS COMPOSITE PLAT; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600) WITNESS MY HAND AND SEAL THIS 5TH DAY OF FEBRUARY 2024.

J. Dantzler Withers
J. DANTZLER WITHERS

L-5508



 www.arkconsultinggroup.com	NC License: P-1199 2755-B Charles Blvd. Greenville, NC 27858 (252) 558-0888	
	REZONING MAP FOR LUDIE ANGE MOORE FAMILY PARTNERSHIP PITT COUNTY PARCEL NO. 54421 TOWN OF WINTERVILLE, PITT COUNTY, NC	
SCALE 1" = 50'	DATE February 5, 2024	SHEET 1 of 1

REZONING MAP

FOR

LUDIE ANGE MOORE FAMILY PARTNERSHIP
PITT COUNTY PARCEL NOS. 54421

Lying and being in Winterville Township, Pitt County, North Carolina and being that 1.572 acres, more or less (68,508 square feet) designated as Lot No. 1 on that map entitled "Final Plat Whitewood" made by Merrill Land Surveying dated May 18, 1994 recorded in Map Book 44, Page 61 of the Pitt County Registry, to which reference is hereby made for particular description.

**Ludie Ange Moore Family Partnership
Parcel 54421
Planning and Zoning Board Notice -Rezoning
Letters Mailed and Sign Posted on 2.7.24**

**STATE OF NORTH CAROLINA
PITT COUNTY**

I, Stephen Penn, Director of Planning and Economic Development of the Town of Winterville, North Carolina, do hereby certify that copies of the attached notice and map were mailed, this day by first class mail, postage prepaid, to the owner of the parcel under consideration and to the owners, as shown on the Pitt County Tax Records, of all abutting parcels. A list of these property owners is also attached hereto.

WITNESS my hand this the 7th day of February, 2024.

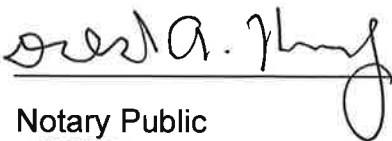


Director of Planning & Economic Development

**STATE OF NORTH CAROLINA
PITT COUNTY**

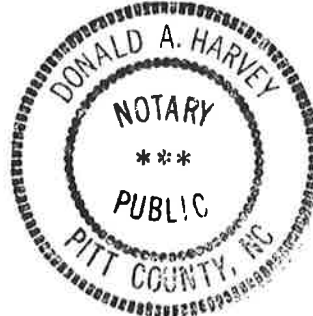
I, Donald A. Harvey, a Notary Public, do hereby certify that Stephen Penn, Director of Planning & Economic Development, personally appeared before me this day and acknowledged the due execution of the foregoing certification, for the purposes therein expressed.

WITNESS my hand and notarial seal this 7th day of February, 2024.



Notary Public

My Commission Expires June 8, 2025





KPMEHRA LLC

2204 TROTTERS RIDGE CT
GREENVILLE NC 27858

AQUATIC HOLDINGS LLC

556 THIRD ST
AYDEN NC 28513

Samuel & Lorena Sanchez

4319 WINTERVILLE PW
WINTERVILLE NC 28590

**LUDIE ANGE MOORE FAMILY
PARTNERSHIP**

PO BOX 1207
WINTERVILLE NC 28590

*Mailed on
2/10/24
7*

KP Mehra LLC
738 Lexington Dr
Greenville NC 27834

James & Neveen Morales

181 VERNON WHITE RD
WINTERVILLE NC 28590



WINTERVILLE

A slice of the good life!

2571 Railroad Street
PO Box 1459
Winterville, NC 28590

Phone (252)756-2221
Fax (252)756-3109
www.wintervillenc.com

Planning and Zoning Board Rezoning Request

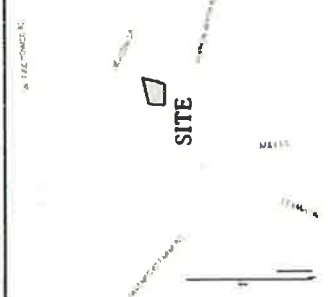
NOTICE IS HEREBY GIVEN that the Winterville Planning and Zoning Board will meet on **Monday February 19, 2024** at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, in order to hold public comments and consideration of the following request:

The Town of Winterville has received a rezoning application to rezone 161 Vernon White Road (Parcel Number 54421), a 1.57 acre parcel from Agricultural-Residential (AR) to General Business (GB). This parcel is north-east of the Mill Street, Vernon White Road, and Winterville Parkway intersection.

Copies of the Zoning Ordinance and Map are on file at the Planning Department Office in the Town Hall and are available for public inspection by contacting stephen.penn@wintervillenc.com or the Winterville Planning Department at (252) 756-2221 or at wintervillenc.com.

Citizens are encouraged to attend the hearing. Citizens may also view the hearing on the Winterville website at www.wintervillenc.com/videos . If for any reason you have difficulty accessing the Town's video page, please go to the Town's YouTube channel at: www.youtube.com/channel/UChejtVcuiD9O3_zzTrrBj4g .

The public may submit written comments to the Town Clerk's office, 2571 Railroad Street, Winterville, NC 28590, or via email to don.harvey@wintervillenc.com. Please include your name and address.

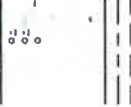


Vicinity Map
SCALE: 1" = 100'

Beacon Drive



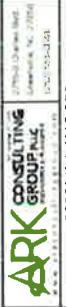
LEGEND



TOTAL AREA TO BE REZONED = 1.5 ± AC



C. 1018



REZONING MAP FOR
LUDIE ANGE MOORE
FAMILY PARTNERSHIP
PITT COUNTY PARCEL NO. 34421



STATE OF NORTH CAROLINA, PITT COUNTY
I, L. J. DAUTLER, ENGINEER, CERTIFY THAT THIS MAP WAS DRAWN BY ME OR UNDER MY SUPERVISION AND THAT NO FIELD SURVEY WAS PERFORMED IN THE PREPARATION OF THIS COMPOSITE PLAN; THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 N.C.A.C. 29.1400) WITH MY OWN HAND AND SEAL THIS 27TH DAY OF FEBRUARY 2024.

References:

- D.B. 1127, PG. 281
- D.B. 1127, PG. 282
- D.B. 1127, PG. 283
- M.B. 30, PG. 129
- M.B. 31, PG. 128
- M.B. 32, PG. 128
- M.B. 33, PG. 127
- D.B. 1127, PG. 728

Owner:

LUDIE ANGE MOORE
FAMILY PARTNERSHIP
PO BOX 1387
WINTERVILLE, NC 27154

Notes:

- AREA DETERMINED BY COORDINATES.
- THIS MAP WAS PREPARED FOR REZONING PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON.
- BOUNDARY INFORMATION SHOWN HEREON WAS DRAWN FROM DEED AND MAP REFERENCES AND INFORMATION PROVIDED BY THE PITT COUNTY OPS WEBSITE AND DOES NOT REPRESENT AN ACTUAL FIELD SURVEY BY THIS FIRM.
- THIS IS A REZONING REQUEST COMPOSITE BOUNDARY MAP OF PITT COUNTY TAX PARCEL NUMBER 34421.
- AS SHOWN ON FEMA FIRM NO 37204666001 & 3720466700K DATED JULY 7, 2024; THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.





**Town of Winterville Planning Department
Zoning Staff Report**

GENERAL INFORMATION

APPLICANT	Kpmehra, LLC
HEARING TYPE	Rezoning Request
REQUEST	Rezoning from Agricultural Residential (AR) to General Business (GB).
CONDITIONS	None
LOCATION	161 Vernon White Road- North East of the Vernon White Rd., Mill Street, and Winterville Parkway (Highway 11) Intersection.
PARCEL ID NUMBER(S)	54421
PUBLIC NOTIFICATION	<p>For the P&Z Board: Adjacent property owners were mailed notification of the rezoning request on 2.7.2024. Notification was posted on site on 2.7.24. Six properties were mailed notification.</p> <p>For Town Council: TBD Adjacent property owners were mailed notification of the rezoning request on _____. Notification was posted on site on _____. _____ properties were mailed notification.</p>
TRACT SIZE	1.57 acres
TOPOGRAPHY	Flat
VEGETATION	Cleared, Wooded, Etc.

SITE DATA

EXISTING USE	Home-site for an existing Single-Family Home.
---------------------	---

ADJACENT PROPERTY	ZONING	ADJACENT LAND USE
N	GB	Property was just rezoned to General Business. North of that is a Mixture of Commercial Uses.
W	GB	Property was just rezoned General Business. There is still a single family home and a property used as a Bed and Breakfast.



E	Mixture of O&I and A-R.	Aquaventure Swim and Recreation Facility and a Single-Family Residential Home.
S	GB	Property was just rezoned General Business. Property is currently used as a Bed and Breakfast.

ZONING DISTRICT STANDARDS

DISTRICT SUMMARIES	EXISTING	REQUESTED
ZONING DISTRICT DESIGNATION	Agricultural Residential	GB
MAX DENSITY	One Residential Unit.	TBD/NA
TYPICAL USES	Mixture of low-density residential and agricultural uses where urban development is expected to occur. The purpose of this district is to maintain lots of sufficient size to insure that residential development dependent upon septic tank systems for sewage disposal and individual wells for water will occur at sufficiently low density to insure a healthful environment. The minimum lot size established for this district, however, does not guarantee sufficient space for on-site water and/or sewer systems.	Accommodates business that serve the traveling public, require large amounts of land and are not oriented to the pedestrian shopper.



SPECIAL INFORMATION

OVERLAY DISTRICT	N/A
ENVIRONMENTAL / SOILS	Unknown at this point.
FLOODPLAIN	Not shown to be within any Floodplain Designation.
STREAMS	None.
OTHER	If >1 acre is disturbed, site must meet Phase 2 stormwater requirements and provide Soil Erosion and Sedimentation Control Permit
SITE PLAN REQUIREMENTS	Site Plan / Construction Plan required.

**These regulations may not reflect all requirements for all situations. See the Town of Winterville Zoning Ordinance for all applicable regulations for site requirements for this zoning district.

LANDSCAPING & BUFFER REQUIREMENTS

Development must meet requirements of the Zoning Ordinance (Article X-A. Vegetation and Buffering Requirements).

TRANSPORTATION

STREET CLASSIFICATION	Vernon White Road – NCDOT – classified as a minor thoroughfare.
SITE ACCESS	All access must be designed and constructed to meet the Town of Winterville / NCDOT standards.
TRAFFIC COUNTS (per NCDOT Annual Average Daily Traffic Map)	5,300 AADT.
Level Of Service (Transportation Analysis) Current= 2016 Study; Future= 2045 Projection. <i>* LOS is rated from A-F: A is the best, F the worst.</i> <i>* Roadway Improvement and street design is based upon achieving a minimum of LOS D on existing facilities and LOS C on new facilities.</i>	Vernon White Road at home’s driveway: * Current: LOS B (Medium B). * Future: LOS B (Medium B).
TRIP GENERATION	TBD.
SIDEWALKS	TBD.
TRAFFIC IMPACT STUDY (TIS)	TBD
STREET CONNECTIVITY	N/A – Rezoning Phase.
OTHER	N/A



IMPACT ANALYSIS

Land Use Compatibility

The proposed GB zoning districts would align with much of the existing Zoning Districts and Uses within this area. The portion of land that is adjacent to the single-family residential property will likely require a vegetated buffer yard depending on the future proposed use.

Town of Winterville Comprehensive Land Use Plan Policies

The Future Land Use Map designates this property as a Regional Center character area. "Regional Centers" are defined as high- to medium-intensity commercial, retail and lodging uses that act as regional activity centers, with offices and residential potentially mixed in. Primarily auto-oriented destinations with national or regional businesses. The requested **GB** zoning district *is* consistent with this character area as defined by the future land use designation.

Comprehensive Land Use Plans - Recommendations & Implementation

Regional Center:

- **General Character:** These larger, auto-oriented commercial areas serve a regional market, and are high-intensity shopping centers. With good design, they can provide a pleasant outdoor and indoor shopping experience that compliments the surrounding community as a commercial/retail/service activity center.
- **Potential Zoning Districts:** GB, Possibly NC, O&I, IC, or M-R.
- **Uses:** Commercial uses of a regional nature, including big box stores, chain restaurants, and other highway-oriented uses. Hotels and multi-family uses could also be appropriate.

(Land Use) Policy 1: Encourage a balanced tax base while managing growth:

Strategy 1.1: Utilize the Future Land Use Map and character areas when considering land use decisions.

Strategy 1.2: Encourage non-residential growth in the form of retail restaurants, professional offices and industrial development in areas designated as such on the Future Land Use Map.

(Economic Development) Policy 1: Continue to Implement Previous Plans.

Strategy 1.3: Emphasize retail, office, light industrial and other commercial development especially along Winterville Parkway and other appropriate



areas.

(Economic Development) Policy 2: Improve Self-Sufficiency and Reduce Retail Leakage.

Strategy 2.1: Support Winterville's transformation from a bedroom community into a neighboring community of Greenville.

Strategy 2.2: Discourage rezonings to residential zoning districts in high visibility corners with good access and parcels within Office & Employment Future Land use areas.

(Economic Development) Policy 6: Focus on business recruitment, expansion and retention.

Strategy 6.2: Encourage and support local businesses, especially in expansion efforts.

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

Applicant is encouraged to discuss this proposed rezoning with owners of surrounding properties.

Staff Analysis

The 1.57-acre property is designated as a Regional Center according to the Future Land Use Map and Comprehensive Plan. Much of the surrounding properties are commercially zoned with the exception of a 100' (+/-) portion of this property's south-western property line that is adjacent to an Agricultural Residentially Zoned Single Family Home.

The proposed General Business Zoning District is consistent with the Comprehensive Land Use Plan and is compatible with the existing development and trends in the surrounding area.

Staff Recommendation

Staff recommends **approval** of the rezoning request for the 1.57 acre parcel from AR to GB.

The **Planning and Zoning Board** reviewed this request at their February 19, 2024 regular meeting and **unanimously recommended approval** to the Winterville Town Council.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Old Business

Meeting Date: March 11, 2024

Presenter: Terri L. Parker, Town Manager

Item to be Considered

Subject: Human Relations Board Discussion.

Action Requested: Decision on the future of the Board.

Attachment: None.

Prepared By: Terri L. Parker, Town Manager

Date: 2/28/2024

ABSTRACT ROUTING:

TC: 3/4/2024

TM: 3/4/2024

Final: tlp - 3/4/2024

Supporting Documentation

Human Relations Board

The Human Relations Board consists of six (6) Members. At the present time, the Board has met irregularly due to attendance.

Council is asked to discuss the status and desired future of this Board.

Budgetary Impact: TBD..

Recommendation: NA.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: March 11, 2024

Presenter: Jessica Manning, Finance Director

Item to be Considered

Subject: Approval of Financing terms and agreement with First Citizens Bank.

Action Requested: Award Financing to First Citizens Bank.

Attachment: Bid Tabulation, Resolutions Approving Financing Terms

Prepared By: Jessica Manning, Finance Director

Date: 2/28/2024

ABSTRACT ROUTING:

TC: 3/4/2024

TM: 3/4/2024

Final: tlp - 3/4/2024

Supporting Documentation

The Town Council has approved the purchase of one Knuckle Boom Truck, a Truck and Commercial Lawn Mower for the Public Works department, two Police Interceptors, and a Sewer Jetter Trailer and 6-Inch Bypass Pump for the Sewer department. The funding for this equipment and vehicles was approved in the current fiscal year's budget in the total amount of \$510,000.

We received quotes from 4 lending institutions. First Citizens Bank was the lowest bid, with rates at 4.27% for the Knuckle Boom Truck, 4.44% for the Public Works Truck and Lawn Mower, 4.35% for the Police Cars, and 4.31% for the Sewer Jetter Trailer and Bypass Pump. In addition, First Citizens has offered the option for a lower interest rate than listed above if the loans are combined into one loan with separate amortization schedules.

We are recommending accepting First Citizens Bank's proposal for all pieces of equipment and vehicles with a 3 year term for the Public Works Truck and Lawn Mower, and a 5 year term for the Knuckle Boom Truck, Police Cars, and the Sewer Jetter Trailer and Bypass Pump.

Budgetary Impact: Annual debt service payments in the amount of: Knuckle Boom Truck - \$45,266.73, Public Works Truck and Lawn Mower - \$24,708.60, Police Cars - \$20,869.31, and Sewer Jetter Trailer and Bypass Pump - \$33,988.04. Total annual budgetary impact would be \$124,832.68.

Recommendation: Approve the Financing Agreement.

**Town of Winterville
Bid Tabulation
Knuckle Boom Truck**

Bank	Rate
------	------

First Citizens	4.27%
Truist	4.70%
First National	5.32%
Southern Bank	5.60%

**Town of Winterville
Bid Tabulation
Public Works Truck &
Commercial Lawn Mower**

Bank	Rate
------	------

First Citizens	4.44%
Truist	5.024%
First National	5.32%
Southern Bank	5.66%

**Town of Winterville
Bid Tabulation
Police Interceptors (2)**

Bank	Rate
------	------

First Citizens	4.35%
Truist	4.936%
First National	5.32%
Southern Bank	5.60%

**Town of Winterville
Bid Tabulation
Sewer - Jetter Trailer &
6-Inch Bypass Pump**

Bank	Rate
------	------

First Citizens	4.31%
Truist	4.776%
First National	5.32%
Southern Bank	5.60%



February 9, 2024

To: Jessica Manning, Finance Director

Re: Proposal for 2024 Installment Purchase Contract, Town of Winterville, North Carolina

Following is our offer for the financing requested:

Amount	Rate Structure		Maturity	Payment Structure
\$200,000	2024A	4.27% BQ	5 years	Annual principal and interest payments per RFP
\$68,000	2024B	4.44% BQ	3 years	
\$92,000	2024C	4.35% BQ	5 years	
\$150,000	2024D	4.31% BQ	5 years	

This transaction can be closed using draft documents provided by First-Citizens Bank & Trust Company. There will be no closing costs or ongoing fees due to the Bank. In addition to executed transaction documents in form satisfactory to the Bank, you must provide an opinion of your attorney addressing certain matters, including, but not limited to:

1. The Installment Purchase Contract is valid, legal, binding, and enforceable;
2. The tax-exempt status of the interest component of payments due under the financing. The attorney's opinion must state that the borrowing is designated as a "qualified tax-exempt obligation" under Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended.

The borrowing entity must also designate the obligation as a "qualified tax-exempt obligation" prior to closing. It is recommended that this designation be included or recited in the borrowing ordinance/resolution. You or your advisors will be responsible for preparing and filing any IRS required documents.

The rates contained in this proposal are subject to change unless the loan is closed within 60 days of the date hereof. If you have any questions, please contact Courtney Dunlap at 803-931-1721 or me at 803-931-1723.

Thank you for the opportunity to submit this proposal.

First-Citizens Bank & Trust Company

By: Steve Groth
Director of Government Lending

The foregoing proposal is accepted and approval of rate and funding is requested:

Town of Winterville, North Carolina

By: _____

Title: _____

Date: _____

Town of Winterville 2024A IPC - 5 years \$200,000

Computation Interval: Annual

Nominal Annual Rate: 4.270%

Cash Flow Data - Loans and Payments

Event	Date	Amount	Number	Period	End Date
1 Loan	03/20/2024	200,000.00	1		
2 Payment	03/20/2025	45,266.73	4	Annual	03/20/2028
3 Payment	03/20/2029	45,266.71	1		

TValue Amortization Schedule - U.S. Rule, 30E3/360

Date	Payment	Interest	Principal	Balance
Loan 03/20/2024				200,000.00
2024 Totals	0.00	0.00	0.00	
1 03/20/2025	45,266.73	8,540.00	36,726.73	163,273.27
2025 Totals	45,266.73	8,540.00	36,726.73	
2 03/20/2026	45,266.73	6,971.77	38,294.96	124,978.31
2026 Totals	45,266.73	6,971.77	38,294.96	
3 03/20/2027	45,266.73	5,336.57	39,930.16	85,048.15
2027 Totals	45,266.73	5,336.57	39,930.16	
4 03/20/2028	45,266.73	3,631.56	41,635.17	43,412.98
2028 Totals	45,266.73	3,631.56	41,635.17	
5 03/20/2029	45,266.71	1,853.73	43,412.98	0.00
2029 Totals	45,266.71	1,853.73	43,412.98	
Grand Totals	226,333.63	26,333.63	200,000.00	

ANNUAL PERCENTAGE RATE	FINANCE CHARGE	Amount Financed	Total of Payments
The cost of your credit as a yearly rate.	The dollar amount the credit will cost you.	The amount of credit provided to you or on your behalf.	The amount you will have paid after you have made all payments as scheduled.
4.270%	\$26,333.63	\$200,000.00	\$226,333.63

Town of Winterville 2024B IPC - 3 years \$68,000

Computation Interval: Annual

Nominal Annual Rate: 4.440%

Cash Flow Data - Loans and Payments

Event	Date	Amount	Number	Period	End Date
1 Loan	03/20/2024	68,000.00	1		
2 Payment	03/20/2025	24,708.60	2	Annual	03/20/2026
3 Payment	03/20/2027	24,708.61	1		

TValue Amortization Schedule - U.S. Rule, 30E3/360

Date	Payment	Interest	Principal	Balance
Loan 03/20/2024				68,000.00
2024 Totals	0.00	0.00	0.00	
1 03/20/2025	24,708.60	3,019.20	21,689.40	46,310.60
2025 Totals	24,708.60	3,019.20	21,689.40	
2 03/20/2026	24,708.60	2,056.19	22,652.41	23,658.19
2026 Totals	24,708.60	2,056.19	22,652.41	
3 03/20/2027	24,708.61	1,050.42	23,658.19	0.00
2027 Totals	24,708.61	1,050.42	23,658.19	
Grand Totals	74,125.81	6,125.81	68,000.00	

ANNUAL PERCENTAGE RATE	FINANCE CHARGE	Amount Financed	Total of Payments
The cost of your credit as a yearly rate.	The dollar amount the credit will cost you.	The amount of credit provided to you or on your behalf.	The amount you will have paid after you have made all payments as scheduled.
4.440%	\$6,125.81	\$68,000.00	\$74,125.81

Town of Winterville 2024C IPC - 5 years \$92,000

Computation Interval: Annual

Nominal Annual Rate: 4.350%

Cash Flow Data - Loans and Payments

Event	Date	Amount	Number	Period	End Date
1 Loan	03/20/2024	92,000.00	1		
2 Payment	03/20/2025	20,869.31	5	Annual	03/20/2029

TValue Amortization Schedule - U.S. Rule, 30E3/360

Date	Payment	Interest	Principal	Balance
Loan 03/20/2024				92,000.00
2024 Totals	0.00	0.00	0.00	
1 03/20/2025	20,869.31	4,002.00	16,867.31	75,132.69
2025 Totals	20,869.31	4,002.00	16,867.31	
2 03/20/2026	20,869.31	3,268.27	17,601.04	57,531.65
2026 Totals	20,869.31	3,268.27	17,601.04	
3 03/20/2027	20,869.31	2,502.63	18,366.68	39,164.97
2027 Totals	20,869.31	2,502.63	18,366.68	
4 03/20/2028	20,869.31	1,703.68	19,165.63	19,999.34
2028 Totals	20,869.31	1,703.68	19,165.63	
5 03/20/2029	20,869.31	869.97	19,999.34	0.00
2029 Totals	20,869.31	869.97	19,999.34	
Grand Totals	104,346.55	12,346.55	92,000.00	

ANNUAL PERCENTAGE RATE	FINANCE CHARGE	Amount Financed	Total of Payments
The cost of your credit as a yearly rate.	The dollar amount the credit will cost you.	The amount of credit provided to you or on your behalf.	The amount you will have paid after you have made all payments as scheduled.
4.350%	\$12,346.55	\$92,000.00	\$104,346.55

Town of Winterville 2024D IPC - 5 years \$150,000

Computation Interval: Annual

Nominal Annual Rate: 4.310%

Cash Flow Data - Loans and Payments

Event	Date	Amount	Number	Period	End Date
1 Loan	03/20/2024	150,000.00	1		
2 Payment	03/20/2025	33,988.04	5	Annual	03/20/2029

TValue Amortization Schedule - U.S. Rule, 30E3/360

Date	Payment	Interest	Principal	Balance
Loan 03/20/2024				150,000.00
2024 Totals	0.00	0.00	0.00	
1 03/20/2025	33,988.04	6,465.00	27,523.04	122,476.96
2025 Totals	33,988.04	6,465.00	27,523.04	
2 03/20/2026	33,988.04	5,278.76	28,709.28	93,767.68
2026 Totals	33,988.04	5,278.76	28,709.28	
3 03/20/2027	33,988.04	4,041.39	29,946.65	63,821.03
2027 Totals	33,988.04	4,041.39	29,946.65	
4 03/20/2028	33,988.04	2,750.69	31,237.35	32,583.68
2028 Totals	33,988.04	2,750.69	31,237.35	
5 03/20/2029	33,988.04	1,404.36	32,583.68	0.00
2029 Totals	33,988.04	1,404.36	32,583.68	
Grand Totals	169,940.20	19,940.20	150,000.00	

ANNUAL PERCENTAGE RATE	FINANCE CHARGE	Amount Financed	Total of Payments
The cost of your credit as a yearly rate.	The dollar amount the credit will cost you.	The amount of credit provided to you or on your behalf.	The amount you will have paid after you have made all payments as scheduled.
4.310%	\$19,940.20	\$150,000.00	\$169,940.20

Resolution Approving Financing Terms

WHEREAS: The Town of Winterville, NC ("Borrower") has previously determined to undertake a project for the financing of a Knuckle Boom Truck (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Borrower hereby determines to finance the Project through First Citizens Bank ("Lender") in accordance with the proposal dated January 26, 2024. The amount financed shall not exceed \$200,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 4.27%, and the financing term shall not exceed five (5) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 11th day of March 2024

By: _____

By: _____

Title: _____

Title: _____

SEAL

Resolution Approving Financing Terms

WHEREAS: The Town of Winterville, NC ("Borrower") has previously determined to undertake a project for the financing of a Public Works Work Truck and a Commercial Lawn Mower (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Borrower hereby determines to finance the Project through First Citizens Bank ("Lender") in accordance with the proposal dated January 26, 2024. The amount financed shall not exceed \$68,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 4.44%, and the financing term shall not exceed three (3) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

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5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 11th day of March 2024

By: _____

By: _____

Title: _____

Title: _____

SEAL

Resolution Approving Financing Terms

WHEREAS: The Town of Winterville, NC ("Borrower") has previously determined to undertake a project for the financing of two (2) Police Ford Interceptors (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Borrower hereby determines to finance the Project through First Citizens Bank ("Lender") in accordance with the proposal dated January 26, 2024. The amount financed shall not exceed \$92,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 4.35%, and the financing term shall not exceed five (5) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

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5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 11th day of March 2024

By: _____

By: _____

Title: _____

Title: _____

SEAL

Resolution Approving Financing Terms

WHEREAS: The Town of Winterville, NC ("Borrower") has previously determined to undertake a project for the financing of a Sewer Jetter Trailer and a 6-Inch Bypass Pump (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Borrower hereby determines to finance the Project through First Citizens Bank ("Lender") in accordance with the proposal dated January 26, 2024. The amount financed shall not exceed \$150,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 4.31%, and the financing term shall not exceed five (5) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 11th day of March 2024

By: _____

By: _____

Title: _____

Title: _____

SEAL



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: March 11, 2024

Presenter: Stephen Penn, Planning and Economic Development Director

Item to be Considered

Subject: Southbrook Phase 1 Preliminary Plat.

Action Requested: Consider Preliminary Plat.

Attachment: Preliminary Plat, Planned Unit Development (PUD) Zoning District Ordinance, Staff Report.

Prepared By: Stephen Penn, Planning and Economic Development Director

Date: 2/26/2024

ABSTRACT ROUTING:

TC: 3/4/2024

TM: 3/4/2024

Final: tlp - 3/4/2024

Supporting Documentation

Applicant: Scott Moore of The Coley Group

Location: 245.43 Acre Site adjacent to Church Street Extension, and Laurie Ellis Road. South of Mellon Downs, Laurie Meadows, & Holly Grove.

Parcel Numbers: 11636, 15006, 11638, 82096, & 82094.

Site Data: Tract A is adjacent to Church Street Extension; Tract B is adjacent to Laurie Ellis Road.

* **Acreage:** Tract "A" 23.69 Acres; Tract "B" 26.69 Acres. (Total Acreage in Phase 1 is 50.38 Acres.)

* **Lots:** Tract "A" 57 Single Family Detached Lots, 56 Single Family Attached (Townhome) Lots; Tract "B" 65 Single Family Detached Lots. (Total Lots in Phase 1 is 123 Single Family Detached Lots & 56 Single Family Attached Lots.)

* **Recreation Space:** Tract "A" proposes 12,560 sf of recreation space; Tract "B" proposes 84,746 sf of recreation space. * Town Staff will review how much of the proposed recreation space may be used for "park, recreation, and open space" dedication based on the standards for dedication within the Subdivision Ordinance at the Final Plat stage.

Current Zoning District: Planned Unit Development (PUD) Conditional District (As an R-6 Conditional District and Multi-Family Residential Conditional District as defined and established by Ordinance Number 23-O-011.

* A PUD is both a Zoning District and a "Use" Type in which the property has its own Zoning requirements and regulations that are established by the PUD Rezoning. The PUD Conditional District Rezoning establishes standards that are unique to the particular development- such as setback requirements, lot dimensional requirements, street design, product type, etc.

Staff Analysis:

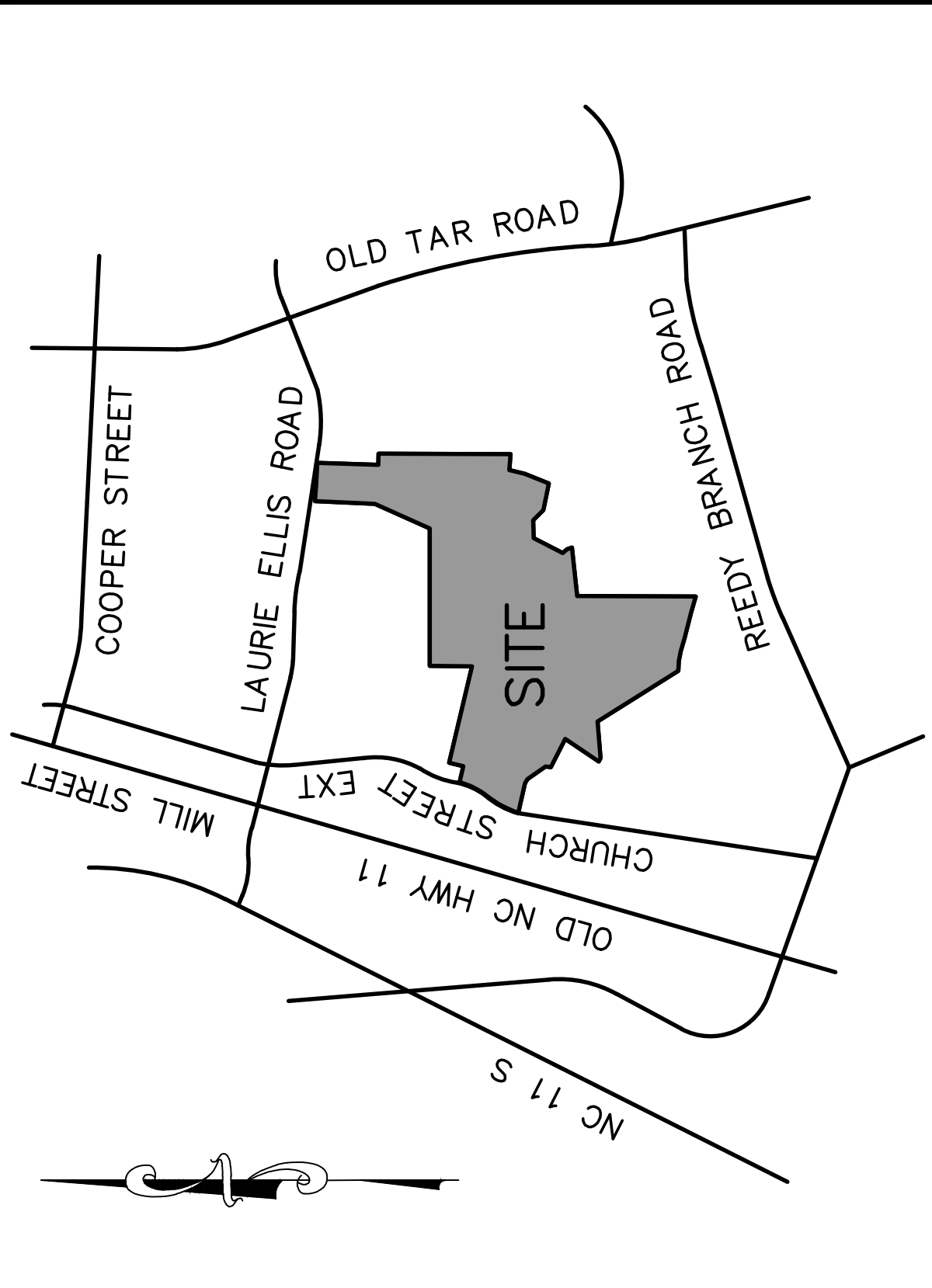
Southbrook, Phase 1 Preliminary Plat meet the standards the PUD Conditional District (Ordinance 23-O-011) where applicable, and the Town of Winterville Subdivision Ordinance and Zoning Ordinance where applicable.

Staff recommends approval of Southbrook, Phase One Preliminary Plat.

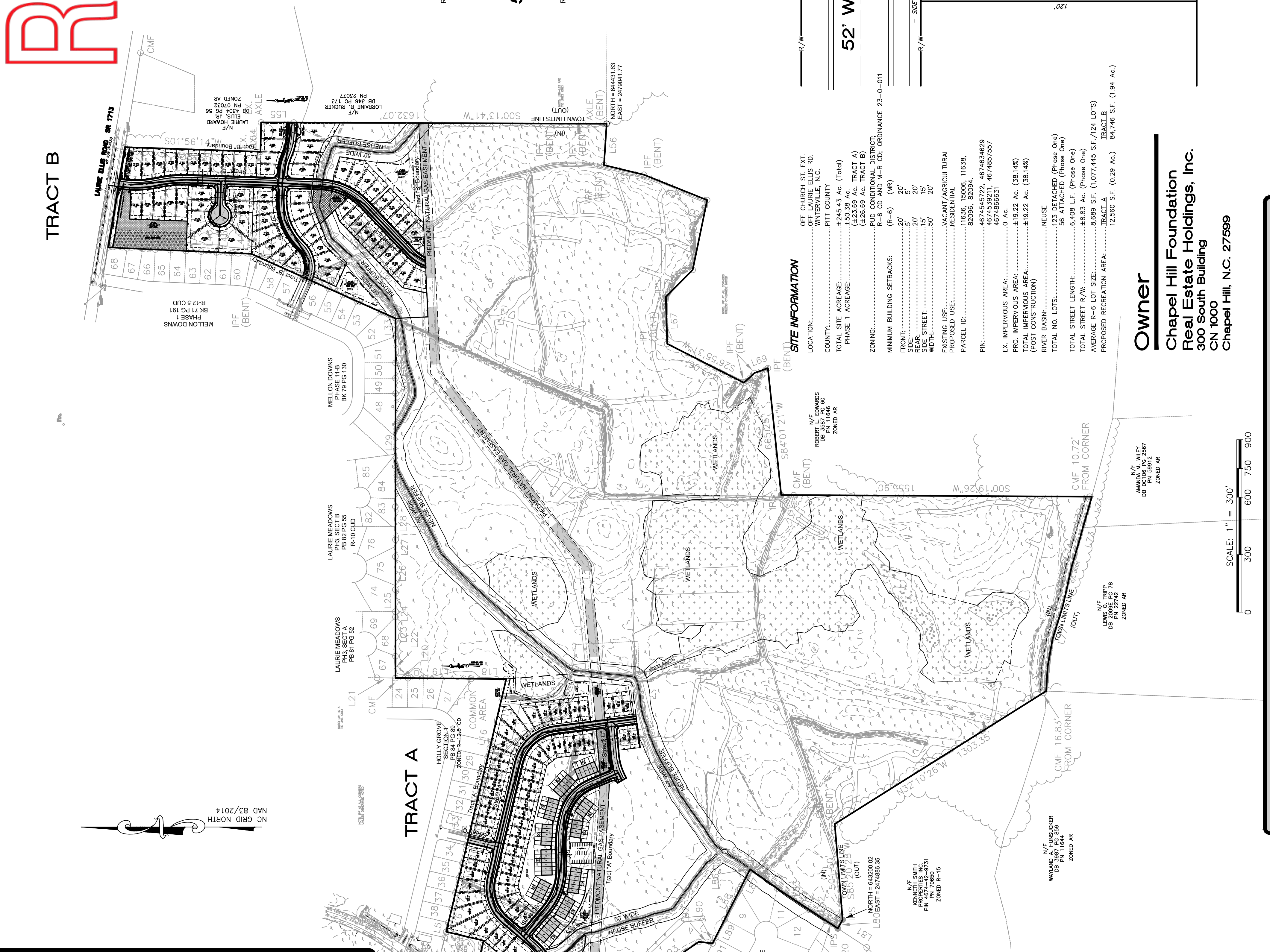
- The **Planning and Zoning Board** reviewed this Preliminary Plat at their February 19, 2024 regular meeting and **unanimously recommended approval.**

Budgetary Impact: TBD.

Recommendation: Staff recommends approval of Southbrook Phase One Preliminary Plat.

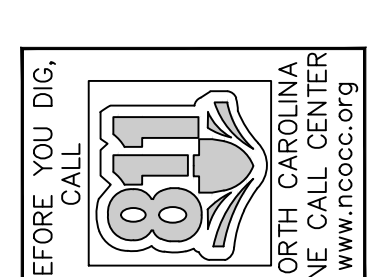


VICINITY MAP (Scale: 1" = 2000')

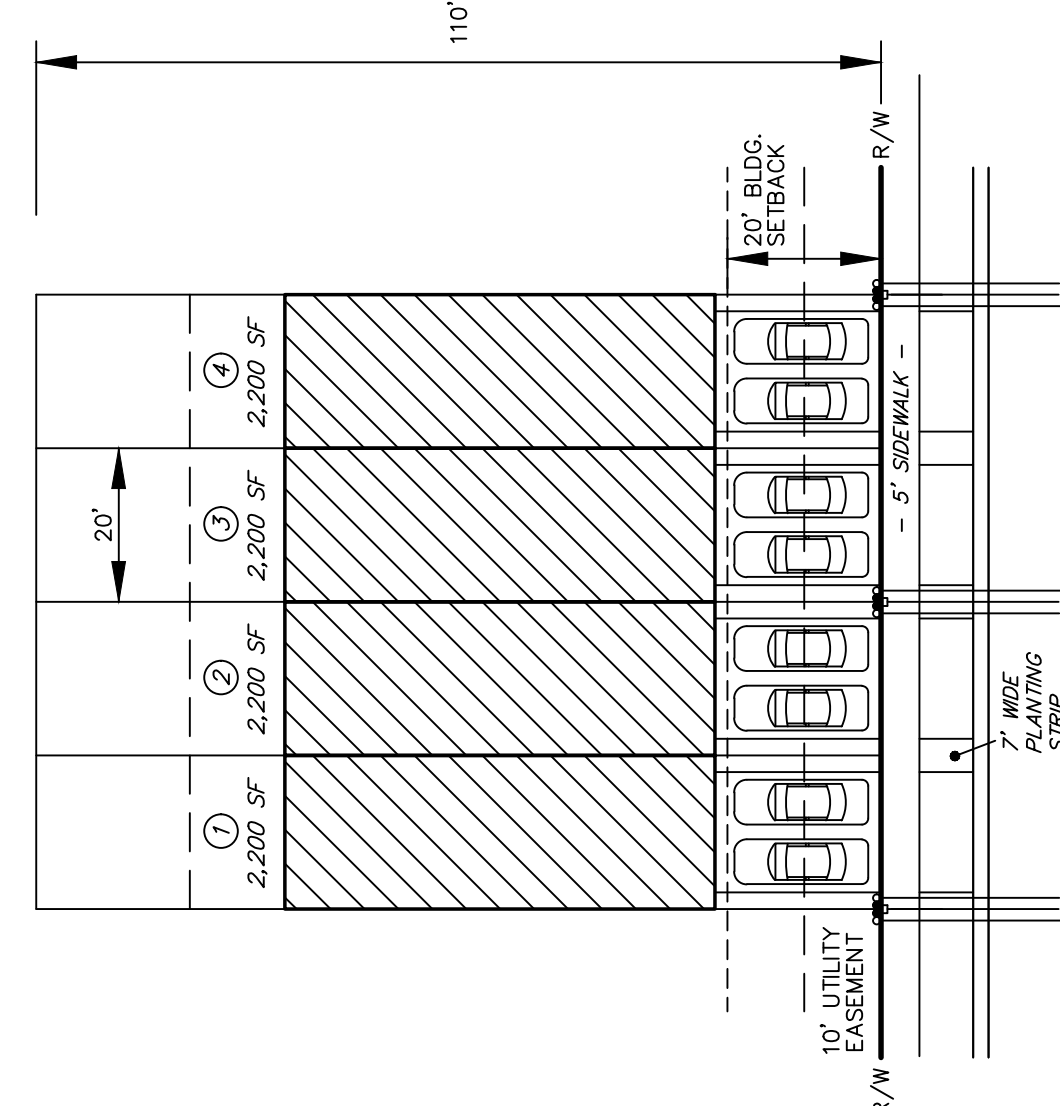


SCALE: 1" = 300'
0 300 600 750 900

RECEIVED
SD 2.8.24;
TRC Approved
Copy. Cleared to go
to P&Z and Council.



BEFORE YOU DIG,
CALL
811
NORTH CAROLINA
ONE CALL CENTER
WWW.NCOC.CG.ORG



52' WIDE PUBLIC RIGHT-OF-WAY

NOTE: WATER AND SEWER SERVICE CONNECTIONS TO BE PLACED INSIDE 2' GRASS STRIP ON LOT

TYPICAL TOWNHOME

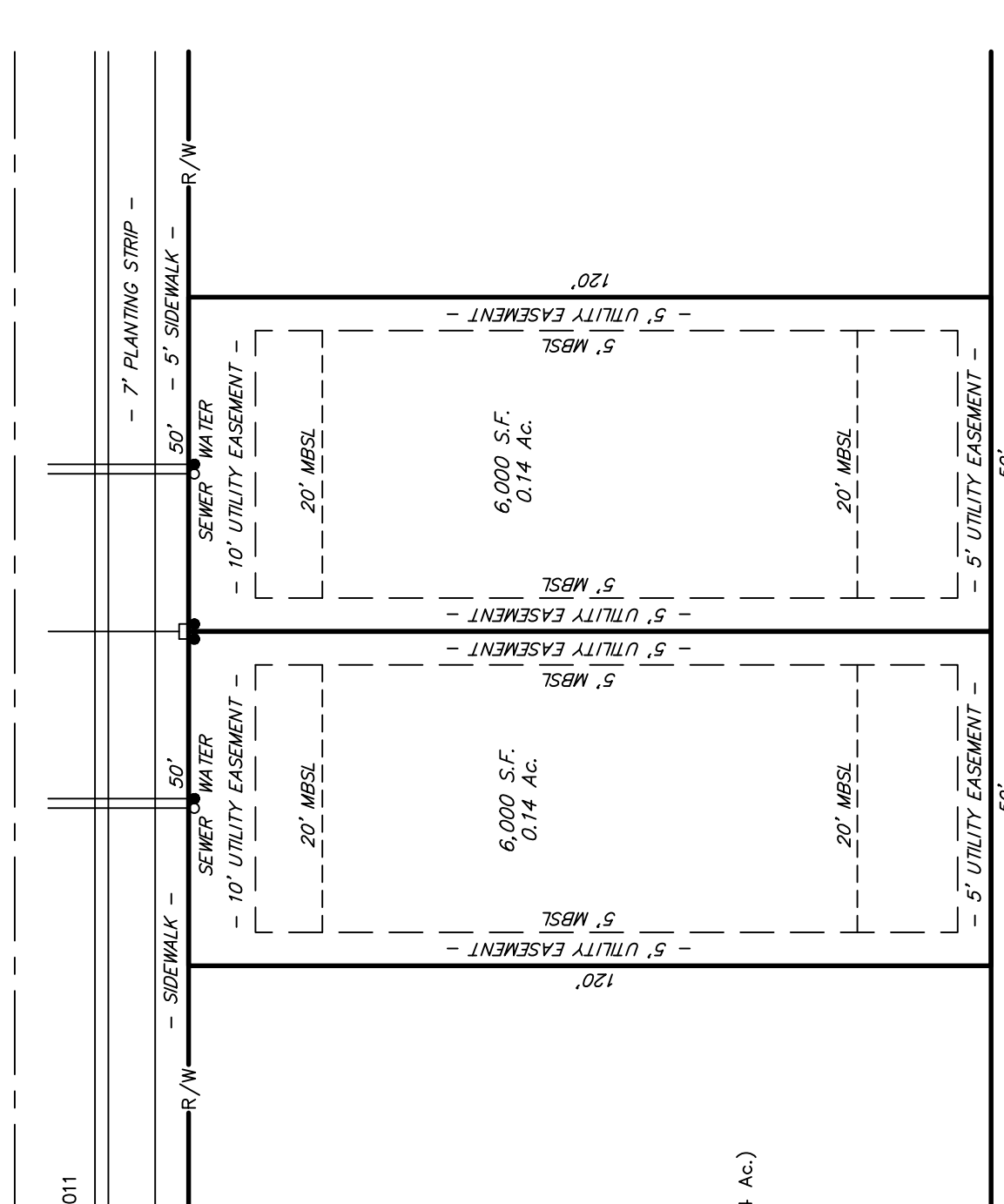


TYPICAL LOT



NOTES: REFER TO 25' WIDE WETLAND BUFFER STRIP, 2' UTILITY EASEMENT SHALL BE PROVIDED AROUND EACH LOT & 10' UTILITY EASEMENT ALONG RIGHT-OF-WAY.

52' WIDE PUBLIC RIGHT-OF-WAY



SITE INFORMATION

LOCATION: OFF CHURCH ST. EXT. W/ LAURIE ELLIS RD. W/ REEDY BRANCH RD. PITT COUNTY

COUNTY: PITT COUNTY

TOTAL SITE ACRES: 246.43 Ac. (Total)

PHASE 1 ACRES: 250.38 Ac. (TRACT A) 222.69 Ac. (TRACT B)

ZONING: R-6 CD AND M-R CD; ORDINANCE 23-0-011

MINIMUM BUILDING SETBACKS: (R-6) (M-R)

FRONT: 20'

SIDE: 20'

REAR: 20'

STREET: 15'

WIDTH: 50'

EXISTING USE: VACANT/AGRICULTURAL

PROPOSED USE: RESIDENTIAL

PARCEL ID: 11636, 15006, 11638, 82096, 82094, 467453272, 467453273, 467453274, 467453275

PIN: 4674866631

EX. IMPERVIOUS AREA: 0 AC.

PRO. IMPERVIOUS AREA: 219.22 AC. (38.14%)

TOTAL IMPERVIOUS AREA: 219.22 AC. (38.14%)

RIVER BASIN: NEUSE

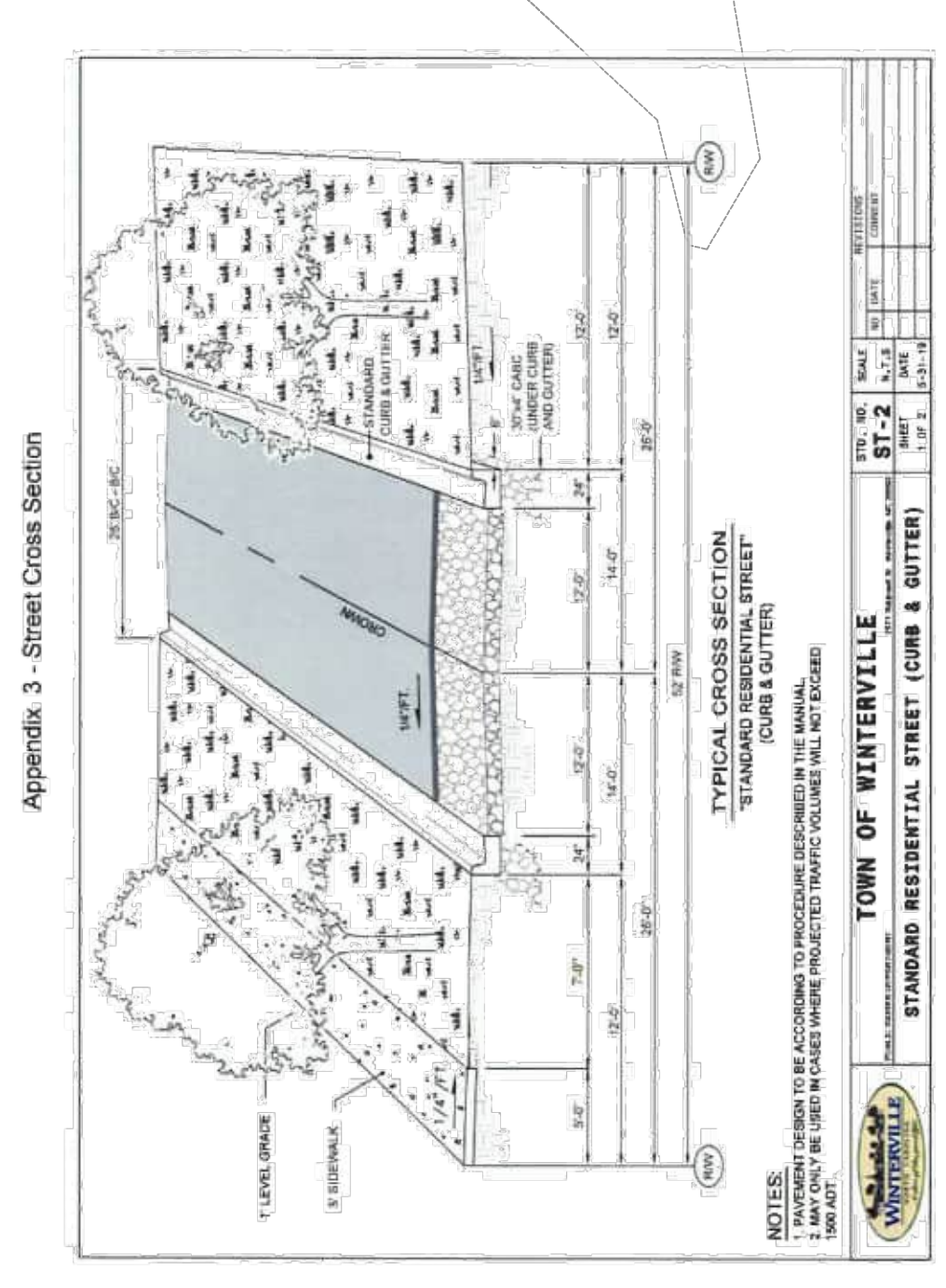
TOTAL NO. LOTS: 123 DETACHED (Phase One) 55 ATTACHED (Phase One)

TOTAL STREET R/W: 6,408 LF. (Phase One)

AVERAGE R-6 LOT SIZE: 8,689 S.F. (1,077.445 S.F./124 LOTS)

PROPOSED RECREATION AREA: TRACT A 12,560 S.F. (0.29 AC.) TRACT B 84,746 S.F. (1.94 AC.)

Owner
Chapel Hill Foundation
Real Estate Holdings, Inc.
300 South Building
CN 1000
Chapel Hill, NC. 27599

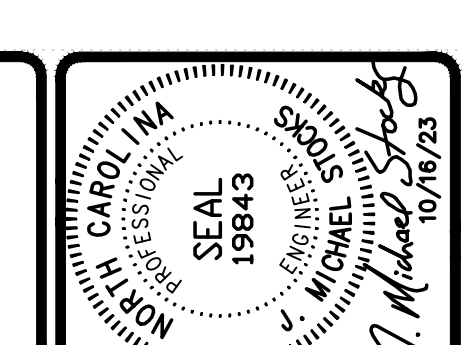


APPROVAL

THIS PRELIMINARY PLAT, # _____, AND THE STREET NAME(S) HEREON WERE APPROVED BY THE TOWN PLANNING AND ZONING COMMISSION AT A MEETING HELD THE _____ DAY OF _____, 20____.

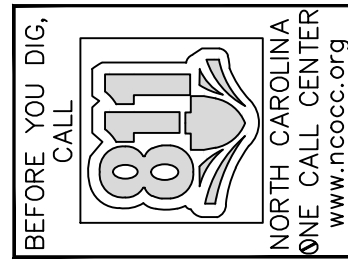
SIGNED _____ CHAIRMAN

SIGNED _____ TOWN PLANNING



OVERALL PLAN

REVISIONS	12/2/23 TRC COMMENTS
FILE NO.	2021-022
HORIZ. SCALE	1"=500'
VERT. SCALE	NONE



NORTH CAROLINA
ONE CALL CENTER
WWW.NCOC.CC.ORG

HOLLY GROVE
SECTION 1
PB 84 PG 89

ZONED R-12.5 CD

Tract "A" Boundary

COMMON
L16 AREA

CHURCH STREET EXT. - SR 1714
60' R/W (Public)

WETLANDS

SWQ

SWQ

- PIEDMONT NATURAL GAS EASEMENT -

Tract "A" Boundary

50' WIDE
NEUSE BUFFER

WETLANDS

50' WIDE
NEUSE BUFFER

Tract "A"
±23.62 AC.
57 LOTS
56 TOWNHOMES
PUD CONDITIONAL DISTRICT
R-6 CD & M-R CD; ORDINANCE 23-0-011
AVERAGE LOT SIZE: 8,689 S.F.

SCALE: 1" = 60'
0 100 200 250 300

STOCKS ENGINEERING
NASHVILLE, N.C. 27856
WWW.STOCKSENGINEERING.COM
P.O. BOX 1108
PHONE: (252) 439-8196

BLN-C-1874
PRELIMINARY PLAT for SOUTHBROOK (Phase One)
WINTERVILLE, NORTH CAROLINA

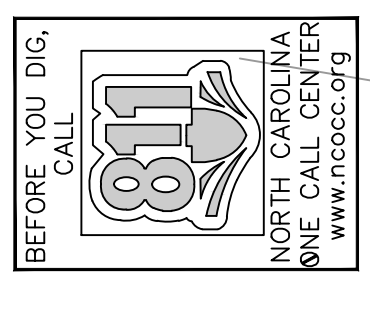
SEAL
19643
MICHAEL J. STOKES
REGISTERED PROFESSIONAL ENGINEER
10/18/2023

TRACT A
CONSTRUCTION

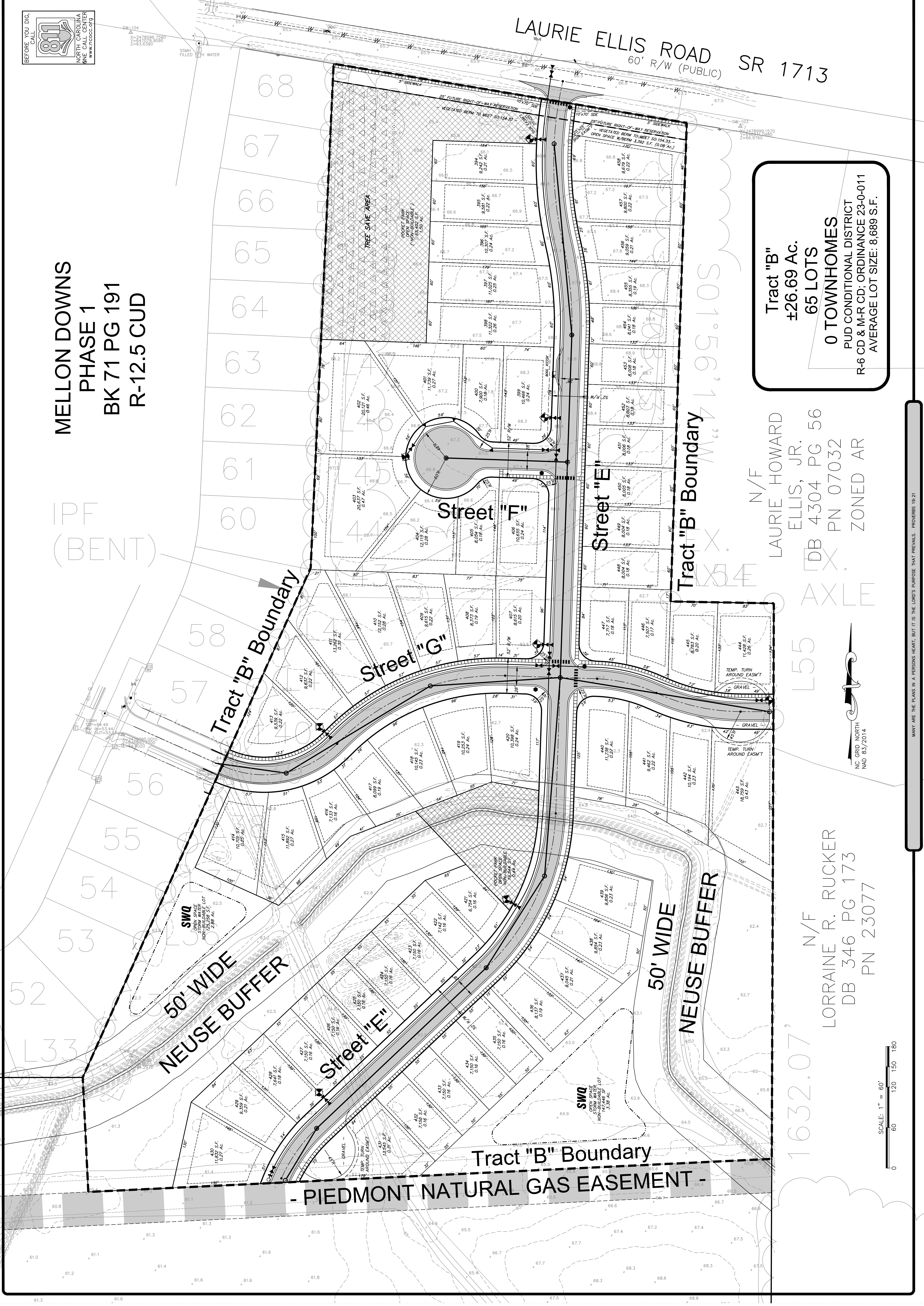
REVISIONS	DATE	BY	DESCRIPTION
12/27/23 TRC COMMENTS			
2/27/23 OWNER COMMENTS			

FILE NO. 2023-007
DATE SCALE: 1"=60'
VERT. SCALE: NONE

CE-02



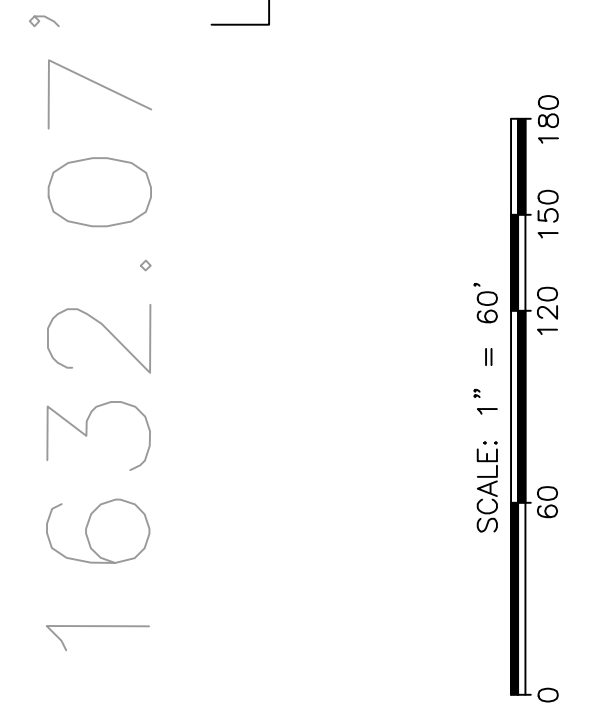
**MELLON DOWNS
 PHASE 1
 BK 71 PG 191
 R-12.5 CUD**



Tract "B"
+26.69 Ac.
65 LOTS
0 TOWNHOMES
 PUD CONDITIONAL DISTRICT
 R-6 CD & M-R CD; ORDINANCE 23-0-011
 AVERAGE LOT SIZE: 8,689 S.F.

N/F
**LAURIE HOWARD
 ELLIS, JR.**
 DB 4304 PG 56
 PN 07032
 ZONED AR

N/F
LORRAINE R. RUCKER
 DB 346 PG 173
 PN 23077



**AN ORDINANCE TO AMEND CHAPTER 155
ZONING ORDINANCE OF THE
CODE OF ORDINANCES OF THE
TOWN OF WINTERVILLE, NORTH CAROLINA
OFFICIAL ZONING MAP**

WHEREAS, The Coley Group has requested amendment of the Zoning Ordinance of the Town of Winterville by rezoning of the property described herein from Agricultural Residential (AR) to PUD Conditional District (R-6 CD and MR CD).

WHEREAS, a public hearing on the question of this zoning amendment was held, at the Winterville Town Hall at 7:00 p.m. on January 9, 2023, after due notice publication on December 28, 2022 and January 4, 2023; and

WHEREAS, due notice of said public hearing was also given by first class mail to the owners of all parcels, as shown on the County Tax Records, adjoining the parcel under consideration, certification of which has been to the Winterville Town Council; and

WHEREAS, due notice of said public hearing was also given by posting a rezoning request notice on the subject property;

WHEREAS, the Winterville Town Council finds that the proposed rezoning is in compliance with the Town of Winterville's Comprehensive Land Use Plan;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Winterville, North Carolina that:

Section 1. The Town of Winterville Zoning Ordinance, Official Zoning Map, is hereby amended by rezoning the following described track from Agricultural Residential (AR) to PUD Conditional District (R-6 CD and MR CD) and is governed by the attached PUD document and unified development plan.

*The Coley Group, a 245.43-acre tract land located on **Laurie Ellis Road and Church Street Ext. Tax Parcels 15006, 11636, 11638, 82094 and 82096**, and being more particularly described on the attached legal description provided below.*

**LEGAL DESCRIPTION OF PROPERTY
REZONED FROM R-15 to GB CD
THE OVERTON GROUP
WINTERVILLE TOWNSHIP, PITT, NC**

TAX PARCEL #15006:

The following property acquired by A. Donald Stallings by Deed from Roy C. Mills and wife dated May 5, 2005, recorded in Book 1906, Page 113, Pitt County Registry:

PARCEL 1:

BEING all of the lands (EXCEPTING Tract "A" containing 25.2 acres and Tract "B" containing 2.25 acres and Tract "C" containing 2.06 acres and Tract "D" containing 7.2 acres) as shown and described on that certain "MAP FOR RECORD FOUNTAIN W. CARROLL," dated March 23, 1966, and prepared by R. J. Strickland, R.S., which said map is recorded in Map Book 15 at page 21, Pitt County Registry, reference to which is hereby made for a more accurate description.

The lands herein described and conveyed contain 138.74 acres after excepting Tracts "A", "B", "C" and "D" as hereinabove excepted and specified. Being the identical property conveyed by Mary Frances Albritton Carroll (widow) to Roy Mills and wife, Jean Mills by deed dated January 17, 1968, recorded in Book M37, Page 440, Pitt County Registry.

PARCEL 2:

First Tract.: That certain tract or parcel of land situate, lying and being in Winterville Township, Pitt County, North Carolina, and located 408 feet eastwardly from the "First Tract" described in the deed from R. M. Abbott et ux to Lucy Abbott Hunsucker, dated March 21, 1962, and recorded in Book 0-33 at page 355 of the Pitt County Registry, and connected with said "First Tract" herein referred to by a path as shown on the map recorded in Map Book 10 at page 137 in the Office of the Register of Deeds of Pitt County, to which map reference is hereby made, and beginning at a point in the center of the path 408 eastwardly, when measured along the center of the path, from the "First Tract" herein referred to, and running thence North 26 deg. 15 min. East, 100 feet; thence North 52 deg. East, 134 feet; thence S. 36 deg. East, 181 feet; thence S. 9 deg. 45 min. West, 300 feet; thence North 84 deg. 15 min. West, 218 feet; thence North 19 deg. 30 min. West, 147 feet; thence North 29 deg. 15 min. East, 121 feet to the point of the beginning, and containing 2.25 acres, more or less, and being the "Second Tract" described in the deed recorded in Book 0-33 at page 355 of said Registry and hereinabove referred to.

Second Tract.: That certain tract or parcel of land situate, lying and being in Winterville Township, Pitt County, North Carolina, bounded on the north, east and south by the lands of Roy Mills, and on the west by a ditch and the lands of Lucy Abbott Hunsucker on the west side of said ditch, and beginning at the northeast corner of the 25.2-acre tract of land described as "First Tract" in the deed from R. M. Abbott et al, to Lucy Abbott Hunsucker, recorded in Book 0-33 at page 355 of the Pitt County Registry, in Roy Mills' line, and running thence South 11 deg. West, with Roy Mills' line, 312 feet; thence North 86 deg. 15 min. West, 112 feet, more or less, to the center line of a ditch; thence northwardly, with the center line of said ditch, 315 feet, more or less, to the line of Roy Mills; thence with his line, South 79 deg. 30 min. East, 90 feet, more or less, to the point of beginning and containing of an acre, more or less, and being the easternmost portion of the 25.2 acre tract of land described in the deed recorded in Book 0-33 at page 355 of the Pitt County Registry.

The above 2 parcels being the identical property conveyed by deed from Wayland L. Hunsucker and wife, Lucy Abbott Hunsucker, to Roy Mills and wife, Jean Mills, dated January 4, 1973, recorded in Book L4 I, Page 179, Pitt County Registry.

PARCEL 3:

Tract 1:

Containing 23.99 acres, more or less and being Tract No. 1 on map entitled Property of A. D. McLawhorn, Jr. and W. L. Hunsucker dated January 30, 1970 and recorded in Map Book 20, Page 2, Pitt County Registry.

Tract 2:

Containing 23.99 acres, more or less, and being Tract No. 2 on map entitled Property of A. D. McLawhorn, Jr. and W. L. Hunsucker dated January 30, 1970 and recorded in Map Book 20, Page 2, Pitt County Registry.

Being the identical property conveyed by deed from Martin Taylor McLawhorn and Katie Marie Farkus to Roy C. Mills and wife, Jean I. Mills dated September 14, 2002, recorded in Book 1364, Page 644, Pitt County Registry.

TAX PARCELS (#11636 and #11638):

The following property acquired by A. Donald Stallings by Deed from Wayland A. Hunsucker et al dated January 20, 2006, recorded in Book 2056, Page 377, Pitt County Registry and by Quitclaim Deed from Elizabeth Abbott Bridgers et al dated April 30, 2010, recorded at Book 2769, Page 148, Pitt County Registry:

Lying and being in Winterville Township, Pitt County, North Carolina and more particularly described as follows:

Tax Parcel #11636; Tract 1: Being all of Tract 1 consisting of 19.80 acres of land as the same appears on that map entitled "Survey for A. Donald Stallings" dated September 8, 2005, revised December 29, 2005, prepared by Baldwin and Associates and recorded in Map Book 64, Page 185, of the Pitt County Public Registry.

Tax Parcel #11638; Tract 2: Being all of Tract 2 consisting of 7.513 acres of land as the same appears on that map entitled "Survey for A. Donald Stallings" dated September 8, 2005, revised December 29, 2005, prepared by Baldwin and Associates and recorded in Map Book 64, Page 185, of the Pitt County Public Registry.

TAX PARCEL #82094:

The following property acquired by A. Donald Stallings by Deed from Margaret M. Nemtuda et al dated March 14, 2014, recorded in Book 3219, Page 288, Pitt County Registry and by Quitclaim Deed and Release from Wayland A. Hunsucker et al dated May 6, 2014, recorded at Book 3219, Page 314, Pitt County Registry:

Lying and being in Winterville Township, Pitt County, North Carolina and more particularly described as follows:

Being all of Tract 1 consisting of 9.12 acres of land as the same appears on that map entitled "Survey for A. Donald Stallings" dated January 9, 2014, prepared by Bjerkeset Land Surveying and recorded in Map Book 77, Page 97, of the Pitt County Public Registry.

TAX PARCEL #82096:

The following property acquired by A. Donald Stallings by Deed from Wayland A. Hunsucker et al dated April 1, 2014, recorded in Book 3219, Page 295, Pitt County Registry:

Lying and being in Winterville Township, Pitt County, North Carolina and more particularly described as follows:

Being all of Tract 2 consisting of 20.00 acres of land as the same appears on that map entitled "Survey for A. Donald Stallings" dated January 9, 2014, prepared by Bjerkeset Land Surveying and recorded in Map Book 77, Page 97, of the Pitt County Public Registry.

End of Legal Description

Section 2. This action shall be shown on the Official Zoning Map.

Section 3. This ordinance shall become effective upon adoption.

Adopted this 9th day of January 2023.



Richard E. Hines
Richard E. Hines, Mayor

ATTEST:

Donald Harvey
Donald Harvey, Town Clerk



Town of Winterville
Plan Unit Development
For
Southbrook

Applicant:

Southbrooknc, LLC

4350 Lassiter at North Hills Ave, Ste 256

Raleigh, NC 27609

October 20, 2022



Project Development Team:

Project Manager – Southbrooknc, LLC

4350 Lassiter at North Hills Ave, Ste 256 Raleigh, NC 27609

Contact: Scott Moore

scott@thecoleygroup.com

1. Definitions and Construction Terms

Conceptual Plan. The Conceptual Plan is a plan that generally identifies the land use patterns, conceptual design, and density for the development of the Southbrook Property and is attached as Appendix 1. The Conceptual Plan serves as the zoning map for the development, is a condition of this planned density residential rezoning application, and, along with this document, serves to form the Development Plan for the proposed development.

Developer. The Developer of this project is Southbrooknc, LLC and/or assigns.

Development Plan. This rezoning application with the Conceptual Plan constitutes the Development Plan.

Home Owners Association (HOA). The HOA is a non-profit corporation for the purposes, among other things, of owning and managing the privately owned common areas and providing governance of the development as a homeowner's association.

Open Space. "Open space" refers to areas of the development that allow for light, air, wildlife habitat, stormwater control, and scenic and recreation use. Also included are areas designed to enhance the privacy or general appearance of the development. Open space shall be owned and maintained by the HOA.

Planned Unit Development (PUD). This zoning designation is established to allow for design flexibility of development and is intended to encourage efficient use of the land and public services and to promote high quality design that will provide a variety of dwelling types as well as support services and open space for the residents of the development. These regulations are intended to permit integration with adjacent residential uses and to promote compatibility with existing and emerging patterns of development.

Town. "Town" refers to the Town of Winterville.

Zoning Ordinance. The Zoning Ordinance for the Town of Winterville. Any term not defined in this document will be as defined in the Zoning Ordinance.

2. Development Plan

The plan will meet the Town's Zoning Ordinance (latest edition) and all standards and policies (latest edition) except as noted otherwise.

The maximum number of units proposed is 612 residential homes (with a maximum of 154 Single Family Attached Homes) on the 245-acre subject property. The Conceptual Subdivision Layout shows the general layout of the proposed development with anticipated use areas and how they mingle throughout the development, connected by open spaces and sidewalks along public roads. The Development Plan also shows the general area of Stormwater Control Devices and Recreational Areas. As the plan is further developed, the actual locations of the proposed stormwater devices, residential product types and locations may vary to conform to the Construction Plans.

The proposed rezoning request is beneficial to the Town because it provides a greater tax base. By concentrating more homes on a smaller footprint, we are maximizing the protection of trees and environmentally sensitive areas which is useful to the future residents by concentrating excess open space, that would normally be included in each lot, into larger preservation areas within the subdivision. This gives the new home buyer a smaller lot with less maintenance and also provides a larger area for recreation for all to enjoy. This also results in less long-term infrastructure maintenance for the Town for the same tax base revenue.

Assuming the Town Council finds this rezoning application favorable, the Construction Drawings will provide a much higher level of technical data and detail appropriate for review by the Town, NCDOT, and other agencies having jurisdiction.

The guidelines and zoning regulations for the development and the agreed upon conditions are included in the Development Plan. To account for both technological innovations and unforeseen marketplace changes, this Development Plan is intended to incorporate flexibility concerning design and development.

Should the Developer want to make changes to the Development Plan, the Planning Director can approve specific minor revisions or changes that represent less intensive uses. An example of one such modification is changing the type of residential use that results in a decrease in density. The approval of the Planning Director is an administrative approval only and all other changes to this Development Plan will constitute a rezoning and require City Council approval.

3. Compliance with Town of Winterville's Comprehensive Land Use Plan

The site referenced in this Development Plan is located on both the south side of Laurie Ellis Road and east of Church Street in Winterville. The proposed property contains approximately 245 acres and includes the areas associated with the following Parcel Identification Numbers: 15006, 11636, 11638, 82096, 82094.

The site falls under the Town of Winterville's jurisdiction for planning and land use control. According to Town's Comprehensive Land Use Plan from 2019, the site is shown as medium to high on the Residential Land Use Suitability Map as part of the community assessment. Our proposal shall meet the guidelines of the Healthy Neighborhoods and Environment section by "Developing in a way that alleviates impacts to the natural environment including, flood sensitive areas, trees and valuable natural resources". We are also proposing to adhere to the "Connectivity and Mobility section by creating safe connections between neighborhoods, destinations and services. We will utilize existing public street connections with adjacent communities and also provide stub connections to adjacent lands for future connectivity. Our plan shall adhere to the Future Land Use Map as we will provide a "Suburban Residential" community with 2.5 units per acre with smaller lot sizes that will meet standards for open space and amenities.

4. Common Areas

Common Areas may include, but are not limited to, open spaces and shared amenities like butterfly gardens, dog parks, playgrounds, pool, structures, walking trails, etc. Every lot owner will have the right of ingress and egress, use, and enjoyment in and to the Common Areas, subject to the rules and regulations of the HOA, which rights are appurtenant to and pass with title to every lot.

5. Residential Restrictions

The agents and employees of the Developer and the HOA will have the right to enter onto any lots in the development to control certain actions or activities on such lots. These actions include, but are not limited to, the following:

- A. On and off-street parking on common areas and lots,
- B. Erection of signage,
- C. Solicitation by property owners and non-property owners,
- D. Access by non-property owners,
- E. Construction or placement of temporary structures,
- F. Construction of accessory buildings,
- G. Maintenance of lots (both pre- and post-construction), and
- H. Erection of decorative poles for street or non-regulatory signs within public rights of way if Town approval is granted for the same. These are the responsibility of the HOA to install, repair, and replace at no cost to the Town.

More specific guidelines concerning these actions/activities may be adopted by the Developer and/or the HOA. Subsequently, the Developer and/or the HOA will have the right to enforce these actions/activities in accordance with Town rules, regulations, and ordinances.

6. Dimensional Standards

For each subdivided lot, the dimensions of the lot, yard, and setback will be determined by the Developer as stated in Article VII. Table of Area, Yard, Height Requirements; Section 7.1 Dimensional Requirements as shown in Appendix 2.

7. Regulation of Open Space

The regulation of Open Space within the development will be done by the Developer and the HOA. As such, the Developer and/or the HOA may implement policies regarding towing, parking, access, signage, and trespassing within the development.

8. Driveways/Roadway Access and Sidewalks

Concrete will be used to surface all residential driveways. Utility drives, maintenance areas, drives to temporary structures, access drives to public utility services, and other similar drives can use alternative surface options as approved by the Town's Public Works and Fire departments. Sidewalks in the development will be installed as per the approved street cross sections generally 5' wide and on one side of the street with the exception of cul-de-sacs.

9. Building & Aesthetics for Single Family Detached Homes

Town ordinances will be met during construction of the development. The HOA will retain authority over the aesthetic aspects of construction such as architectural style elements, appearance, and color through its architectural control mechanisms. All single-family homes will have the following:

1. All homes will have a minimum of 1800 heated square feet.
2. Dimensional architectural roof shingle.
3. 6" min. roof overhang on all sides.
4. All homes will include a 2-car garage.
5. The same elevation is not allowed to be built (1) side by side, (2) across the street, or (3) diagonally from one another.
6. Garage doors will be decorative and/or contain windows.

10. Building & Aesthetics for Single Family Attached Homes

The HOA will retain authority over the aesthetic aspects of construction such as architectural style elements, appearance, and color through its architectural control mechanisms. All single family attached homes will have the following:

1. All homes will have a minimum of 1600 heated square feet.
2. Dimensional architectural roof shingle.
3. 6" min. roof overhang on all sides.

11. Signs (Non-Regulatory)

Entrance signage must be on a parcel that is owned by the HOA or within a signage easement on an owner's property.

The Developer and the HOA will control all applications, permitting, erection and maintenance of all non-regulatory signs within the development. The Town shall permit and inspect all signs that relate to all local, state, and federal building codes.

For all signs (including those that are temporary in nature) erected in public rights-of-way or in view of publicly maintained access, the Developer and the HOA will abide by all sign regulations and limitations as set in the Zoning Ordinance.

12. District Regulations

The Developer and the HOA will encourage efficient use of the land and public services and promote high quality design that provides a variety of dwelling types along with adequate support services and open space for the residents of the development. The district regulations are intended to allow for innovative development that is integrated with proposed adjacent uses and compatible with existing patterns of development.

13. Developer and HOA Requirements

The Developer and the HOA will meet the following requirements:

- A. The Developer and the HOA agree to be responsible for the maintenance and perpetual existence of common areas.
- B. When individual lots that are not a part of an approved and platted subdivision are to be sold, a new subdivision construction and final plat shall be submitted to and approved by the Town and recorded in Pitt County Register of Deeds prior to the sale of lots and granting of any building permit.
- C. The Developer or the HOA must authorize the subdivision or recombination of property prior to the required approval by Town staff.
- D. No building permit for any structure within the development shall be issued until all required improvements are completed or bonded in accordance with the approved construction plans and conditionally accepted by the Public Works Department.
- E. The maximum allowable density shall not exceed 2.5 units per gross acre based on the

total acres in the development.

- F. Land additions to the development may be made in increments of any size and will be subject to this Development Plan.
- G. A variety of dwelling unit styles will be proposed for the development and support uses with adherence to the minimum residential lot areas per Article VII. Table of Area, Yard, Height Requirements; Section 7.1 Dimensional Requirements as shown in Appendix 2.
- H. Setback from public rights-of-way: Any building that is erected, reconstructed, or moved shall be setback a minimum of 20 feet (required by code) from the right-of-way line.
- I. Height Requirements. Maximum building height shall not exceed the heights as stated on the Article VII. Table of Area, Yard, Height Requirements; Section 7.1 Dimensional Requirements.
- J. Open Space Requirement. The proposed overall open space for the project will be no less than 20% of the total project area. The open space will be controlled by the HOA and will be generally located as shown on the Conceptual Subdivision Layout. Within the open space, there will be play areas, stormwater control devices, wooded areas, and grass.

14. Rights-of-Way Width, Street Design, and Improvements Requirements

Streets shall be designed in accordance with Section 4 of the Town's Standards Specifications and Details with the following exception: Typical Street cross sections shall follow the detail shown in Appendix 3.

The Town may allow the construction of private streets and/or parking areas within future phases of the community as appropriate for the type of use, structure and development created. The Developer shall designate any such private streets and/or parking areas as Common Open Space to be owned and maintained by the HOA, with full easement rights of access, ingress and egress, thus granted to all owners of lots within the development. Roadway improvements (turn lanes) on Laurie Ellis Road or Church Street may be required in conjunction with subdivision street access and would be the responsibility of the Developer.

15. Subdivision Improvements

The Developer will meet the following requirements:

- A. Curbs and Gutters. Concrete curbs and gutters shall be installed on all public streets within the development to meet all requirements of the Town of Winterville.
- B. Electric Utility Lines. All public electric utility lines will be installed in accordance with the Town's policy for electric service. Electric lines will be installed underground in easements or rights-of-way outside of curb lines where practical.
- C. Natural Gas Utilities. All public natural gas utility lines within the development will be installed in accordance with the Town's policy for Natural Gas Service. Natural gas service lines shall be installed underground in easements or rights-of-way outside of curb lines where practical.
- D. Special Exceptions for Design Waivers. If at any time before or during the construction of the required improvements, it is demonstrated to the satisfaction of the Public Works Department that unforeseen conditions make it necessary to modify

the location or design of such required improvements as were approved in the Development Plan, the Public Works Department may authorize such modifications, provided these modifications are within the spirit and intent of the Town Council approval and do not substantially alter the function of any improvements required by the conceptual master plan.

- E. Solid Waste Improvements. All residential lots will utilize roll out carts. No specific solid waste improvements are anticipated.
- F. Street Trees. The developer desires to provide a streetscape that contains street trees along the public street right of ways within a designated 7' planting strip. Street trees measuring 8' in height and 1.5" in caliper will be provided along the public street rights-of-way at a rate of one per 40' while accommodating driveways. These trees shall adhere to the Town's approved list of street trees. The HOA and/or homeowner will be completely responsible for the health and well-being of the trees. Maintenance of these trees will be specified within the HOA Community Regulations.
- G. Storm Drainage. All stormwater infrastructure shall be designed and constructed to meet all requirements of the Town of Winterville.
- H. Erosion Control. All erosion control measures shall be designed and constructed to meet all requirements of the Town of Winterville.

16. **Approval Processes**

Rezoning & Preliminary Plat Approval and Revision Process shall adhere to the following:

- A. The Developer will submit a PUD & Rezoning Plan which indicates the design and development pattern for the community. The PUD & Rezoning Plan will be reviewed by the Planning Board, and voted on by the Town Council. Once approved, these two documents will constitute the official master plan for the development.
- B. The Planning Director and the Public Works Director shall have the authority to approve minor deviations to the PUD and Rezoning Plan provided said deviations remain consistent with the spirit and intent of the approvals.
- C. Major deviations and changes to the PUD and Rezoning Plan will require City Council approval. Changes resulting in less intensive density, minor open space shifts, or minor road revisions shall not be considered major deviations.
- D. After approval of the PUD & Rezoning plan, The Developer will submit a Preliminary Plat which will indicate the lot layout within the approved development pattern for the community. The Preliminary Plat will be reviewed by the Planning Board, and voted on by the Town Council.

Construction Drawing Approval and Revision Processes:

- A. Upon approval of the Preliminary Plat, the developer will engage the town and all applicable review agents for Construction Drawing approvals (including but not limited to all planning, engineering and Town/NCDOT reviews).

- B. Upon receipt of Construction Drawing approvals, the Developer may schedule all pre-construction meetings and then begin construction on the required improvements. The Town and all applicable review agents will issue approval letters acknowledging that all required permits have been issued.
- C. The Planning Director and the Public Works Director shall have the authority to administratively approve all minor deviations to the Construction Drawings provided said deviations remain consistent with the spirit and intent of the approved Rezoning and Preliminary Plat.

Final Plat Approval Process:

- A. Upon completion and approval of the required improvements by the State and/or Public Works Department, the developer will submit a Final Plat to the Town and applicable review agents for approval. The Final Plat will conform to the Town's Subdivision Ordinance and approved Construction Drawings.
- B. Once the Final Plat is approved, it will be recorded in the Pitt County Register of Deeds.

Building Permit & Certificate of Occupancy Issuance:

- A. No building permit will be issued to any owner/builder in the Development until the section in which the lot is located has been final platted and meets all the requirements of the approved construction drawings, including the acceptable construction of the Town's roadways.
- B. No Certificate of Occupancy shall be issued until all the required provisions of the Construction Drawings, and applicable local, state and federal regulations are met, except that, provided all other improvements have been completed or bonded and approved by the Town. All bonded improvements shall be completed as approved by the Public Works Department.

17. Project Phasing and Future Property Annexation:

A project of this size requires phased construction. The entrance location(s) and utilities will determine the direction of phasing for this project and all future phases. The Town and Developer recognize that adjacent properties can be included and annexed within this PUD by Southbrooknc, LLC or related entities. The PUD as shown contains more than the allowable open space per the ordinance. The developer reserves the right to annex future properties with the ability to utilize and apply this open space to those properties. This project and any future annexed properties will altogether have no less than 25% open space.

Notes:

- Appendix 1 Conceptual Plan
- Appendix 2 Dimensional Standards Chart
- Appendix 3 Street Cross Sections

Appendix 1 – Conceptual Plan



SITE DATA:

ADDRESS: Multiple (see chart below)
PIN: Multiple (see chart below)
ACRES: Total: 245.43 AC. (10,690,931 SF)
CURRENT ZONING: AR & RR (Agricultural and Rural Residential)
CURRENT LAND USE: VACANT
PROPOSED LAND USE: Single Family Detached & Single Family Attached Homes
WATERBED: Neuse River Buffer Area

WETLAND: 1,430,578 SF; 32.8 AC (13.4%)
RECREATION: 212,086 SF; 4.87 AC (2%)
OTHER OPS: 1,806,185 SF; 43.76 AC (17.8%)
TOTAL OPEN SPACE: 1,547,060 SF; 81.43 AC (33.2%)
TOTAL OPEN SPACE (Outside of Wetlands): 2,118,322 SF; 48.83 AC (19.8%)

Parcel No.	Parcel Address	Site Name	County/Address	Map Sheet	Spring	Area	Permit	Physical Address
5294	5294	CHURCH STREET EXTENSION	CHURCH STREET EXTENSION	674 12 26-9631 002	AR	5.12	607888021	0 BAY LEE
5300	5300	CHURCH STREET EXTENSION	CHURCH STREET EXTENSION	674 12 26-9631 002	AR	109.22	607888020	675 CHURCH STREET E1
11396	11396	CHURCH STREET EXTENSION	CHURCH STREET EXTENSION	674 12 26-9631 002	AR	18.19	607888020	675 CHURCH STREET E1
11397	11397	CHURCH STREET EXTENSION	CHURCH STREET EXTENSION	674 12 26-9631 002	AR	1.4	607888021	0 BAY LEE
5308	5308	CHURCH STREET EXTENSION	CHURCH STREET EXTENSION	674 12 26-9631 002	AR	2.2	607888021	0 BAY LEE

Information on this map is for informational purposes only. It is not intended to be used as a legal document. The user of this map is responsible for verifying the accuracy of the information shown on this map. The user of this map is also responsible for obtaining all necessary permits and approvals from the appropriate authorities. The user of this map is also responsible for obtaining all necessary insurance coverage. The user of this map is also responsible for obtaining all necessary legal advice. The user of this map is also responsible for obtaining all necessary professional services. The user of this map is also responsible for obtaining all necessary permits and approvals from the appropriate authorities. The user of this map is also responsible for obtaining all necessary insurance coverage. The user of this map is also responsible for obtaining all necessary legal advice. The user of this map is also responsible for obtaining all necessary professional services.

Appendix 2 - Dimensional Standards Chart

ARTICLE VII. TABLE OF AREA, YARD AND HEIGHT REQUIREMENTS

Section 7.1 Dimensional Requirements

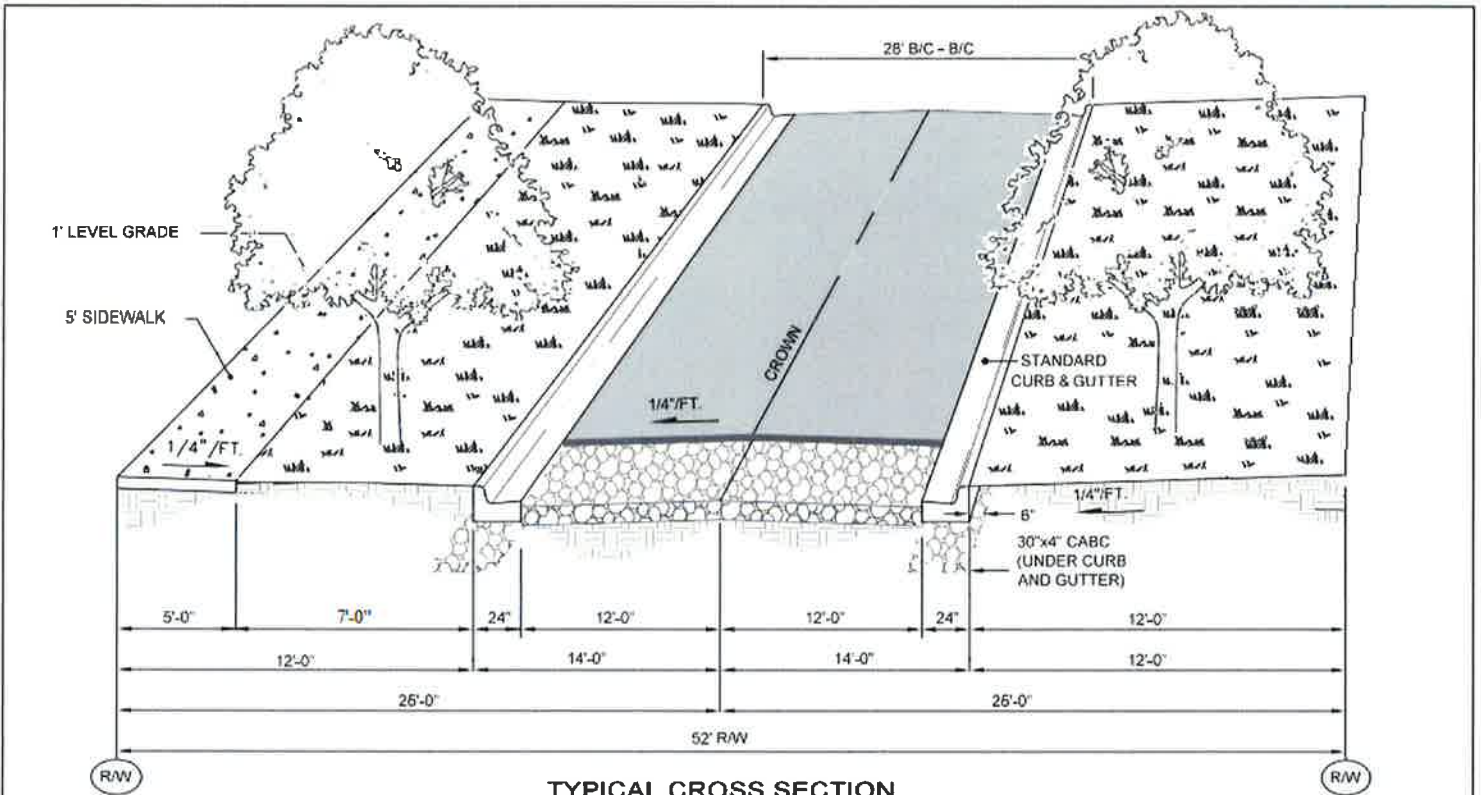
Each use shall as a minimum conform to the dimensional requirements of the district in which it is located. In some cases, a specific use may be required to meet the Special Requirements as set forth in Section 6.5.

	Districts	MINIMUM LOT SIZE (See Notes)		MINIMUM YARD REQUIREMENTS (See Notes)			Maximum height (in feet)
		Lot Area Square Feet	Lot Width (in feet) (1)	Front yard setback (in feet)	Side yard (in feet)	Rear yard (in feet)	
R-6	Single-family	6,000	50	20	5	20	35
M-R	Single-family attached	2,000	20	20	5	20	35

NOTES:

- (1) Lot Width shall be measured at the minimum front yard setback line, provided that lot width for residential lots may be measured at the actual building setback which shall not be less than the minimum and shall not be more than two (2) times the minimum. In addition, frontage on the public street shall conform with Section 3.3 (See definition of lot width).

Appendix 3 - Street Cross Section



TYPICAL CROSS SECTION
"STANDARD RESIDENTIAL STREET"
(CURB & GUTTER)

NOTES:

1. PAVEMENT DESIGN TO BE ACCORDING TO PROCEDURE DESCRIBED IN THE MANUAL.
2. MAY ONLY BE USED IN CASES WHERE PROJECTED TRAFFIC VOLUMES WILL NOT EXCEED 1500 ADT.

	TOWN OF WINTERVILLE		STD. NO.	SCALE	REVISIONS		
	PUBLIC WORKS DEPARTMENT	2571 Railroad St. Winterville NC 28600	ST-2	N.T.S	NO	DATE	COMMENT
STANDARD RESIDENTIAL STREET (CURB & GUTTER)			SHEET	DATE			
			1 OF 2	5-31-19			



SITE DATA:

ADDRESS: Multiple (see chart below)

APRRES: Multiple (see chart below)

CURRENT ZONING: AR & RP (1,050,991 SF) (Agricultural and Rural Residential)

PROPOSED LAND USE: VACANT

WATERSHED: Neuse River Detached & Single Family Attached Homes Neuse River Buffer Area

WETLAND: 1,430,578 SF: 32.8 AC (13.4%)

RECREATION: 212,088 SF: 4.87 AC (2%)

OTHER OPS: 1,906,195 SF: 43.76 AC (17.8%)

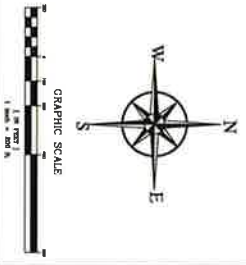
TOTAL OPEN SPACE: 3,547,090 SF: 81.43 AC (33.2%)

TOTAL OPEN SPACE (Outside of Wetlands): 2,118,322 SF: 48.63 AC (19.8%)

PRELIMINARY AND CONCEPTUAL DESIGN

PRELIMINARY AND CONCEPTUAL DESIGN. THIS DESIGN IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS DESIGN. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN SERVICES PROVIDED HEREIN.

Parcel No.	Proprietor	Owner/Address	Zone	Area	Minum	Privat/Address
15006	3075-CHURCH STREET TX	CHURCH HILL FOUNDATION REAL ESTATE DEVELOPMENT BUILDING C/1000	AR	189.72	189.72	3075-CHURCH STREET TX CHURCH HILL FOUNDATION REAL ESTATE DEVELOPMENT BUILDING C/1000
11388	REDFORD BRANCH RD	CHURCH HILL FOUNDATION REAL ESTATE DEVELOPMENT BUILDING C/1000	AR	4674.00	4674.00	REDFORD BRANCH RD CHURCH HILL FOUNDATION REAL ESTATE DEVELOPMENT BUILDING C/1000
12096	LAURIE ELLIS RD	CHURCH HILL FOUNDATION REAL ESTATE DEVELOPMENT BUILDING C/1000	AR	7.4	7.4	LAURIE ELLIS RD CHURCH HILL FOUNDATION REAL ESTATE DEVELOPMENT BUILDING C/1000



APPROVED

TOWN OF WINTERVILLE

BY: *Richard E. Shaw* DATE: 1/9/2023

MAYOR

PRELIMINARY SKETCH PLAN
 CHAPEL HILL FOUNDATION-WINTERVILLE
 CHURCH STREET EXTENSION AND LAURIE ELLIS ROAD, WINTERVILLE NC



TMLA ASSOCIATES
 9014 EIGHTH AVENUE SUITE 200 - DURHAM, NC 27713
 P: (919) 484-8800 • info@tmলা.com



**Town of Winterville Planning Department
Preliminary Plat Staff Report- Southbrook Phase One**

GENERAL INFORMATION

APPLICANT	Scott Moore of The Coley Group.
PROJECT TYPE	Preliminary Plat
REQUEST	Preliminary Plat Submittal.
CONDITIONS	Planned Unit Development Zone & Use as described in PUD Conditional District Ordinance 23-O-011.
LOCATION	245.43 Acre Site adjacent to Church Street Extension, and Laurie Ellis Road. South of Mellon Downs, Laurie Meadows, & Holly Grove.
PARCEL ID NUMBER(S)	11636, 15006, 11638, 82096, & 82094.
Lots:	<p>* <u>Lots</u>: Tract "A" 57 Single Family Detached Lots, 56 Single Family Attached (Townhome) Lots; Tract "B" 65 Single Family Detached Lots. (Total Lots in Phase 1 is 123 Single Family Detached Lots & 56 Single Family Attached Lots.)</p> <p>* <u>Recreation Space</u>: Tract "A" proposes 12,560sf of recreation space; Tract "B" proposes 84,746 sf of recreation space. * Town Staff will review how much of the proposed recreation space may be used for "park, recreation, and open space" dedication based on the standards for dedication within the Subdivision Ordinance at the Final Plat stage</p>
TRACT SIZE	* Acreage: Tract "A" 23.69 Acres; Tract "B" 26.69 Acres. (Total Acreage in Phase 1 is 50.38 Acres.).
TOPOGRAPHY	Mostly Flat
VEGETATION	Mostly Wooded and or Natural Land.

SITE DATA

EXISTING USE	Natural Open Land.
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ADJACENT PROPERTY	ZONING	ADJACENT LAND USE
N	Mixture of Residential: R-12.5 & R-10 Mostly.	Single Family Residential.
W	Mixture of Residential: R-12.5 & R-10 Mostly.	Single Family Residential.
E	Mostly AR.	Mostly Vacant Natural or Agricultural Land.



S	Mixture of Residential and AR: R-15, R-10, and AR Dominates the southern area of this site.	Mostly Vacant Natural Or Agricultural Land with a small portion of single family residential in the south-eastern most portion of the site.
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ZONING DISTRICT STANDARDS

DISTRICT SUMMARIES	EXISTING
ZONING DISTRICT DESIGNATION	PUD Conditional District as Defined by Ordinance 23-O-011.
MAX DENSITY	612 Residential Units
TYPICAL USES	Single Family Detached Will Dominate the site; Up to 154 Single Family Attached Units are permitted in this site within the area shown on the Sketch Plan in the PUD Ordinance Document.

SPECIAL INFORMATION

OVERLAY DISTRICT	None.
ENVIRONMENTAL / SOILS	Site presents environmental constraints which resulted in the Planned Unit Development design for this site.
FLOODPLAIN	Not shown to be within any Floodplain Designation.
Hydrography	There are Neuse River Buffers present on this site.
OTHER	If >1 acre is disturbed, site must meet Phase 2 stormwater requirements and provide Soil Erosion and Sedimentation Control Permit Piedmont Natural Gas line and easement are present on this site.
SITE PLAN REQUIREMENTS	Site Plan / Construction Plan required.

**These regulations may not reflect all requirements for all situations. See the Town of Winterville Zoning Ordinance for all applicable regulations for site requirements for this zoning district.



LANDSCAPING & BUFFER REQUIREMENTS

Development must meet requirements of the Zoning Ordinance (Article X-A. Vegetation and Buffering Requirements).

TRANSPORTATION

Site ACCESS	Phase One Site will be accessible Via: Tract A: <ul style="list-style-type: none"> • Church Street Ex. (NCDOT). • Cassena Drive (TOW). Tract B: <ul style="list-style-type: none"> • Laurie Ellis Road (NCDOT). • Sparrow Lane (TOW).
SITE ACCESS REQUIREMENTS:	All access must be designed and constructed to meet the Town of Winterville / NCDOT standards.
TRAFFIC COUNTS (per NCDOT Annual Average Daily Traffic Map)	Laurie Ellis Road: 2,800 AADT. Church Street Ex. Cassena Dr., and Sparrow Ln do not have traffic count reports.
Level Of Service (Transportation Analysis) Current= 2016 Study; Future= 2045 Projection. * LOS is rated from A-F: A is the best, F the worst. * Roadway Improvement and street design is based upon achieving a minimum of LOS D on existing facilities and LOS C on new facilities.	Laurie Ellis Road: * Current: LOS A (Low A). * Future: LOS A (Low A). Church Street Ex. Cassena Dr., and Sparrow Ln do not have LOS reports.
TRIP GENERATION	Winterville's Standard Design Manual Projects <u>High Density Single Family</u> produces 8.2 trips per day per dwelling.
SIDEWALKS	Required as shown on Plat.
STREET CONNECTIVITY	Streets are connected to existing stubbed streets (adjoining neighborhoods). Future stubbed streets are provided for future development as shown on plat.
OTHER	None



IMPACT ANALYSIS

Land Use Compatibility

The proposed project is in alignment with the PUD Designation, the Town of Winterville Zoning Ordinance, the Subdivision Ordinance, and other documents, ordinances, and laws required of this development.

The area is dominated by single-family residential and open/agricultural land. The proposed design and use is compatible with the market trends and surrounding developments.

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

The applicant performed extensive community outreach prior to the Planned Unit Development document formulation. Community meetings were held to help the applicant determine the desires of the community, the Town of Winterville Staff, and Town Council.

Staff Analysis

This site is an ideal candidate for a Planned Unit Development. This project ensures a cohesive design of the property while ensuring that environmentally sensitive sites are protected from development.

Staff Recommendation

Staff recommends **approval** of Southbrook, Phase One, Preliminary Plat as it has been approved by the Winterville Technical Review Committee for compliance.

The **Planning and Zoning Board** reviewed this plat at their February 19, 2024 regular meeting and **unanimously recommended approval** of this plat to the Winterville Town Council.