



**WINTERVILLE TOWN COUNCIL AGENDA
MONDAY, SEPTEMBER 14, 2020 - 7:00 PM
WINTERVILLE TOWN HALL ASSEMBLY ROOM**

- I. CALL TO ORDER.**
- II. INVOCATION.**
- III. PLEDGE OF ALLEGIANCE.**
- IV. WELCOME.**
- V. APPROVAL OF AGENDA.**
- VI. PUBLIC HEARINGS:**
 1. Winterville Flood Damage Prevention Ordinance – Proposed Amendments.
- VII. 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.*
 1. Shantel Hawkins
- VIII. 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:
 - August 10, 2020 Regular Meeting Minutes.
 2. Eli's Ridge, Phases 1 and 3 Annexation: Schedule Public Hearing for October 12, 2020.
 3. F & A Construction Rezoning Request: Schedule Public Hearing for October 12, 2020.
 4. R. E. Davenport Property Rezoning Request: Schedule Public Hearing for October 12, 2020.
 5. All Dunn Transport Application for Taxicab Franchise: Schedule Public Hearing for October 12, 2020.
- IX. OLD BUSINESS:**
 1. Human Relations Council – DRAFT By-Laws.

X. NEW BUSINESS:

1. Award of Custodial Contract.
2. Update on Christmas Events 2020.

XI. OTHER AGENDA ITEMS:

XII. ITEMS FOR FUTURE AGENDAS/FUTURE WORK SESSIONS:

XIII. REPORTS FROM DEPARTMENT HEADS:

- ❖ Minimum Housing/Code Enforcement (TLP)
- ❖ Tar Road Widening Project – Electric Engineering/Relocation (RS)
- ❖ New Electric Territory Engineering/Installation (RS)
- ❖ Fork Swamp Greenway Project (EJ)
- ❖ Multi-Purpose Building Site Plan (EJ)
- ❖ Winterville Market/Town Common Plan (BW)
- ❖ Chapman Street Culvert - Nobel Canal Drainage Basin Study (TW)
- ❖ 2018 Sewer Rehab (TW)
- ❖ Church Street Pump Station Rehabilitation (TW)
- ❖ Cemetery (BW)

XIV. ANNOUNCEMENTS:

1. Planning and Zoning Board Meeting – Monday, September 21, 2020 - 7 p.m. - Town Hall Assembly Room.
2. Recreation Advisory Board: Tuesday, September 22, 2020 at 6:30 pm.
3. Board of Adjustment Meeting – Tuesday, September 22, 2020 - 7 p.m. - Town Hall Assembly Room.

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

XVI. 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) 215-2344 at least forty-eight (48) hours prior to the meeting. (Americans with Disabilities Act (ADA) 1991.)*



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Public Hearings

Meeting Date: September 14, 2020

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: Winterville Flood Damage Prevention Ordinance – Proposed Amendments.

Action Requested: Hold the Public Hearing.

Attachment: Summary of Proposed Amendments and Public Hearing Notice.

Prepared By: Bryan Jones, Planning Director

Date: 9/1/2020

ABSTRACT ROUTING:

TC: 9/4/2020

TM: 9/9/2020

Final: tlp - 9/9/2020

Supporting Documentation

Based on guidance from NC Department of Public Safety and staff review of the Winterville Flood Damage Prevention Ordinance, it was determined that the present ordinance requires some changes for clarification and to ensure consistency with the state's model ordinance.

- ❖ Planning and Zoning Board unanimously recommended approval at the July 20, 2020 meeting.
- ❖ The Public Hearing notice was published in the Daily Reflector on September 2, 2020 and September 9, 2020.

Budgetary Impact: TBD.

Recommendation: Staff recommends approval of the ordinance amendments.

Winterville Flood Damage Prevention Ordinance – Amendments Summary

- **Green text = Additions/Amendments**
- **Red-text = Deleted**

SECTION D. OBJECTIVES.

The objectives of this ordinance are to:

- (1) protect human life, safety, and health;
- (2) minimize expenditure of public money for costly flood control projects;
- (3) minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) minimize prolonged business losses and interruptions;
- (5) minimize damage to public facilities and utilities (i.e. water and gas mains, electric, telephone, cable and sewer lines, streets, and bridges) that are located in flood prone areas;
- (6) Minimize damage to private and public property due to flooding;**
- (7) Make flood insurance available to the community through the National Flood Insurance Program;**
- (8) Maintain the natural and beneficial functions of floodplains;**
- (8) help maintain a stable tax base by providing for the sound use and development of flood prone areas; and
- (9) ensure that potential buyers are aware that property is in a Special Flood Hazard Area.

ARTICLE 2. DEFINITIONS

“Alteration of a watercourse” means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

“Area of Future-Conditions Flood Hazard” means the land area that would be inundated by the 1-percent-annual-chance (100- year) flood based on future-conditions hydrology.

“Design Flood”: See “Regulatory Flood Protection Elevation.”

“Development Activity” means any activity defined as Development which will necessitate a Floodplain Development Permit. This includes buildings, structures, and non-structural items, including (but not limited to) fill, bulkheads, piers, pools, docks, landings, ramps, and erosion control/stabilization measures.

“Digital Flood Insurance Rate Map (DFIRM)” means the digital official map of a community, issued by the Federal Emergency Management Agency (FEMA), on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.

“Existing building and existing structure” means any building and/or structure for which the “start of construction” commenced before November 13, 2001.

“Flood-resistant material” means any building product [material, component or system] capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbers are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*, and available from the FEMA. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

“Floodway encroachment analysis” means an engineering analysis of the impact that a proposed encroachment into a floodway or non-encroachment area is expected to have on the floodway boundaries and flood levels during the occurrence of the base flood discharge. The evaluation shall be prepared by a qualified North Carolina licensed engineer using standard engineering methods and models.

“Letter of Map Change (LOMC)” means an official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

- (a) **Letter of Map Amendment (LOMA):** An official amendment, by letter, to an effective National Flood Insurance Program map. A LOMA is based on technical data showing that a property had been inadvertently mapped as being in the floodplain, but is actually on natural high ground above the base flood elevation. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.
- (b) **Letter of Map Revision (LOMR):** A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area

- boundaries and floodway delineations, and other planimetric features.
- (c) **Letter of Map Revision Based on Fill (LOMR-F):** A determination that a structure or parcel of land has been elevated by fill above the BFE and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.
 - (d) **Conditional Letter of Map Revision (CLOMR):** A formal review and comment as to whether a proposed project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

“Light Duty Truck” means any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less as defined in 40 CFR 86.082-2 and is:

- (a) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
- (b) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
- (c) Available with special features enabling off-street or off-highway operation and use.

~~**“Mean Sea Level”** means, for purposes of this ordinance, the National Geodetic Vertical Datum (NGVD) as corrected in 1929, the North American Vertical Datum (NAVD) as corrected in 1988, or other vertical control datum used as a reference for establishing varying elevations within the floodplain, to which Base Flood Elevations (BFEs) shown on a FIRM are referenced. Refer to each FIRM panel to determine datum used.~~

“Non-Conversion Agreement” means a document stating that the owner will not convert or alter what has been constructed and approved. Violation of the agreement is considered a violation of the ordinance and, therefore, subject to the same enforcement procedures and penalties. The agreement must be filed with the recorded deed for the property. The agreement must show the clerk's or recorder's stamps and/or notations that the filing has been completed.

“Reference Level” is the top of the lowest floor for structures within Special Flood Hazard Areas designated ~~Zone A1-A30, AE, A, A99 or AO~~ as Zones A, AE, AH, AO, A99. The reference level is the bottom of the lowest horizontal structural member of the lowest floor for structures within Special Flood Hazard Areas designated as Zone VE.

“Technical Bulletin and Technical Fact Sheet” means a FEMA publication that provides guidance concerning the building performance standards of the NFIP, which are contained

in Title 44 of the U.S. Code of Federal Regulations at Section 60.3. The bulletins and fact sheets are intended for use primarily by State and local officials responsible for interpreting and enforcing NFIP regulations and by members of the development community, such as design professionals and builders. New bulletins, as well as updates of existing bulletins, are issued periodically as needed. The bulletins do not create regulations; rather they provide specific guidance for complying with the minimum requirements of existing NFIP regulations.

It should be noted that Technical Bulletins and Technical Fact Sheets provide guidance on the minimum requirements of the NFIP regulations. State or community requirements that exceed those of the NFIP take precedence. Design professionals should contact the community officials to determine whether more restrictive State or local regulations apply to the building or site in question. All applicable standards of the State or local building code must also be met for any building in a flood hazard area.

“Temperature Controlled” means having the temperature regulated by a heating and/or cooling system, built-in or appliance.

ARTICLE 3. GENERAL PROVISIONS.

SECTION B. BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS.

The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Insurance Study dated June 19, 2020 for Pitt County and associated Digital Flood Insurance Rate Maps (DFIRM) panels, including any digital data developed as part of the FIS, which are adopted by reference and declared a part of this ordinance, and all revisions thereto after January 1, 2021. Future revisions to the FIS and DFIRM panels that do not change flood hazard data within the jurisdictional authority of Town of Winterville are also adopted by reference and declared a part of this ordinance. Subsequent Letter of Map Revisions (LOMRs) and/or Physical Map Revisions (PMRs) shall be adopted within 3 months.

SECTION H. PENALTIES FOR VIOLATION.

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a **shall constitute a Class 1 misdemeanor pursuant to NC G.S. § 143-215.58**. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than ~~\$50.00~~ **\$100.00** or imprisoned for not more than thirty (30) days, or both. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Town of Winterville from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION B. FLOODPLAIN DEVELOPMENT APPLICATION, PERMIT AND CERTIFICATION REQUIREMENTS.

(3) Certification Requirements.

(b) Floodproofing Certificate

(i) If non-residential floodproofing is used to meet the Regulatory Flood Protection Elevation requirements, a Floodproofing Certificate (FEMA Form 81-65), with supporting data, an operational plan, and an inspection and maintenance plan are required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the floodproofed design elevation of the reference level and all attendant utilities, in relation to mean sea level. Floodproofing certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The Floodplain Administrator shall review the certificate data, the operational plan, and the inspection and maintenance plan. Deficiencies detected by such review shall be corrected by the applicant prior to permit approval. Failure to submit the certification or failure to make required corrections shall be cause to deny a Floodplain Development Permit. Failure to construct in accordance with the certified design shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

(ii) A final Finished Construction Floodproofing Certificate (FEMA Form 086-0-34), with supporting data, an operational plan, and an inspection and maintenance plan are required prior to the issuance of a Certificate of Compliance/Occupancy. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the floodproofed design elevation of the reference level and all attendant utilities, in relation to NAVD 1988. Floodproofing certificate shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The Floodplain Administrator shall review the certificate data, the operational plan, and the inspection and maintenance plan. Deficiencies detected by such review shall be corrected by the applicant prior to Certificate of Occupancy. Failure to submit the certification or failure to make required corrections shall be cause to deny a Floodplain Development Permit. Failure to construct in accordance with the certified design shall be cause to deny a Certificate of Compliance/Occupancy.

(4) Determinations for existing buildings and structures.

For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of

substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

- (a) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
- (b) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
- (c) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
- (d) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the NC Building Code and this ordinance is required.

ARTICLE 5. PROVISIONS FOR FLOOD HAZARD REDUCTION.

SECTION A. GENERAL STANDARDS.

~~(8) Any alteration, repair, reconstruction, or improvements to a structure, which is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance.~~

SECTION B. SPECIFIC STANDARDS.

- (2) Non-Residential Construction. New construction and substantial improvement of any commercial, industrial, or other non-residential structure shall have the reference level, including basement, elevated no lower than the Regulatory Flood Protection Elevation, as defined in Article 2 of this ordinance. Structures located in A, AE, , AH, AO, and ~~A1-30~~ A99 Zones may be floodproofed to the Regulatory Flood Protection Elevation in lieu of elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, below the Regulatory Flood Protection Elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. For AO Zones, the floodproofing elevation shall be in accordance with Article 5, Section G(2). A registered professional engineer or architect shall certify that the floodproofing standards of this subsection are satisfied. Such certification shall be provided to the Floodplain

Administrator as set forth in Article 4, Section B(3), along with the operational plan and the inspection and maintenance plan.

(9) Tanks. When gas and liquid storage tanks are to be placed within a Special Flood Hazard Area, the following criteria shall be met:

- (a) Underground tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty;**
- (b) Above-ground tanks, elevated. Above-ground tanks in flood hazard areas shall be elevated to or above the Regulatory Flood Protection Elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area;**
- (c) Above-ground tanks, not elevated. Above-ground tanks that do not meet the elevation requirements of Article 5, Section B (2) of this Article shall be permitted in flood hazard areas provided the tanks are designed, constructed, installed, and anchored to resist all flood-related and other loads, including the effects of buoyancy, during conditions of the design flood and without release of contents in the floodwaters or infiltration by floodwaters into the tanks. Tanks shall be designed, constructed, installed, and anchored to resist the potential buoyant and other flood forces acting on an empty tank during design flood conditions.**
- (d) Tank inlets and vents. Tank inlets, fill openings, outlets and vents shall be:**
 - (i) At or above the Regulatory Flood Protection Elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and**
 - (ii) Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.**

(10) Other Development.

- (a) Fences in regulated floodways and NEAs that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Article 5, Section F of this ordinance.**
- (b) Retaining walls, sidewalks and driveways in regulated floodways and NEAs. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Article 5, Section F of this**

ordinance.

- (c) Roads and watercourse crossings in regulated floodways and NEAs. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Article 5, Section F of this ordinance.**

NOTICE OF PUBLIC HEARING
Town of Winterville

NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on Monday, September 14, 2020 at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, to hold a Public Hearing on the following proposal:

Amend the Town of Winterville Flood Damage Prevention Ordinance. The proposed amendments are based on guidance from the NC Department of Public Safety and will provide clarification and consistency with the State's model ordinance.

Copies of the Ordinance are on file at the Planning Department Office in the Town Hall and are available for public inspection by contacting bryan.jones@wintervillenc.com or the Winterville Planning Department at (252) 215-2358.

To maintain the safety of Town residents, Town Council, and Town Staff, the Winterville Town Council Meeting scheduled for 7:00 pm Monday, September 14, 2020 will be conducted electronically. The Agenda is available on the Town website at www.wintervillenc.com/agendas. The public is encouraged to watch the Town Council's meeting live at www.wintervillenc.com/videos. Those that wish to address the Town Council during the Public Hearing should contact the Town Clerk at (252) 215-2344 to register by **5:00 pm, Monday, September 14, 2020. Also, 24-hours following a public hearing, 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.

Notes to Publisher:

Legal Advertisements
legals@apgenc.com
(252) 329-9521

Subject: Winterville Pubic Hearing – Flood Damage Prevention Ordinance.

Please place the above legal advertisement in the Daily Reflector on Wednesday September 2, 2020 and Wednesday, September 9, 2020. Should you have any questions please contact me.

Please forward the invoice and Affidavit of Publication to me to assist with payment.

Thanks,

Donald Harvey, Town Clerk
Town of Winterville
2571 Railroad Street/PO Box 1459
Winterville, NC 28590
(252) 215-2344 – Phone
don.harvey@wintervillenc.com



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: September 14, 2020

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: 9/2/2020

ABSTRACT ROUTING:

TC: 9/4/2020

TM: 9/9/2020

Final: tlp – 9/9/2020

Supporting Documentation

Approval of the following set of Council Meeting Minutes:

- August 10, 2020 Regular Meeting Minutes.

Budgetary Impact: NA.

Recommendation: Approval of Minutes.



**WINTERVILLE TOWN COUNCIL
MONDAY, AUGUST 10, 2020 - 7:00 PM
REGULAR MEETING MINUTES
ELECTRONIC VIA ZOOM**

The Winterville Town Council met in a Regular Meeting on the above date at 7:00 PM in the Town Hall Assembly Room and electronically via ZOOM, with Mayor Douglas A. Jackson presiding. The following were present:

Douglas A. Jackson, Mayor
Veronica W. Roberson Mayor Pro Tem
Richard (Ricky) E. Hines, Councilman
Tony P. Moore, Councilman
Johnny Moye, Councilman (remote)
Mark C. Smith, Councilman
Keen Lassiter, Town Attorney
Terri L. Parker, Town Manager
Ben Williams, Assistant Town Manager
Ryan Willhite, Police Chief
Tony Klontz, Fire Retention, Recruitment and Member Officer
Travis Welborn, Public Works Director
Robert Sutton, Electric Director
Anthony Bowers, Finance Director
Evan Johnston, Parks and Recreation Director
Bryan Jones, Planning Director
Donald Harvey, Town Clerk

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

INVOCATION: Councilman Moore gave the Invocation.

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

WELCOME: Mayor Jackson welcomed the public.

APPROVAL OF AGENDA:

Manager Parker requested an amendment to the Agenda to add discussion of the Utility Payment Plan process to the agenda in the other items section.

Motion made by Councilman Hines and seconded by Mayor Pro Tem Roberson to approve the amended agenda. The poll vote results are as follows: Mayor Pro Tem Roberson, yes; Councilman Moye, yes; Councilman Smith, yes; Councilman Hines, yes; and Councilman Moore, yes. Motion carried unanimously, 5-0.

PUBLIC HEARINGS:

Merizio Property Rezoning Request. - Planning Director Jones gave the following presentation:

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Merizio Property – Rezoning Request

- Applicant: Patricia Merizio
- Location: Church Street Ext south of its intersection with Laurie Ellis Road
- Parcel Number: 68782
- Site Data: 1.36 acres
- Current Zoning District: Agricultural Residential (AR)
- Proposed Zoning District: General Business
- Current Land Use Character Area: Suburban Residential
- Proposed Land Use Character Area: Office/Employment



Town of WINTERVILLE
A slice of the good life!

Merizio Property – Rezoning Request

- Adjacent property owners were mailed notification of the Public Hearing on July 29, 2020.
- Notification was posted on the site on March 4, 2020.
- Public Hearing notice was published in the Daily Reflector on July 30, 2020 and August 6, 2020.







FUTURE LAND USE CHARACTER AREAS

- Conservation**
The 100-year floodplain is regulated in order to prevent loss during floods. These areas are appropriate for outdoor recreation, agriculture / silviculture, and are otherwise predominantly unsuitable for development. This area also includes cemeteries.
- Rural Residential**
Very low density, single family detached residential on very large lots in a rural setting. Generally less than 1 dwelling per acre, and almost always without sewer service. Industrial agricultural operations are still active in these locations.
- Suburban Residential**
Primarily the large lot, single family detached residential that many people love about the town's housing stock. Generally 2-3 dwelling units per acre, larger lots, with front and side-loaded garages. Smaller lot sizes occasionally if minimum standards for open space and amenities are exceeded.
- Urban Neighborhood**
Primarily medium-sized lots with single family detached residential and occasionally smaller-scale, cost-effective patio homes and attached residential permitted if design criteria are met. Generally 3-6 dwellings per acre. Some small-scale services, restaurants, or offices encouraged at select locations with good access.
- Commercial Overlay**
Potential for small-scale commercial that is sensitive to existing residential development if good transportation access is possible.
- Neighborhood Center**
Corridor appropriate commercial, retail, services, professional offices, and occasionally residential located at key locations and crossroads that serve the general neighborhood around them. Small lot residential or patio homes and/or attached residential could be part of land use mix.
- Mixed Use Center**
Mix of commercial, retail, restaurants, and service-oriented businesses, with a variety of residential options, including multi-family townhomes, and upper story residential. Offices also potentially on upper floors. Walkable places with a pedestrian-focused "downtown" feel.
- Regional Center**
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.
- Employment / Residential**
These areas should include office buildings, storage and flex uses, supporting commercial uses and/or medium to high-intensity residential uses.
- Office & Employment**
Large office buildings, manufacturing, distributor, and light to medium industrial uses, storage and flex uses, along with associated offices and supporting commercial uses.
- Institution or Park**
Community schools, the Pitt Community College campus, town parks, and open space areas form a fabric that binds the community together. New institutional, civic, and open space uses are potentially allowed in any future land use category.

FUTURE LAND USE CHARACTER AREA

Office & Employment

General Character
These employment supporting land uses are integral to the self-sufficiency of the community. They provide jobs and centers for economic growth.

Typical Components	
Density	No residential allowed
Lot coverage	Medium to High
Building height	1-5 stories
Parking	Off-street, front, side, rear, or internal lots
Street pattern	Grid or modified grid
Right-of-way width	60'-70'
Block length	800'-1200'
Drainage	Ditch or curb and gutter
Bicycle/Pedestrian	Sidewalks
Open Space	Limited, focus of tree preservation and plantings is on building
Potential zoning	L, O-1

Uses
Large office buildings and employment generating uses, such as manufacturing, fabrication, and industrial flex space. Supporting commercial uses may also be present.

Buildings & Parking
Buildings and large surface parking are often screened from public rights-of-way. Parking areas and internal drives may or may not be connected to neighbors, depending on the type of occupant.

Streets & Connections
Because these types of uses have requirements that are often specific to the occupant, care should be taken at development to maintain efficient traffic flow and cross access, while also respecting occupant needs. Automobiles and height are prioritized.





Examples of Office & Employment

RECOMMENDATIONS & IMPLEMENTATION

Land Use

Organizing Goals:

- | | |
|--|--|
| Primary Goals: | Supporting Goals: |
| <ul style="list-style-type: none"> Strengthen and Diversify the Economy Safe, Healthy Neighborhoods and Environment Activate Downtown | <ul style="list-style-type: none"> Create a town-wide identity Connectivity and Mobility |

Policies and Strategies

Policy 1: Encourage a balanced tax base while managing growth.

Strategies

- Utilize the Future Land Use Map and character areas when considering land use decisions (i.e. development approvals and zoning decisions) and infrastructure improvement priorities.
- Encourage non-residential growth in the form of retail, restaurants, professional offices and industrial development

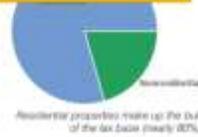
In areas designated as such on the Future Land Use Map. 1.3: Encourage a logical progression of development and



POLICY 1: Encourage a balanced tax base while managing growth.

(1.2) Encourage non-residential growth in the form of retail, restaurants, professional offices and industrial development...

...necessary to deny... if they are premature or... with surrounding uses, even if the Future Land Use Map supports the rezoning.



Economic Development

Organizing Goals:

- | | |
|---|---|
| Primary Goals: | Supporting Goals: |
| <ul style="list-style-type: none"> Strengthen and Diversify the Economy Create a town-wide identity | <ul style="list-style-type: none"> Activate Downtown |

Policies and Strategies

POLICY 2: Improve self-sufficiency and reduce retail leakage.

(2.1) Support Winterville's transformation from a "bedroom community" to a "neighboring community" to Greenville.

especially along Winterville Parkway and other appropriate areas.

Policy 2: Improve self-sufficiency and reduce retail leakage.

Strategies

- Support Winterville's transformation from a "bedroom community" of Greenville.
 - The Economic Development Task Force recommended that Winterville grow into its own vibrant community with its own commercial and employment sectors. This will help the Town become a self-sufficient community that captures retail leakage from nearby Greenville.



The majority of Winterville's residential growth has been and will likely be in the form of single family detached residential subdivisions.



Encouraging commercial development on sites with good transportation access will help balance the tax base and create a more self-sufficient community.

POLICY 6: Focus on business recruitment, expansion and retention.

(6.2) Encourage and support local businesses...

Strategies

- Encourage new commercial development at key intersections along Forlines Road and Fire Tower Road Extension.
 - Capitalize on opportunities that will arise due to the Southwest Bypass and planned extension of Fire Tower Road.
- Encourage new commercial and industrial businesses to locate along the Laurie Ellis Extension.

Policy 5: Promote retirement-focused living.

Strategies

- Continue participation in the N.C. Department of Commerce's Certified Retirement Community Program.
- Remove barriers to and consider incentives for senior-friendly housing types in downtown and other appropriate locations.
- Recruit developers for individualy-owned patio homes and life care facilities.

Policy 6: Focus on business recruitment, expansion and retention.

Strategies

- Recruit new national and local businesses to Regional Center future land use areas.
- Encourage and support local businesses, especially in expansion efforts.
- Coordinate with Pitt Community College for expansions or other infrastructure needs.
 - This might include facilities to support the college, such as hotels, better road connections or intersection redesigns, pedestrian connections, etc.
- Coordinate with Pitt County and neighboring community economic development efforts.



The number of Winterville residents age 45 to 75 grew by 33% between 2010 and 2016. Lower maintenance patio homes and pooled neighborhoods may appeal to this demographic. Current zoning regulations could be modified to encourage this type of housing near downtown and in other appropriate locations.

Pocket Neighborhoods
Langley, Washington adopted a new Cottage Housing Development option that allows for double the density of detached homes in some zones if homes front a green-space and meet other design criteria. The image above is from a "pocket neighborhood" in Langley.

Staff Recommendation:

- Planning Staff finds the request is reasonable and in the public interest because the proposed zoning district is compatible with surrounding land uses and the future land use plan.
- Staff recommends approval of the request to rezone 1.36 acres from AR to GB.



REZONING PROCESS:

- Planning and Zoning Board voted 7-1 to recommend approval to Town Council (May 18, 2020).
- Town Council will now hold a public hearing regarding this request.

Planning Director Jones noted, if approved, the annexation would be effective immediately.

Mayor Jackson declared the public hearing open, asked if anyone would like to speak in favor or in opposition to the annexation request. Planning Director Jones noted that no comments had been received to date and the owner is available remotely for any questions.

Councilman Moore asked if the building met commercial code. Planning Director Jones said it would have to meet and or be brought up to the commercial code during the permit process.

Mayor Jackson asked for any further discussion or any more questions. Hearing none what is the Board's pleasure.

Motion made by Councilman Hines and seconded by Councilman Moore to approve the rezoning of the Merizio Property subject to the 24-hour comment period. The poll vote results are as follows: Mayor Pro Tem Roberson, yes; Councilman Moye, yes; Councilman Smith, yes; Councilman Hines, yes; and Councilman Moore, yes. Motion carried unanimously, 5-0.

***(Note to the minutes) No comments were received within 24 hours of the conclusion of the meeting, thus the motion approving the rezoning of the Merizio Property is approved.**

Pitt County Shrine Club Rezoning Request. - Planning Director Jones gave the following presentation:

- Applicant: Pitt County Shrine Club
- Location: Church Street Ext south of its intersection with Laurie Ellis Road
- Parcel Number: 73685
- Site Data: 2.99 acres
- Current Zoning District: Agricultural Residential (AR)
- Proposed Zoning District: Office and Institutional – Conditional District (OI –CD)
- Current Land Use Character Area: Suburban Residential
- Proposed Land Use Character Area: Institution/Park



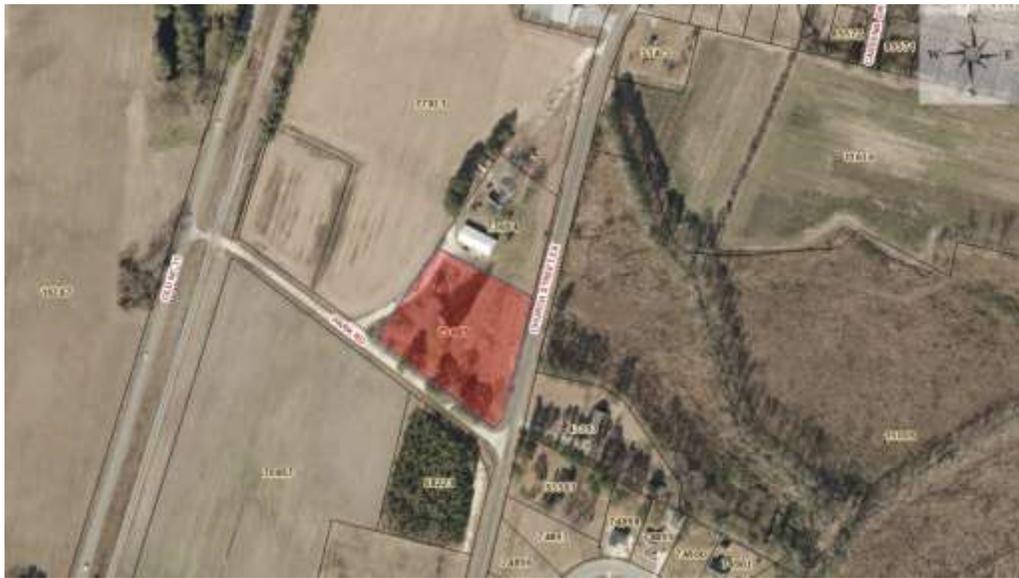
Conditions:

To operate a fraternal organization (Pitt County Shrine Club); to use the facility for fraternal meetings and fundraising efforts to support Shriners Hospital for Children (Fraternal/Civic Organization); to allow the facility to be rented to the public primarily for wedding receptions on Saturdays/Sundays and business meetings and luncheons during the week (Assembly Hall); public rental events would not begin before 8 am and would conclude by 11 pm.



- Adjacent property owners were mailed notification of the Public Hearing on July 29, 2020.
- Notification was posted on the site on May 8, 2020.
- Public Hearing notice was published in the Daily Reflector on July 30, 2020 and August 6, 2020.







FUTURE LAND USE CHARACTER AREAS

- Conservation**
 The 100-year floodplain is regulated in order to prevent loss during floods. These areas are appropriate for outdoor recreation, agriculture, silviculture, and are otherwise predominantly unsuitable for development. This area also includes cemeteries.
- Rural Residential**
 Very low density, single family detached residential on very large lots in a rural setting. Generally less than 1 dwelling per acre, and almost always without sewer service. Industrial agricultural operations are still active in these locations.
- Suburban Residential**
 Primarily the large lot, single family detached residential that many people live about the town's housing stock. Generally 2-3 dwelling units per acre, larger lots, with front and side-loaded garages. Smaller lot sizes, occasionally if minimum standards for open space and amenities are exceeded.
- Urban Neighborhood**
 Primarily medium-sized lots with single family detached residential and occasionally smaller scale, context-sensitive patio homes and attached residential (permitted if design criteria are met). Generally 3-8 dwellings per acre. Some small-scale services, retail, rents, or offices encouraged at select locations with good access.
- Commercial Overlay**
 Potential for small-scale commercial that is sensitive to existing residential development if good transportation access is possible.
- Neighborhood Center**
 Center appropriate commercial, retail, services, professional offices, and occasionally residential located at key locations and corridors that serve the general neighborhood around them. Small lot residential or patio homes and/or attached residential could be part of land use mix.
- Mixed Use Center**
 Mix of commercial, retail, restaurants, and service-oriented businesses, with a variety of residential options, including multi-family townhomes, and upper story residential. Offices also potentially on upper floors. Walkable places with a pedestrian-focused "downtown" feel.
- Regional Center**
 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.
- Employment / Residential**
 These areas could include office buildings, storage and flex uses, supporting commercial uses and/or medium to high-intensity residential uses.
- Office & Employment**
 Large office buildings, manufacturing, distribution, and light- to medium-industrial uses, storage and flex uses, along with associated offices and supporting commercial uses.
- Institution or Park**
 Community schools, the Pitt Community College campus, town parks, and open space areas form a fabric that knits the community together. New institutional, civic, and open space uses are potentially included in any future land use category.

FUTURE LAND USE CHARACTER AREA



General Character

These uses are not restricted to the areas shown on the map, and are landmark institutions/areas that knit together the broader community. These uses are unlikely to change significantly in location during the life of the town.

Typical Components	
Density	No residential, unless dorms
Lot coverage	Low to Medium
Building height	1-5 stories
Parking	On-street, or off-street at internal lots
Street pattern	Grid or modified grid
Right-of-way width	50'-70'
Block length	Varies
Drainage	Curb and gutter
Bicycle/Pedestrian	Bikeways, trails, multi-use paths, internal sidewalk network
Open Space	Varies depending on use Possibly C-1. May need new zoning district for parks/recreation.
Potential zoning	

Uses

Primarily schools, parks, publicly-owned open spaces and trails, civic buildings and sites, and the college (Pitt Community College).

Buildings & Parking

Building location on the lot varies due to the specific needs of each specific owner or occupant.

Streets & Connections

Streets balance automobiles, pedestrians and bicyclists. On campus or in the parks, pedestrian traffic is prioritized.

Connections to surrounding neighborhoods are balanced with a need for security, based on the institution.



Examples of Institutional & Parks

Institutional & Parks

Adopted: 10/14/2019

Land Use & Character | 33

IMPACT / POLICY ANALYSIS

Policy 5: Maintain and improve neighborhood character.

Strategies

5.1: Identify, measure, and codify the character of the places that make Winterville unique.

- Design guidelines or standards that reinforce architectural vernacular styles and/or define streetscape, planting or open space design criteria can help make the built environment in Winterville unique and distinct.

5.2: Encourage open space and amenities in new development.

- Review open space, recreation, and tree-in-lieu standards for new subdivisions to ensure that the recreational needs of new residents are met.
- Update Zoning Ordinance to require minimum amounts of open space in new residential developments, particularly those in Suburban Residential and Urban Neighborhood areas with gross densities exceeding 2 dwelling units/acre.
- Consider adopting an incentive for the provision of additional open space, over the minimum.
- Update Zoning Ordinance to encourage connectivity between open space areas.
- Update PLUO option to specify open space requirements.

Policy 6: Support higher density housing options in strategic locations.

Strategies

6.1: Encourage housing options in locations within walking distance of commercial and mixed use areas.

- Encourage higher density housing near places like schools, parks, and as a transitional use

6.2: Require that higher density developments, townhomes and apartments meet design criteria that emphasizes architectural detail, quality materials, streetscape standards, amenities and open space, landscaping and street trees to improve design and reduce impacts.



of greens, trees and amenities anchor a community. Passive recreational areas equipment from new lots for open increased for new development. In the meantime the conditional zoning process could be utilized to ensure new development fits well near existing residential neighborhoods.

POLICY 5: Maintain and improve neighborhood character.

(5.1) Identify character areas that make Winterville unique...

Town of **WINTERVILLE**

A slice of the good life!

Pitt County Shrine Club- Rezoning Request

Staff Recommendation:

- Planning Staff finds the request is reasonable and in the public interest because the proposed zoning district is compatible with surrounding land uses and the future land use plan.
- Staff recommends approval of the request to rezone 2.99 acres from AR to OI-CD.



REZONING PROCESS:

- Planning and Zoning Board unanimously recommended approval to Town Council.
- Town Council will now hold a public hearing regarding this request.

Planning Director Jones noted, if approved, the annexation would be effective immediately.

Mayor Jackson declared the public hearing open, asked if anyone would like to speak in favor or in opposition to the annexation request. Planning Director Jones noted that no comments had been received to date and a representative of the Shrine Club is available remotely for any questions.

Mayor Jackson asked if it would allow for rentals. Planning Director Jones said that others can use the building for fund raising. Councilman Hines asked if it is this like the Moose Lodge. Town Manager Parker noted that the Moose Lodge has been a noise issue. Mayor Jackson said the Shrine Club is an asset to the community. Mayor Pro Tem Roberson noted that the area is becoming more business. Councilman Smith said numerous properties down the road are ready for development.

Mayor Jackson asked for any further discussion or any more questions. Hearing none what is the Board's pleasure.

Motion made by Councilman Moore and seconded by Councilman Hines to approve the rezoning of the Pitt County Shrine Club Property with conditions subject to 24-hour comment period. The poll vote results are as follows: Mayor Pro Tem Roberson, yes; Councilman Moye, yes; Councilman Smith, yes; Councilman Hines, yes; and Councilman Moore, yes. Motion carried unanimously, 5-0.

***(Note to the minutes) No comments were received within 24 hours of the conclusion of the meeting, thus the motion approving the rezoning of the Pitt County Shrine Club Property with conditions is approved.**

PUBLIC COMMENT: None.

CONSENT AGENDA:

1. Approval of the following sets of Council Meeting Minutes:
 - June 8, 2020 Regular Meeting Minutes; and
 - June 29, 2020 Special Called Meeting Minutes.
2. Winterville Flood Damage Prevention Ordinance Proposed Amendments: Set Public Hearing.
3. Eli's Ridge, Phases 1 and 3 – Annexation: Direct Town Clerk to Investigate the Sufficiency of Annexation.
4. Budget Amendment: 2020-2021-01.

Motion made by Councilman Moore and seconded by Mayor Pro Tem Roberson to approve the Consent Agenda. The poll vote results are as follows: Mayor Pro Tem Roberson, yes; Councilman Moye, yes; Councilman Smith, yes; Councilman Hines, yes; and Councilman Moore, yes. Motion carried unanimously, 5-0.

OLD BUSINESS:

Draft Anti-Racism Message: Town Manager Parker introduced the Anti-Racism Message item. Mayor Pro Tem Roberson discussed the item. Pastor Carmon updated the item, noting that Councilman Hines and Mayor Pro Tem Roberson discussed the mural at the entrance to Hillcrest Park on Carmon Street. The hope is that all of Winterville hears the message.

Councilman Hines thanked Pastor Carmon, they met by phone and he likes the Hillcrest area and is in favor of the mural. Mayor Pro Tem Roberson said she supports the idea; our community needs to build bridges in the community and work on future generations. She asked for support. Councilman Smith said he appreciates the committees work. He noted that the organization blurs the movement and the dilemma over organization. Concerns from citizens indicate a need to clarify not supporting organization.

Mayor Pro Tem Roberson noted that the Town Seal supports joining multiracial hands. Councilman Moye said he agreed with contacting area where it would be placed to get support from the community. Councilman Smith asked would the committee consider other wording. Councilman Hines said people are twisted over the wording, they are nervous from events in the past, the slogan means a lot, race is the elephant in the room.

Pastor Carmon has support from numerous organizations; however, support will not be unanimous, some will never understand the pain, wish that hands on seal can shake, black and white, ask for equal treatment, now is time for Town to join in the conversation.

Mayor Jackson asked for any further discussion or any more questions. Hearing none what is the Board's pleasure.

Motion made by Councilman Hines and seconded by Councilman Moye to approve the location of the message and sign at Carmon Street entering Hillcrest Park. The poll vote results are as follows: Mayor Pro Tem Roberson, yes; Councilman Moye, yes; Councilman Smith, yes; Councilman Hines, yes; and Councilman Moore, no. Motion carried, 4-1.

Mayor Pro Tem Roberson asked if the Town would provide traffic control during painting. Town Manager Parker noted the message to come back to Council for approval. Pastor Carmon said he was fine with "People Against Racism."

Motion made by Councilman Smith and seconded by Mayor Pro Tem Roberson to approve the message on the street to be "People Against Racism" and the sign message to be "I Just Want to Live". The poll vote results are as follows: Mayor Pro Tem Roberson, yes; Councilman Moye, yes; Councilman Smith, yes; Councilman Hines, no; and Councilman Moore, yes. Motion carried, 4-1.

Draft Human Relations Council: Mayor Pro Tem Roberson brought the item to Council. Seeking a diverse group of individuals, honest conversation, and the request to form a Human Relations Council, that represents all groups ages, and develop leaders. Councilman Hines spoke with a County official and Town officials and asked why could the County not take the lead? They could look at the bigger picture, with more resources. Mayor Pro Tem Roberson said she is willing to put in the effort to follow through. The County would lose the Town's interest, wants us to try.

Mayor Jackson asked for any further discussion or any more questions. Hearing none what is the Board's pleasure.

Motion made by Mayor Pro Tem Roberson and seconded by Councilman Moye for Town staff establish guidelines of a Human Relations Council and bring back to Council for approval. The

poll vote results are as follows: Mayor Pro Tem Roberson, yes; Councilman Moye, yes; Councilman Smith, no; Councilman Hines, no; and Councilman Moore, yes. Motion carried, 3-2.

2020 Sanitary Sewer Pump Station Rehabilitation Project: Engineering Services: Travis Welborn, Public Works Director. The Town received a zero interest 20-year loan award, in the amount of \$1,974,200.75 with \$500,000 being approved for principal forgiveness, from the Division of Water Infrastructure in the spring of 2020 for a Sanitary Sewer Pump Station Rehabilitation Project. Staff solicited proposals from Engineering firms to develop the Engineering Report, Environmental Documentation, Construction Plans and Specifications, as well as perform Construction Administration and Inspections. Staff and Council concurred that Rivers & Associates, Inc. presents the project familiarity, experience, technical expertise, scheduling and staffing to complete this project for the Town. Rivers & Associates submitted a proposed Engineering Services Agreement in the amount of \$494,000 to include the Engineering Report/Environmental Information Document, preliminary and final design, preparation of plans and specifications, bidding and negotiation, permitting, surveying, construction contract administration and construction observation.

2020 Street Improvements Project – Milton Drive: Milton Drive Reconstruction: Travis Welborn, Public Works Director. The Contractor for the 2020 Street Improvements Project has completed most of the project except for the milling and resurfacing of Milton Drive. When the Contractor replaced the existing culverts in Milton Drive staff noticed that the existing pavement subgrade did not appear to have any aggregate, and the asphalt was installed on a very thin layer of aggregate which was installed on a clay subgrade. Staff was concerned that the road subgrade would fail if the existing asphalt was simply milled out, so a loaded dump truck was used to proof roll the existing pavement. When a loaded dump truck traveled down the street, an obvious “wave” was observed under the truck, indicating that the existing pavement section had failed and/or was insufficient. Due to this, staff has requested that a local soil engineer perform California Bearing Ratio tests on the existing soil subgrade to determine what pavement section is needed, and proposes that the existing pavement and subgrade be completely removed and replaced with the pavement section recommended by the engineer based on the CBR tests. This will lead to additional costs above what was originally proposed for Milton Drive. However, the street must be reconstructed in order to be resurfaced. Delaying the reconstruction will only lead to further deterioration of the existing street and subgrade and increased costs in the future. The worst-case scenario for street reconstruction would include undercutting the existing street 24 inches and installing 24 inches of select backfill, 8 inches of CABC (stone), and 2 inches of asphalt. In addition to the money allocated to the project in last year’s budget, there would be an extra cost of approximately \$140,000 to reconstruct the street from Vernon White Road to Roxie Court. \$160,000 was budgeted for resurfacing in the current fiscal year budget, and staff proposes to expend that money on Milton Drive in addition to the money that was previously budgeted and encumbered. Staff also proposes to perform CBR tests on Gaylord Street and Chapman Street and have an engineer begin working on pavement design and reconstruction plans for each of those streets for next fiscal year.

Motion made by Councilman Moore and seconded by Councilman Hines to approve the Rivers & Associates Engineering Services Agreement for the 2020 Sanitary Sewer Pump Station Rehabilitation Project and the 2020 Street Improvements Milton Drive Reconstruction Project. The poll vote results are as follows: Mayor Pro Tem Roberson, yes; Councilman Moye, yes; Councilman Smith, yes; Councilman Hines, yes; and Councilman Moore, yes. Motion carried unanimously, 5-0.

NEW BUSINESS:

BS&A Software ERP System Contract: Anthony Bowers, Finance Director. This Contract is for the purchase of a new Enterprise Resource Planning Software. This software is used for the day to day operations of the Town. This includes Financial Accounting, Payroll, Human Resources, Building Inspections, Fire Inspections, Cash collections, Planning, Miscellaneous billing, Utility Billing, And Cemetery management. This software was selected through a vigorous process that included the

assistance from consultants with the GFOA (Governmental Finance Officers Association), and a selection committee comprised of Town employees that represented all departments. We vetted five software companies and determined that BS&A has the best references and business model. Their approach is business is very different that the other companies that presented. The take a much more hands on approach to making sure the town is successful in converting to the new software. We are currently using SunGard Plus Series. They are no longer supporting this product and we are being forced to make a change. They are not developing a new plus series to replace it. In order to have a product that will provide all the functionality that the Town needs we had to go to market. Financially, this will be a great move for the Town as we will reduce the annual maintenance fees from \$54,000 to \$22,430. These annual savings are more than half of what the current company cost, as well as, any of the other bidders in the process. The total upfront once time cost of the contract is \$341,750 and annual maintenance fees are \$22,430 with a CPI based increase each year. The appropriations for this project are included in the 20-21 FY budget. It is scheduled to be financed with debt that will be obtained at a future date. This contract has been approved by GFOA and has been reviewed by Keen Lassiter, the Town Attorney.

General Consulting Services – Engineering: The Wooten Company: Ben Williams, Assistant Town Manager. In 2012, Council entered into an agreement with The Wooten Company for general consulting services related to engineering on a case-by-case basis for smaller projects without a defined scope of work. This general services contract is renewed annually. The services provided by The Wooten Company through the subject agreement include but are not limited to development plan review. The attached agreement will extend the general consulting services contract through June 30, 2021.

Knuckleboom Truck Replacement Grant Acceptance: Travis Welborn, Public Works Director. Town staff applied for a grant for the replacement of its oldest knuckleboom truck in 2019. The truck to be replaced is a 2002 with approximately 170,000 miles. This truck is used daily in the collection of debris such as limbs, bulk items, and construction debris. Staff budgeted for the full replacement cost of the knuckleboom truck in the 2020-2021 fiscal year, with the hopes of receiving this grant which would offset approximately 50% of the cost of a replacement vehicle. Staff was notified via email on July 29 that it had been awarded the full requested grant amount of \$77,759.50, which is approximately 50% of the cost of a replacement truck. The grant was awarded to help the Town and State reduce emissions in North Carolina by replacing older, less efficient vehicles with high emissions rates with newer, more efficient vehicles which produce less emissions.



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

July 24, 2020

Terri L. Parker
Town of Winterville
PO Box 1459
Winterville NC 28590
Application Number: ONP0001
DAQ Grant Management System Number: 1000009684

Dear Terri L. Parker:

I am pleased to inform you that the North Carolina Department of Environmental Quality is awarding your proposed Volkswagen Settlement On-Road Program project in the amount of \$77,759.50. We are excited about your project entitled Knuckleboom Truck Replacement. Replacement of the following vehicle will be funded: Unit 1 (VIN 1FVABTAK93HK51612).

Thank you for your interest in reducing emissions in North Carolina. We look forward to working with you on this worthwhile endeavor and receiving reports on the success of this project so that we may learn how to best use funding in future phases.

Jill Vitas from my staff will contact you once the VW funds have been distributed to DAQ to begin the State contract process. **Please do not start any work on this project until there is a fully executed (signed by representatives of both organizations) contract in place.** We cannot reimburse for work performed or items purchased before a contract is in place. Should you have any questions or need further information, you may contact Jill Vitas via telephone at 919-707-8424 or email at jill.vitas@ncdenr.gov.

Applicants must log into the NC DAQ Grant Management System to view application and claim status, submit invoices and documents for reimbursement. Completed Access Authorization Forms (attached) for your organization must be returned with your acceptance of this award.

Sincerely,

Michael S. Regan, Secretary
Department of Environmental Quality

MSR/JBV
Enclosures
cc: Jill Vitas



North Carolina Department of Environmental Quality
217 West Jones Street | 1601 Mail Service Center | Raleigh, North Carolina 27699-1601
919.707.8600

Town of Winterville
PO Box 1459
Winterville NC 28590
Application Number: ONP0001
DAQ Grant Management System Number: 1000009684

Please check the corresponding box if you accept or decline the award. Email a signed and dated copy to svc.NCVWApplication@ncdenr.gov within **15 business days of letter receipt**. If NCDEQ does not receive your acceptance of the award within that time, your award will be forfeited. This acceptance is non-binding until such time as the contract is fully executed.

Accept

Decline

Authorized Representative Name

Date

Please include completed Access Authorization Forms (attached) for your organization. Each organization is allowed up to 3 authorized users.

Motion made by Councilman Moore and seconded by Councilman Hines to approve the BS&A Software ERP System Contract, General Consulting Services for Engineering with The Wooten Company, and Acceptance Knuckleboom Truck Replacement Grant.

Councilman Moye asked how long the Wooten contract would carry over into next year. Town Manager Parker said the plan is that next year to look at a new request for qualifications with options to give other firms an opportunity.

The poll vote results are as follows: Mayor Pro Tem Roberson, yes; Councilman Moye, yes; Councilman Smith, yes; Councilman Hines, yes; and Councilman Moore, yes. Motion carried unanimously, 5-0.

OTHER AGENDA ITEMS:

Utility Payment Plan Process: Town Manager Parker discussed the utility connection billings, the Executive Order that ended July 29th, the waived convenience fee, the 2-month reduction of electric rates, and built up bills.

Finance Director Bowers provided an update on the expiration of the Executive Order and payment plans to assist customers. At this point approximately 200 customers need plans, normally less than 10 are behind. The dollars have racked up, some are over \$2,000, remainder under \$1,000. They will be given a 6-month plan; their monthly bill plus 1/6 of the past due amount. Town staff reached out to

those that they could help, some already receiving help. At this point, approximately \$154,000 is currently due. Through the process, communication with these citizens and establishment of a set protocol, payment plans will be documented and signed by customer. Town will continue to wave the convenience fee.

Town Manager Parker said Town sent a direct mailing. Finance Director Bowers said calls were made to inform them of situation and some received assistance. Councilman Hines asked what total customer base is. Finance Director Bowers said approximately 4,000. Councilman Hines said percentage indicates citizens did a good job. Councilman Moye said thanks to staff for reaching out and making a positive impact. Finance Director Bowers said some thought they did not have to pay, however a majority realized they would pay eventually. Calls did not cure problem totally, but showed Town was helping.

Mayor Jackson asked for any further discussion or any more questions. Hearing none what is the Board's pleasure.

ITEMS FOR FUTURE AGENDA/FUTURE WORK SESSIONS: None

REPORTS FROM DEPARTMENT HEADS:

- ❖ Minimum Housing/Code Enforcement (TLP)
- ❖ Tar Road Widening Project – Electric Engineering/Relocation (RS)
- ❖ New Electric Territory Engineering/Installation (RS)
- ❖ Fork Swamp Greenway Project (EJ)
- ❖ Multi-Purpose Building Site Plan (EJ)
- ❖ Winterville Market/Town Common Plan (BW)
- ❖ Chapman Street Culvert - Nobel Canal Drainage Basin Study (TW)
- ❖ 2018 Sewer Rehab (TW)
- ❖ Church Street Pump Station Rehabilitation (TW)
- ❖ Cemetery (BW)

Councilman Hines and Parks and Recreation Director Johnston discussed fall signups, participants, and contacts with adjacent counterparts.

Mayor Pro Tem Roberson asked about Cemetery progress and Town Manager Parker noted that plans are on paper and working on options.

Councilman Moye asked about houses in need of repair. Town Manager Parker noted several are in the process and upcoming. Rehabilitation will be delayed due to COVID-19. Councilman Moye asked status of Tar Road improvements. Assistant Town Manager Williams noted all NCDOT project were delayed and at best it will be several years. Councilman Moye asked about status of the Multipurpose Building. Town Manager Parker noted that staff continued to work on suitable land for the project and Council will be updated on progress. Councilman Moye asked about the Nobel Canal grant. Assistant Town Manager Williams noted that the Town applied for funding, received an email that the Agency did have money in the budget, and will hear from them in September.

ANNOUNCEMENTS: Town Clerk Harvey read the following announcements.

1. Planning and Zoning Board Meeting: Monday, August 17, 2020 at 7:00 pm - Town Hall Assembly Room.
2. Board of Adjustment Meeting: Tuesday, August 18, 2020 at 7:00 pm - Town Hall Assembly Room.
3. Recreation Advisory Board: Tuesday, August 25, 2020 at 6:30 pm.
4. Town Office closed on Monday, September 7, 2020 for the Labor Day Holiday.

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

Attorney Lassiter: None.

Councilman Moore: None.

Mayor Pro Tem Roberson: Thanks for the assistance through the COVID-10 pandemic.

Councilman Smith: None.

Councilman Moyer: Thanks to Assistant Town Manager Williams and Public Works Director Welborn for the work on Nobel Canal.

Councilman Hines: None.

Manager Parker: Thanks to Public Works Director Welborn who will be leaving the Town for employment elsewhere.

Mayor Jackson: Read a thank you note from a citizen concerning the reduction of electric rates.

ADJOURN: Motion made by Councilman Moore and seconded by Councilman Smith to adjourn the meeting. The poll vote results are as follows: Mayor Pro Tem Roberson, yes; Councilman Moyer, yes; Councilman Smith, yes; Councilman Hines, yes; and Councilman Moore, yes. Motion carried unanimously, 5-0. Meeting adjourned at 9:31 pm.

Adopted this the 14th day of September 2020.

Douglas A. Jackson, Mayor

ATTEST:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: September 14, 2020

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: Eli's Ridge Phases 1 and 3 Annexation (Parcel 84754).

Action Requested: Schedule Public Hearing for October 12, 2020.

Attachment: Annexation Petition, Annexation Map, Legal Description, and Certification of Sufficiency.

Prepared By: Bryan Jones, Planning Director

Date: 9/1/2020

ABSTRACT ROUTING:

TC: 9/4/2020

TM: 9/9/2020

Final: tlp - 9/9/2020

Supporting Documentation

The property owner of a portion of Parcel 84754 (Eli's Ridge, Phases 1 and 3) is applying for annexation into the Town limits.

Applicant: Eli's Ridge, Phases 1 and 3.

Location: Worthington Road east of its intersection with Old Tar Road.

Size: 18.38 Acres.

Zoned: R-10.

Annexation Process:

- ❖ 1st Council Meeting: Direct Town Clerk to Investigate the Sufficiency of the Annexation (8/10/2020).
- ❖ 2nd Council Meeting: Schedule a Public Hearing for the Annexation (9/14/2020).
- ❖ 3rd Council Meeting: Hold Public Hearing on the Annexation (10/12/2020).

Budgetary Impact: TBD.

Recommendation: Schedule the Public Hearing for October 12, 2020.

PETITION REQUESTING ANNEXATION

Date: 7-27-20

To the Mayor and Town Council of the Town of Winterville:

1. We the undersigned owners of real property respectfully requested that the area described in Paragraph 2 below be annexed to the Town of Winterville.

2. The area to be annexed is contiguous to the Town of Winterville and the boundaries of such territory are as follows:

Description

PLEASE SEE ATTACHED

Name Laace Clark Address 200 E. ARLINGTON BLVD.
GREENVILLE, NC 27858

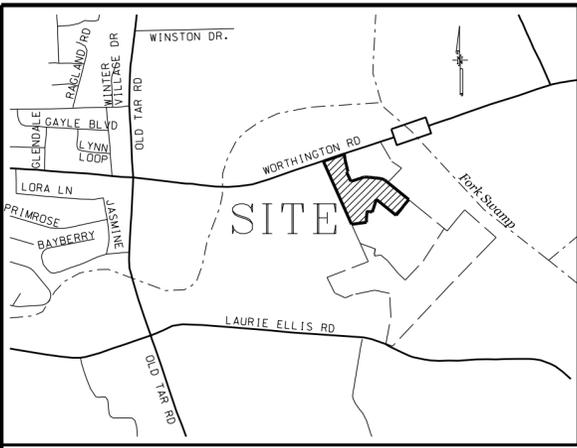
Signature 

Name _____ Address _____

Signature _____

Name _____ Address _____

Signature _____



VICINITY MAP
NOT TO SCALE



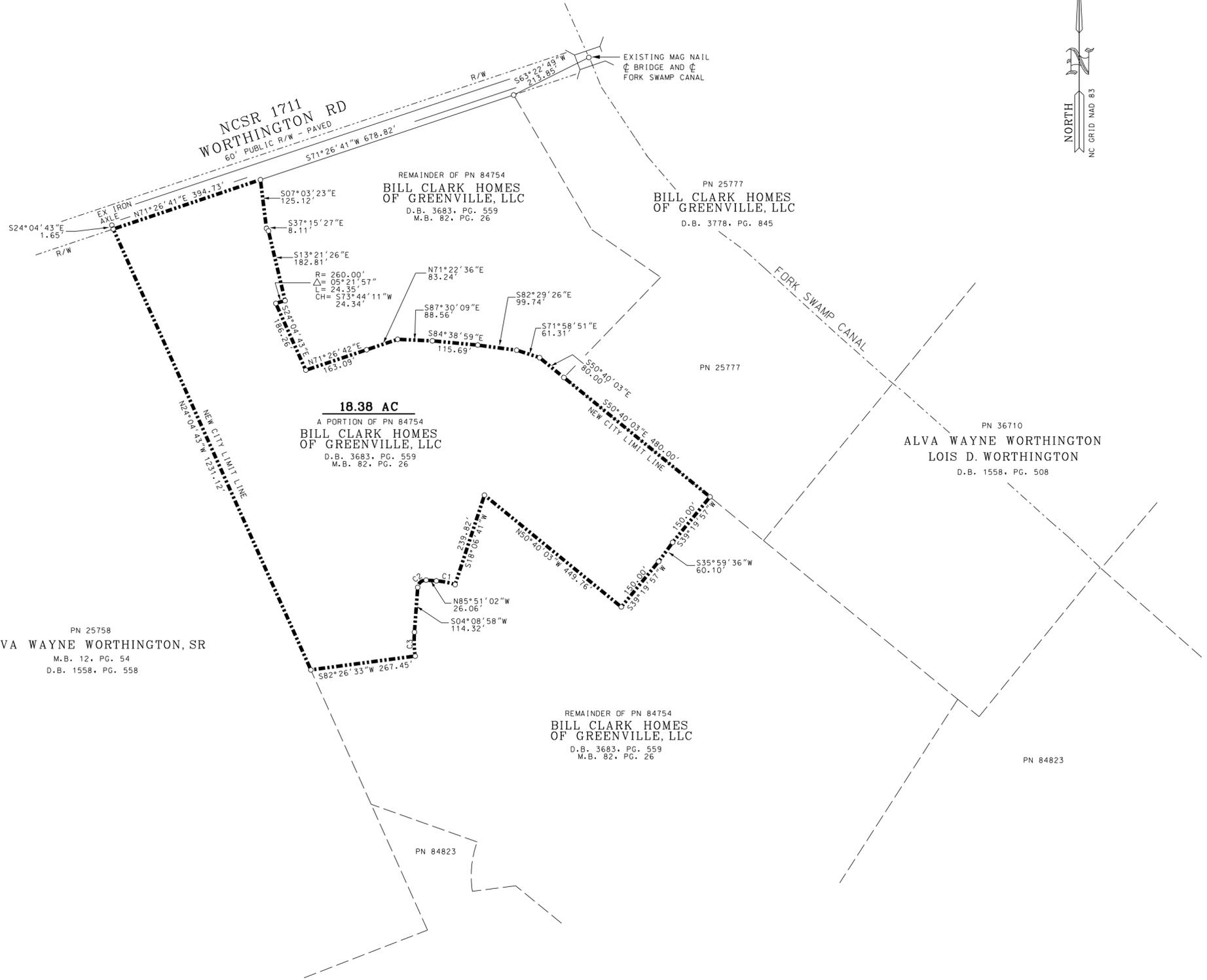
LEGEND:

- NEW CITY LIMIT LINE
- OLD CITY LIMIT LINE
- EXISTING CITY LIMIT LINE

CURVE DATA:

- C1
R= 200.00'
Δ= 13°57'47"
L= 48.74'
CH= N78°52'10"W
48.62'
- C2
R= 20.00'
Δ= 89°58'58"
L= 31.41'
CH= S49°08'58"W
28.28'
- C3
R= 300.00'
Δ= 11°42'24"
L= 61.30'
CH= S01°42'14"E
61.19'

THIS MAP IS EXEMPT FROM GS 47-30 REQUIREMENTS PER GS 47-30 (j) WHICH STATES:
"THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO BOUNDARY PLATS OF STATE LINES, COUNTY LINES, AREAS ANNEXED BY MUNICIPALITIES, NOR TO PLATS OF MUNICIPAL BOUNDARIES, WHETHER OR NOT REQUIRED BY LAW TO BE RECORDED".



PN 25758
ALVA WAYNE WORTHINGTON, SR
M.B. 12, PG. 54
D.B. 1558, PG. 558

REMAINDER OF PN 84754
BILL CLARK HOMES OF GREENVILLE, LLC
D.B. 3683, PG. 559
M.B. 82, PG. 26

18.38 AC
A PORTION OF PN 84754
BILL CLARK HOMES OF GREENVILLE, LLC
D.B. 3683, PG. 559
M.B. 82, PG. 26

PN 25777
BILL CLARK HOMES OF GREENVILLE, LLC
D.B. 3778, PG. 845

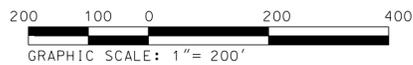
PN 36710
ALVA WAYNE WORTHINGTON
LOIS D. WORTHINGTON
D.B. 1558, PG. 508

PN 84823

PN 84823

A PORTION OF PARCEL NUMBER 84754

SHEET 1 OF 1



MAP SHOWING AREA TO BE ANNEXED BY		ELI'S RIDGE, PHASES 1 AND 3	
WINTERVILLE TOWNSHIP		PITT COUNTY	
NORTH CAROLINA		NORTH CAROLINA	
OWNER: BILL CLARK HOMES OF GREENVILLE, LLC			
200 E ARLINGTON BLVD GREENVILLE, NC 27858 (252) 355-5805			
SURVEYED: HOB		APPROVED: DTB	
DRAWN: DTB		DATE: 07/16/20	
CHECKED: DTB		SCALE: 1" = 200'	
MAYOR		DATE	
ACCEPTED BY THE TOWN OF WINTERVILLE, NC		STROUD ENGINEERING, P.A.	
		107-B COMMERCE STREET GREENVILLE, NORTH CAROLINA 27858 (252) 756-9352 LICENSE NO. C-0647	

Legal Description for Annexation
ELI'S RIDGE, PHASES 1 AND 3

Lying and being in Winterville Township, Pitt County, North Carolina and lying north of NCSR 1713 Laurie Ellis Road, east of NCSR 1700 Old Tar Road, and being bounded on the north by NCSR 1711 Worthington Road, on the west by Alva Wayne Worthington, Sr. (Deed Book 1558, Page 558), and on the east and south by Bill Clark Homes of Greenville, LLC (Deed Book 3683, Page 559), and being more particularly described as follows:

Beginning at an existing iron axle (a control corner) near the southern right-of-way of NCSR 1711 Worthington Road, near the northeast corner of Parcel Number 25758 Alva Wayne Worthington, Sr., thence from the axle S24°04'43"E a distance of 1.65' to a no point set on the southern right-of-way of Worthington Road, the northeast corner of Parcel Number 25758, the True Point of Beginning.

Thence from the True Point of Beginning along the southern right-of-way of Worthington Road North 71°26'41" East a distance of 394.73 feet to a point, thence leaving the southern right-of-way of Worthington Road and following a new annexation line through the lands of Bill Clark Homes of Greenville, LLC the following calls: South 07°03'23" East a distance of 125.12 feet, thence South 37°15'27" East a distance of 8.11 feet, thence South 13°21'26" East a distance of 182.81 feet, thence with a curve to the left having a radius of 260.00 feet and being subtended by a chord of South 73°44'11" West a distance of 24.34 feet, thence South 24°04'43" East a distance of 186.26 feet, thence North 71°26'42" East a distance of 163.09 feet, thence North 71°22'36" East a distance of 83.24 feet, thence South 87°30'09" East a distance of 88.56 feet, thence South 84°38'59" East a distance of 115.69 feet, thence South 82°29'26" East a distance of 99.74 feet, thence South 71°58'51" East a distance of 61.31 feet, thence South 50°40'03" East a distance of 80.00 feet, thence South 50°40'03" East for a distance of 480.00 feet, thence South 39°19'57" West a distance of 150.00 feet, thence South 35°59'36" West a distance of 60.10 feet, thence South 39°19'57" West a distance of 150.00 feet, thence North 50°40'03" West a distance of 449.76 feet, thence South 18°06'41" West a distance of 239.82 feet, thence with a curve to the left having a radius of 200.00 feet and being subtended by a chord of North 78°52'10" West a distance of 48.62 feet, thence North 85°51'02" West a distance of 26.06 feet, thence with a curve to the left having a radius of 20.00 feet and being subtended by a chord of South 49°08'58" West a distance of 28.28 feet, thence South 04°08'58" West a distance of 114.32 feet, thence with a curve to the left having a radius of 300.00 feet and being subtended by a chord of South 01°42'14" East a distance of 61.19 feet, thence South 82°26'33" West a distance of 267.45 feet to a point in the eastern line of Alva Wayne Worthington, Sr. (Parcel Number 25758), thence North 24°04'43" West a distance of 1231.12 feet to the True Point of Beginning, containing 18.38 Acres and being a portion of Parcel Number 84754.

Deborah T. Boyette
Professional Land Surveyor
L- 4146
Date 7-27-20



CERTIFICATE OF SUFFICIENCY

Eli's Ridge, Phases 1 and 3

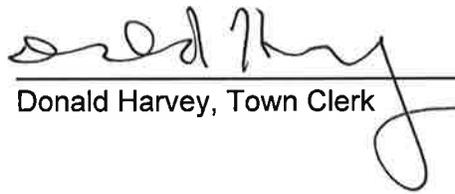
To the Town Council of the Town of Winterville, North Carolina:

I, Donald Harvey, Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described herein, in accordance with NCGS 160A-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Winterville this the 11th day of August, 2020.

ATTEST:





Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: September 14, 2020

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: F & A Construction Rezoning Request (Parcel 55092).

Action Requested: Schedule Public Hearing for October 12, 2020.

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

Prepared By: Bryan Jones, Planning Director

Date: 9/1/2020

ABSTRACT ROUTING:

TC: 9/4/2020

TM: 9/9/2020

Final: tlp - 9/9/2020

Supporting Documentation

Applicant: F & A Construction, LLC.

Location: Northeast corner of Laurie Ellis Road and Old Tar Road.

Parcel Number: 55092.

Site Data: 5.392 Acres (Total Tract = 16.51 Acres).

Current Zoning District: AR.

Proposed Zoning District: Neighborhood Commercial (CN).

❖ Planning and Zoning Board unanimously recommended approval on 8/17/2020.

Budgetary Impact: TBD.

Recommendation: Schedule the Public Hearing for October 12, 2020.



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

Staff Use Only
Appl. # _____

OWNERSHIP INFORMATION:

Applicant: F&A Construction, LLC

Address: 1537 W. 5th Street, Washington, NC 27889

Phone #: (704) 771-4366

Owner: F&A Construction, LLC

Address: 1537 W. 5th Street, Washington, NC 27889

Phone #: (704) 771-4366

PROPERTY INFORMATION

Parcel #: 55092 Area (square feet or acres): 16.51 acres (5.4 acres requesting rezoning)

Current Land Use: Agricultural

Location of Property: 717 Laurie Ellis Road

ZONING REQUEST

Existing Zoning: AR Requested Zoning: CN

Reason for zoning change: The proposed neighborhood commercial (CN) zoning will allow for the development of commercial buildings at the northeast corner of the intersection of Old Tar Road and Laurie Ellis Road in general conformance with the land use plan.

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, Scott T. Anderson, 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 7 / 20 / 20.

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.

[Signature] Signature 6/23/20 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, CARLOS MARIO FRANCO, being the Owner of the property described herein, do hereby authorize Scott Anderson as agent for the purpose of this application.

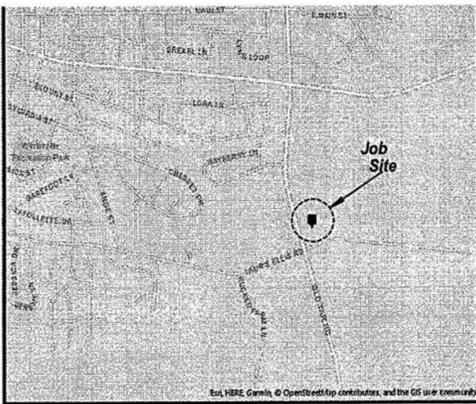
[Signature] Signature 6-20-20 Date

Sworn to and subscribed before me, this 20th day of June, 20 20.



[Signature]
Notary Public

My Commission Expires:
September 25, 2021



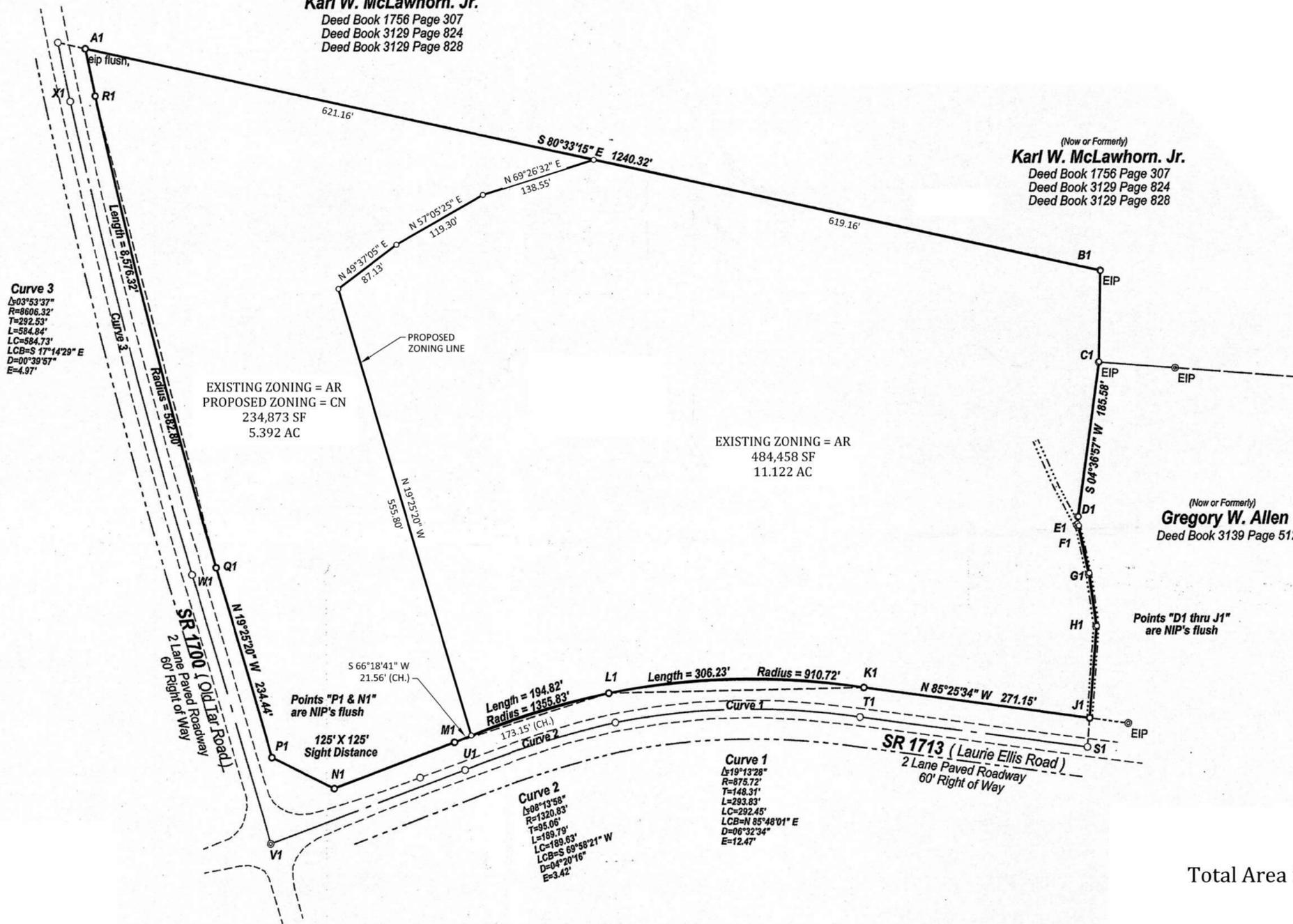
Vicinity Map not drawn to Scale

Vicinity Map

(Now or Formerly)
Karl W. McLawhorn, Jr.
 Deed Book 1756 Page 307
 Deed Book 3129 Page 824
 Deed Book 3129 Page 828

(Now or Formerly)
Karl W. McLawhorn, Jr.
 Deed Book 1756 Page 307
 Deed Book 3129 Page 824
 Deed Book 3129 Page 828

(Now or Formerly)
Gregory W. Allen
 Deed Book 3139 Page 512



Curve 3
 $\Delta=03^{\circ}53'17''$
 $R=9606.32'$
 $T=292.53'$
 $L=584.84'$
 $LC=584.73'$
 $LCB=S 17^{\circ}14'29'' E$
 $D=00^{\circ}39'57''$
 $E=4.97'$

EXISTING ZONING = AR
 PROPOSED ZONING = CN
 234,873 SF
 5.392 AC

EXISTING ZONING = AR
 484,458 SF
 11.122 AC

Points "D1 thru J1"
 are NIP's flush

Table of Metes & Bounds
 of 16.51 acre Tract

From	To	Bearing	Distance
A1	B1	S 80°33'15" E	1240.32'
B1	C1	S 02°04'02" E	109.06'
C1	D1	S 04°36'57" W	185.58'
D1	E1	S 04°34'55" W	10.00'
E1	F1	S 39°34'40" E	2.65'
F1	G1	S 15°11'08" E	58.86'
G1	H1	S 11°01'38" E	63.84'
H1	J1	S 01°13'08" W	108.22'
J1	K1	N 85°25'34" W	271.15'
K1	L1	S 85°44'13" W	304.79'
L1	M1	S 69°58'21" W	194.65'
M1	N1	S 66°28'51" W	153.48'
N1	P1	N 66°26'46" W	82.57'
P1	Q1	N 19°25'20" W	234.44'
Q1	R1	N 17°14'29" W	582.69'
R1	A1	N 14°38'36" W	57.21'

Table of Metes & Bounds of
 SR 1700 & SR 1713

From	To	Bearing	Distance
J1	S1	S 01°13'06" W	34.19'
T1	S1	S 85°36'32" E	273.04'
V1	U1	N 66°37'45" E	246.98'
W1	V1	S 19°25'13" E	331.77'
74	X1	S 15°00'13" E	71.16'
A1	74	N 80°33'15" W	33.35'

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 SURVEY PREPARED BY SORRELL LAND SURVEYING, INC., AS SHOWN ON DRAWING ENTITLED A SURVEY OF AN EXISTING PARCEL OF LAND FOR: F & A CONSTRUCTION, LLC, DATED MARCH 27, 2019

Legend

- ⊙ EIP = Existing Iron Pipe
 - ⊙ NIP = New Iron Pipe
 - ⊙ Ex. Mon. = Existing Concrete Monument
 - ⊙ Mag Nail = Magnetic Survey Nail
 - NPS = No Point Set
 - = Power Pole
 - = Right of Way
 - = Centerline
 - = Lines Surveyed
 - = Lines Not Surveyed
 - = Power Line
 - = Curbing
 - R/W = Right of Way
 - PC = Point of Curvature
 - PT = Point of Tangency
- All NIP's set are black iron pipe 1" in Diameter by 24" long

Total Area in Tract = 16.514 Ac.



	2755-B Charles Blvd Greenville, NC 27858 252.558.0888 NC License: P-1199
	PROPOSED ZONING F & A CONSTRUCTION LOCATED AT INTERSECTION OF OLD TAR RD, AND LAURIE ELLIS RD. TOWN OF WINTERVILLE, PITT COUNTY, NC
SCALE 1" = 100'	DATE 7-23-2020
SHEET 1 of 1	

REZONING LEGAL DESCRIPTION

F&A CONSTRUCTION LLC

Proposed Zoning - CN:

Beginning at a point located in the eastern right of way line of NCSR 1700 (Old Tar Road) at its intersection with the northern right of way line of NCSR 1713 (Laurie Ellis Road); thence with the eastern right of way line of NCSR 1700 (Old Tar Road) North $19^{\circ}25'20''$ West for a distance of 234.44 feet to a point, thence with a curve turning to right with a radius of 8576.32 feet, said curve having a chord bearing of North $17^{\circ}14'29''$ West and a chord distance of 582.69 feet; thence North $14^{\circ}38'36''$ West for a distance of 57.21 feet to an existing iron pipe, said point being the southwest corner of the Karl W. McLawhorn, Jr. property as recorded in Deed Book 1756 Page 307, Deed Book 3129 Page 824, and Deed Book 3129, Page 828 of the Pitt County Registry; thence leaving the eastern right of way line of NCSR 1700 (Old Tar Road) and with the southern line of the Karl W. McLawhorn, Jr. property; South $80^{\circ}33'15''$ East for a distance of 621.16 feet to a point, thence leaving the southern line of the Karl W. McLawhorn, Jr. property and with a new line South $69^{\circ}26'32''$ West for a distance of 138.55 feet; thence South $57^{\circ}05'25''$ West for a distance of 119.30 feet; thence South $49^{\circ}37'05''$ West for a distance of 87.13 feet; thence South $19^{\circ}25'20''$ East for a distance of 555.80 feet to a point in the northern right of way line of NCSR 1713 (Laurie Ellis Road); thence cornering and with the northern right of way line of NCSR 1713 (Laurie Ellis Road) along a curve turning to the left with a radius of 1355.83 feet; said curve having a chord bearing of South $66^{\circ}18'41''$ West and a chord distance of 21.56 feet; thence South $66^{\circ}28'51''$ West for a distance of 153.48 feet; thence North $66^{\circ}26'46''$ West for a distance of 82.57 feet to the POINT OF BEGINNING containing 5.392 acres more or less as shown on Ark Consulting Group Drawing No. C-1002 entitled "Zoning Map for F&A Construction" dated June 19, 2020.



2571 Railroad Street
PO Box 1459
Winterville, NC 28590

Phone (252)215-2358
Fax (252)756-3109
www.wintervillenc.com

**Planning and Zoning
Rezoning Request**

NOTICE IS HEREBY GIVEN that the Winterville Planning and Zoning Board will meet on Monday, August 17, 2020 at 7:00 pm. Due to the ongoing COVID-19 pandemic and to maintain the safety of Town residents, staff, and Board members, the meeting will be conducted electronically. The agenda is available on the Town website at www.wintervillenc.com.

F & A Construction, LLC has submitted a proposal to rezone a portion of Parcel 55092 (717 Laurie Ellis Road) as shown on the attached map from Agricultural-Residential (AR) to Neighborhood Commercial (CN). Per the Winterville Zoning Ordinance, the purpose of the Neighborhood Commercial (CN) district is to provide convenient shopping facilities consisting primarily of necessary services required to serve a neighborhood.

Persons having an interest in this matter and desiring to speak either for or against are encouraged to submit comments in writing prior to the meeting to bryan.jones@wintervillenc.com. Details on how to participate or view the meeting will be posted on the Town website. For further information, contact the Winterville Planning Department at (252) 215-2358.

SIDETTE BOYCE BROWN
EMANUELL BROWN
5108 OLD TAR ROAD
WINTERVILLE NC 28590

LINDA VERNELSON MCLAWHORN
2351 OLD CREEK ROAD
GREENVILLE, NC 27834

KARL WESLEY MCLAWHORN, JR
KARLA MCLAWHORN ALLEN
PO BOX 611
WINTERVILLE, NC 28590

ALVA WAYNE WORTHINGTON, JR
JONI B. WORTHINGTON
5921 HEATHERSTONE DRIVE
RALEIGH, NC 27606

KARL W. MCLAWHORN, JR
5111 OLD TAR ROAD
WINTERVILLE, NC 28590

FISHER ISLAND, LLC
PO BOX 72
Winterville, NC 28590

COOPER ISLAND DEVELOPMENT
PO BOX 606
GREENVILLE NC 27835

JANE MELLON BOFENKAMP
MARY F MELLON
PO BOX 1827
WAKE FOREST, NC 27588

MAILED ON
8/7/2020

ASHLEY MARIE CRAFT
5079 OLD TAR ROAD
WINTERVILLE, NC 28590

BROOKFIELD HOA OF
WINTERVILLE NC
300 COTANCHE STREET
GREENVILLE, NC 27858

PEDRO BALDERA TRUST
1036 MADISON AVE
SAN DIEGO, CA 92116

MATTHEW J GASKILL
DENISE C GASKILL
716 LAURIE ELLIS ROAD
WINTERVILLE NC 28590

KARLA MCLAWHORN ALLEN
GREGORY W. ALLEN
753 LAURIE ELLIS ROAD
WINTERVILLE NC 28590



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

GENERAL INFORMATION

APPLICANT	F & A Construction, LLC
HEARING TYPE	Rezoning Request
REQUEST	Agricultural Residential (AR) to Neighborhood Commercial (CN) (5.392 acres of tract)
CONDITIONS	n/a
LOCATION	717 Laurie Ellis Road
PARCEL ID NUMBER(S)	55092
PUBLIC NOTIFICATION	Adjacent property owners were mailed notification of the rezoning request on August 7, 2020. Notification was posted on site on June 30, 2020. 12 properties were mailed notification.
TRACT SIZE	Total Tract = 16.51 Acres; Rezoning Request for 5.392 acres of tract
TOPOGRAPHY	Flat
VEGETATION	Cleared / Agricultural

SITE DATA

EXISTING USE	Agricultural
---------------------	--------------

ADJACENT PROPERTY	ZONING	ADJACENT LAND USE
N	AR	Residential
E	AR	Agricultural/SFR
W	R-10	Residential/SFR
S	AR	Agricultural/SFR

ZONING DISTRICT STANDARDS

DISTRICT SUMMARIES	EXISTING	REQUESTED
ZONING DISTRICT DESIGNATION	Agricultural Residential (AR)	Neighborhood Commercial (CN)
MAX DENSITY	n/a	n/a



TYPICAL USES	Large residential lots to accommodate septic systems	CN-Provide shopping of necessary services for neighborhoods;
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SPECIAL INFORMATION

OVERLAY DISTRICT	N/A
ENVIRONMENTAL / SOILS	N/A
FLOODPLAIN	N/A
STREAMS	Stream feature located along northern portion of property (50' Riparian Buffer along feature). Stream splits on northern corners of property, leaving two triangular portions of the property bound by buffers.
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 submittal is required for any change of use in existing building

**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	Old Tar Road – NCDOT Road Laurie Ellis Road – NCDOT Road
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)	Old Tar Road - 5100 Laurie Ellis Road - 1100
TRIP GENERATION	N/A
SIDEWALKS	Depending on site plan submittal, sidewalks may be required.
TRAFFIC IMPACT STUDY (TIS)	TBD
STREET CONNECTIVITY	N/A
OTHER	N/A



IMPACT ANALYSIS

Land Use Compatibility

The proposed Neighborhood Commercial zoning district would allow land uses that are compatible with the general character of the area.

Town of Winterville Comprehensive Land Use Plan Policies

The Future Land Use Map has two character areas designated for this property: Neighborhood Center character area and Urban Neighborhood character area.

The requested **Neighborhood Commercial** zoning district is generally consistent with the Neighborhood Center character area as defined by the future land use designation.

Comprehensive Land Use Plans - Recommendations & Implementation

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

- (1.2) Encourage non-residential growth in the form of retail, restaurants, professional offices and industrial development.

Economic Development Policy 2 – Improve self-sufficiency and reduce retail leakage (Neighborhood Commercial):

- (2.1) Support Winterville’s transformation from a “bedroom community” to a “neighboring community” of Greenville.

Economic Development Policy 6 – Focus on business recruitment, expansion and retention (Neighborhood Commercial):

- (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 16.6 acre property is currently vacant and being used for agriculture. The property North of the request is zoned AR and has single family homes. East of the request is zoned AR with single family homes and agriculture. South of the request is zoned AR and has single family homes. West of the request is R-10 and Brookfield subdivision.

The Neighborhood Commercial rezoning request is consistent with the intent and purpose of the Zoning Ordinance, the Future Land Use Plan and is generally compatible with the existing development and trends in the surrounding area.

Staff Recommendation

Staff recommends approval of the rezoning request for the 5.4 acres from AR to CN.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: September 14, 2020

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: R. E. Davenport Property Rezoning Request (Parcel 05590).

Action Requested: Schedule Public Hearing for October 12, 2020.

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

Prepared By: Bryan Jones, Planning Director

Date: 9/1/2020

ABSTRACT ROUTING:

TC: 9/4/2020

TM: 9/9/2020

Final: tlp - 9/9/2020

Supporting Documentation

Applicant: R. E. Davenport Jr., FLP

Location: Intersection of NC 903 S and NC 11 S

Parcel Number: 05590

Site Data: 43.69 Acres

Current Zoning District: AR

Proposed Zoning District: General Business (GB)

❖ Planning and Zoning Board unanimously recommended approval on 8/17/2020

Budgetary Impact: TBD.

Recommendation: Schedule the Public Hearing for October 12, 2020.



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: R. E. Davenport Jr, FLP

Address: P. O. Box 66 Farmville, N. C 27828

Phone #: 252 753 4996

Owner: R. E. Davenport Jr, FLP

Address: P. O. Box 66 Farmville, N. C.

Phone #: 252 753 4996

PROPERTY INFORMATION

Parcel #: 05590 Area (square feet or acres): 43.69

Current Land Use: Farming with an old home on one piece.

Location of Property: Western corners of NC 903 & NC 11 S.

ZONING REQUEST

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

Reason for zoning change: _____

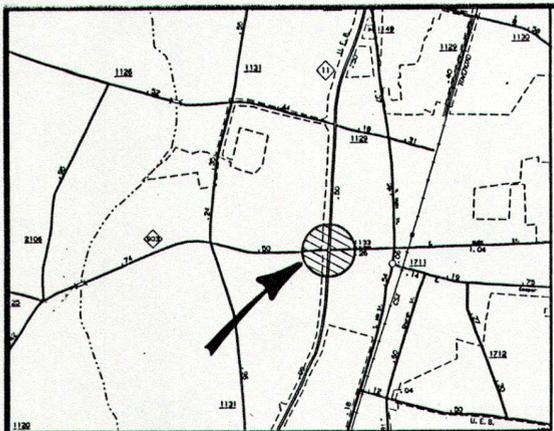
_____ To better allow for future land use. _____

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.

REVISIONS

NO.	DATE	DESCRIPTION



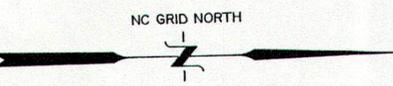
VICINITY MAP

CENTROID:
N = 651 017
E = 2 473 524

DISTANCES ARE HORIZONTAL
GROUND MEASUREMENTS

LEGEND:
EIP = EXISTING IRON PIPE
NIP = 1" NEW IRON PIPE (UNLESS NOTED OTHERWISE)
R/W = RIGHT-OF-WAY
ECM = EXISTING CONC. MON.
NMC = NON MONUMENTED CORNER

NOTE:
TOTAL ACREAGE OF ALL THREE
TRACTS = 64.16 ± ACRES



COORDINATES AT POINT 518
N = 650 268.412
E = 2 472 895.004
(GRID POINT 329)

CONC. MON.
NCGS "WINTERVILLE"
N = 653 551.705
E = 2 473 782.244
CONTROL

EXISTING CONC. MON.
NCGS "CONCRETE"
N = 649 853.771
E = 2 473 407.163
NAD 83
CF = 0.9998853
CONTROL

ALFRED M. MCLAWHORN
050-841
TRACT # 2
(NOT TO SCALE IN DISTANCE OR DIRECTION)

ALFRED M. MCLAWHORN
050-840
TRACT # 1

ALFRED D.
MCLAWHORN, JR. EST.
97E-26



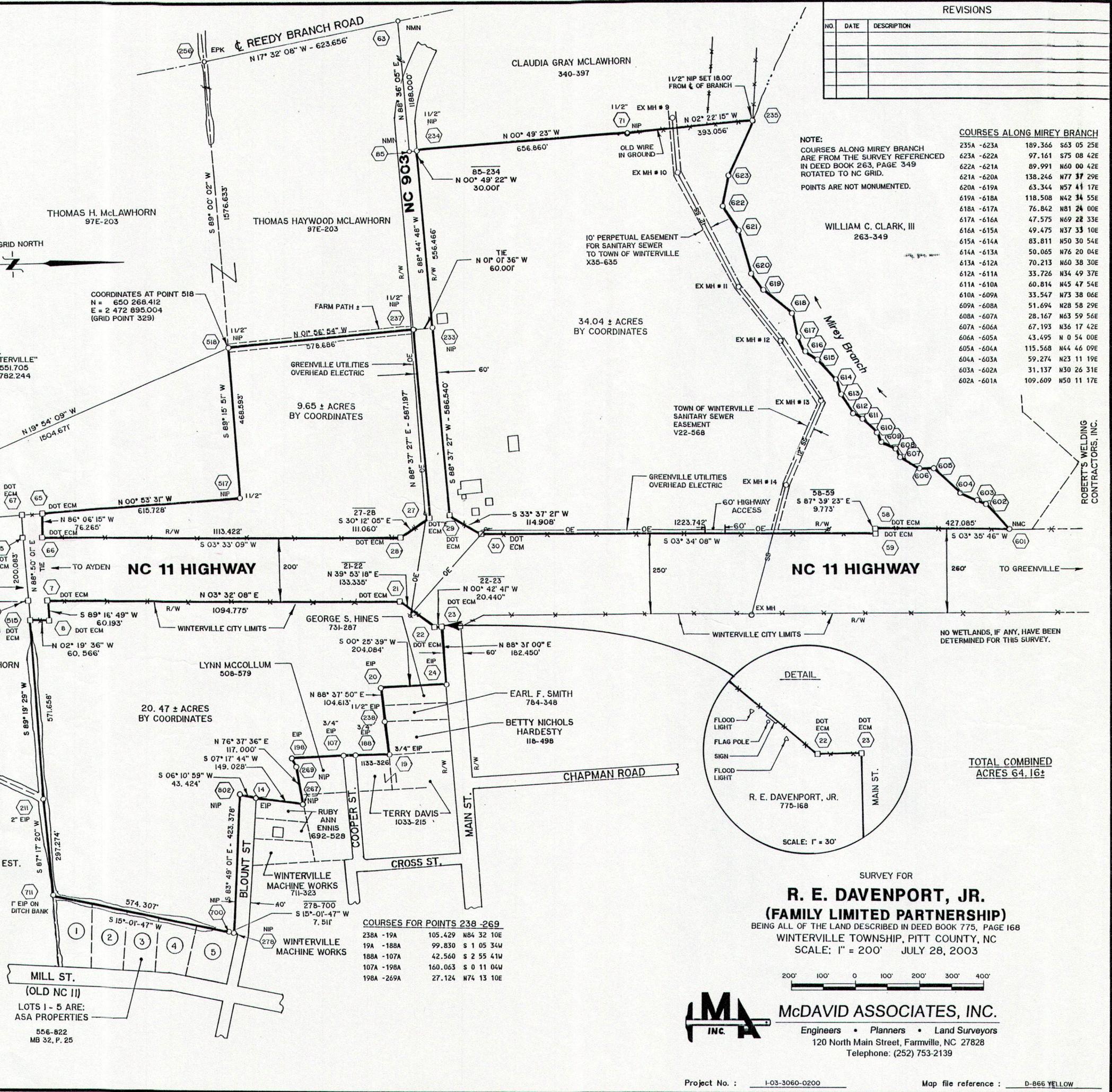
I WILLARD F. JEFFERSON, PROFESSIONAL LAND SURVEYOR NO. L-1405, CERTIFY THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

WILLARD F. JEFFERSON, PROFESSIONAL LAND SURVEYOR NO. L-1405

I, WILLARD F. JEFFERSON, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 775, page 168, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book N/A, page N/A; that the ratio of precision as calculated is 1 : 10,000 ± EDM; that this plat was prepared in accordance with G. S. 47 - 30 as amended. witness my original signature, registration number and seal this 28th day of JULY, A.D., 2003

WILLARD F. JEFFERSON, P.L.S. NO. L-1405

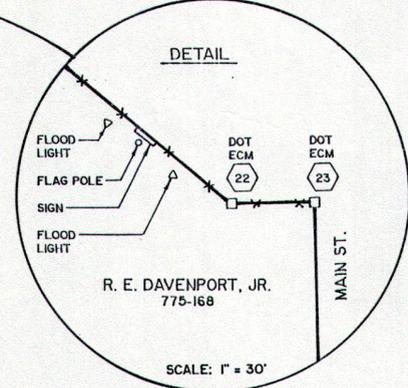
Surveyed by: J. MARTIN
Drawn by: C. CYPHERS



NOTE:
COURSES ALONG MIREY BRANCH
ARE FROM THE SURVEY REFERENCED
IN DEED BOOK 263, PAGE 349
ROTATED TO NC GRID.
POINTS ARE NOT MONUMENTED.

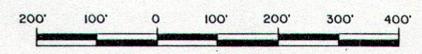
COURSES ALONG MIREY BRANCH

235A - 623A	189.366	S63 05 25E
623A - 622A	97.161	S75 08 42E
622A - 621A	89.991	N60 00 42E
621A - 620A	138.246	N77 37 29E
620A - 619A	63.344	N57 41 17E
619A - 618A	118.508	N42 34 55E
618A - 617A	76.842	N81 24 00E
617A - 616A	47.575	N69 22 33E
616A - 615A	49.475	N37 33 10E
615A - 614A	83.811	N50 30 54E
614A - 613A	50.065	N76 20 04E
613A - 612A	70.213	N60 38 30E
612A - 611A	33.726	N34 49 37E
611A - 610A	60.814	N45 47 54E
610A - 609A	33.547	N73 38 06E
609A - 608A	51.694	N28 58 29E
608A - 607A	28.167	N63 59 56E
607A - 606A	67.193	N36 17 42E
606A - 605A	43.495	N 0 54 00E
605A - 604A	115.568	N44 46 09E
604A - 603A	59.274	N23 11 19E
603A - 602A	31.137	N30 26 31E
602A - 601A	109.609	N50 11 17E



TOTAL COMBINED
ACRES 64.16 ±

SURVEY FOR
R. E. DAVENPORT, JR.
(FAMILY LIMITED PARTNERSHIP)
BEING ALL OF THE LAND DESCRIBED IN DEED BOOK 775, PAGE 168
WINTERVILLE TOWNSHIP, PITT COUNTY, NC
SCALE: 1" = 200' JULY 28, 2003



McDAVID ASSOCIATES, INC.

Engineers • Planners • Land Surveyors
120 North Main Street, Farmville, NC 27828
Telephone: (252) 753-2139



Land Description
R.E. Davenport, Jr.
Tax Parcel No. 05590

Being a parcel of land in Winterville Township, Pitt County, North Carolina and being bounded on the north by S.T. Wooten Corporation; on the east by NC 11; on the south by Sophia M. Yarborough and on the west by Sophia M. Yarborough and Judy Worthington McLawhorn, Trustee and being more particularly described as follows:

Commencing at a NGS Control monument "Concrete" having North Carolina State Plane Coordinates of N= 648853.771 sFT and E = 2473407.163 sFT (NAD 83 2001 Adjustment); thence from said control iron N 19°54'09" W 1,504.67 feet to a new 1½" iron pipe, the south west corner of the R.E. Davenport, Jr. Tract as recorded in map book 64 page 147 of the Pitt County Registry, the **POINT OF BEGINNING**; thence from said beginning point N 01°56'54" W 578.69 feet to a new 1½" iron pipe in the southern right of way line of NC 903; thence crossing NC 903 N 01°01'36" W 60.00 feet to a new iron pipe in the northern right of way line of NC 903; thence along the northern right of way line of NC 903 S 88°44'48" W 556.47 feet to a new 1½" iron pipe in the northern right of way line of NC 903 and the southeastern corner of the Judy Worthington McLawhorn, Trustee tract as recorded in deed book 2976 page 29 of the Pitt County Registry; thence along the McLawhorn line N 00°49'23" W 656.86 feet to a new 1½" iron pipe; thence N 02°22'15" W 393.06 feet to a point in the centerline of Mirey Branch; thence along the centerline of Mirey Branch the following 23 courses: S 63°05'25" E 189.37 feet; S 75°08'42" E 97.16 feet; N 60°00'42" E 89.99 feet; N 77°37'29" E 138.25 feet; N 57°41'17" E 63.34 feet; N 42°34'55" E 118.51 feet; N 81°24'00" E 76.84 feet; N 69°22'33" E 47.58 feet; N 37°33'10" E 49.47 feet; N 50°30'54" E 83.81 feet; N 76°20'04" E 50.07 feet; N 60°38'30" E 70.21 feet; N 34°49'37" E 33.73 feet; N 45°47'54" E 60.81 feet; N 73°38'06" E 33.55 feet; N 28°58'29" E 51.69 feet; N 63°59'56" E 28.17 feet; N 36°17'42" E 67.19 feet; N 00°54'00" E 43.50 feet; N 44°46'09" E 115.57 feet; N 23°11'19" E 59.27 feet; N 30°26'31" E 31.14 feet; N 50°11'17" E 109.61 feet to a point in the western right of way line of NC 11; thence along the western right of way line of NC 11 S 03°35'46" W 427.09 feet to an existing concrete monument; thence along the western right of way line of NC 11 S 87°39'23" E 9.77 feet to an existing concrete monument; thence continuing along the western right of way line of NC 11 S 03°34'08" W 1,223.74 feet to an existing concrete monument; thence continuing along the western right of way line of NC 11 S 33°37'21" W 114.91 feet to an existing concrete monument in the northern right of way line of NC 903; thence crossing NC 903 S 01°39'17" E 60.00 feet to an existing concrete monument in the southern right of way line of NC 903; thence along the western right of way line of NC 11 S 30°12'05" E 111.06 feet to an existing concrete monument; thence continuing along the western right of way line of NC 11 S 03°33'09" W 1,113.42 feet to an existing concrete monument; thence continuing along the western right of way line of NC 11 N 86°06'15" W 76.26 feet to an existing concrete monument; thence along the eastern line of Sophia M. Yarborough as recorded in deed book 2512 page 446 of the Pitt County Registry N 00°53'31" W 615.73 feet to a new 1½" iron pipe; thence along the northern line of Sophia M. Yarborough as recorded in deed book 2512 page 446 of the Pitt County Registry S 89°15'51" W 468.59 feet to the point of beginning containing 44.51 acres, more or less. The metes and bounds were taken from map book 64 page 147 of the Pitt County Registry.



2571 Railroad Street
PO Box 1459
Winterville, NC 28590

Phone (252)215-2358
Fax (252)756-3109
www.wintervillenc.com

**Planning and Zoning
Rezoning Request**

NOTICE IS HEREBY GIVEN that the Winterville Planning and Zoning Board will meet on Monday, August 17, 2020 at 7:00 pm. Due to the ongoing COVID-19 pandemic and to maintain the safety of Town residents, staff, and Board members, the meeting will be conducted electronically. The agenda is available on the Town website at www.wintervillenc.com.

R. E. Davenport Jr, FLP has submitted a proposal to rezone Parcel 05590 as shown on the attached map from Agricultural-Residential (AR) to General Business (GB). Per the Winterville Zoning Ordinance, The purpose of the General Business District (GB) is to accommodate those business that serve the traveling public, require large amounts of land for display and parking, and are not oriented to the pedestrian shopper.

Persons having an interest in this matter and desiring to speak either for or against are encouraged to submit comments in writing prior to the meeting to bryan.jones@wintervillenc.com. Details on how to participate or view the meeting will be posted on the Town website. For further information, contact the Winterville Planning Department at (252) 215-2358.

SOPHIA M YARBOROUGH
3102 ETON ROAD
RALEIGH NC 27608

JUDY MCLAWHORN
4897 REEDY BRANCH ROAD
WINTERVILLE NC 28590

THOMAS MCLASWHORN
904 HAVEL CT
CHARLOTTE, NC 28211

WOOTEN S T CORPORATION
3801 BLACK CREEK ROAD
WILSON NC 277893

BROOKFIELD HOA OF
WINTERVILLE NC
300 COTANCHE STREET
GREENVILLE, NC 27858

THE ROBERTS COMPANY
133 FORLINES ROAD
WINTERVILLE NC 28590

MAILED ON
8/7/2020



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

GENERAL INFORMATION

APPLICANT	R.E. Davenport Jr., FLP
HEARING TYPE	Rezoning Request
REQUEST	Agricultural Residential (AR) to General Business (GB)
CONDITIONS	n/a
LOCATION	717 Laurie Ellis Road
PARCEL ID NUMBER(S)	05590
PUBLIC NOTIFICATION	Adjacent property owners were mailed notification of the rezoning request on August 7, 2020. Notification was posted on site on June 30, 2020. 6 properties were mailed notification.
TRACT SIZE	43.69 acres
TOPOGRAPHY	Flat
VEGETATION	Cleared / Agricultural

SITE DATA

EXISTING USE	Agricultural / Existing SFR
---------------------	-----------------------------

ADJACENT PROPERTY	ZONING	ADJACENT LAND USE
N	Industrial	Manufacturing
E	CB/MR	Downtown/MainStreet
W	AR	Agricultural/Residential
S	GB	Agricultural

ZONING DISTRICT STANDARDS

DISTRICT SUMMARIES	EXISTING	REQUESTED
ZONING DISTRICT DESIGNATION	Agricultural Residential (AR)	General Business (CN)
MAX DENSITY	n/a	n/a
TYPICAL USES	Large residential lots to accommodate septic systems	GB – Maintain and enhance a compact business area for the retailing of goods.



SPECIAL INFORMATION

OVERLAY DISTRICT	N/A
ENVIRONMENTAL / SOILS	N/A
FLOODPLAIN	N/A
STREAMS	Stream feature located along northern portion of property (50' Riparian Buffer along Nobel Canal).
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 submittal is required for any change of use in existing building

**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	NC 11 S – NCDOT Road NC 903 S – NCDOT Road
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)	NC 11 S – 28,000 NC 903 S – 5,600
TRIP GENERATION	N/A
SIDEWALKS	Depending on site plan submittal, sidewalks may be required.
TRAFFIC IMPACT STUDY (TIS)	TBD
STREET CONNECTIVITY	N/A
OTHER	N/A



IMPACT ANALYSIS

Land Use Compatibility

The proposed General Business zoning district would allow land uses that are compatible with the general character of the area.

Town of Winterville Comprehensive Land Use Plan Policies

The Future Land Use Map designates this property as a Mixed Use Center character area. The requested **General Business** zoning district is generally consistent with this character area as defined by the future land use designation.

Comprehensive Land Use Plans - Recommendations & Implementation

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

- (1.2) Encourage non-residential growth in the form of retail, restaurants, professional offices and industrial development.

Economic Development Policy 2 – Improve self-sufficiency and reduce retail leakage:

- (2.1) Support Winterville’s transformation from a “bedroom community” to a “neighboring community” of Greenville.

Economic Development Policy 6 – Focus on business recruitment, expansion and retention (Neighborhood Commercial):

- (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 43.69 acre property is currently being used for agriculture and there is a single family home located on the property. The property North of the request is zoned Industrial, with a concrete manufacturer (ST Wooten) and manufacturing/fabrication company (The Roberts Company). West of the request is zoned AR being used for agriculture. South of the request



is zoned GB and is also currently being used for agriculture. West of the request is across NC 11 S and is CB and MFR and consists of a variety of land uses in the Downtown area.

The General Business rezoning request is consistent with the intent and purpose of the Zoning Ordinance, the Future Land Use Plan and is generally compatible with the existing development and trends in the surrounding area.

Staff Recommendation

Staff recommends **approval** of the rezoning request for the 43.69 acres from AR to GB.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: September 14, 2020

Presenter: Donald Harvey, Town Clerk

Item to be Considered

Subject: Request for Taxicab Franchise from All Dunn Transport.

Action Requested: Schedule Public Hearing for October 12, 2020.

Attachment: Draft Certificate of Convenience and Necessity and Taxicab Regulations-Ordinance Chapter 113.

Prepared By: Donald Harvey, Town Clerk

Date: 9/4/2020

ABSTRACT ROUTING:

TC: 9/4/2020

TM: 9/9/2020

Final: tlp – 9/9/2020

Supporting Documentation

Mr. Domika Dunn, owner of All Dunn Transport requests to operate a Taxicab Franchise in the Town of Winterville. The applicant has submitted his application for approval of the certificate of convenience and necessity. We asked that the required Public Hearing be scheduled for Monday, October 12, 2020.

Budgetary Impact: NA.

Recommendation: Schedule Public Hearing for October 12, 2020.

CERTIFICATE OF CONVENIENCE AND NECESSITY

Under Chapter 113 of the Code of Ordinances

Town of Winterville, North Carolina

WHEREAS, application for a certificate of convenience and necessity has been filed by _____ under the provisions of Chapter 113 of the Code of Ordinances of the Town of Winterville; and

WHEREAS, a public hearing on the question of this application was held at the Winterville Town Hall Assembly Room at 7:00 pm on _____; and

WHEREAS, the Town Council of the Town of Winterville, having made favorable findings, in the regular monthly meeting held at 7:00 pm on _____, has ordered the issuance of a certificate of convenience and necessity to _____; and

NOW, THEREFORE, BE IT RESOLVED THAT THE WINTERVILLE TOWN COUNCIL does hereby issue this certificate of convenience and necessity to:

This certificate shall constitute a franchise from the Town of Winterville for the operation of taxicabs within the town subject to the provisions of Chapter 113 of the Code of Ordinances of the Town of Winterville.

The duration of the certificate shall be a period of three (3) years. Application for renewal shall be filed at the expiration of this three (3) year franchise and hearings upon the question of renewal shall be conducted as provided under Section 113.02 (G) of the Code of Ordinances.

The Town Council of the Town of Winterville may, at any time after a public hearing conducted in the same manner as provided in Section 113.02 (G), revoke this certificate of convenience and necessity for any one or more of the causes listed under Section 113.04 of the Code of Ordinances.

Issued this the _____ day of _____, 2020.

Douglas A. Jackson, Mayor

ATTEST:

Donald Harvey, Town Clerk

CHAPTER 113: TAXICABS

Section

Taxicab Regulations

- 113.01 Definitions
- 113.02 Certificate of convenience and necessity
- 113.03 Transfer of certificate
- 113.04 Revocation of certificate
- 113.05 Schedule of rates charged by taxicabs; display to passengers
- 113.06 Liability insurance
- 113.07 Transfer of certificate, liability insurance to another vehicle

Taxicab Drivers

- 113.20 Permit required
- 113.21 Fee; term; renewal
- 113.22 Permit revocation
- 113.23 Suspension of permit
- 113.24 Display of permit to passengers

Statutory reference:

Regulation of taxicabs, see G.S. §§ 20-37.10 et seq., 160A-304

TAXICAB REGULATIONS

§ 113.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

TAXICAB. Any motor vehicle seating fewer than ten passengers and operated upon any street or highway on call or on demand, accepting or soliciting passengers indiscriminately for hire between the points along the streets or highways as may be directed by the passengers being transported. **TAXICAB** shall not include motor vehicles or common carrier by motor vehicle as defined in G.S. §§ 62-3(7) and (18).

(1992 Code, § 113.01) (Ord. O-50-05119798, passed 5-11-1998)

§ 113.02 CERTIFICATE OF CONVENIENCE AND NECESSITY.

(A) *Unlawful to operate without certification.* It shall be unlawful for any person to operate a taxicab over and upon the streets of the town without first having applied for and secured from the Board of Alderpersons a certificate of convenience and necessity as hereinafter set forth.

(B) *Application.* Every person desiring to operate a taxicab within the town shall file, on forms supplied by the Town Clerk, an application for a certificate of convenience and necessity. A fee according to a regularly adopted fee schedule of the town shall be paid to the town for each application to defray some of the advertising and other administrative expenses involved.

(C) *Board of Alderpersons to issue certificates.* The Board of Alderpersons shall have the power to, and it shall be its duty to order the issuance or the refusal to issue certain certificates of convenience and necessity for the operation of taxicabs. The Board may attach to the exercise of the privileges granted by the certificates the terms and conditions as in its judgement the public convenience and necessity may require.

(D) *Nature and duration of certificate.* A certificate shall constitute a franchise from the town for the operation of taxicabs within the town, subject to the provisions of this chapter. Certificates shall be for three calendar years, unless a shorter period of time is specified in the certificate. Applications for renewal shall be filed at the expiration of the previous three-year franchise and hearings upon the question of renewal shall be conducted as provided in division (F) below.

(E) *Factors considered in issuing permit.* In determining whether the public convenience and necessity require the franchising of the taxicab or taxicabs, the Board of Alderpersons shall, among other things take into consideration the following factors:

- (1) Whether the public convenience and necessity requires the proposed or additional taxicabs within the town;
- (2) The financial responsibility of the applicant and the likelihood of the proposed service being permanent, responsible and satisfactory;
- (3) The number and condition of equipment;
- (4) The schedule of proposed rates to be charged;
- (5) The number of taxicabs now operated within the town and the demand for increased service, if any;
- (6) Whether safe use of the streets by the public, both pedestrian and vehicular, will be preserved, and whether adequate provision has been made for off-street parking of the taxicabs;
- (7) The experience of the applicant in the taxicab business; and
- (8) The other relative facts as may be deemed necessary or advisable to consider.

(F) *Investigation.* Before making any decision with respect to the issuance of any certificate of convenience and necessity, the Board of Alderpersons or a committee thereof, shall make a full and complete investigation of all pertinent facts, and may, if it so desires, subpoena witnesses and utilize the services of the Chief of Police or any other officer or employee of the town.

(G) *Hearing; notice.* Each application for a certificate shall be scheduled for a hearing not later than 45 days after the same is filed, and the applicant shall be notified by the Town Clerk by mail at the business address set forth in the application of the day, time and place of the hearing. The notice shall be sent at least ten days prior to the hearing. The Town Clerk shall also, within the same time, notify all persons who at that time hold certificates of convenience and necessity for the operation of taxicabs within the municipality of the day, time and place of the hearing, and of the name of the applicant. In addition, the Town Clerk shall cause to be published, within the same time, at least once in a newspaper of general circulation, or posted for ten days in three public places within the town, a notice setting forth the name of the applicant and the purpose, day, time and place of the hearing. The cost of the notice will be paid in advance by the applicant.

(H) *Burden of proof.* The burden of proof shall be upon the applicant to establish the fact that the public convenience and necessity requires the operation of the taxicabs specified in his or her application, as well as other facts requisite to the granting of a certificate.

(I) *Failure to begin operations.* If a certificate is granted to an applicant, and the applicant fails to begin operation in accordance with the provisions of the certificate within 60 days after the date of the certificate, then the certificate shall become null and void.

(1992 Code, § 113.02) (Ord. O-50-05119798, passed 5-11-1998) Penalty, see § 10.99

§ 113.03 TRANSFER OF CERTIFICATE.

A certificate of convenience and necessity is not transferable without the consent of the Board of Alderpersons. Application for transfer of a certificate shall be made by the proposed transferee and shall be filed in the same manner as an application for an original certificate. The proceedings upon the application for transfer of a certificate shall be the same as those herein provided for the

issuance of a certificate, except the question of public convenience and necessity need not be proved.

(1992 Code, § 113.03) (Ord. O-50-05119798, passed 5-11-1998)

§ 113.04 REVOCATION OF CERTIFICATE.

(A) The Board of Alderpersons may, at any time after a public hearing conducted in the same manner as provided in § 113.02(G), revoke any certificate of convenience and necessity issued pursuant to this chapter for any one or more of the following causes:

- (1) Failure to operate the taxicabs specified in the certificate in such a manner as to serve the public adequately and efficiently;
- (2) Failure to maintain motor vehicle equipment in good repair;
- (3) Failure to carry liability insurance or bond as required by this chapter;
- (4) Failure to pay to the town taxes or license fees imposed on the taxicabs;
- (5) Repeated and persistent violations by the taxicab drivers of traffic and safety ordinances, or state laws relating to alcoholic beverages or prostitution;
- (6) Failure to report accidents; and
- (7) Willful failure to comply with any provision of this chapter or other ordinances or state laws relating to the operation of taxicabs.

(B) No certificate shall be revoked until the holder thereof has had five-days' notice by personal service or certified mail of the charges against him or her, and of the time and place of the hearing giving him or her an opportunity to be heard. If after the hearing, the Board of Alderpersons finds that the holder is guilty of one or more of the offenses listed in division (A) above, the Board shall have the power to revoke the certificate, or to condition a revocation upon compliance with its order within any time fixed by the Board.

(1992 Code, § 113.04) (Ord. O-50-05119798, passed 5-11-1998)

§ 113.05 SCHEDULE OF RATES CHARGED BY TAXICABS; DISPLAY TO PASSENGERS.

(A) The Board of Alderpersons may from time to time establish a schedule of rates to be charged by taxicabs for transporting passengers. The schedule so established shall remain in effect until changed by the Board. The schedule shall at all times be prominently displayed in each and every taxicab, so as to be visible to passengers therein. The current schedule of rates is on file in the office of the Town Clerk.

(B) Every taxicab operated within the geographical jurisdiction of this chapter shall at all times have prominently displayed therein, in a place readily visible to all passengers, a schedule of the rates, fares, and charges for the use of the taxicab.

(1992 Code, § 113.05) (Ord. O-50-05119798, passed 5-11-1998)

§ 113.06 LIABILITY INSURANCE.

All owners and operators of taxicabs operated within the town shall procure and maintain upon each taxicab owned and operated by him or her within the town, liability insurance with some insurance company licensed to do business in the state in a minimum amount of \$100,000 for one person and \$300,000 for more than one person for the protection of all passengers transported against personal injuries and \$50,000 property damage, against liability for damages to the person and property of others.

(1992 Code, § 113.06) (Ord. O-50-05119798, passed 5-11-1998) Penalty, see § 10.99

§ 113.07 TRANSFER OF CERTIFICATE, LIABILITY INSURANCE TO ANOTHER VEHICLE.

The person to whom a certificate of convenience and necessity has been issued may, by appropriate endorsement thereon by the

Town Clerk, substitute another vehicle or vehicles for the vehicle or vehicles for which the certificate was granted. In such instance, the liability insurance or bonds shall also be transferred to the substitute vehicle or vehicles.

(1992 Code, § 113.07) (Ord. O-50-05119798, passed 5-11-1998)

TAXICAB DRIVERS

§ 113.20 PERMIT REQUIRED.

(A) *Permit required.* No person shall operate any taxicab for hire, carrying passengers from place to place within the corporate limits, or carrying passengers between the town to points within a radius of five miles of the corporate limits, unless that person has first applied for and secured from the Board of Alderpersons a permit to operate a taxicab.

(B) *Application.* Application for a permit to operate a taxicab shall be made upon forms provided by the Town Clerk and shall, among other things, state the name, address, physical condition, physical description, employment history, court record, and state chauffeur license number. The application shall be signed and sworn to by the applicant. The applicant shall further appear at the office of the Police Department and have his or her fingerprints taken, and shall also furnish a recent photograph of himself or herself, both of which shall constitute a necessary part of his or her application.

(C) *Investigate.* The Chief of Police is hereby charged with the duty of investigating the truth of the facts stated in the application and shall report his or her findings and recommendations to the Board of Alderpersons.

(D) *Standards for granting permit.* If the Board of Alderpersons finds that the applicant has not been convicted of a felony; a violation of any federal or state statute relating to the use, possession, or sale of narcotic drugs and that the applicant is a citizen of the United States and is not a habitual violator of traffic laws, then the Board shall issue to the applicant a permit to drive a taxicab.

(1992 Code, § 113.15) (Ord. O-50-05119798, passed 5-11-1998) Penalty, see § 10.99

§ 113.21 FEE; TERM; RENEWAL.

Upon issuance of a taxicab driver's permit, subject to the provisions of this article, the person to whom the permit is issued shall pay therefore a fee according to a regularly adopted fee schedule of the town. The permit shall be renewed annually. Upon the application for renewal the applicant for renewal shall be subject to the same investigation as required for initial issuance and shall pay a renewal fee according to a regularly adopted fee schedule of the town.

(1992 Code, § 113.16) (Ord. O-50-05119798, passed 5-11-1998)

§ 113.22 PERMIT REVOCATION.

At any time after the issuance of a permit to any person to operate a taxicab, the Board of Alderpersons may revoke the permit if the person holding the permit is convicted of a felony; a violation of any federal or state statute relating to the use, possession or sale of intoxicating liquors; a violation of any federal or state statute relating to the use, possession, or sale of narcotic drugs; a violation of any federal or state statute relating to prostitution; repeated violations of traffic laws; or if the person becomes a habitual user of intoxicating liquor or narcotic drugs.

(1992 Code, § 113.17) (Ord. O-50-05119798, passed 5-11-1998)

§ 113.23 SUSPENSION OF PERMIT.

(A) The Board of Alderpersons may suspend a taxicab driver's permit for the time as it may deem proper on any ground sufficient for a revocation thereof; if the driver is found to have made a false statement in his or her application for a permit; if he or she shall be found to have in his or her possession or custody any quantity of intoxicating liquor within his or her cab or upon his or her person while on duty as a taxicab driver; or if he or she has violated any provision of this chapter.

(B) Before any suspension of permit is ordered by the Board of Alderpersons, the holder of the permit shall be given five-days'

written notice by the Town Clerk of the time and place of a hearing before the Board of Alderpersons, at which the holder of the permit shall have an opportunity to show cause why his or her permit should not be suspended.

(1992 Code, § 113.18) (Ord. O-50-05119798, passed 5-11-1998)

§ 113.24 DISPLAY OF PERMIT TO PASSENGERS.

The driver of every taxicab shall at all times while operating the taxicab prominently display therein, in a place readily visible to all passengers, his or her permit to drive a taxicab.

(1992 Code, § 113.19) (Ord. O-50-05119798, passed 5-11-1998)



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Old Business

Meeting Date: September 14, 2020

Presenter: Terri L. Parker, Town Manager

Item to be Considered

Subject: Draft By-Laws – Winterville Human Relations Council.

Action Requested: Council Discussion and Possible Direction.

Attachment: DRAFT By-Laws.

Prepared By: Terri L. Parker, Town Manager

Date: 9/4/2020

ABSTRACT ROUTING:

TC: 9/4/2020

TM: 9/9/2020

Final: tlp - 9/9/2020

Supporting Documentation

Attached please find a set of DRAFT By-Laws for the newly formed Winterville Human Relations Council which was approved for creation at the August Regular meeting.

Budgetary Impact: TBD.

Recommendation: NA.



Winterville Human Relations Council

DRAFT By-Laws

Approved by Town Council on _____.

Section I - Purpose of the Council.

The Winterville Human Relations Council (hereinafter referred to as the WHRC) is devoted to:

- The study of problems in the area of human relations;
- The promotion of equity for all citizens;
- The promotion of understanding, respect, and goodwill among all citizens;
- The provision of channels of communication among diverse groups;
- Encouraging the employment of qualified people without regard to race, color, religion, gender, sex, age, national origin, disability or genetic information.
- Encouraging youth to become better trained and qualified for employment.

Section II - Membership and Attendance.

Membership:

The WHRC shall be selected for membership in the following manner:

- The Mayor shall nominate one (1) member;
- Town Council members will make the additional five (5) nominations;
- All nominees shall be confirmed by the approval of the Town Council; and
- All nominees must reside within the Town of Winterville.

In the event any nominees are not approved by Town Council, the person making the original nomination shall submit an alternate nomination. The Town Council will endeavor to create a composition for the WHRC that fairly represents the social, economic, gender, and ethnic composition of the population of the Town. The Town Council may in its discretion appoint up to two (2) high school and two (2) college/university student representatives from high schools and/or colleges and universities located which serve the Town of Winterville. Such student representatives will be non-voting members of the WHRC. Town Council shall appoint one (1) member of Town Council to act as the liaison to the WHRC. The appointed liaison shall attend the WHRC meetings and keep Town Council informed as to the activities of the WHRC. The Town Clerk shall serve as the Staff liaison to the WHRC.

Terms:

The term of office for each WHRC member shall be as follows:

- All members will serve a two-year staggered term;
- No member shall serve more than three (3) consecutive terms;
- Each member shall hold office until the qualification and appointment of his/her successor or until one (1) year has lapsed since the expiration of the term for which the member was appointed, which first occurs; and
- In order to establish staggered terms, the original voting members of the WHRC shall be appointed as follows:

- Two members for a one-year term.
- Two members for a two-year term.
- Two members for a three-year term.
- Thereafter, each newly appointed voting member shall serve for a two-year term.

Attendance:

Members are expected to attend regular meetings as required. After review, the Executive Committee may recommend to Town Council whether a member should be retained or removed from the WHRC. The recommendation will be determined by the following:

- Three (3) consecutive absences from regularly scheduled meetings if notification of any such absence has not been submitted to the Chairperson or Staff liaison prior to the meetings where the absence occurred.
- Five (5) absences from regularly scheduled meetings of the WHRC in any calendar year if notification of any such absence has not been submitted to the Chairperson or Staff liaison prior to the meetings where the absence occurred
- In the event that a vacancy occurs by reasons stated in Section II, the Chairperson of the WHRC shall immediately notify the Town Council liaison, so that the vacancy can be filled in accordance with Town Ordinance by the Town Council.
- Members may also be removed from the WHRC by breach of Section III of the By-Laws governing general conduct of WHRC members.

Section III - General Conduct.

Government appointees are expected to meet high standards of conduct, which enhance and maintain public confidence in the operation of the WHRC. In order to instill public confidence in the actions and decisions of the WHRC, members will adhere to the following:

- Be cognizant of your individual actions as a member of the WHRC.
- WHRC members are expected to act at all times with integrity demonstrating good faith, honesty, and due diligence on behalf of the public interest.
- WHRC members are expected to participate, prepare, and regularly attend meetings in order to adequately carry out the duties expected of them.
- The public conduct and language of commissioners must be free of discrimination, harassment, and hate acts prohibited by local, state, and federal laws. Conduct should reflect social standards of courtesy, respect, and dignity.
- WHRC members must not reveal or divulge information deemed confidential by the WHRC or liaisons received in the course of their duties. Confidential information must not be used for any purpose outside that of undertaking the work of the WHRC to which they have been appointed.
- WHRC members must comply with the public comment protocols established by the Town or the WHRC. If none exist, WHRC members must refer to the Chairman for guidance before making public comment on WHRC matters.
- WHRC members may not make individual personal statements, editorials, speeches, appearances, or requests for information on behalf of the WHRC.
- WHRC members' work or endeavors should not result in any financial or other substantive gain for personal increase and/or profit, or for organized entities to which the

WHRC may have membership or affiliation. (Private gain does not include honoraria for service on other agencies, boards or commissions).

- WHRC members must inform the Chairman or Staff liaison of any circumstance that may have a negative or harmful impact on their respective abilities to perform the duties required of their appointments or that could reflect negatively upon the WHRC.

Section IV - Conflict of Interest.

WHRC members must avoid any activity that might impair or impugn the independence, integrity or impartiality of the WHRC. There must be no apprehension of bias, based on what a reasonable person might perceive.

WHRC members who are in any doubt must disclose their circumstances and consult with the Chairman or Staff liaison. In practical terms, WHRC members should ensure that:

- All personal financial interests, assets, and holdings are distinct from and independent of any decision, information or other matter that may be heard by or acted upon by the WHRC.
- Activities undertaken as a private citizen are kept separate and distinct from any responsibilities held as a member of the WHRC.
- Activities undertaken individually as a member of other agencies, boards, or commissions are kept separate and distinct from the WHRC.
- Recusal is expected when agencies, organizations, boards, and commissions you are affiliated with come before the WHRC for action.
- WHRC members may not receive any form of payment for products, services, or acts done as a part of WHRC sponsored or supported events.
- Other memberships, directorships, voluntary or paid positions or affiliations remain distinct from work undertaken in the course of performing their duties as public appointees. Actions taken in the course of performing duties as public appointees neither cause nor suggest the reality or perception that their ability to perform or exercise those duties has been or could be affected by private gain or interest.

Section V - Election, Tenure, and Duties of the Chair & Vice Chair.

The WHRC shall elect from its membership a Chair and Vice Chair, each for a one-year term and they will be eligible for re-election. Their duties shall be those generally assigned by the nature of their offices. Interim elections may be held if any such office is vacated.

Section VI – Committees.

In accordance Town ordinance, Town Council may, as necessary and upon request from the WHRC, appoint or approve the appointment of committees related to specific human relations issues. These committees shall be composed of adult residents of the Town that are not members of the WHRC and chaired by a member of the WHRC.

Standing Committees of the WHRC shall be appointed by vote of Town Council after suggestions by the WHRC and discussion by Town Council. Each committee shall be chaired by a current WHRC member. Ad hoc committees will be formed as needed. The following shall constitute the Standing Committees:

- Executive
- Interfaith
- Youth Council Advisory

Section VII - Conduct of Business.

- Quorum - A quorum for the official conduct of business shall consist of a simple majority of voting WHRC members.
- Business shall be conducted in accordance with Robert's Rules of Order or Rules of Procedures approved by Town Council.
- Meeting Time _____.
- The WHRC shall hold monthly meetings, which shall be conducted on the _____.
- Meeting times or location can be changed by a majority vote or in case of emergency by the Chair.
- Additional meetings as needed shall be called by the Chair, Vice Chair, or any three (3) WHRC members.
- The WHRC shall hold an annual planning session in November.
- Time Commitment - members have agreed to a minimum time commitment of _____ (this is inclusive of regular Commission and committee meetings).
- Meetings are open to the public.

Section VIII – Work Plan.

The WHRC shall submit a work plan to Town Council in March of each year. The work plan should list the proposed activities of the WHRC and any associated budget requests.

Section IX – Changes and Amendments.

The By-Laws may be changed and/or amended by motion passed by three-fourths of the entire WHRC, which includes voting members and Town Liaisons, provided written notice of the proposed amendment(s) is mailed to all WHRC members at least then (10) days prior to the meeting which action proposed is to be taken. The changes are then submitted to Town Council for approval.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: September 14, 2020

Presenter: Robert Sutton, Electric Utilities Director

Item to be Considered

Subject: Custodial Contract.

Action Requested: Award of Custodial Contract to A & B Cleaning Services.

Attachment: Bid Tabulation Sheet.

Prepared By: Robert Sutton, Electric Utility Director

Date: 9/3/2020

ABSTRACT ROUTING:

TC: 9/4/2020

TM: 9/9/2020

Final: tlp – 9/9/2020

Supporting Documentation

The 2020/2021 Public Buildings Budget allocated funding for the custodial care of the Town's facilities. Staff advertised the contract on two (2) occasions, set up individual walk thru tours of the facilities for interested parties and established dates for submittal of questions and bids.

Prior to the bid opening, Staff reached out to all interested parties and notified each the bid opening would be available for viewing via the ZOOM app. On August 13th at 2:00 pm the bid opening was performed. Six (6) submittals were received and opened. The attached Bid Tabulation sheet shows A & B Cleaning Services submitted the low bid of \$3,875.21 per month for custodial services.

Budgetary Impact: The FYE 21 Budget allocated sufficient funding for the contract. The \$3,875.21 per month bid submitted by A&B Cleaning Company is \$200.12 per month less than the previous year's contract and comes in less than the budgeted estimate of \$5,000 per month.

Recommendation: Approval to award custodial contract to A&B Cleaning Company for \$3,875.12 per month.

Town of Winterville
 Custodial Contract
 Bid Opening
 August 13, 2020, 2:00 pm

Vendor Name	Vendor Bid (Monthly)
AMERICAN FACILITY SERVICES	\$ 6,112. ⁰⁰
CLEAN NET USA	9,913. ⁷⁸
JANI-KING	12,650. ⁰⁰
X-PROSS PROFESSIONAL CLEANING SERV	7,978. ³¹
RAZOR CLEAN, INC	7,452. ⁰³
AFB CLEANING SERVICES	3,875. ³¹



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: September 14, 2020

Presenter: Evan Johnston, Director of Parks and Recreation

Item to be Considered

Subject: Town of Winterville Christmas Events 2020.

Action Requested: Direction from Town Council.

Attachment: NA.

Prepared By: Evan Johnston, Director of Parks and Recreation

Date: 9/1/2020

ABSTRACT ROUTING:

TC: 9/4/2020

TM: 9/9/2020

Final: tlp – 9/9/2020

Supporting Documentation

While the Town's annual Christmas events may seem a long way away, the time for accompanying planning efforts are upon us. The Town's Christmas 2020 events would be Saturday, November 21st. This year has certainly been very different as a result of COVID-19 and it sounds like things will not be back to normal for some time. Due to the size and nature of the Town's annual Christmas events, it is highly likely that they will be impacted by various COVID-19 rules and regulations especially mass gathering and social distancing.

As a result of the continued uncertainty surrounding COVID-19, it's impacts on future operations, and the timeline for planning efforts, Town Staff is requesting direction related to the status and operation of the Town's 2020 Christmas events. Following is a list of Town Christmas events and some corresponding options.

- **Market:** Due to the size and nature of the event, Staff recommends cancelling this year's event.
- **Christmas Parade:**
 - **Option 1:** Change parade to a drive by event. In this scenario, entries would be placed in a manner so that vehicles are able to view by driving by procession. By intent, spectators are in vehicles removing potential mass gathering related barriers. It is possible that people choose/try to walk by, rather than drive by, creating a potential enforcement/traffic control issue.
 - **Option 2:** Cancel event.
- **Tree Lighting Ceremony:** Cancel event in the traditional format and replace with virtual options. For example, reading of "Twas the Night Before Christmas" and lighting of Town Christmas Tree could be live streamed on Town social media and YouTube. Town Staff can create some creative offerings in place of the traditional in-person Tree Lighting Ceremony.

Budgetary Impact: TBD.

Recommendation: Direction from Town Council.