



WINTERVILLE TOWN COUNCIL AGENDA
MONDAY, MAY 9, 2022 - 7:00 PM
WINTERVILLE TOWN HALL ASSEMBLY ROOM

- I. **CALL TO ORDER.**
- II. **INVOCATION:** Rev. Matthew Miller, Winterville Free Will Baptist.
- III. **PLEDGE OF ALLEGIANCE.**
- IV. **WELCOME.**
- V. **APPROVAL OF AGENDA.**
- VI. **PRESENTATIONS:**
 1. Special Presentation: Douglas A. Jackson.
- VII. **INTRODUCTIONS**
 1. Pitt County Manager, Janis Gallagher.
 2. Assistant Town Manager, Anthony Bowers.
 3. Finance Director, Jessica Manning.
 4. Public Works Director, Cliff McGuffin.
 5. Executive Staff Assistant, Cynthia Haskins.
- VIII. **PROCLAMATIONS:**
 1. Emergency Medical Services Week.
 2. Public Works Week.
 3. Police Week.
- IX. **PUBLIC COMMENT:** *The Public Comment period of thirty minutes provides an opportunity for residents to comment on any item included in the agenda or to address the Town Council on any other matter related to the Town of Winterville. For an item included in the Public Hearing section of the agenda, residents should address the Council at the time the Mayor invites public comment on the item. No public comment may be made to the Council during the meeting, except during the Public Comment period or as part of a Public Hearing. Individual speakers are limited to a maximum of three minutes, and no more than three speakers may address the Council on a single matter. The Town Council may elect to take no action on the matter addressed by a speaker, may schedule the matter for further consideration at a future Council meeting, or may refer the matter to Town staff for disposition. Copies of the Town Public Comment Policy are available in the rear of the Assembly Room.*
- X. **CONSENT AGENDA:** *The following items are considered routine in nature and will not be discussed by the Town Council unless a Councilman or citizen requests that an item be removed from the Consent Agenda for further discussion. The Mayor may allow citizens to address an item or ask questions.*
 1. Approval of the following sets of Council Meeting Minutes:
 - April 11, 2022 Regular Meeting Minutes; and
 - April 25, 2022 Council-Manager Budget Progress Meeting Minutes.
 2. McLawhorn Tract Rezoning Request: Schedule the Public Hearing for June 13, 2022.
 3. Budget Amendment 2021-2022-7.

XI. OLD BUSINESS:

1. Human Relations Board Appointments.
2. Cemetery Update: Summary of activities, schedule, new regulations, and etc.
3. Discussion on Board of Adjustment. (Councilman Moore).
4. Parking Signs at Dance Studio.

XII. NEW BUSINESS:

1. Villa Grande, Phase 3: Preliminary Plat.
2. Eleven at Main, Phase 1: Final Plat.

XIII. OTHER AGENDA ITEMS:

1. Watermelon Festival Beer Garden. (Mayor Hines).
2. Downtown Cleanup. (Councilman Moore).

XIV. ITEMS FOR FUTURE AGENDAS/FUTURE WORK SESSIONS:

XV. ANNOUNCEMENTS:

1. Stormwater Workshop: Tuesday, May 10, 2022 @ 5:00 pm – Town Hall Assembly Room.
2. Board of Election One Stop Early Voting: Through Saturday, May 14, 2022.
3. Touch A Truck: Thursday, May 12, 2022; 4:00 pm – 7:00 pm – Market on the Square.
4. Planning and Zoning Board Meeting: Monday, May 16, 2022 @ 7:00 pm - Town Hall Assembly Room.
5. Primary Election Day: Tuesday, May 17, 2022.
6. Board of Adjustment Meeting: Tuesday, May 17, 2022 @ 7:00 pm - Town Hall Assembly Room.
7. Town Council Budget Work Session #1: Tuesday, May 24, 2022 @ 6:00 pm - Town Hall Assembly Room.
8. Town Council Budget Work Session #2: Thursday, May 26, 2022 @ 6:00 pm - Town Hall Assembly Room.
9. Annual Town and State Dinner: Wednesday, June 1, 2022 @ 5:00 pm – Raleigh Convention Center.
10. Budget Public Hearing: Monday, June 6, 2022 @ 7:00 pm - Town Hall Assembly Room.
11. Regular Town Council Meeting: Monday, June 13, 2022 @ 7:00 pm - Town Hall Assembly Room.

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

XVII. CLOSED SESSION: NCGS § 143-318.11. (a)

- (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.
- (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

XVIII. 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.)*



PROCLAMATION
National Emergency Medical Services Week

WHEREAS, emergency medical services are a vital public service; and,

WHEREAS, the members of emergency medical service teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and,

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and,

WHEREAS, emergency medical services have grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and,

WHEREAS, the emergency medical service system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and,

WHEREAS, the members of emergency medical service teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and,

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical service providers by designating Emergency Medical Services Week; and,

NOW, THEREFORE, I, Richard E. Hines, Mayor of the Town of Winterville hereby in recognition of this event do hereby proclaim the week of May 15-21, 2022 as Emergency Medical Services Week; and,

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 9th day of May 2020.

Richard E. Hines, Mayor

Attest:

Donald Harvey, Town Clerk



PROCLAMATION
National Public Works Week

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Winterville; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in Winterville to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2022 marks the 62nd annual National Public Works Week sponsored by the American Public Works Association be it now; and,

NOW, THEREFORE, I, Richard E. Hines, Mayor of the Town of Winterville do hereby designate the week of May 15–21, 2022 as National Public Works Week; I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life; and,

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 9th day of May 2022.

Richard E. Hines, Mayor

Attest:

Donald Harvey, Town Clerk



PROCLAMATION
National Police Week

WHEREAS, law enforcement is a vital public service; and,

WHEREAS, the members of law enforcement are ready to provide services 24 hours a day, seven days a week; and,

WHEREAS, in 1962, President John F. Kennedy signed a proclamation which designated May 15 as Peace Officers Memorial Day and the week in which that date falls as Police Week. Currently, tens of thousands of law enforcement officers from around the world participate in a number of planned events which honor those that have paid the ultimate sacrifice; and,

WHEREAS, the members of the law enforcement agency of the Town of Winterville play an important role in safeguarding the rights and freedoms of the citizens of our community; and,

WHEREAS, it is important that all citizens know and understand the problems, duties and responsibilities of their police department, and that members of our department recognize their duty to serve the people by safeguarding life and property, protecting them against violence or disorder, and protecting the innocent against deception and the weak against oppression or intimidation; and,

WHEREAS, our police department has grown to be a modern and scientific law enforcement agency which unceasingly provides a vital public service; and,

NOW, THEREFORE, I, Richard E. Hines, Mayor of the Town of Winterville hereby in recognition of this event do hereby proclaim the week of May 15 - 21, 2022 as National Police Week and extend appreciation to all Law Enforcement for the vital services they perform and their exemplary dedication to the community they serve; and,

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 9th day of May 2022.

Richard E. Hines, Mayor

Attest:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: May 9, 2022

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: 5/2/2022

ABSTRACT ROUTING:

TC: 5/2/2022

TM: 5/5/2022

Final: tlp - 5/5/2022

Supporting Documentation

Approval of the following set of Council Meeting Minutes:

- ❖ April 11, 2022 Regular Meeting Minutes, and
- ❖ April 25, 2022 Council-Manager Budget Progress Meeting Minutes.

Budgetary Impact: NA.

Recommendation: Approval of Minutes.



**WINTERVILLE TOWN COUNCIL
MONDAY, APRIL 11, 2022 – 7:00 PM
REGULAR MEETING MINUTES
(LIMITED IN-PERSON ATTENDANCE)**

The Winterville Town Council met in a Regular Meeting on the above date at 7:00 PM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Mark C. Smith, Mayor Pro Tem
Tony P. Moore, Councilman
Johnny Moyer, Councilman
Paul A. Rice, Councilman
Veronica W. Roberson, Councilwoman
Keen Lassiter, Town Attorney
Terri L. Parker, Town Manager
Ryan Willhite, Police Chief
David Moore, Fire Chief
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 Hines called the meeting to order.

INVOCATION: Rev. Daphne Moseby, Mt. Shiloh Missionary Baptist Church.

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

WELCOME: Mayor Hines welcomed the public.

APPROVAL OF AGENDA:

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

PROCLAMATIONS: Town Clerk Harvey read the following Proclamations:

1. Pastor Mattie Jones Smith-Payton.

Perry Smith presented a note of thanks from the family.



PROCLAMATION
PASTOR MATTIE ANN JONES SMITH-PAYTON
MAY 5, 1930 - MARCH 22, 2022

WHEREAS, Pastor Mattie Payton, daughter of the late Johnny and Ethel Carr-Jones was born May 5, 1930. She departed this life on March 22, 2022, 10:53 am at Vidant Medical Center. She was preceded in death by her late husband of 68 years, Mr. Johnnie Smith, and Elder John B. Payton of five years; 2 sons, Jessie Ray Smith, and Thomas Rhodes; and 4 brothers Marvin "Buddy" Jones, Hugh Jones, Lymon Jones, Johnny "JJ" Jones, Jr.; and

WHEREAS, At an early age she joined Saint Rest United Holy Church and served on the Ministerial, Usher, Transportation, and Kitchen Committee, for over 20 years; and

WHEREAS, Dottie, as she was affectionally called, had a love for kids so much that she adopted three children and fostered over 100 children from the Pitt County Foster System. She attended W.H. Robinson High School and worked for the Pitt County School System for 20 years until she planted and founded the New Deliverance Holy Church, Ayden, NC in 1984, where she pastored until she retired from labor to reward; and

WHEREAS, She leaves to cherish her memories; 3 daughters: Brenda Smith of the home, Elder Edna Daniels (William), and Elder Shirley Moore (Jerry), all of Greenville, NC; 2 sons; Jerry Carroll of Washington, NC, Pastor Perry Smith of the home; 4 sisters: Mary Phillips (E.C.) of Greenville, NC, Fannie Baker, Mother Ada Carr both of Ayden, NC, Louise Harper of Winterville, NC, Mildred Duncan of California; 2 sister in-laws; Clydae Mae Smith, Mable Cousar, both of Winterville, NC; 16 grandchildren, 15 greatgrandchildren; 4 special God-children; Kalre "Peaches" Gibbs of Greenville, NC, Elder Roderick Ward of Jacksonville, NC, Carolyn of Greenville, NC, Brenda Williams of Wilson, NC; a host of nieces, nephews other relatives and friends; and

NOW, THEREFORE, I, Richard E. Hines, Mayor of the Town of Winterville hereby honor her contributions and legacy.

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 29th day of March 2022.

Richard E. Hines, Mayor

Attest:

Donald Harvey, Town Clerk

2. Pitt Community College: National Community College Month.

Dr. Rouse, Dr. Smith, and Ms. Cox received the proclamation for Pitt Community College.



PROCLAMATION

PITT COMMUNITY COLLEGE: APRIL 2022 NATIONAL COMMUNITY COLLEGE MONTH

WHEREAS, Pitt Community College is located within the Town limits of Winterville; and,

WHEREAS, Pitt Community College educates and empowers people for success, with a culture of excellence and innovation, the college is a vital partner in the economic and workforce development of our community, and provides access to dynamic learning opportunities designed to foster personal enrichment, successful career preparation, and higher education transfer; and,

WHEREAS, Pitt Community College is one of 58 institutions comprising the NC Community College System, which provides high-quality, affordable and accessible educational opportunities to nearly 700,000 students annually in an effort to develop a globally-competent workforce and improve lives; and,

WHEREAS, Pitt Community College serves more than 20,000 curriculum and continuing education students annually and has proven itself to be a valuable source of higher education in Pitt County since it was established in March 1981; and,

WHEREAS, Pitt Community College has demonstrated exceptional dedication to helping students, particularly low-income students and students of color achieve their goals for academic success, personal growth and economic opportunity by fulfilling a three-year commitment to the Achieving the Dream National Network; and,

WHEREAS, Pitt Community College offers customized training to prepare a skilled local workforce capable of sustaining existing business and industry while attracting new ones and operates a Small Business Center to assist local entrepreneurs with getting their businesses started and operating efficiently; and,

WHEREAS, Pitt Community College is a leader in health care training in North Carolina, was recently deemed one of the nation's "Most Promising Places to Work" in community colleges by *Diverse: Issues in Higher Education* magazine, ranks among the nation's leaders in awarding associate degrees to African-Americans, and has been regularly designated a 'Military-Friendly Institution' in *GI Jobs* magazine; and,

WHEREAS, Pitt Community College made a \$228.1 million impact on the community during the 2019-2020 fiscal year and continually advances the business and education community while generating a positive return on investment to its major stakeholder groups; students, taxpayers, and society; and,

WHEREAS, Pitt Community College is committed to adhering to the NC Community College System's original mission of keeping the door open to all individuals seeking higher education and taking them from where they are educationally to where they want to go; and,

NOW, THEREFORE, I, Richard E. Hines, Mayor of the Town of Winterville hereby proclaim April 2022 as "Pitt Community College Month".

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 11th day of April 2022.

Richard E. Hines, Mayor

Attest:

Donald Harvey, Town Clerk

3. Volunteer Appreciation Week.



PROCLAMATION

Volunteer Appreciation Week - April 17-23, 2022

WHEREAS, the celebration of Volunteer Appreciation Week, April 17-23, 2022, is a time to honor volunteers for the irreplaceable impact of their time and energy all year round; and

WHEREAS, Volunteer Appreciation Week is an opportunity to celebrate the impact of volunteer service and the power of volunteers to tackle society's greatest challenges, to build stronger communities and be a force that transforms the world; and

WHEREAS, Each year, we shine a light on the people and causes that inspire us to serve, recognizing and thanking volunteers who lend their time, talent and voice to make a difference in their communities; and

WHEREAS, Volunteer Appreciation Week was established in 1974 and has grown exponentially each year, with thousands of volunteer projects and special events scheduled throughout the week. Today, as people strive to lead lives that reflect their values, the expression of civic life has evolved; and

WHEREAS, all Americans are called to observe this week by volunteering in service projects across our country and pledging to make service a part of their daily lives; and

WHEREAS, experience teaches us that government alone cannot solve all of our nation's social problems, so we have focused on partnerships with businesses, faith-based organizations, non-profit organizations and individuals to make a difference; and

WHEREAS, the Town of Winterville believes that a tangible and sustained effort must be made to meet the diverse needs and challenges our residents may be facing because emergencies or economic crisis, and

WHEREAS, the Town of Winterville is committed to encouraging volunteerism among its employees, partners, businesses, organizations, and citizens; and

WHEREAS, volunteers are vital to our future as a caring and productive Town. Dozens of volunteers through non-profit charities and faith based organizations working in our community utilize their time and talents daily to make a difference in the lives of children, adults and the elderly, and

WHEREAS, on the celebration of Volunteer Appreciation Week, April 17-23, 2022, and

NOW, THEREFORE, I, Richard E. Hines, Mayor of the Town of Winterville hereby honor the volunteers.

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 11th day of April 2022.

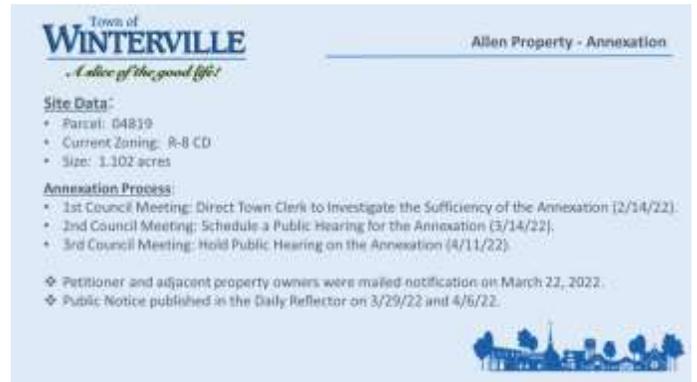
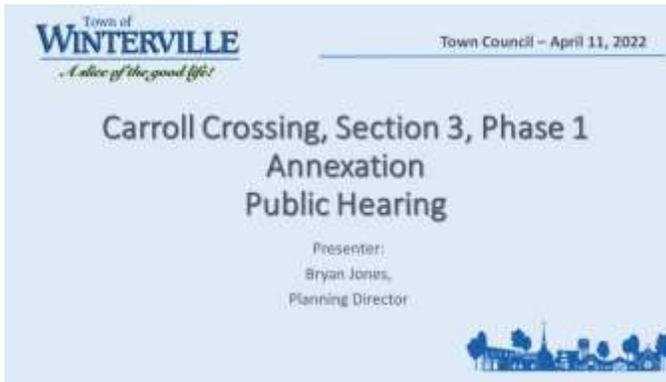
Richard E. Hines, Mayor

Attest:

Donald Harvey, Town Clerk

PUBLIC HEARINGS:

1. **Carroll Crossing, Section 3, Phase 1 Annexation - Planning Director Jones gave the request with the following presentation:**



Mayor Hines declared the public hearing open, asked if anyone would like to speak in favor of the annexation request. None spoke.

Mayor Hines asked if anyone would like to speak in opposition of the annexation request. None spoke.

Mayor Hines declared the public hearing closed.

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

Motion made by Councilman Moore and seconded by Councilman Moyer to approve the Carroll Crossing, Section 3, Phase 1 Annexation Request. Motion carried unanimously, 5-0.

1. Forbes Property Rezoning - Planning Director Jones gave the request with the following presentation:



To Whom This May Concern:

We as Homeowners Living on The Red Forbes and Forlines Roads in Winterville North Carolina would like for future homes that will be built on the property adjacent to ours to have the same covenant as ours. When we built our homes we had to have 2,000 square feet under one roof.

We are concerned that anything less would decrease the value of our homes:

Clyn & Edna Barber - 2490 Red Forbes Rd. Winterville N.C.
Dorothy McKay - 2412 Red Forbes Rd Winterville NC
Phillip D Ward 2432 Red Forbes Road Winterville N
Judy S. Glidewell 2478 Red Forbes Rd Winterville
Ronald White 2460 RED FORBES RD. WINTERVILLE
Nelda A. Highsmith 2444 Red Forbes Rd. Winterville NC
William S. Highsmith
Darin & Lois Wilson 549 Forline Rd Winterville n.c



Councilman Moore asked how many sides are sidewalks required? Planning Director Jones said only one side is required. Councilwoman Roberson said we need sidewalks. Councilman Moore said he is not in favor of the rezoning.

Mayor Hines declared the public hearing closed.

Mayor Pro Tem Smith said this is not the time to restrict. Attorney Lassiter said that you can. Mayor Hines said from a Manchester point of view if they are compatible. Rakesh Sethi said we plan to have 1,800-2,000 square feet.

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

Motion made by Mayor Pro Tem Smith and seconded by Councilwoman Roberson to approve the Forbes Property Rezoning Request conditioned for total 1,800 square foot minimum. Motion carried, 4-1. Councilman Moore opposed.

PUBLIC COMMENT: Mayor Hines read the Public Comment Policy.

1. Dr. Glenn E. Johnson; Information on the Town website.

CONSENT AGENDA:

Items included in the Consent Agenda:

- 1. Approval of the following sets of Council Meeting Minutes:**
 - **March 14, 2022 Regular Meeting Minutes.**
- 2. Audit Contract for fiscal year 2021 – 2022.**
- 3. Budget Amendment 2021-2022-6.**

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

OLD BUSINESS:

1. MS4 Stormwater Management Plan.

Will Larsen with the Wooten Company summarized the MS4 Stormwater Management Plan from a meeting concerning the on-going efforts between Wooten and Winterville. The updates and documents related to Task Order No. 32 (MS4 Stormwater Management Plan) are the Project Summary: In an effort to return to compliance with the Town's MS4 Stormwater permit, Wooten was secured to assist in drafting a Stormwater Management Plan. While work is underway on the report, the State of North Carolina is requiring all entities in the Neuse and Tar-Pamlico river basins to review and update their stormwater ordinance. The Current Need: An amendment has been provided to allow Winterville (via email on 2/11/2022) to Amend Wooten's TO #32 contract to include the time and resources to update the ordinance as part of the larger MS4 Report project. Wooten needs this executed Amendment to proceed with the additional work.

Town Manager Parker asked for approval of Task Order #32.

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

Motion made by Mayor Pro Tem Smith and seconded by Councilwoman Roberson to approve the MS4 Stormwater Management Plan Task Order #32 amendment for \$6,000 with the Wooten Company. Motion carried unanimously, 5-0.

2. Ange Street Sidewalk Extension.

Will Larsen with the Wooten Company summarized Ange Street Sidewalk Extension. The Project Summary: The Town of Winterville has expressed an interest in installing new sidewalk along Ange Street between Sylvania and Blount streets. This work will tie into existing sidewalks surrounding the block and will require the fill of a NCDOT ditch along with new catch basin(s) and a culvert pipe under Ange Street. ADA compliant ramps will be installed for Blount Street, Barrel Drive, and Sylvania Street. The push for this is to attempt to time the construction during the summer school schedule to avoid interruptions to school traffic. Per Town request, an initial estimate was provided via email (2/10/2022). Additional request was made to formalize this into Task Order #35. The Current Need: A Task Order has been provided for the extent of this work. Wooten Company needs an executed contract in the amount of \$34,250 to proceed with the work.

Mayor Pro Tem Smith commented on the crosswalks on Ange Street.

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

Motion made by Mayor Pro Tem Smith and seconded by Councilman Moore to approve the Ange Street Sidewalk Extension Task Order #35 Contract with the Wooten Company for \$34,250. Motion carried unanimously, 5-0.

3. Human Relations Board Appointments

Councilman Moye nominated Tyanna Hagans. Town Manager Parker mentioned Chief Willhite was willing to serve. Final appointments will be made at the next meeting.

4. Classification/Pay Study and Update of Town Personnel Policy

Town Manager Parker noted that during the Vision Setting Meeting, the Council was informed of the need for an updated Classification/Pay Study to determine how competitive the Town's position classifications and pay are comparatively speaking. She contacted the NCLM to get them to send a quote and subsequent contract with the MAPS Group (one of the League's Preferred Partners). Staff hereby requests approval of the Contract with the NCLM for the above-stated services at a cost of \$15,684 plus certain itemized expenses at \$25 an hour, estimated to be approximately \$1,500.

Motion made by Mayor Pro Tem Smith and seconded by Councilwoman Roberson to approve the Classification/Pay Study and Update of Town Personnel Policy Contract with NCLM at a cost of \$15,684 plus certain itemized expenses at \$25 an hour, estimated to be approximately \$1,500. Motion carried unanimously, 5-0.

NEW BUSINESS:

1. Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP).

Will Larsen with the Wooten Company summarized the Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP). The Project Summary: In an effort to return to compliance with the Town's Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP) reports for the Town's Drinking Water System, Wooten has provided a new Task Order #34 for services. Current Need: A Task Order has been provided to Winterville (via email on 11/12/2021) for the extent of this work. The cost of the Contract is \$8,000 for the RRA and \$16,850 for the ERP and a Total of \$24,850.

Motion made by Councilman Moore and seconded by Mayor Pro Tem Smith to approve the Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP) Project at a cost of the Contract Task Order #34 of \$8,000 for the RRA and \$16,850 for the ERP and a Total of \$24,850. Motion carried unanimously, 5-0.

2. Rural Transformation Grant Funds.

Will Larsen with the Wooten Company summarized the Rural Transformation Grant Funds. The Fund, created by the North Carolina General Assembly in Session Law 2021-180 (S.105), has an available pool of \$48 million for grantmaking in the four categories described below.

Rural Transformation Grants can support:

- Main Street and downtown investment and revitalization efforts;
- Initiatives that help create resilient neighborhoods;
- Community enhancements that spur economic growth;
- Professional development and education programs to build local government capacity.

As North Carolina recovers from the COVID-19 pandemic and applies lessons from the public health emergency to improve community resiliency, the Rural Transformation Grant Fund offers a new resource to local government leaders as they guide their communities toward a brighter future. Staff would like Council's approval to submit a grant application for funds for the development (Phase I) of the Town's Market property.

Motion made by Councilman Moyer and seconded by Councilwoman Roberson to approve the submission of a Rural Transformation Grant Fund application. Motion carried unanimously, 5-0.

OTHER AGENDA ITEMS:

1. Discuss dogs being held on chains. (Councilman Moore).

Chief Willhite noted that there are no tethering restrictions, malice intent is required. Pitt County has no restrictions, it does prohibit injury. The Town's ordinance is more restrictive. Fencing requirements are cost prohibitive in most cases. Chief Willhite indicated that situations are handled on a case by case basis. Councilman Moore thanked Chief for the information.

2. Main and Mill Intersection Crosswalk. (Councilman Moore).

Chief Willhite that under the existing alignment traffic restricts turning vehicles. Crosswalks are a challenge for people to use and enforce violations. Councilman Moore requested NCDOT look at the situation.

Motion made by Councilman Moore and seconded by Councilman Moyer requesting Town Staff contact NCDOT investigate a turn signal both ways at Main Street and Mill Street Intersection Crosswalk. Motion carried unanimously, 5-0.

3. Backyard Cleanup Day for Seniors. (Councilman Moore).

Councilman Moore noted that the over 65 citizens need help to go into their back yards and get trash. Mayor Hines suggested coordination with civic groups, churches, and the like. Town Manager Parker that the Town would work to facilitate equipment to haul away the trash.

4. Discussion on Post Office. (Councilman Moore).

Town Clerk Harvey reported the efforts to date and will follow-up on the contacts and information obtained.

5. Discussion on Board of Adjustment. (Councilman Moore).

Councilman Moore said the Board of Adjustment had made mistakes and we need to do away with the Board. Mayor Hines noted that they are important for separation of duties. Attorney Lassiter Council is allowed to serve as the Board of Adjustment; however, experience has shown that a separate board work better. Councilman Moore noted the decision on Reedy Branch property as a mistake. Attorney Lassiter noted that the Court backed up that decision. Mayor Pro Tem Smith said in his time on Council, 2 times in 16 years had complaints, sees both way. Attorney Lassiter noted that over time the strict process, some were not happy. Council discussed the case with Historical Society at the Depot. Planning Director Jones said Council can establish doing both duties; conflicts arise, and the Zoning Ordinance establishes separation.

Motion made by Councilman Moore and seconded by Mayor Pro Tem Smith for Council take on the duties of the Board of Adjustment.

Town Manager Parker has had experience on this, and it is difficult to share responsibilities; it is difficult to take away the bias. Attorney Lassiter said that when in public they could discuss information that was not proper. Council is insulated by having separate boards. Mayor Pro Tem Smith withdrew his second. Discussion on the Board of Adjustment will continue at next month's meeting.

6. Five (5) minute parking signs downtown. (Councilman Moore).

Councilman Moore requested a change for other hours when dance studio is not open. Chief Willhite noted that the dance studio has irregular hours, he will contact them and bring back up next month.

7. Stormwater Workshop – set a date.

Town Manager Parker suggested dates for the Workshop. Council agreed to Tuesday, May 10th at 5:00 pm.

8. Town Manager's Performance Review – set a date.

Town Manager Parker suggested dates for her Performance Review. Council agreed to Monday, April 25th at 5:00 pm.

9. Discussion of Town's 125th Quasiquicentennial Anniversary Activities.

Rebecca Caveness gave a summary of the meeting, minutes, and variety of options. Mayor Hines said events considered include a tour and trolley ride.

ITEMS FOR FUTURE AGENDA/FUTURE WORK SESSIONS:

Councilman Moore requested a Cemetery update. Town Manager Parker gave a summary of activities to date and tentative schedule. Hoping for around July – August to be ready. Will bring new regulations and other considerations to the May meeting. Asked Council to start thinking of changes. Councilman Moye noted that the sign at the Fire Tower Road Cemetery, he noted you cannot see the information on sign. Can the sign be raised up for visibility?

REPORTS FROM DEPARTMENT HEADS:

Fire Chief Moore: None.

Police Chief Willhite: Junk car identification plan goal is 1 car a day until there gone. Working on the Cooper Street speeding and Blackstone tractor trailer parking. They have three Trainees in class. Pursuing a grant for cameras system at major inspections.

Finance Director Bowers: None.

Electric Director Sutton: Main Street location, Worthington Road, and Old Tar Road underway. Will get return on early work along Old Tar. Copper Creek and other subdivisions underway. Transformers back ordered have been up front with developers about the situation. Working on alternatives for cost saving with gas strategies and MetroNet submissions.

Parks and Recreation Director Johnston: Greenway Phase 1 not funded the MPO is resubmitting. Parking Lot striping forthcoming, baseball underway and building beginning. Easter was a success and Cal Ripken Tournament is upcoming.

Planning Director Jones: Develop is booming and former Intern is doing a study for her college class.

ANNOUNCEMENTS: Town Clerk Harvey gave the following announcements:

1. Town Offices Closed: April 15, 2022 for the Good Friday Holiday.
2. Planning and Zoning Board Meeting: Monday, April 18, 2022 @ 7:00 pm - Town Hall Assembly Room.
3. Board of Adjustment Meeting: Tuesday, April 19, 2022 @ 7:00 pm - Town Hall Assembly Room.
4. Town Council and Manager Budget Progress Meeting: Monday, April 25, 2022 @6:00 pm – Town Hall Executive Conference Room.
5. Recreation Advisory Board: Tuesday, April 26, 2022 @ 6:30 pm – Operation Center Training Room.
6. NCLM CityVision April 26-28, 2022 – Wilmington Convention Center.
7. Regular Town Council Meeting: Monday, May 9, 2022 @ 7:00 pm - Town Hall Assembly Room.
8. Town Council Budget Work Session #1: Tuesday, May 24, 2022 @ 6:00 pm - Town Hall Assembly Room.
9. Town Council Budget Work Session #2: Thursday, May 26, 2022 @ 6:00 pm - Town Hall Assembly Room.

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

Attorney Lassiter: No report.

Councilman Moore: Wished all a Happy Easter.

Councilwoman Roberson: Mentioned the satellite service referral program and asked everyone to spread the word on the Youth at Work Program.

Councilman Rice: Appreciate all and everyone have a Happy Easter.

Mayor Pro Tem Smith: None.

Councilman Moye: Asked about the date for stormwater work along Railroad Street, Town Manager Parker said there is no schedule at this time.

Manager Parker: None.

Mayor Hines: None

ADJOURN:

Motion made by Councilman Moore and seconded by Councilwoman Roberson to adjourn the meeting. Motion carried unanimously, 5-0. Meeting adjourned at 9:34 pm.

Adopted this the 9th day of May 2022.

Richard E. Hines, Mayor Pro Tem

ATTEST:

Donald Harvey, Town Clerk



**WINTERVILLE TOWN COUNCIL
MONDAY, APRIL 25, 2022 – 6:00 PM
BUDGET PROGRESS MEETING MINUTES
(LIMITED IN-PERSON ATTENDANCE)**

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

Richard E. Hines, Mayor
Mark C. Smith, Mayor Pro Tem
Tony P. Moore, Councilman
Johnny Moye, Councilman
Paul A. Rice, Councilman
Veronica W. Roberson, Councilwoman
Terri L. Parker, Town Manager
Anthony Bowers, Assistant Town Manager
Ryan Willhite, Police Chief
David Moore, Fire Chief
Robert Sutton, Electric Director
Jessica Manning, Finance Director
Evan Johnston, Parks and Recreation Director
Bryan Jones, Planning Director
Tony Klontz, Fire Retention, Recruitment and Member Officer
Willie Gay, Code Enforcement Officer
Cynthia Haskins, Executive Staff Assistant
Donald Harvey, Town Clerk

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

INVOCATION: Councilman Moye gave the Invocation.

WELCOME: Mayor Hines welcomed the public.

APPROVAL OF AGENDA:

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

ITEMS FOR DISCUSSION:

1. Approval of Master Service Agreement for Engineering Services with Utility Engineering.

Electric Director Sutton summarized the Master Service Agreement for Engineering Services with Utility Engineering.

The Town's former electric engineer, PowerServices was purchased by Pike Electric in 2019. The majority of PowerServices staff, familiar with the Town's existing distribution and transmission systems, rate tariffs and future projects, were retained during the transition and became employees of Pike Electric. Shortly thereafter, the majority of these same employees left Pike Engineering and formed new, independent companies.

Recognizing these developments would require a review of outsourcing options, the Town distributed and advertised a Request for Qualifications (RFQ) for Electric Engineering. Two companies, Utility Engineering, LLC and RGrid Power PLLC, responded to the Request. Both firms' responses were evaluated by the Town's Review Team to determine which best fit the Town's needs. Utility Engineering was determined to be the best fit from this process.

The proposed Master Service Agreement would be supplemented by an Addendum specific to each engineering project request proposed by the Town.

Town Manager Parker noted that this is an umbrella contract.

Motion made by Councilman Moore and seconded by Mayor Pro Tem Smith to approve the Master Service Agreement for Engineering Services with Utility Engineering. Motion carried unanimously, 5-0.

2. Update on Budget-to-Date for FY 2021-2022

3. Budget Progress Update for FY 2022-2023.

Assistant Town Manager Bowers gave the following presentation on the budget:

Council discussion followed with these questions. Councilwoman Roberson asked what was the CMSD debt service. Town Manger Parker said that expansion projects impacted the debt service. Mayor Pro Tem Smith said with upcoming projects it is going to be increasing. Town Manager Parker said the Town would have a new and additional seat on the CMSD Board. Assistant Town Manager Bowers noted upward trends in revenue and will need to identify what are our priorities. Town Manager Parker said increases with all contracts are anticipated. Mayor Pro Tem Smith noted that the COLA was 9.1%. Town Manager Parker said Non-Town Agencies have requested slight increases, except for one. She suggest that new policies may need to be considered. Councilman Moye asked about benefit increase and it was noted they going to be around 5%. Assistant Town Manager Bowers said that was a very good rate and they are negotiating even better rates. Councilman Moye asked if other vendors had been considered? Town Manager Parker noted we have looked at others, they do not compare.



**FY 2022-2023
Budget Progress Meeting
Monday, April 27, 2022
Town Hall Assembly Room**

General Fund Revenues:

- ✓ The DRAFT Budget is in the works – anticipate a DRAFT being delivered on May 23rd.
- ✓ FY 2022-2023 Budget Calendar has been previously provided for Council's information.
- ✓ **Current tax rate is \$0.475.** The Town's next Revaluation is scheduled in 2024. We are anticipating property tax revenue increase in the amount of **\$233,972** over last year.
- ✓ First National Insurance (formally Carolina Benefits) is saying the renewal will only have a 5% increase in health insurance premiums. We are still waiting for confirmation for our MetLife dental insurance.
- ✓ Property Tax budget will be calculated with a **98%** collection rate. This is our normally collection rate. The present year valuation is **\$926,392,283** and the new valuation is **\$970,568,138**.
- ✓ Sales and Use Tax will continue to be very difficult to budget for. We had tremendous increases over the last two years mostly driven by stimulus funding and the housing market in Pitt County. These revenues run on a three-month lag. Economist are sending mixed signals about the economy. Some are predicting a recession and others are not. The League is recommending that municipalities use a 3.5% growth factor. This will generate an estimated increase in the amount of **\$474,814.73** over the original budget revenue for 2021-2022.
- ✓ Powell bill estimates are expected to increase from the FY 2021-2022. Revenues are expected to be approximately **\$277,187**. This is an increase in the amount of \$48,940.
- ✓ Utility Franchise Tax revenues are expected to remain the same from FY 2021-2022 (\$341,290). Revenues are expected to be approximately **\$345,959**. This is a minor increase of the prior year estimate of \$4,669.80.

- ✓ The Building Inspections Department continues to be busy. Based on conversations with our planning department, developers are moving forward at a fast pace. This will allow for revenues to remain constant. We are estimating those revenues to remain flat at **\$152,000**.
- ✓ Interest income will increase slightly as interest rates are gradually increased over the next year. This will be a modest change and will not generate any substantial new income.
- ✓ All other General Fund revenues are expected to be flat or slightly higher for the FY 2022-2023 fiscal year.
- ✓ We will have two **Debt Service payments** expiring next Fiscal Year. The first is a General Fund payment in the amount of \$156,876 for Town Hall Renovations. The second one is for the Electric Fund in the amount of 226,232.60 for the Electric Substation.
- ✓ We currently do not have any new debt service payments scheduled to begin this year in the General Fund.
- ✓ Fire Department Grant funding reduction will cost an additional the Town **\$291,713**.
- ✓ American Recovery Plan funds are anticipated to be receive the second installment of \$1,582,492 for the final payment. We need to address the final prioritization of the projects.

Enterprise Funds:

- ✓ Water revenues are expected to increase slightly with an estimated growth rate of 1% showing water sales to be approximately **\$1,551,028**.
- ✓ Sewer revenues are expected to increase slightly with an estimated growth rate of 1% showing sewer sales to be approximately **\$2,337,354**. Winterville (who is a member of the Contentnea Metropolitan Sewerage District) will see an increase in the amount of \$115,294. The current year budget is \$1,027,572 and will be increased to **\$1,142,866**. The increase equates to about a 10.09% increase in our contribution.
- ✓ We do have a sewer loan that could potentially start this year, but that will depend on the project timeline and will most likely be addressed in next FY.
- ✓ Electric revenues are expected to increase slightly with an estimated growth rate of 1% showing electric sales to be approximately **\$6,587,238**.
- ✓ Storm water sales growth is expected to be flat at the same 1%, however storm water revenues will increase from **\$509,620 to \$520,347**.

ADJOURN:

Motion made by Councilman Moore and seconded by Mayor Pro Tem Smith to adjourn the meeting. Motion carried unanimously, 5-0. Meeting adjourned at 6:54 pm.

Adopted this the 9th day of May 2022.

Richard E. Hines, Mayor Pro Tem

ATTEST:

Donald Harvey, Town Clerk

DRAFT



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: May 9, 2022

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: McLawhorn Tract – Rezoning Request (Parcel 16207).

Action Requested: Schedule the Public Hearing for the Rezoning Request (June 13, 2022).

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

Prepared By: Bryan Jones, Planning Director

Date: 5/4/2022

ABSTRACT ROUTING:

TC: 5/4/2022

TM: 5/5/2022

Final: tlp - 5/5/2022

Supporting Documentation

Applicant: Nolan Commercial Contractors, Inc.

Location: Reedy Branch Road south of its intersection with NC 903 S.

Parcel Number: 16207.

Site Data: 34.72 acres.

Current Zoning District: AR.

Proposed Zoning District: R-6.

- ❖ Proposed Zoning Districts: R-6.
- ❖ Adjacent property owners were mailed notification of the rezoning request on April 4, 2022.
- ❖ Notification was posted on the site on April 5, 2022.
- ❖ Planning and Zoning Board recommended approval (5-2 vote) on April 18, 2022.

Budgetary Impact: TBD.

Recommendation: Hold the Public Hearing.



**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: Nolan Commercial Contractors, Inc.

Address: 754 Ramsey Road, Jacksonville, NC 28546

Phone #: 910-219-4770

Owner: Dan S. McLawhorn, Ryan K. McLawhorn, Sandra McLawhorn, & Mary Beth McLawhorn

Address: 5093 Reddy Branch Road, Winterville, NC 28590

Phone #: _____

PROPERTY INFORMATION

Parcel #: 16207 Area (square feet or acres): 34.72 acres

Current Land Use: Farm Land

Location of Property: Fronts Reedy Branch across from Copper Creek Drive intersection.

ZONING REQUEST

Existing Zoning: A R Requested Zoning: R-6

Reason for zoning change: To develop the property for residential 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.

OWNER/AGENT STATEMENT

I, Nolan Commercial Contractors, Inc., 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 April / 18 / 2022.

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.

Nolan W Sydes 3/28/22
Signature Nolan Commercial Contractors, Inc. by Nolan Sydes 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.

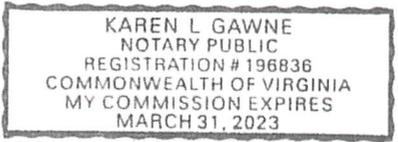
I, Dan S. McLawhorn, being the Owner of the property described herein, do hereby authorize Nolan Commercial Contractors, Inc. as agent for the purpose of this application.

Dan S McLawhorn 3/24/22
Signature Date

Sworn to and subscribed before me, this 24 day of March, 2022.

[Signature]
Notary Public

My Commission Expires:
3-31-2023



I, Ryan K. McLawhorn, being the Owner of the property described herein, do hereby authorize

Nolan Commercial Contractors, Inc. as agent for the purpose of this application.

Ryan K. McLawhorn
Signature

Sworn to and subscribed before me, this 24th day of March, 2022.

Debbie W. Barber
Notary Public



My Commission Expires:
5/14/2023

I, Sandra McLawhorn, being the Owner of the property described herein, do hereby authorize

Nolan Commercial Contractors, Inc. as agent for the purpose of this application.

Sandra McLawhorn
Signature

Sworn to and subscribed before me, this 24th day of March, 2022.

Debbie W. Barber
Notary Public



My Commission Expires:
5/14/2023

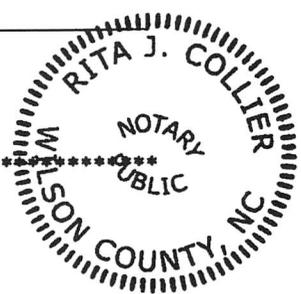
I, Mary Beth McLawhorn, being the Owner of the property described herein, do hereby authorize

Nolan Commercial Contractors, Inc. as agent for the purpose of this application.

Mary Beth McLawhorn 3/25/2022
Signature Date

Sworn to and subscribed before me, this 25th day of March, 2022.

Rita J. Collier
Notary Public



My Commission Expires:
June 19, 2025

Exhibit "A"
Legal Description
Winterville, Pitt County, North Carolina

Beginning at a Point, said Point being located on the western right of way of NC 11 and being the northeastern most corner of DLCJ, LLC tract as described and recorded in Deed Book 4214, Page 653 in the Pitt County Register of Deeds.

Thence, from said Point of Beginning, along the northern line of the DLCJ, LLC tract, North 88 degrees 35 minutes 37 seconds West for a distance of 586.60 feet to a point being the northeastern most corner of the Edmundson tract as described and recorded in Deed Book 3532, Page 838 in the Pitt County Register of Deeds;

Thence, along the northern line of the Edmundson tract, North 88 degrees 33 minutes 18 seconds West for a distance of 54.93 feet to a point;

Thence, along the western line of the Edmundson tract, South 28 degrees 31 minutes 39 seconds West for a distance of 593.91 feet to a point being the northeastern most corner of the Sanderson tract as described and recorded in Deed Book 368, Page 429 in the Pitt County Register of Deeds;

Thence, along the northern line of the Sanderson tract, South 81 degrees 55 minutes 19 seconds West for a distance of 98.14 feet to a point being the eastern most corner of the McLawhorn tract as described and recorded in Deed Book 3759, Page 331 in the Pitt County Register of Deeds;

Thence, along the eastern line of the McLawhorn tract, North 49 degrees 41 minutes 08 seconds West for a distance of 128.62 feet to a point;

Thence, continuing along the eastern line of the McLawhorn tract, North 51 degrees 33 minutes 10 seconds West for a distance of 65.34 feet to a point;

Thence, along the northern line of the McLawhorn tract, South 81 degrees 55 minutes 19 seconds West for a distance of 228.88 feet to a point on the eastern right of way of Reedy Branch Road (SR 1131);

Thence, along and with the eastern right of way of Reedy Branch Road (SR 1131), North 05 degrees 34 minutes 14 seconds West for a distance of 897.64 feet to a point;

Thence, leaving Reedy Branch Road (SR 1131), along and with the southern line of the McLawhorn tract as described and recorded in Deed Book 2268, Page 267 in the Pitt County Register of Deeds, North 86 degrees 12 minutes 40 seconds East for a distance of 356.02 feet to a point;

Thence, along the eastern line of the McLawhorn tract, North 05 degrees 34 minutes 14 seconds West for a distance of 165.89 feet to a point on the southeastern most corner of the McLawhorn tract as described and recorded in Deed Book 3894, Page 237 in the Pitt County Register of Deeds;

Thence, along and with the eastern line of the McLawhorn tract, North 05 degrees 33 minutes 06 seconds West for a distance of 254.45 feet to a point being the northeastern most corner of the McLawhorn tract and also being a point on the southern line of the McLawhorn tract as described and recorded in Deed Book 2512, Page 449 in the Pitt County Register of Deeds;

Thence, along and with the southern line of the McLawhorn tract, North 82 degrees 16 minutes 39 seconds East for a distance of 274.30 feet to a point;

Thence, along and continuing with the southern line of the McLawhorn tract the following courses and distances:



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, April 18, 2022 at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, in order to consider the following request:

Nolan Commercial Contractors, Inc. has submitted a rezoning application to rezone Parcel 16207 (34.72 Acres) as shown on the attached map from Agricultural- Residential (AR) to R-6 Zoning District. The R-6 Residential District is a quiet, relatively high-density neighborhood consisting of single-family and two-family dwellings along with limited home occupations and private and public community uses.

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

**The Town of Winterville will be keeping measures in place in an ongoing effort to mitigate the spread of COVID-19. The meeting is open to the public; however, limited attendance will be allowed to attend in-person due to COVID-19 provisions and the meeting will be available electronically. The public is encouraged to watch the meeting live on YouTube (www.wintervillenc.com/videos).

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.

NOLAN COMMERCIAL
CONTRACTORS, INC.
754 RAMSEY ROAD
JACKSONVILLE, NC 28546

SANDY GALE SANDERSON
EDMONDSON
5203 REEDY BRANCH RD
WINTERVILLE, NC 28590

JOHN KEIFFER
LINDA KEIFFER
5213 REEDY BRANCH RD
WINTERVILLE NC 28590

JO W KUHN
302 CAMPDEN WAY
GREENVILLE, NC 27858

TRAVIS BULLUCK
LATOYA BULLUCK
413 CRIMSON DRIVE
WINTERVILLE, NC 28590

SOPHIA MCLAWHORN
YARBOROUGH
3102 ETON ROAD
RALEIGH, NC 27608

ALFRED MCLAWHORN
WILLIAM FARKAS
89 OPRY LANE
ARCHER LODGE, NC 27527

DLCJ, LLC
5036 WINTERVILLE PW
WINTERVILLE, NC 28590

NEIL WAYN COWAN
5229 REEDY BRANCH RD
WINTERVILLE, NC 28590

MARY BETH MCLAWHORN
PO BOX 1307
ELM CITY, NC 27822

JERRY R MUMFORD
DIANE MUMFORD
207 CRIMSON DRIVE
WINTERVILLE, NC 28590

JASON MICHAEL BROMBERG
ELIZABETH BROMBERG
207 COPPER CREEK DRIVE
WINTERVILLE, NC 28590

RYAN KENT MCLAWHORN
SANDRA M MCLAWHORN
5093 REEDY BRANCH ROAD
WINTERVILLE, NC 28590

JACK JONES, LLC
128 JERUSALEM RD
SEVEN SPRINGS, NC 28578

JOHN CHARLES FUGNER
5221 REEDY BRANCH RD
WINTERVILLE, NC 28590

C AND G PROPERTIES PITT
COUNTY LLC
709 KENSINGTON DRIVE
GREEVNILLE, NC 27858

HENRY EDWARD NIMONS
TERESSA NIMONS
415 CRIMSON DRIVE
WINTERVILLE NC 28590

JOHN KENROY JOHNSON, SR.
PHYLLIS THELMA JOHNSON
208 COPPER CREEK DRIVE
WINTERVILLE, NC 28590

THOMAS H MCLAWHORN
904 HAVEL CT
CHARLOTTE, NC 28211



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

GENERAL INFORMATION

APPLICANT	Nolan Commercial Contractors, Inc.
HEARING TYPE	Rezoning Request
REQUEST	Agricultural-Residential (AR) to R-6
CONDITIONS	n/a
LOCATION	Reedy Branch Road south of its intersection with NC 903 S.
PARCEL ID NUMBER(S)	16207
PUBLIC NOTIFICATION	Adjacent property owners were mailed notification of the rezoning request on April 4, 2022. Notification was posted on site on April 5, 2022. 19 properties were mailed notification.
TRACT SIZE	34.73 acres
TOPOGRAPHY	Flat
VEGETATION	Cleared / Agricultural

SITE DATA

EXISTING USE	Agricultural / Vacant
---------------------	-----------------------

ADJACENT PROPERTY	ZONING	ADJACENT LAND USE
N	GB	Vacant/Cleared
E	I	Vacant/Cleared
W	R-12.5 / R-15	Single Family Residential
S	AR / GB	Agriculture/Commercial

ZONING DISTRICT STANDARDS

DISTRICT SUMMARIES	EXISTING	REQUESTED
ZONING DISTRICT DESIGNATION	AR	R-6
MAX DENSITY	n/a	8 per acre
TYPICAL USES	Low-density residential and agricultural uses; where urban development is expected.	(R-6) High Density; single-family residential; limited home occupations.



SPECIAL INFORMATION

OVERLAY DISTRICT	N/A
ENVIRONMENTAL / SOILS	N/A
FLOODPLAIN	N/A
STREAMS	N/A
OTHER	If >1 acre is disturbed, site must meet Phase 2 stormwater requirements and provide Soil Erosion and Sedimentation Control Permit
SITE PLAN REQUIREMENTS	Subdivision plan required

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

LANDSCAPING & BUFFER REQUIREMENTS

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

TRANSPORTATION

STREET CLASSIFICATION	Reedy Branch Rd– NCDOT Road Winterville Parkway – 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)	Reedy Branch Rd– 2300 Winterville Parkway – 17,000
TRIP GENERATION	N/A
SIDEWALKS	Required.
TRAFFIC IMPACT STUDY (TIS)	TBD
STREET CONNECTIVITY	N/A
OTHER	N/A



IMPACT ANALYSIS

Land Use Compatibility

The proposed R-6 zoning districts 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 an Urban Neighborhood character area. The requested **R-6** zoning district is generally consistent with this character area as defined by the future land use designation.

Comprehensive Land Use Plans - Recommendations & Implementation

Urban Neighborhood - General Character:

- Higher density, predominantly single family detached residential housing. Some attached housing and/or small-scale commercial, retail, or restaurants allowed at select locations.

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

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

Staff Analysis

The 34.73-acre property is currently vacant. The property North of the request is zoned GB and is cleared. West of the request is zoned R-12.5 and is single family residential (Summer Winds/Copper Creek Subdivisions). South of the request is zoned AR and GB and is currently agriculture use with a single family home and commercial (The Village Market). East of the property is zoned Industrial (across HWY 11) and is vacant.

The R-6 District 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. The proposed R-6 zoning district fall within the density recommendations provided within the Urban Neighborhood Residential character area.



Staff Recommendation

Planning and Zoning Board recommended approval (5-2) to Town Council on April 18, 2022.

Staff recommends **approval** of the rezoning request for the 34.73 acres from AR to R-6.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: May 9, 2022

Presenter: Anthony Bowers, Finance Director

Item to be Considered

Subject: Budget Amendment 2020-2021-7

Action Requested: Approve the Budget Amendment.

Attachment: Budget Amendment 2020-20201-7.

Prepared By: Anthony Bowers, Finance Director

Date: 5/3/2022

ABSTRACT ROUTING:

TC: 5/4/2022

TM: 5/5/2022

Final: tlp - 5/5/2022

Supporting Documentation

This is the seventh budget amendment for the 2021-2022 Fiscal Year.

The first item addresses the contribution to the Winterville Watermelon Festival Committee in the amount of \$50,000 for the August 2022 festival.

The second item is to close out old capital project funds. This is a clean up action that will allow for all balances to be zeroed out. Funds will be transferred to the parent fund. All capital project funds included in this budget have been closed out by the Town Council at a regular scheduled council meeting.

Budgetary Impact: The total budget amendment is \$77,356.

Recommendation: Approve the Budget Amendment.

BUDGET ORDINANCE AMENDMENT 2021-2022-7

BE IT ORDAINED by the Governing Board of the Town of Winterville, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2022:

SECTION 1. Revenues are to be changed as follows:

LINE ITEM DESCRIPTION	Fund		Increase	Decrease
Fund Balance	10	3831	50,000	
Contribution from Sewer Fund	44	3823	1,504	
Fund Balance	62	3831	1,504	
Contribution from fund balance	41	3831	12,174	
Misc	63	3820	12,174	

Total \$ 77,356 \$ -

SECTION 2. Appropriations are to be changed as follows:

LINE ITEM DESCRIPTION	Department		Fund	Increase	Decrease
Civic Contribution	10950000	5101	General Fund	50,000	
Contingency	44801000	4250	Sewer Capital Project	1,504	
Contribution to CIP	62732020	9107	Sewer Fund	1,504	
Contribution to General Fund	41801000	9113	Chapman St	12,174	
Supplies and Materials	63742000	4230	Storm Water Fund	12,174	

Total \$ 77,356 \$ -

Adopted the 9th day of May 2022.

Mayor

Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Old Business

Meeting Date: May 9, 2022

Presenter: Terri L. Parker, Town Manager

Item to be Considered

Subject: Winterville Human Relations Board.

Action Requested: Selection of the membership to the Human Relations Board.

Attachment: WHRB By Laws

Prepared By: Terri L. Parker, Town Manager

Date: 5/3/2022

ABSTRACT ROUTING:

TC: 5/3/2022

TM: 5/5/2022

Final: tlp - 5/5/2022

Supporting Documentation

Section II of the Approve HRB By-Laws outlines the membership and attendance components. The Mayor and each Councilmember appoints one person to the HRB. 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.

Council may also appoint up to two (2) high school and (2) college/university (non-voting) student representatives. Finally, Council shall appoint one Council members to be the Council liaison to the HRB.

Appointments Submitted:

Mayor Hines nominated Shantel Hawkins.

Councilwoman Roberson nominated Brandy Harrell.

Councilman Rice nominated himself.

Councilman Moye nominated Tyanna Hagans.

Councilman Smith nominated Police Chief Ryan Willhite.

Councilman Moore nominated Alton Watford.

Councilwoman Roberson Council Liaison.

Budgetary Impact: TBD.

Recommendation: Approve members and establish terms for each.



Winterville Human Relations Board

Approved by Town Council on Monday, April 12, 2021.

Section I - Purpose of the Board.

The Winterville Human Relations Board (hereinafter referred to as the WHRB) 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 WHRB 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 WHRB 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 WHRB. Town Council shall appoint one (1) member of Town Council to act as the liaison to the WHRB. The appointed liaison shall attend the WHRB meetings and keep Town Council informed as to the activities of the WHRB. The Town Clerk shall serve as the Staff liaison to the WHRB.

Terms:

The term of office for each WHRB 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 WHRB 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 WHRB meetings as required. After review, the Executive Committee may recommend to Town Council whether a member should be retained or removed from the WHRB. 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 WHRB 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 this Section II, the Chairperson of the WHRB 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 WHRB by breach of Section III of the By-Laws governing general conduct of WHRB 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 WHRB. In order to instill public confidence in the actions and decisions of the WHRB, members will adhere to the following:

- Be cognizant of your individual actions as a member of the WHRB.
- WHRB members are expected to act at all times with integrity demonstrating good faith, honesty, and due diligence on behalf of the public interest.
- WHRB 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 WHRB members 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.
- WHRB members must not reveal or divulge information deemed confidential by the WHRB 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 WHRB to which they have been appointed.
- WHRB members must comply with the public comment protocols established by the Town or the WHRB. If none exist, WHRB members must refer to the Chairman for guidance before making public comment on WHRB matters.
- WHRB members may not make individual personal statements, editorials, speeches, appearances, or requests for information on behalf of the WHRB.
- WHRB 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 WHRB may have membership or affiliation. (Private gain does not include honoraria for service on other agencies, boards or commissions).
- WHRB 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 WHRB.

Section IV - Conflict of Interest.

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

WHRB members who are in any doubt must disclose their circumstances and consult with the Chairman or Staff liaison. In practical terms, WHRB 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 WHRB.
- Activities undertaken as a private citizen are kept separate and distinct from any responsibilities held as a member of the WHRB.
- Activities undertaken individually as a member of other agencies, boards, or commissions are kept separate and distinct from the WHRB.
- Recusal is expected when agencies, organizations, boards, and commissions you are affiliated with come before the WHRB for action.
- WHRB members may not receive any form of payment for products, services, or acts done as a part of WHRB 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 WHRB 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 WHRB, 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 WHRB and chaired by a member of the WHRB.

Standing Committees of the WHRB shall be appointed by vote of Town Council after suggestions by the WHRB and discussion by Town Council. Each committee shall be chaired by a current WHRB 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 WHRB members.
- Business shall be conducted in accordance with Robert's Rules of Order or Rules of Procedures approved by Town Council.
- Meeting Time _____.
- The WHRB 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) WHRB members.
- The WHRB shall hold an annual planning session in November.
- Time Commitment - members have agreed to a minimum time commitment of _____ (this is inclusive of regular WHRB and committee meetings).
- Meetings are open to the public.

Section VIII – Work Plan.

The WHRB shall submit a work plan to Town Council in March of each year. The work plan should list the proposed activities of the WHRB 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 WHRB, which includes all voting members, provided written notice of the proposed amendment(s) is mailed to all WHRB 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: Old Business

Meeting Date: May 9, 2022

Presenter: Terri L. Parker, Town Manager

Item to be Considered

Subject: Cemetery Update: Summary of activities, schedule, new regulations, and etc.

Action Requested: Council Direction.

Attachment: Current Cemetery Regulations and Pricing.

Prepared By: Terri L. Parker, Town Manager

Date: 5/3/2022

ABSTRACT ROUTING:

TC: 5/3/2022

TM: 5/5/2022

Final: tlp - 5/5/2022

Supporting Documentation

As the Town moves toward with the Cemetery Expansion project, it is time for Council to look at current regulations and pricing to make sure we are where we want to be on both. I have included the current regulations as well as the excerpt from the current Fee Schedule for discussion purposes.

Budgetary Impact: TBD.

Recommendation: Council Direction.

CHAPTER 92: CEMETERIES

Section

- 92.01 Application to Town Clerk
- 92.02 Cemetery Superintendent
- 92.03 Permission for interment
- 92.04 Planting in cemetery
- 92.05 Monuments and markers
- 92.06 Landscaping; trimming trees and shrubbery
- 92.07 Structures
- 92.08 Conveyance of lots
- 92.09 Damage to cemetery; misconduct
- 92.10 Vehicles in cemetery
- 92.11 Removal of trash and materials
- 92.12 Provisions of chapter made part of conveyance
- 92.13 Distribution of receipts
- 92.14 Lot charges
- 92.15 Marking, opening and closing a grave site
- 92.16 Interment of cremated remains
- 92.17 Service fee
- 92.99 Penalty

§ 92.01 APPLICATION TO TOWN CLERK.

All persons desiring to purchase a lot in the Winterville Cemetery shall apply to the Town Manager, who upon payment of the fixed price for each lot, shall cause a deed or other instrument of receipt therefore to be given to the purchaser.

(1992 Code, § 92.01) Penalty, see § 92.99

§ 92.02 CEMETERY SUPERINTENDENT.

It shall be the duty of the Board of Alderpersons of the town to appoint some suitable person as Superintendent of Winterville Cemetery, who shall serve as such at the will of the Board. The Superintendent shall have the powers and duties as shall be conferred upon him or her by this chapter, and/or any ordinance, resolution or order of the Board at any time hereafter adopted or made. The Superintendent shall have charge of the upkeep, protection and preservation of the cemetery; he or she shall supervise the digging of all graves, the interment and disinterment of bodies and the erection of monuments and markers; he or she shall supervise the planting of any and all

shrubbery, trees and flowers; and shall make provision for the entrance and exit of persons and vehicles to and from the cemetery; provided; however, the Superintendent shall not contract any debt or expend any money without first having obtained the consent and approval of the Board of Alderpersons.

(1992 Code, § 92.02)

§ 92.03 PERMISSION FOR INTERMENT.

No person shall be interred or disinterred within a town cemetery without lawful authority and permission first received and obtained. All graves shall be at least four feet in depth, have a sealed concrete, steel or fiberglass vault, and all graves shall be dug under the supervision of the Superintendent.

(1992 Code, § 92.03) (Ord. 05-O-181, passed 9-12-2005) Penalty, see § 92.99

§ 92.04 PLANTING IN CEMETERY.

No person shall plant or set any tree, shrub, flower, grass, or other plant of any kind in the cemetery except with the approval of and under the supervision of the Superintendent.

(1992 Code, § 92.04) Penalty, see § 92.99

§ 92.05 MONUMENTS AND MARKERS.

Only one central or family monument shall be allowed on a family lot. Markers shall be laid flush with the ground and shall not exceed two feet in length and one foot in width, and shall be placed at the end of the grave farthest from the monument. No coping, curb, fencing, hedging, grave mounds, borders or curb of any kind shall be allowed on any burial lot.

(1992 Code, § 92.05) Penalty, see § 92.99

§ 92.06 LANDSCAPING; TRIMMING TREES AND SHRUBBERY.

(A) All grading, landscaping and improvements of every kind shall be made or done by the town only.

(B) The pruning or cutting of all trees and shrubbery is hereby prohibited unless done under the immediate supervision of the Superintendent.

(1992 Code, § 92.06) Penalty, see § 92.99

§ 92.07 STRUCTURES.

No mausoleum, tomb, building or other structure of any kind shall be erected on any lot within the cemetery, or within any extension of the cemetery; provided; however, mausoleums and tombs may be constructed on lots which may be designated on the plot and plan of the cemetery from time to time by the Board of Alderpersons as lots to be used exclusively for mausoleums and tombs. Should any mausoleum, monument or tomb at any time become unsafe, unsightly or in need of repair or resetting, the Superintendent shall so notify the owner of the lot, or any person having an interest in the lot, and shall request the person to make the needed repairs under his or her supervision, and if the person shall fail to make the repairs within 30 days thereafter, the Board of Alderpersons may order the repairs to be made, or remove the same from the lot as the Board may elect.

(1992 Code, § 92.07) Penalty, see § 92.99

§ 92.08 CONVEYANCE OF LOTS.

(A) No person who shall purchase any lot in the cemetery from the town shall thereafter convey or alien the same to any other person except upon the written permission of the Board of Alderpersons.

(B) The grantee of any lot so reconveyed must pay the town the difference, if any, between the amount that the grantor and grantee would have been charged under the rate schedule in effect at the time of the reconveyance.

(1992 Code, § 92.08) (Ord. 05-O-192, passed 10-10-2005) Penalty, see § 92.99

§ 92.09 DAMAGE TO CEMETERY; MISCONDUCT.

No person shall deposit any rubbish, filth, waste or other unclean or unsightly substance in the cemetery, and all materials carried within the cemetery and not used in the erection of monuments, markers or other lawful structures authorized herein shall be promptly removed therefrom by the owner of the lot upon which the monument, marker or structure shall be located.

(1992 Code, § 92.09) Penalty, see § 92.99

§ 92.10 VEHICLES IN CEMETERY.

Vehicles shall be driven only upon roadways within the cemetery and at a rate of speed not in excess of 15 mph. No vehicles shall enter the cemetery except for the purpose of attending funerals, visiting graves or other lawful mission.

(1992 Code, § 92.10) Penalty, see § 92.99

§ 92.11 REMOVAL OF TRASH AND MATERIALS.

No person shall deposit any rubbish, filth, waste or other unclean or unsightly substance in the cemetery, and all materials carried within the cemetery and not used in the erection of monuments, markers or other lawful structures authorized herein shall be promptly removed therefrom by the owner of the lot upon which the monument, marker or structure shall be located.

(1992 Code, § 92.11) Penalty, see § 92.99

§ 92.12 PROVISIONS OF CHAPTER MADE PART OF CONVEYANCE.

All lots within the Winterville Cemetery, and within any extension of the cemetery at any time hereafter made, whether owned by the town or by any other person or persons, shall be subject to and regulated and controlled by the provisions of this chapter; and in all deeds of conveyance by the town to any person or persons for any lot, the following provisions shall be included therein as a covenant running with the land:

This conveyance is made subject to an ordinance adopting rules and regulations for the control of Winterville Cemetery and providing penalties in relation thereto duly of record up to the minute of the proceedings of the Board of Alderpersons of the town, and the grantee herein, his heirs and assigns agree that upon the breach of any of its provisions, the title to said property shall revert to the town.

(1992 Code, § 92.12)

§ 92.13 DISTRIBUTION OF RECEIPTS.

Sixty percent of the receipts of the sales of cemetery lots shall go directly into the general fund account with 40% going into a reserve account for future expansion and maintenance of cemetery property.

(1992 Code, § 92.13)

§ 92.14 LOT CHARGES.

The schedule of lot charges shall be maintained in the office of the Town Clerk.

(1992 Code, § 92.14)

§ 92.15 MARKING, OPENING AND CLOSING A GRAVE SITE.

(A) The grave opening/closing applicant must request a specific date for the opening and closing.

(1) No graves will be opened or closed on two days of the year, November 14 and December 25, unless special arrangements are made.

(2) No grave opening/closing request may be made on town non-working days.

(3) Applications must be made two working days in advance, unless special arrangements are made.

(4) Applications must also state the date the grave is to be opened and closed.

(B) Upon receiving a request on a form provided, and fees paid by the grave opening applicant, Public Works personnel shall properly mark the requested grave site for opening, by using flags or other appropriate markings.

(1) The number of the grave site will be displayed.

(2) The grave opening/closing contractor will be notified by Public Works that the grave plot is ready to be opened.

(C) The grave opening/closing contractor shall properly open the grave, by removing the sod and placing it in a location so that it may be reused.

(1) The dirt removed shall be properly located in order that it may be returned to cover the grave site.

(2) After the grave site is filled in, the sod shall be replaced.

(D) The grave opening/closing contractor shall remove from the cemetery all flowers, floral material and other material placed on the grave after burial (except for grave markers), within 15 but no later than 30 days after interment.

(1) Also within this time period, any mounded excess soil shall be removed from the grave site, and the grave shall be made level with the surrounding ground.

(2) In the event that the grave site has sunk, additional soil shall be added so that the grave is level with the surrounding ground.

(1992 Code, § 92.15) (Ord. 03-O-52, passed 12-8-2003; Ord. 04-O-80, passed 5-10-2004)

§ 92.16 INTERMENT OF CREMATED REMAINS.

(A) Not more than the cremated remains of two bodies shall be interred in one grave.

(B) A maximum of two interments of cremated remains will be permitted on a standard size lot. The scattering of cremated remains indiscriminately or throwing cremated remains to the wind is prohibited within town cemeteries.

(C) An outer receptacle, crypt, vault, or other permanent type grave liner is required for caskets and cremated remains buried below ground. Composition of these containers must be steel, reinforced concrete, or the equivalent in strength, and must be approved by the town.

(Ord. 07-O-283, passed 6-11-2007) Penalty, see § 92.99

§ 92.17 SERVICE FEE.

The town will charge a service fee for the marking, opening, closing, and initial maintenance of town cemetery grave sites.

(1992 Code, § 92.16) (Ord. 03-O-52, passed 12-8-2003; Ord. 04-O-80, passed 5-10-2004)

§ 92.99 PENALTY.

It shall be unlawful for any person, firm or corporation to violate any of the provisions of this chapter, and any person, firm or corporation who shall violate any provision hereof shall be guilty of a misdemeanor and upon conviction shall be fined not more than \$500, be imprisoned for not more than 30 days, or both. In addition thereto, the town shall have authority to abate any violation and restore the property to its condition as authorized herein.

(1992 Code, § 92.99)

Town of Winterville Fee Schedule



WINTERVILLE

A slice of the good life!

Effective Date
July 1, 2021

As Certified by the
Finance Director
Anthony B. Bowers

General:

Cemetery Plots-

In Town	In the ETJ	Out of Town
\$450.00	\$650.00	\$1,000.00

**Out of Town purchaser must provide proof of immediate family having purchased plot/plots in the cemetery previously, with a lifetime maximum purchase of two (2) plots for Out of Town purchasers.*

Opening and closing cemetery plots \$500.00
Cremation Opening \$200.00
After-hour arrangements (opening/closing/locating) \$150.00 additional

Cable TV Franchise Application- \$5,000.00 (non-refundable)

Taxi Cab Drivers Permit Application- \$ 15.00

Solicitation Permit- \$ 10.00

Driveways and Curb Cutouts- Cost of material or \$200.00 minimum

Community Building Rental-

In Town	Out of Town
\$125.00	\$200.00

Refundable Deposit of \$100 required.

Operation Center Room Rental-

In Town	Out of Town
\$125.00	\$200.00

Refundable Deposit of \$100 required.

Police Department:

Cost of Service (AOC)- \$ 5.00
Incident Report copies- \$13.00 (Department uses an outside company)
Police Accident Report copies- \$ 5.00
Finger Printing Copies- \$10.00



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Old Business

Meeting Date: May 9, 2022

Presenter: Ryan C. Willhite, Chief of Police

Item to be Considered

Subject: Consideration of changing the 5 minute parking signs in front of the L' Academie De Danse studio to add a day and time stipulation.

Action Requested: Approval to add "(Monday - Friday, 11:00 am-10:00 pm)."

Attachment: None.

Prepared By: Ryan C. Willhite, Chief of Police

Date: 5/4/2022

ABSTRACT ROUTING:

TC: 5/4/2022

TM: 5/5/2022

Final: tlp - 5/5/2022

Supporting Documentation

After contacting the owner, Ms. Nora Parker, she was supportive of this change.

Contents of Ms. Parker's email is found below:

I have no problem with adding the hours on the signs ; that was my original suggestion. I was told though; that the signs were not only put up for my business but for other businesses as well, so the town only wanted a "5 Minute Parking Only" representing all businesses.

My business hours as of 2021-2022 dance season are Monday-Thursday 3:00-9:30 pm. This is the time Parents are dropping off and picking up.

Friday is not included in the 2021-2022 year due to the pandemic. I hope it will be added next year, as we return to some normalcy, but would only go until 7:00 pm.

Budgetary Impact: TBD.

Recommendation: Approval.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: May 9, 2022

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: Villa Grande, Phase 3 – Preliminary Plat.

Action Requested: Approval of Preliminary Plat.

Attachment: Preliminary Plat.

Prepared By: Bryan Jones, Planning Director

Date: 4/27/2022

ABSTRACT ROUTING:

TC: 5/4/2022

TM: 5/5/2022

Final: tlp - 5/5/2022

Supporting Documentation

Villa Grande, Phase 3 – Preliminary Plat:

Location: Red Forbes Road north of its intersection with NC 903 S.

Parcel Numbers: 82582, 80704, and 19880.

Site Data: 40 Lots, 22.73 Acres.

Zoning District: R-10.

- ❖ Winterville Technical Review Committee reviewed the Preliminary Plat on March 1, 2022.
- ❖ Planning and Zoning Board unanimously recommended approval on April 18, 2022.

Budgetary Impact: TBD.

Recommendation: Approve Preliminary Plat.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: May 9, 2022

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: Eleven at Main, Phase 1 – Final Plat.

Action Requested: Approval of Final Plat.

Attachment: Final Plat.

Prepared By: Bryan Jones, Planning Director

Date: 4/27/2022

ABSTRACT ROUTING:

TC: 5/4/2022

TM: 5/5/2022

Final: tlp - 5/5/2022

Supporting Documentation

Eleven at Main – Final Plat:

Location: Intersection of Main Street and Winterville Parkway (Hwy 11 S).

Parcel Number: 05589.

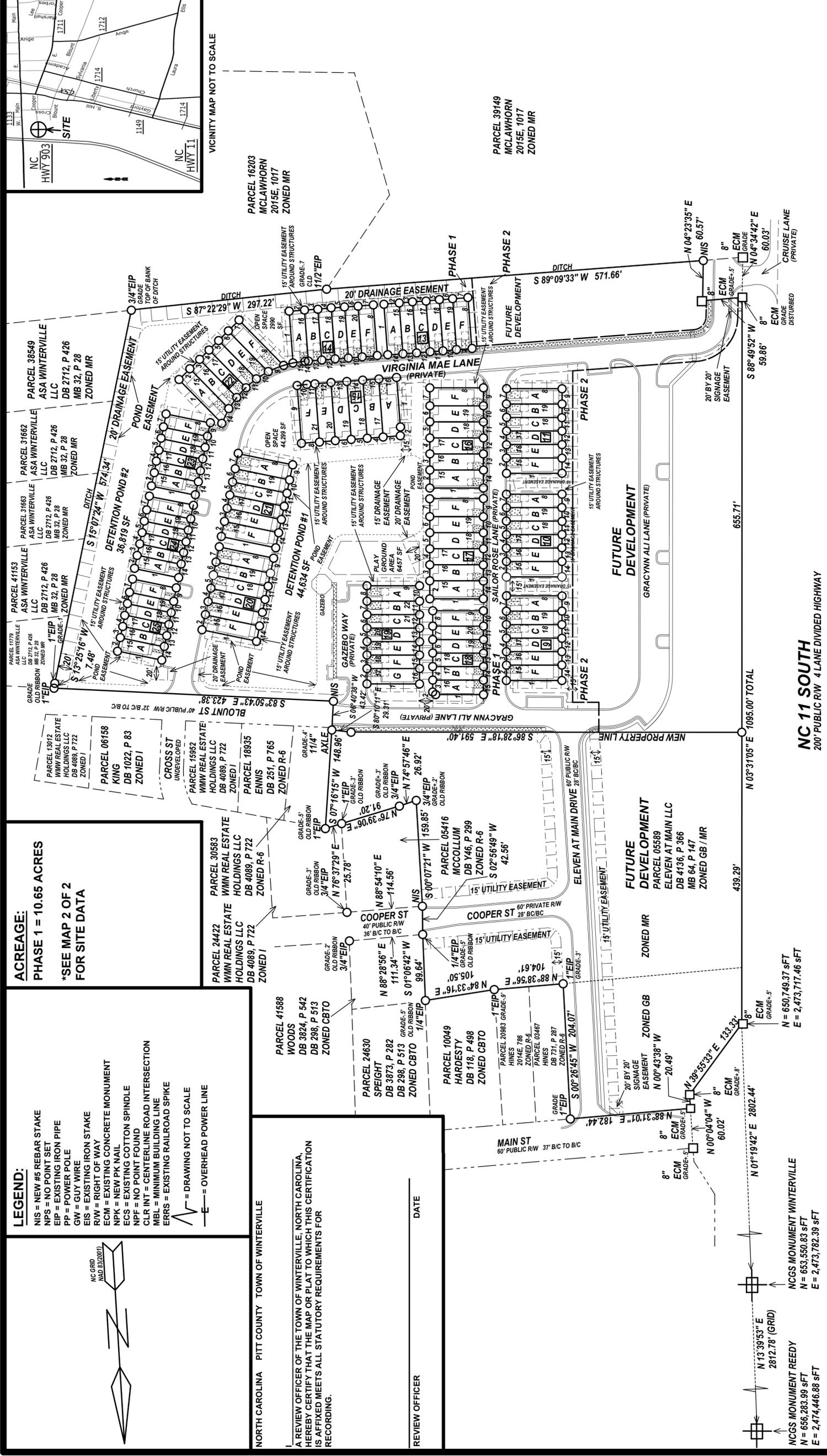
Site Data: 97 Lots, 10.65 Acres.

Zoning District: MR.

- ❖ Winterville Technical Review Committee reviewed the Final Plat on April 5, 2022.
- ❖ BOA issued Special Use Permit May 19, 2021.
- ❖ Town Council approved the Preliminary Plat on August 9, 2021.
- ❖ Construction Plans were approved on December 9, 2021.
- ❖ Planning and Zoning Board unanimously recommended approval April 18, 2022.

Budgetary Impact: TBD.

Recommendation: Approve Final Plat.



ACREAGE:
PHASE 1 = 10.65 ACRES
PHASE 2 OF 2
***SEE MAP 2 FOR SITE DATA**

LEGEND:
 NIS = NEW #5 REBAR STAKE
 NPS = NO POINT SET
 EIP = EXISTING IRON PIPE
 PP = POWER POLE
 GW = GUY WIRE
 EIS = EXISTING IRON STAKE
 R/W = RIGHT OF WAY
 ECM = EXISTING CONCRETE MONUMENT
 NPK = NEW PK NAIL
 ECS = EXISTING COTTON SPINDLE
 NPF = NO POINT FOUND
 CLR INT = CENTERLINE ROAD INTERSECTION
 MBL = MINIMUM BUILDING LINE
 ERRS = EXISTING RAILROAD SPIKE
 --- = DRAWING NOT TO SCALE
 ---E--- = OVERHEAD POWER LINE

REVIEW OFFICER _____ **DATE** _____

A REVIEW OFFICER OF THE TOWN OF WINTERVILLE, NORTH CAROLINA, IS AFFIXED TO THIS CERTIFICATION TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

NCGS MONUMENT WINTERVILLE
 N = 656,283.99 sft
 E = 2,474,446.88 sft

NCGS MONUMENT WINTERVILLE
 N = 650,749.37 sft
 E = 2,473,717.46 sft

NCGS MONUMENT WINTERVILLE
 N = 653,550.83 sft
 E = 2,473,782.39 sft

NOTES:
 1. ALL DISTANCES ARE GROUND DISTANCES UNLESS OTHERWISE NOTED.
 2. BEARINGS ARE REFERENCED TO NC GRID.
 3. COMBINED FACTOR = 0.99988711
 4. SUBJECT PARCEL IS NOT IN A FLOOD HAZARD AREA PER MAP NUMBER 3720467500K, EFFECTIVE 07/07/14 (CID 370193).
 5. SUBJECT PARCEL IS ZONED GB AND MR BY THE TOWN OF WINTERVILLE.
 6. AREA IS CALCULATED BY COORDINATE GEOMETRY.
 7. WATER PROVIDED BY THE TOWN OF WINTERVILLE.
 8. SEWER PROVIDED BY THE TOWN OF WINTERVILLE.
 9. ELECTRIC PROVIDED BY THE TOWN OF WINTERVILLE.
 10. ELECTRICAL EASEMENT TO BE CENTERED OVER ELECTRICAL MAIN AS INSTALLED.
 11. GARBAGE REMOVAL WILL BE BY INDIVIDUAL ROLL OUT SERVICE. CITY OR NCDOT DRIVEWAY PERMIT REQUIRED. ANY ENCROACHMENT AGREEMENTS SHALL BE APPROVED BEFORE INSTALLATION.

SCALE: 1 INCH = 100 FEET.

SCALE: ONE INCH EQUALS ONE HUNDRED FEET.

SCALE: 1 INCH = 100 FEET.

SCALE: ONE INCH EQUALS ONE HUNDRED FEET.

SHEET 1 OF 2
FINAL PLAT

ELEVEN AT MAIN LLC PHASE 1
 OWNER: ELEVEN AT MAIN LLC
 C/O BRITT DEVELOPMENT
 COMPANY OF ARCHDALE, LLC
 710 ARENDELL ST., SUITE 201
 MOREHEAD CITY, NC, 28557
 252-725-5375

PARCEL 05589
 WINTERVILLE, NC, 28590
 DEED BOOK 4136, PAGE 366
 MAP BOOK 64, PAGE 147

REFERENCES: DB 775, P 168; MB 64, P 147; DB 731, P 287; DB 118, P 498;
 DB 3873, P 282; DB 298, P 513; DB Y46, P 299; DB 4089, P 722; DB 251, 765;
 DB 4089, 722; DB 1022, P 83.

WINTERVILLE TOWNSHIP **PITT COUNTY** **NORTH CAROLINA**

SCALE: ONE INCH EQUALS ONE HUNDRED FEET.

SCALE: 1 INCH = 100 FEET.

