



# WINTERVILLE

*A slice of the good life!*

## TOWN COUNCIL AGENDA

OCTOBER 14, 2019 - 7:00 PM

### WINTERVILLE TOWN HALL ASSEMBLY ROOM

- I. **CALL TO ORDER.**
- II. **INVOCATION.**
- III. **PLEDGE OF ALLEGIANCE.**
- IV. **WELCOME.**
- V. **APPROVAL OF AGENDA.**
- VI. **PUBLIC HEARINGS:**
  1. Winterville Comprehensive Land Use Plan – Jake Petrosky, Project Manager with Stewart.
- VII. **PRESENTATIONS:**
  1. Electric Territory Expansion - Monty Montsinger and Peter Rant, Pike Engineering (Formerly PowerServices).
- VIII. **PUBLIC COMMENT:** *The Public Comment period of thirty minutes provides an opportunity for residents to comment on any item included in the agenda or to address the Town Council on any other matter related to the Town of Winterville. For an item included in the Public Hearing section of the agenda, residents should address the Council at the time the Mayor invites public comment on the item. No public comment may be made to the Council during the meeting, except during the Public Comment period or as part of a Public Hearing. Individual speakers are limited to a maximum of three minutes, and no more than three speakers may address the Council on a single matter. The Town Council may elect to take no action on the matter addressed by a speaker, may schedule the matter for further consideration at a future Council meeting, or may refer the matter to Town staff for disposition. Copies of the Town Public Comment Policy are available in the rear of the Assembly Room.*
  1. David Munoz – Request for Reconsideration of Brunch Bill.
  2. Debbie Avery - Request for Reconsideration of Brunch Bill.
- IX. **CONSENT AGENDA:** *The following items are considered routine in nature and will not be discussed by the Town Council unless a Councilman or citizen requests that an item be removed from the Consent Agenda for further discussion. The Mayor may allow citizens to address an item or ask questions.*
  1. Approval of the following sets of Council Meeting Minutes:
    - August 19, 2019 Regular Meeting Minutes; and
    - September 9, 2019 Regular Meeting Minutes.
  2. Schedule a Public Hearing for the Annexation of Mahmoud Atiyha/Happy Trail Farms for Tuesday, November 12, 2019.
  3. Schedule a Public Hearing for the Rezoning of Janet Hare and Joan Neitz Property for Tuesday, November 12, 2019.
  4. Approval of Engineering Contracts for Church Street Lift Station Force Main Bores – The Wooten Company.
  5. Approval of Engineering Contract for General Consulting Services – The Wooten Company.

**X. OLD BUSINESS:**

1. Nobel Canal Bank Stabilization.

**XI. NEW BUSINESS:**

1. Chapman Street Culvert Replacement Project - Award of Contract.
2. Gardner Street parking.

**XII. OTHER AGENDA ITEMS:**

**XIII. ITEMS FOR FUTURE AGENDAS/FUTURE WORK SESSIONS:**

**XIV. REPORTS FROM DEPARTMENT HEADS:**

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

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

**XVI. CLOSED SESSION: NCGS § 143-318.11. (a)(5)** 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. (Acquisition of Real Property.)

**XVII. ANNOUNCEMENTS:**

1. Board of Adjustment Meeting: Tuesday, October 15<sup>th</sup> @ 7:00 pm in THAR.
2. Planning and Zoning Board Meeting: Monday, October 21<sup>st</sup> @ 7:00 pm in THAR.
3. Halloween and Fall Market: Thursday, October 24<sup>th</sup> from 4:00 pm – 8:00 pm on Town Market at 252 Main Street.
4. Trick or Treat the Trail: Thursday, October 31<sup>st</sup> from 4:30 pm – 8:00 pm at Winterville Recreation Park.
5. Dedication of Playgrounds: Thursday, October 31<sup>st</sup> starting at 5:00 pm at Hillcrest Park Playground, then proceeding directly to Winterville Recreation Park Playground (approximately 5:30 pm).
6. Municipal Election: Tuesday, November 5<sup>th</sup> from 6:30 am – 7:30 pm.
7. Veteran’s Day: Monday, November 11<sup>th</sup>, Town Offices Closed.
8. Veterans Day Event: Monday, November 11<sup>th</sup> @ 2:00 pm at Winterville Public Safety Building.
9. Regular Town Council Meeting: Tuesday, November 12<sup>th</sup> @ 7:00 pm in THAR.
10. Thanksgiving Holidays: Thursday, November 28<sup>th</sup> and Friday, November 29<sup>th</sup>, Town Offices Closed.
11. Christmas Market, Parade, Tree Lighting, and Council Reception: Saturday, November 23<sup>rd</sup> from 1:00 pm – 8:00 pm.

**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.)*



## Town of Winterville Town Council Agenda Abstract

Item Section: Public Hearings

**Meeting Date:** October 14, 2019

**Presenter:** Bryan Jones, Planning Director and  
Jake Petrosky, Project Manager with Stewart

### Item to be Considered

**Subject:** Town of Winterville Comprehensive Land Use Plan.

**Action Requested:** Hold a Public Hearing for Adoption of the Plan.

**Attachments:** Draft Plan (See link below).

**Prepared By:** Bryan Jones, Planning Director

**Date:** 10/3/2019

#### ABSTRACT ROUTING:

TC 10/8/2019

FD

TM 10/8/2019

Final tlp - 10/8/2019

### Supporting Documentation

The Town of Winterville has engaged in a year-long development of its Comprehensive Land Use Plan. During this process, the Planning Department, along with the Consultant team from Stewart and all departments of the Town, have reviewed and refined the vision of the Town to provide guidance on land use, economic development, recreation, and infrastructure decisions for years to come. The plan includes an assessment of the community as well as an updated vision, goals, and recommendations.

A major component of the planning process was the establishment of a Steering Committee. This committee is comprised of 11 people that represent a diverse set of backgrounds, races, ages, genders and areas of expertise. The Steering Committee met 5 times over the last year, providing input on community goals, concepts and strategies, and reviewing the draft plan. At the fifth and last meeting the Steering Committee fully endorsed the plan.

The Planning and Zoning Board unanimously recommended approval to Town Council on September 16, 2019.

A copy of the draft plan can be found at the following link:

<https://www.wintervillenc.com/comprehensive-land-use-plan>

**Budgetary Impact:** NA.

**Recommendation:** Approve and Adopt the Winterville Comprehensive Land Use Plan.



**Town of Winterville  
Town Council  
Agenda Abstract**

**Meeting Date:** October 14, 2019  
**Presenter:** Monty Montsinger and Peter Rant,  
Pike Engineering (Formerly PowerServices)

**Item Section:** Presentations

**Item to be Considered**

**Subject:** Town of Winterville New Electric Territory Expansion Cost Estimate Study.

**Action Requested:** Acceptance of Study Findings.

**Attachments:** None.

**Prepared By:** Robert Sutton, Electric Director

**Date:** 10/3/2019

**ABSTRACT ROUTING:**

TC 10/8/2019

FD

TM 10/8/2019

Final tlp - 10/8/2019

**Supporting Documentation**

Representatives of Pike Engineering (formerly PowerServices) were directed to determine the Towns projected costs for serving customers in the Towns recently acquired new electric service territory. The new service territory was divided into areas based on the likelihood and timeframe of their development. In order to assign cost projections to the new areas, assumptions were made including the new areas would develop at approximately the same density as existing and construction methods would similarly mirror existing infrastructure.

Staff requested the cost estimate study as the first step in the new territory backbone electric construction process. The second step will be the development of construction routes and drawings, field staking, development of bid documents and other construction administration tasks.

**Budgetary Impact:** Funding for the Cost Estimate Study was appropriated in the FYE 19 budget. Additionally, funding for the New Service Territory engineering and construction administration was approved in the FYE 20 budget.

**Recommendation:** Acceptance of Cost Estimate Study and direct staff to enter contract negotiations with Pike Engineering for the Worthington Road to Laurie Ellis New Service Territory Backbone Electric Construction Project engineering and construction administration.



# TOWN OF WINTERVILLE PUBLIC COMMENT APPLICATION

Name of Applicant: David Munoz

Date: 10/17/19

Address: 1039 Cedar Ridge Dr.

Phone: 252-917-0701

Town Council Meeting Date Requesting to Provide Comment: 10/14/19

Description of the item(s) to be presented to the Town Council Members. Please be specific.

Revote on Brunch Bill

Name(s) of Speaker(s):

(1) David Munoz

(2) \_\_\_\_\_

(3) \_\_\_\_\_

My signature below acknowledges that I have read the Town of Winterville Public Comment Policy. I agree that as applicant, the speaker(s) named above shall adhere to the Public Comment Policy of the Town of Winterville.

David Munoz  
Signature

Terri L. Parker  
Town Manager  
Town of Winterville  
2571 Railroad Street or PO Box 1459  
Winterville, NC 28590

October 3, 2019

Dear Ms. Parker,

My name is David Munoz. I have been a resident of the Town of Winterville for a little over 7 years living in the Cedar Ridge subdivision. My family enjoys living in the Winterville community. My wife and I are the owners of Main & Mill Restaurant located at 204 Main Street. We are excited to be a part of the business community and to be contributing to the growth of the area in which we reside. We have recently began opening on Sunday mornings serving brunch from 11am-3pm. I understand that several years ago the Town Council voted not to pass the Brunch Bill that allows the sale of alcohol to begin at 10am on Sundays. At that time I do not believe there was a restaurant in Town that opened Sunday morning serving Brunch. Now that we have started opening on Sunday mornings we have had many of our customers asking to be served alcoholic beverages with their meals. We would like to be able to meet all of our customers' needs and make sure they have the best experience possible to ensure they will be returning customers. Not being able to serve alcohol before 12pm on Sundays puts us at a disadvantage to other restaurants in this area which may lead customers to go elsewhere for Brunch which in turn hurts our business by limiting our Sunday customer base.

I would like to see this item revisited by the Town Council and see if they would reconsider their decision now that there are restaurants and other new businesses coming in the future that are being placed at a disadvantage by their previous decision. Thank you for your consideration.

Sincerely,

David Munoz



204 Main St.  
Winterville,  
NC 28590

PHONE 252-227-4399  
EMAIL [mainandmill19@gmail.com](mailto:mainandmill19@gmail.com)  
WEBSITE [www.mainandmilltavern.com](http://www.mainandmilltavern.com)



**RECEIVED**

10/7/2019

lep

**ALLOW THE SALE OF ALCOHOLIC BEVERAGES BEFORE NOON ON SUNDAYS, SUBJECT TO LOCAL GOVERNMENT APPROVAL**

**SECTION 4.(a)** G.S. 18B-1004(c) reads as rewritten:

**"§ 18B-1004. Hours for sale and consumption.**

...

(c) Sunday Hours. – ~~It~~ Except as authorized pursuant to G.S. 18B-112(b1), 153A-145.7, or 160A-205.3, it shall be unlawful to sell or consume alcoholic beverages on any licensed premises from the time at which sale or consumption must cease on Sunday morning until 12:00 Noon on that day."

**SECTION 4.(b)** Article 6 of Chapter 153A of the General Statutes is amended by adding a new section to read:

**"§ 153A-145.7. Hours of certain alcohol sales.**

In accordance with G.S. 18B-1004(c), a county may adopt an ordinance allowing for the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages beginning at 10:00 A.M. on Sunday pursuant to the licensed premises' permit issued under G.S. 18B-1001."

**SECTION 4.(c)** Article 8 of Chapter 160A of the General Statutes is amended by adding a new section to read:

**"§ 160A-205.3. Hours of certain alcohol sales.**

In accordance with G.S. 18B-1004(c), a city may adopt an ordinance allowing for the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages beginning at 10:00 A.M. on Sunday pursuant to the licensed premises' permit issued under G.S. 18B-1001."

**SECTION 4.(d)** G.S. 18B-112 is amended by adding a new subsection to read:

"(b1) In accordance with G.S. 18B-1004(c), the Eastern Band of Cherokee Indians tribe may adopt an ordinance allowing for the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages beginning at 10:00 A.M. on Sunday pursuant to the licensed premises' permit issued under the authority of G.S. 18B-112(d)."



# TOWN OF WINTERVILLE PUBLIC COMMENT APPLICATION

Name of Applicant: Winterville Chamber

Date: 10-8-19

Address: Debbie Avery  
Operations Center

Phone: 531-4590

Town Council Meeting Date Requesting to Provide Comment:  
10-14-19

Description of the item(s) to be presented to the Town Council Members. Please be specific.

Brunch Bill reconsideration

Name(s) of Speaker(s):

(1) Debbie Avery

(2) \_\_\_\_\_

(3) \_\_\_\_\_

My signature below acknowledges that I have read the Town of Winterville Public Comment Policy. I agree that as applicant, the speaker(s) named above shall adhere to the Public Comment Policy of the Town of Winterville.

Debbie Avery  
Signature



**Town of Winterville  
Town Council  
Agenda Abstract**

Item Section: Consent Agenda

**Meeting Date:** October 14, 2019

**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:** 10/2/2019

**ABSTRACT ROUTING:**

TC 10/8/2019

FD

TM 10/8/2019

Final tip - 10/8/2019

**Supporting Documentation**

Approval of the following sets of Council Meeting Minutes:

- August 19, 2019 Regular Council meeting, and
- September 9, 2019 Regular Council meeting.

**Budgetary Impact:** NA.

**Recommendation:** Approval of Minutes.



**Winterville Town Council  
August 19, 2019 – 7:00 PM  
Regular Meeting Minutes**

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 Douglas A. Jackson presiding. The following were present:

Douglas A. Jackson, Mayor  
Mark Smith, Mayor Pro-Tem  
Ricky Hines, Councilman  
Tony Moore, Councilman  
Johnny Moyer, Councilman  
Veronica Roberson Councilwoman  
Keen Lassiter, Town Attorney  
Terri L. Parker, Town Manager  
Ben Williams, Assistant Town Manager  
Ryan Willhite, Police Chief  
David Moore, Fire Chief  
Travis Welborn, Public Works Director  
Robert Sutton, Electric Director  
Anthony Bowers, Finance Director  
Evan Johnston, Parks and Recreation Director  
Stephen Penn, Economic Development Planner  
Donald Harvey, Town Clerk

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

**INVOCATION:** Councilman Moyer gave the Invocation.

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

**WELCOME:** Mayor Jackson welcomed the public.

**APPROVAL OF AGENDA:**

Manager Parker noted a deletion to the Agenda.

**Motion made by Councilman Hines and seconded by Councilman Moyer to approve the corrected agenda. The motion carried unanimously, 5-0.**

**PUBLIC HEARINGS:**

Zoning Ordinance Text Amendment – Tattooing as a Permitted Use in General Business. Economic Development Planner Penn gave the following presentation:

• Request:

- The applicant (Marlowe Bynum) is requesting the Zoning Ordinance be amended to allow Tattooing as a permitted use in the General Business District. Currently the Zoning Ordinance allows Tattooing as a permitted use in the Industrial District with the following Special Requirement:

**SR 45. Tattooing**

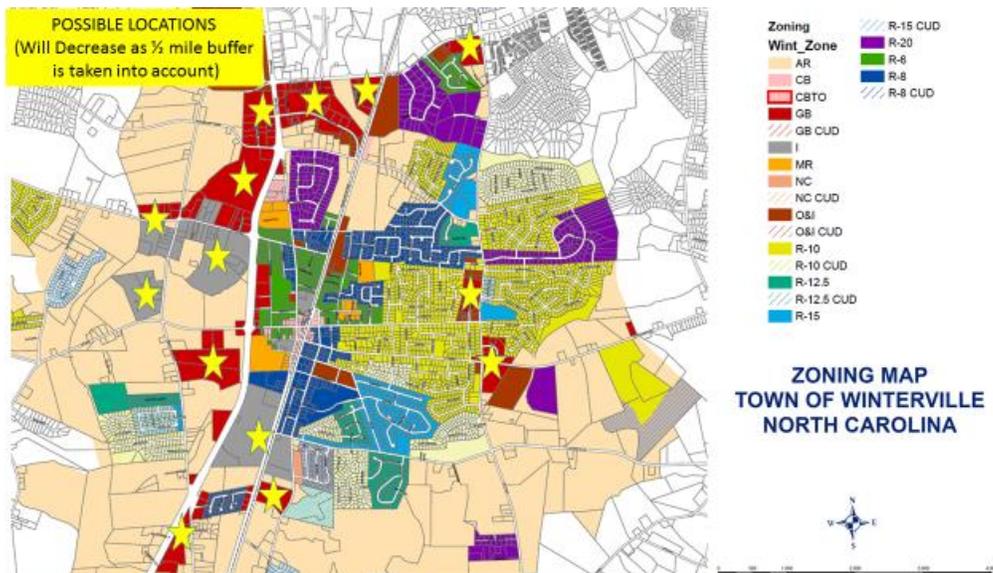
Establishments offering tattooing services must be located a minimum of one-half (1/2) mile from any other establishment offering tattooing services. (10-0-230, adopted 06/14/2010).



Process:

- Planning and Zoning heard the request and unanimously recommended approval to Town Council in June. (6/17/2019)
- Town Council to hold a Public Hearing and make a decision on amending the Ordinance (8/19/2019)

❖ Notice of the Public Hearing was published in the Daily Reflector on August 7, 2019 and August 14, 2019.



Comparable Municipalities (equivalent zoning districts to GB):

- City of Greenville:
  - Allows under “Other Activities; Personal Services not Otherwise Listed” in the following Zoning Districts: OR (Office-Residential), CD (Downtown Commercial), CDF (Downtown Commercial Fringe), CG (General Commercial), and CH (Commercial Heavy).
- Town of Clayton:
  - Allows in the B-3 (Highway Business) Zoning District.
- Town of Smithfield:
  - Allows in the B-2 (General Business) Zoning District.



Tattoo Parlor Regulations:

- NC Department of Health and Human Services (Environmental Health Section – Food Protection and Facilities Branch) regulates Tattoo Parlors under the Tattoo Program.
- The Tattoo Program assures the safety of tattooing by establishing sanitation and infection control procedures tattoo artists and permanent color technologists must follow to maintain a Tattooing Permit issued by the Department through local health departments.
- NCGS 130A-283. Tattooing regulated



130 A -283. Tattooing Regulated:

- Prohibited Practice. - No person shall engage in tattooing without first obtaining a tattooing permit from the Department.
- To obtain a tattooing permit, a person **must apply to the Department**. Upon receipt of the application, the Department, acting through the local health department, **shall inspect the premises, instruments, utensils, equipment and procedures** of the applicant to determine whether the applicant meets the requirements for a tattooing permit set by the Commission. If the applicant meets these requirements, the Department shall issue a permit to the applicant. A permit is valid for one year and **must be renewed annually** by applying to the Department for a permit renewal.



TABLE OF PERMITTED CONDITIONAL USES

USE TYPES	LUC	SIC	A-R	R-20	R-16	R-12.5	R-10	R-8	R-4	M-R	O-I	C-B	G-B	I-C	C-N	I	SR
medical, dental, or related offices	3	8000										X	X	X	X	X	
medical or dental laboratories	3	8071										X	X	X	X	X	
mini-warehouses	4	0000									C	X	X	X	X	X	21
motels & hotels	3	7011										X	X	X	X	X	
motion picture productions	3	7810										X	X	X	X	X	
noncommercial, research organizations	3	8735										X	X	X	X	X	
office, not classified elsewhere (no retail)	3	8000										X	X	X	X	X	
optometrists & ophthalmologists	3	8000										X	X	X	X	X	
photocopying & duplicating services	3	7234										X	X	X	X	X	
photo finishing laboratories	3	7304										X	X	X	X	X	
photography studio	3	7221										X	X	X	X	X	
picture framing shop	3	7099										X	X	X	X	X	
psychologists' offices	3	8000										X	X	X	X	X	
real estate offices	3	8000										X	X	X	X	X	
recreational vehicle parks or campgrounds	4	7035														X	22
refrigerator or large appliance repairs	4	7625										X	X	X	X	X	41
rehabilitation or counseling services	3	8300										X	X	X	X	X	
repair shops not classified elsewhere	4	8000										X	X	X	X	X	
research, development, or testing services	3	8730										X	X	X	X	X	
septic tank services	3	7099										X	X	X	X	X	
service stations (not including truck stops)	4	7530										X	X	X	X	X	
shoe repair or shoeshine shops	3	7251										X	X	X	X	X	
signs as regulated by Article IX	*		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
stock, security or commodity brokers	3	6200										X	X	X	X	X	
structures & uses clearly incidental to a permitted use	3	0000	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
tanning salons	3	7299										X	X	X	X	X	
<b>salons</b>	3	<b>7200</b>										X	X	X	X	X	<b>40</b>
tax terminals	4	4121										X	X	X	X	X	



TABLE OF PERMITTED CONDITIONAL USES

USE TYPES	LUC	SIC	A-R	R-20	R-16	R-12.5	R-10	R-8	R-4	M-R	O-I	C-B	G-B	I-C	C-N	I	SR
medical, dental, or related offices	3	8000										X	X	X	X	X	
medical or dental laboratories	3	8071										X	X	X	X	X	
mini-warehouses	4	0000									C	X	X	X	X	X	21
motels & hotels	3	7011										X	X	X	X	X	
motion picture productions	3	7810										X	X	X	X	X	
noncommercial, research organizations	3	8735										X	X	X	X	X	
office, not classified elsewhere (no retail)	3	8000										X	X	X	X	X	
optometrists & ophthalmologists	3	8000										X	X	X	X	X	
photocopying & duplicating services	3	7234										X	X	X	X	X	
photo finishing laboratories	3	7304										X	X	X	X	X	
photography studio	3	7221										X	X	X	X	X	
picture framing shop	3	7099										X	X	X	X	X	
psychologists' offices	3	8000										X	X	X	X	X	
real estate offices	3	8000										X	X	X	X	X	
recreational vehicle parks or campgrounds	4	7035														X	22
refrigerator or large appliance repairs	4	7625										X	X	X	X	X	41
rehabilitation or counseling services	3	8300										X	X	X	X	X	
repair shops not classified elsewhere	4	8000										X	X	X	X	X	
research, development, or testing services	3	8730										X	X	X	X	X	
septic tank services	3	7099										X	X	X	X	X	
service stations (not including truck stops)	4	7530										X	X	X	X	X	
shoe repair or shoeshine shops	3	7251										X	X	X	X	X	
signs as regulated by Article IX	*		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
stock, security or commodity brokers	3	6200										X	X	X	X	X	
structures & uses clearly incidental to a permitted use	3	0000	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
tanning salons	3	7299										X	X	X	X	X	
<b>salons</b>	3	<b>7200</b>										X	X	X	X	X	<b>40</b>
tax terminals	4	4121										X	X	X	X	X	



- Staff recommends Approval of the Request



Mayor Jackson declared the public hearing open, asked if anyone would like to speak in favor of the zoning ordinance text amendment. Debbie Avery, Director, Winterville Chamber of Commerce spoke in favor of the proposed amendment.

Mayor Jackson asked if anyone would like to speak in opposition of the zoning ordinance text amendment. Ed Reynolds, resident, and Garry Nobles owner of Garry's Skin Graffix spoke in opposition of the amendment.

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

**Motion made by Councilwoman Roberson and seconded by Councilman Moye to approve the Tattooing Zoning Text Amendment. The motion carried 4-1. Councilman Moore opposed.**

Request for Taxicab Franchise from Linangaly Transportation Services. Town Manager Parker provided following information:

Ms. Angela Grimes, owner of Linangaly Transportation Services requests to operate a Taxicab Franchise in the Town of Winterville. The applicant has submitted her application for approval of the certificate of convenience and necessity. The Daily Reflector advertised the Public hearing in the August 7, 2019 and August 14, 2019 editions. Shown below is the application:

**APPLICATION FOR TAXICAB FRANCHISE**

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

The undersigned makes application for a taxicab franchise under the provisions of Chapter 113, Section 113.02 of the Code of Ordinances of the Town of Winterville, and presents the following information:

1. That the applicant is familiar with the ordinance of the Town of Winterville relating to liability insurance, drivers regulations, regulation of rates and other matters pertaining to the operation of taxicabs.
2. That the individual, corporate or trade names and business address of the applicant is:  
Linangaly Transportation Services  
\_\_\_\_\_  
\_\_\_\_\_
3. That the applicant is:  
 An individual and sole owner of the taxicab business to be operated under the above name.  
 A Corporation charter under the laws of the State of North Carolina in the year \_\_\_\_\_, and the officers of the corporation are: \_\_\_\_\_  
\_\_\_\_\_
4. That applicant operates in the following cities: Winterville, NC  
\_\_\_\_\_
5. That applicant is requesting franchise to operate 1 taxicab(s).
6. That in support of this application, there is attached hereto and made a part hereof the following Exhibits:

**Exhibit "A":** A full statement of facts which is supported by substantial testimony at the hearing, will support a finding of public convenience and necessity for this operation.

**Exhibit "B":** A complete list of applicant's motor equipment showing year, make, model and carrying capacity of each unit.

**Exhibit "C":** Financial statement showing assets, liabilities and net worth of applicant.

**Exhibit "D":** Statement showing applicant has made complete arrangements for off street parking of all motor vehicles.

**Exhibit "E":** Statement of proposed fares for transporting of persons and property.

**Exhibit "F":** Statement of experience of applicant conducting taxicab business.

252 347-3176  
linangal42@icloud.com

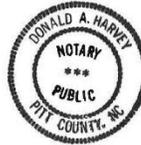
Angele Himes  
Applicant Signature

138 Lismore Drive  
Winterville NC  
Applicant Address

Sworn to and Subscribed before me this 11TH day of JULY, 2019.

Donald A. Harvey  
Notary Public

My Commission Expires JUNE 8, 2020



## Exhibit A

Linangaly Transportation Services would like to become one of many successful businesses in Winterville, North Carolina. LTS will provide a variety of optimum transportation services within the next 5 years as planned. Services will include providing nonemergency transportation to and from medical appointments and other necessary treatment services 7 days a week., grocery store visits, and even trips to the many outside activities that Winterville has to offer to seniors. LTS will become one of the best transportation companies in the Town of Winterville.

Winterville, NC is rapidly growing with a population of approximately of 9,845 residents and close to 3,900 seniors. Therefore, this creates a growing need for this service. People are living much longer than they used to. When social security began in 1935 the average life expectancy in the United States was about 61years. Today it is closer to 79 years so the need for this type of transportation is vital especially in Winterville, NC because about 13% of Winterville households do not have access to a vehicle. This is where LTS would step in and close the gap.

LTS will team up with National Med Trans Network along with other agencies to meet this growing need by providing reliable transportation to clinics and doctor's appointments which will be scheduled in a timely manner in collaboration with insurance companies. The appointments will be scheduled within a 2-week time frame and the vendor, Linangaly's Transportation, will have a 48-hour window to accept or decline transportation so that it may be filled quickly.

## Exhibit B

Vehicles available for transportation services:

- 2010 Mercedes with carrying capacity of 5
- 2011 Honda Odyssey with a carrying capacity of 8

## Exhibit C

### Financial Statement:

**Assets:** 3,400 sq. ft. brick home: \$475,000

2010 s550 Mercedes: \$17,000

2015 Infinity QX80 Limited: \$35,000

2011 Honda Odyssey Van: \$12,000

**Liabilities:** Unsecured Debt: \$8,500

Mortgage: \$388,000

Net Worth : \$116,000

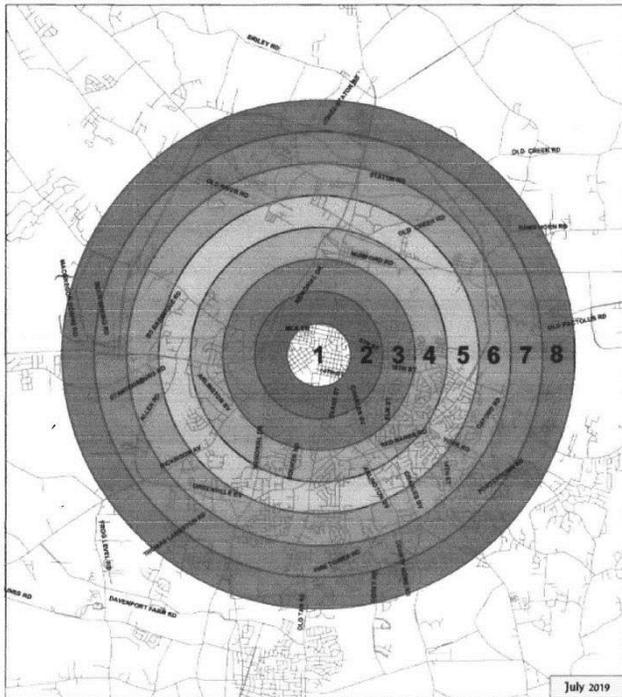
## Exhibit D

Off Street parking will be provided for 1 vehicle in my drive way at 138 Lismore Drive, Winterville, NC.

## Exhibit E

Proposed fares will be comparable to current market fares and fees for local, in-state and out-of-state transport (attached is the fare sheet and map for Greenville, NC).

## Taxi Fare Service Zones Greenville



**LINANGALY TRANSPORTION SERVICES  
TAXICAB FARES**

The following rates shall be applicable for each standard zone fare:

ZONES	1	2	3	4	5	6	7	8
1	4.00	4.35	4.70	5.05	5.40	5.75	6.10	6.50
2	4.35	4.35	4.70	5.05	5.40	5.75	6.10	6.50
3	4.70	4.70	4.70	5.05	5.40	5.75	6.10	6.50
4	5.05	5.05	5.05	5.05	5.40	5.75	6.10	6.50
5	5.40	5.40	5.40	5.40	5.40	5.75	6.10	6.50
6	5.75	5.75	5.75	5.75	5.75	5.75	6.10	6.50
7	6.10	6.10	6.10	6.10	6.10	6.10	6.10	6.50
8	6.50	6.50	6.50	6.50	6.50	6.50	6.50	6.50

The fare charged shall be the amount of the highest zone which is traveled through.  
Only one fare shall be charged for one or two persons traveling from the same point of origin to the same point of destination.

The following rates are for fares across town:

ZONES	1	2	3	4	5	6	7	8
1	4.00	4.80	5.20	5.80	6.40	7.00	7.60	8.20
2	4.80	5.20	5.80	6.40	7.00	7.60	8.20	8.80
3	5.20	5.80	6.40	7.00	7.60	8.20	8.80	9.40
4	5.80	6.40	7.00	7.60	8.20	8.80	9.40	10.00
5	6.40	7.00	7.60	8.20	8.80	9.40	10.00	10.60
6	7.00	7.60	8.20	8.80	9.40	10.00	10.60	11.20
7	7.60	8.20	8.80	9.40	10.00	10.60	11.20	11.80
8	8.20	8.80	9.40	10.00	10.60	11.20	11.80	12.50

Ironwood/Bradford Creek	Standard Fare	6.50
	Across Town	12.50
Over two persons (per person extra)		1.50
Stops en route to destination		1.50
Waiting time (per hour)		16.50
Trunks or footlockers (each)		2.00
Baggage (each)		1.25
Rates outside zones unless previously specified (per mile)		2.00

27

## Exhibit F

Linangaly Transportation's owner has over 25 years of experience in patient care and is also board certified in EEG along with CPR, and First Aide training. These certifications and training are an added bonus to meet the needs of clients while being transported if a need of such should arise while being transported.

Mr. and Mrs. Grimes explained and outlined their efforts for the proposed Linangaly Transportation Services and answered questions from Council.

Mayor Jackson declared the public hearing open, asked if anyone would like to speak in favor of the Taxicab Franchise from Linangaly Transportation Services request. Alyassa Hooper and Lucy Anderson spoke in favor of the application.

Mayor Jackson asked if anyone would like to speak in opposition of the Taxicab Franchise from Linangaly Transportation Services request. Ed Reynolds, Claude Mereau, David Pearce, Betty Forrest, Timothy Forrest, and Jamee Dickens spoke in opposition of the application.

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

**Motion made by Councilman Moore and seconded by Mayor Pro Tem Smith to decline the Taxicab Franchise Application from Linangaly Transportation Services. The motion carried 3-2. Councilwoman Roberson and Councilman Moye opposed.**

**PUBLIC COMMENT:** Mayor Jackson read the Public Comment Policy.

1. Dr. Glenn E. Johnson, DCRC

### **CONSENT AGENDA:**

Items included in the Consent Agenda:

1. Council Meeting Minutes:
  - ✓ May 28, 2019 Budget Work Session meeting;
  - ✓ May 29, 2019 Budget Work Session meeting;
  - ✓ June 3, 2019 Budget Public Hearing meeting;
  - ✓ June 10, 2019 Regular Council meeting; and
  - ✓ June 24, 2019 Special Council meeting.
2. Holly Grove Section 1 Annexation: Schedule a Public Hearing for the Annexation.
3. Ange Plaza Lot 22 Annexation: Schedule a Public Hearing for the Annexation.
4. Budget Amendment 2019-2020-01.
5. Tax Settlement 2019-2020.
6. Charge the tax collector with collection of the 2019-2020 tax levy.
7. Winterville Watermelon Festival Committee Items:
  - ✓ Parade Permit Application and Fee Exemption;
  - ✓ Recreation Park Parking Lot Use and Traffic Pattern Changes;
  - ✓ Suspend Winterville Recreation Park Hours Limitation;
  - ✓ Placement of Signs and Banners; and
  - ✓ Usage of the Parks and Recreation Bathroom Facilities.
8. Parking Schedule on West Railroad Street Ordinance Amendment 19-O-081.
9. Stop Signs and Speed Limits on Town Streets Ordinance Amendment 19-O-082

**Motion made by Councilman Moore and seconded by Councilman Hines to approve the consent agenda. The motion carried unanimously, 5-0.**

**OLD BUSINESS:**

1. Beacon Drive Speed Limit Ordinance 19-O-083: Travis Welborn, Public Works Director gave the following comments:

While completing an update to the Town's Speed Limits Ordinances, staff discovered that Beacon Drive had 35 mph speed limit signs installed, however the ordinance stated the speed limit as 25 mph. The Town Council adopted Ordinance 07-O-282 on June 11, 2007, which established a speed limit of 25 mph on Beacon Drive. The Public Works Department has coordinated with the Police Department and recommends that the Ordinance adopting the speed limit as 25 mph be rescinded such that the speed limit will revert back to 35 mph. Beacon Drive is not a residential street, but rather acts as a thoroughfare between Railroad Street, Vernon White Road, and Highway 11 (Memorial Drive). The Police Department believes they can safely enact a speed limit of 35 mph. NC General Statute 20-141(b) establishes a speed limit of 35 mph inside the corporate limits of Winterville for all vehicles unless specifically established, Therefore simply rescinding the existing ordinance of 25 mph will allow the Police Department to enforce a speed limit of 35 mph.

ORDINANCE NO. 19-O-083

ORDINANCE AMENDING CHAPTER 74 OF THE CODE OF ORDINANCES  
OF THE TOWN OF WINTERVILLE, NORTH CAROLINA

BE IT ORDAINED by the Town Council of the Town of Winterville, North Carolina that Title VII Chapter 74 of the Code of Ordinances of the Town of Winterville is hereby amended as follows:

CHAPTER 74: TRAFFIC SCHEDULES.

SCHEDULE IV: SPEED LIMITS.

G.S. § 20-141(b) establishes a speed limit of 35 mph inside the corporate limits of this town for all vehicles. Exceptions to this are specifically established and set forth as follows:

(E) (1) Pursuant to the authority of G.S. § 20-141(f), it shall be unlawful to operate any vehicle on the following streets at a speed greater than 25 mph.

The portion of the existing Ordinance (07-O-282) passed on June 11, 2007 establishing a speed limit of 25 MPH for Beacon Drive shall hereby be rescinded.

The speed limit for Beacon Drive shall hereby revert back to 35 MPH as established in North Carolina General Statute 20-141(b).

<i>Street</i>	<i>Location</i>	<i>Ord. or Res. No.</i>	<i>Date Passed</i>
Beacon Drive		19-O-083	8-19-2019

This Ordinance shall be effective upon adoption.

Adopted this the 19<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
Douglas A. Jackson, Mayor

ATTEST:

\_\_\_\_\_  
Donald Harvey, Town Clerk

**Motion made by Councilman Moore and seconded by Councilwoman Roberson to approve Ordinance 19-O-083 setting the speed limit on Beacon Drive at 35 mph. The motion carried unanimously, 5-0.**

2. Public Works Updated Capital Improvement Plan: Travis Welborn, Public Works Director gave the following comments:

The Public Works Director revised and updated the Town’s Public Works Capital Improvement Plan. This is a requirement to receive points towards low interest loans for capital improvement projects such as the sewer rehab project. The Council must adopt the plan for acceptance by the reviewing agency. Approving this plan does not require the Town to complete the projects but does help staff and council budget for future improvements and projects.

**Motion made by Councilman Hines and seconded by Councilman Moore to approve the Public Works Updated Capital Improvement Plan. The motion carried unanimously, 5-0.**

3. 2019 SRF Authorizing Resolution 19-R-081: Travis Welborn, Public Works Director gave the following comments:

The NC Department of Environmental Quality (NCDEQ) Division of Water Infrastructure (DWI) will be accepting applications for water and sewer improvement projects for the fall 2019 round. The Town applied for funding through the same program this spring, and offered 0% financing for 100% of the proposed project. After the funding request was submitted, staff and the Towns Engineer came to the conclusion that a bar screen will need to be added to the Church Street Lift Station, which was not included in the funding application. Rags and other debris are constantly causing issues with the pumps, leading to costly repairs. The Towns application would score better if an updated CIP and that the addition of the CIP would increase the chances of the Town receiving grant money or principal forgiveness funding in addition to low or zero interest loans. It is staff's intent to submit a revised application that includes the updated CIP. The application will request funding in the amount of \$1,940,000 for areas targeted in the recently developed and adopted Sanitary Sewer Asset Management Plan/Capital Improvements Plan as well as the bar screen for Church Street Lift Station. The project will include all of the work originally submitted for funding, including rehabilitation work at the Chapman Street Lift Station and electrical improvements at both the Robinson Heights Lift Station and Winterville Crossing Lift Station. Applications are due September 30, 2019 with Notice of Funding anticipated to occur in December 2019. If approved for funding, Council will have the opportunity to decide whether to accept the loan offer.

Resolution 19-R-081

**RESOLUTION BY GOVERNING BODY OF APPLICANT**

- WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of rehabilitation and construction of wastewater collection systems, and
- WHEREAS, The Town of Winterville has need for and intends to construct improvements to the existing wastewater collection system described as 2020 Pump Stations Rehabilitation, and
- WHEREAS, The Town of Winterville intends to request state loan and grant assistance for the project,

**NOW THEREFORE BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF WINTERVILLE:**

That the Town of Winterville, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan/grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Winterville to make scheduled repayment of the loan, to withhold from the Town of Winterville any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Terri L. Parker, Town Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan/grant to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 19<sup>th</sup> day of August, 2019 at Winterville, North Carolina.

\_\_\_\_\_  
(Signature of Chief Executive Officer)

\_\_\_\_\_  
Town Manager  
(Title)

**CERTIFICATION BY RECORDING OFFICER**

The undersigned duly qualified and acting Town Clerk of the Town of Winterville does hereby certify:  
That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of  
an application with the State of North Carolina, as regularly adopted at a legally convened meeting of  
the Winterville Town Council duly held on the 19<sup>th</sup> day of August, 2019; and, further, that such  
resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this 20<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
(Signature of Recording Officer)

\_\_\_\_\_  
Town Clerk  
(Title of Recording Officer)

**Motion made by Councilman Hines and seconded by Councilman Moore to approve the SRF resolution #19-R-081. The motion carried unanimously, 5-0.**

4. 2018 Sidewalk Improvements Project Change Order #1: Travis Welborn, Public Works Director gave the following comments:

The Contractor for the 2018 Sidewalk Improvements Project continues working on the project. After the Contractor mobilized and started working staff realized that there was some additional clearing that would need to be performed on the Town owned property across Laurie Ellis Rd. from the Mellon Downs S/D. Staff also found approximately 180 linear feet of curb and gutter in Coopers Point that needed to be replaced immediately. Most of the curb and gutter appears to be installed originally using inferior concrete mixture. Additionally, the Americans with Disabilities Act requires truncated domes on existing handicap to bring them into compliance. Other minor items such as an additional culvert over a ditch and relocating another culvert are also included in this change order. Staff recommends approving this change order for \$13,386.00 for the additional work.

**Change Order**

**No. 1**

Date of Issuance: 6.18.2019 Effective Date: 7.17.2019

Project: <b>2018 Sidewalk Imp.</b>	Owner: <b>Town of Winterville</b>	Owner's Contract No.: <b>N/A</b>
Contract: <b>1</b>	Date of Contract: <b>12.3.2018</b>	
Contractor: <b>Charles Hughes Construction</b>		Engineer's Project No.: <b>2853-AF</b>

**The Contract Documents are modified as follows upon execution of this Change Order:**

Description:

**Additional work including clearing and grubbing, removal and replacement of curb and gutter, etc.**

**Attachments (list documents supporting change):**

**Charles Hughes Change Order Letter**

**CHANGE IN CONTRACT PRICE:**

**CHANGE IN CONTRACT TIMES:**

Original Contract Price:

\$131,691.50

[Increase] [Decrease] from previously approved Change Orders No. - to No. -:

\$N/A

Contract Price prior to this Change Order:

\$131,691.50

[Increase] [Decrease] of this Change Order:

\$13,386.00

Contract Price incorporating this Change Order:

\$145,077.50

Original Contract Times:  Working days  Calendar days

Substantial completion (days or date): 6.7.2019

Ready for final payment (days or date): 7.7.2019

[Increase] [Decrease] from previously approved Change Orders No. - to No. -:

Substantial completion (days):         

Ready for final payment (days):         

Contract Times prior to this Change Order:

Substantial completion (days or date): 06/07/2019

Ready for final payment (days or date): 07/07/2019

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): 09/01/2019

Ready for final payment (days or date): 10/01/2019

Contract Times with all approved Change Orders:

Substantial completion (days or date): 09/01/2019

Ready for final payment (days or date): 10/01/2019

**RECOMMENDED:**

By: [Signature]  
Engineer (Authorized Signature)

Date: 7.23.2019

Approved by Funding Agency (if applicable):

**ACCEPTED:**

By:           
Owner (Authorized Signature)

Date:         

**ACCEPTED:**

By: [Signature]  
Contractor (Authorized Signature)

Date: 7-17-19

Date:

## **Change Order Instructions**

### **A. GENERAL INFORMATION**

This document was developed to provide a uniform format for handling contract changes that affect Contract Price or Contract Times. Changes that have been initiated by a Work Change Directive must be incorporated into a subsequent Change Order if they affect Price or Times.

Changes that affect Contract Price or Contract Times should be promptly covered by a Change Order. The practice of accumulating Change Orders to reduce the administrative burden may lead to unnecessary disputes.

If Milestones have been listed in the Agreement, any effect of a Change Order thereon should be addressed.

For supplemental instructions and minor changes not involving a change in the Contract Price or Contract Times, a Field Order should be used.

### **B. COMPLETING THE CHANGE ORDER FORM**

Engineer normally initiates the form, including a description of the changes involved and attachments based upon documents and proposals submitted by Contractor, or requests from Owner, or both.

Once Engineer has completed and signed the form, all copies should be sent to Owner or Contractor for approval, depending on whether the Change Order is a true order to the Contractor or the formalization of a negotiated agreement for a previously performed change. After approval by one contracting party, all copies should be sent to the other party for approval. Engineer should make distribution of executed copies after approval by both parties.

If a change only applies to price or to times, cross out the part of the tabulation that does not apply.

**Charles  
Hughes  
Construction**

4675 Ben Dail Rd, La Grange, NC 28551  
Phone: 252-566-5040 / Fax: 252-566-5033.

06/18/19

**Change order Request**

Town of Winterville 2018 Sidewalk Improvements  
The Wooten Company  
Will Larsen

Clearing & filling vacant lot for sidewalk	\$ 4000.00
16' of 12" RCP @ \$ 36.00	576.00
5 truncated domes installed @ \$ 250.00	1250.00
Relay 18" RCP 16 linear ft @ \$ 22.50	360.00
Remove & Replace 180' of concrete curb & gutter @ \$ 40.00	7200.00
<b>Total Changer order request</b>	<b>\$ 13,386.00</b>

Charles Hughes

**Motion made by Councilman Moore and seconded by Councilman Hines to approve Sidewalk Change Order #1. The motion carried unanimously, 5-0.**

**NEW BUSINESS:**

1. Eli's Ridge Subdivision Lift Station Cost Participation: Staff commented.

The Eli's Ridge Subdivision development will require the construction of a new lift station within the subdivision to provide gravity sewer service to the subdivision. The Eli's Ridge lift station will pump to the Town's new regional lift station off Old Tar Road. Staff has coordinated with the Engineer for the Eli's Ridge development to upgrade the station to accommodate future growth east of Fork Swamp Canal to County Home Road. By investing in this lift station now, the Town could avoid the need for additional lift stations in the future, east of the canal. Lift stations are a burden on the Town and its staff, both financially and time wise. This investment would also provide access to sewer for all of the properties east of the canal, which could spur further development in the Worthington Road corridor. Based on the Engineers calculations, the Eli's Ridge development would necessitate a 6-foot diameter wet well and a 6-inch diameter force main. The Engineer has recommended upgrading the wet well to a 10-foot diameter well and upgrading the force main to an 8-inch diameter main to accommodate this future growth. The Engineer has estimated the cost difference for the subdivision only and the cost to accommodate future growth at approximately \$185,000. This number is an estimate only, and the actual cost share would be the actual bids received. If approved, staff recommends that the Town

borrow the funds necessary for this cost share from itself and pay the money back over a 5-year period. In doing so, staff believes that it can absorb this annual estimated cost of approximately \$37,000 with its current revenue stream. Staff is also investigating a possible cost share opportunity with Christ Covenant School that would allow a gravity sewer main extension from the new Regional Lift Station off Old Tar Road to the existing Winterville Crossing Lift Station. This would allow for the Winterville Crossing Lift Station to be abandoned, and if this project comes to fruition, staff would recommend that the same funding mechanism be implemented for that cost share as well

**Motion made by Councilman Moore and seconded by Councilwoman Roberson to approve the Eli's Ridge Cost Participation plan. The motion carried unanimously, 5-0.**

2. School Resource Officer Contract FY 2019-2020: Police Chief Willhite gave the following comments:

Pitt County Schools has requested that the Town of Winterville enter into a contract to supply a School Resource Officer (SRO) in the county schools in our jurisdiction. The county has proposed a one-year contract that will pay the officers salary and benefits (\$64,340.34) and the Town of Winterville is responsible for the equipment, uniforms, vehicle and training. The primary assignment for this officer is A.G. Cox Middle School. When needed and prudent, the officer will frequent W.H. Robinson Elementary as well as Creekside Elementary. The County will make 12 monthly installments to the Town to reimburse the salary and benefits cost. As with other SRO's throughout the county, this contract renewal is annual to address changes in salary or details.

**Motion made by Councilman Moore and seconded by Councilwoman Roberson to approve the SRO Contract. The motion carried unanimously, 5-0.**

3. Villa Grande, Phase One, Section B – Final Plat.: Economic Development Planner Penn gave the following presentation:



Villa Grande, Ph 1, Sec B- Final Plat

- Site Data:
  - Location: Red Forbes Road north of its intersection with NC 903 S
  - Parcel Number: 82581
  - Size: 30 Lots, 10.01 Acres
  - Zoning: R-10





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

**Motion made by Councilman Hines and seconded by Councilwoman Roberson to approve the Villa Grande, Phase One, Section B – Final Plat. The motion carried unanimously, 5-0.**

4. Happy Trails – Minor Subdivision Final Plat.: Economic Development Planner Penn gave the following presentation:

Town of  
**WINTERVILLE**  
*A slice of the good life!*

Happy Trail Farms – Final Plat

- Site Data:
  - Minor Subdivision
    - Section 154.12 – Subdivision Types
      - Subdivisions which involve less than five (5) lots and no more than 10 acres; no Dedication of new street segments; no special developments are permitted under the Zoning Ordinance (PUD); no dedication or reservation of land for open space, school sites or other public purposes.



**OTHER AGENDA ITEMS:**

None

**ITEMS FOR FUTURE AGENDA/FUTURE WORK SESSIONS:**

Councilman Moore asked staff look into 12 drainage areas around Town.

Staff directed to contact Legislators concerning speed limit on Laurie Ellis Road.

**REPORTS FROM DEPARTMENT HEADS:**

1. Updates on projects currently underway:

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

Parks and Recreation Director Johnson noted that the Jackie Robinson league approached the Town to join play. He noted it would add to travel, operational impacts, and costs. Want direction from Council on how to proceed.

**Motion made by Mayor Pro Tem Smith and seconded by Councilman Moore to decline request from Jackie Robinson League and any other league to join the Town’s program. The motion carried, 3-2. Councilman Moye and Councilwoman Roberson opposed.**

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

**Attorney Lassiter:** Reminded everyone there is a closed session tonight. The Watermelon Festival is this week with opening ceremony at 6:15 Thursday.

**Councilman Moore:** None.

**Councilwoman Roberson:** Stated glad that Boyd Street improvements are completed.

**Mayor Pro-Tem Smith:** None.

**Councilman Moye:** Thanks for opportunity to attend ElectriCities conference.

**Councilman Hines:** None.

**Mayor Jackson:** Shared that a citizen enjoyed the Police Chief Willhite interview.

**ANNOUNCEMENTS:** Clerk Harvey gave the following announcements

1. Board of Adjustment Meeting: Tuesday, August 20, 2019 at 7 pm. (Cancelled)
2. 2019 Winterville Watermelon Festival: August 22 – 25, 2019.
3. Town Office closed on Monday, September 2, 2019 for Labor Day Holiday.
4. Town Council Meeting: Monday, September 9, 2019 at 7 pm in Town Hall Assembly Room.
5. Special General Election: Tuesday, September 10, 2019.
6. Planning and Zoning Board Meeting: Monday, September 16, 2019 at 7 pm in Town Hall Assembly Room.
7. Board of Adjustment Meeting: Tuesday, September 17, 2019 at 7 pm in Town Hall Assembly Room.

**Motion made by Councilman Moye and seconded by Councilwoman Roberson to enter into Closed Session. Motion carried unanimously, 5-0. Council entered into Closed Session at 9:47 pm.**

**CLOSED SESSION: NCGS § 143-318.11. (a)(5):**

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. (Acquisition of Real Property.).

**Motion made by Councilman Moore and seconded by Councilman Moye to end Closed Session. Motion carried unanimously, 5-0.**

**Motion made by Councilwoman Roberson and seconded by Councilman Moore to return to open session. Motion carried unanimously, 5-0.**

**ADJOURN: Motion made by Councilman Hines and seconded by Councilwoman Roberson to adjourn meeting. Motion carried unanimously, 5-0. Meeting adjourned at 10:15 pm.**

Adopted this the 14<sup>th</sup> day of October, 2019.

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Douglas A. Jackson, Mayor

ATTEST:

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Donald Harvey, Town Clerk



**Winterville Town Council  
September 9, 2019 – 7:00 PM  
Regular Meeting Minutes**

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 Douglas A. Jackson presiding. The following were present:

Douglas A. Jackson, Mayor  
Mark Smith, Mayor Pro-Tem  
Ricky Hines, Councilman (absent)  
Tony Moore, Councilman  
Johnny Moye, Councilman  
Veronica Roberson Councilwoman  
Keen Lassiter, Town Attorney  
Terri L. Parker, Town Manager  
Ben Williams, Assistant Town Manager  
Ryan Willhite, Police Chief  
David Moore, Fire Chief  
Travis Welborn, Public Works Director  
Robert Sutton, Electric Director  
Anthony Bowers, Finance Director  
Evan Johnston, Parks and Recreation Director  
Bryan Jones, Planning Director  
Donald Harvey, Town Clerk

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

**INVOCATION:** Mayor Pro Tem Smith gave the Invocation.

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

**WELCOME:** Mayor Jackson welcomed the public.

**APPROVAL OF AGENDA:**

**Motion made by Councilman Moye and seconded by Councilman Moore to approve the agenda. The motion carried unanimously, 4-0.**

**RECOGNITION OF NEW EMPLOYEES:**

Police Chief Willhite recognized the following new Police Officers”

1. Darren Anderson, Police Office Trainee, Police Department
2. Chelsea Farrar, Police Officer, Police Department
3. Patrick Fee, Police Officer, Police Department

- 4. Jordan Fuquay, Police Officer, Police Department
- 5. Donovan Wilson, Police Officer, Police Department

**PUBLIC HEARINGS:**

- 1. Holly Grove Section 1 Annexation - Planning Director Jones gave the following presentation:

**Town of WINTERVILLE**  
*A slice of the good life!*

Town Council – September 9, 2019

## Holly Grove, Section 1 Annexation Public Hearing

Presenter:  
Bryan Jones,  
Planning Director



**Town of WINTERVILLE**  
*A slice of the good life!*

Holly Grove, Section 1 - Annexation

**Site Data:**

- Located on Church Street Ext.
- Current Zoning: R-12.5
- Size: 29 Lots - 13.9 acres

**Annexation Process:**

- 1st Council Meeting: Direct Town Clerk to Investigate the Sufficiency of the Annexation (6/10/19).
- 2nd Council Meeting: Schedule a Public Hearing for the Annexation (8/19/19).
- 3rd Council Meeting: Hold Public Hearing on the Annexation (9/9/19).

- ❖ Petitioners and adjacent property owners within 100’ mailed notification on August 27, 2019.
- ❖ Public Notice published in the Daily Reflector on 8/28/19 and 9/4/19.





Mayor Jackson declared the public hearing open, asked if anyone would like to speak in favor or in opposition to the annexation request. No one spoke. Mayor Jackson declared the public hearing closed. Mayor Jackson asked for any further discussion or any more questions. Hearing none what is the Board's pleasure.

**Motion made by Councilman Moye and seconded by Councilwoman Roberson to approve the Holly Grove Section 1 Annexation request. Motion carried unanimously, 4-0.**

2. Ange Plaza Lot 22 Annexation - Planning Director Jones gave the following presentation:

Town Council – September 9, 2019

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# Ange Plaza, Lot 22 Annexation Public Hearing

Presenter:  
Bryan Jones,  
Planning Director

**Site Data:**

- Located on Beacon Drive
- Current Zoning: General Business (GB)
- Size: 0.87 acres

**Annexation Process:**

- 1st Council Meeting: Direct Town Clerk to Investigate the Sufficiency of the Annexation (3/11/19).
  - 2nd Council Meeting: Schedule a Public Hearing for the Annexation (8/19/19).
  - 3rd Council Meeting: Hold Public Hearing on the Annexation (9/9/19).
- ❖ Petitioner and adjacent property owners within 100' mailed notification on August 27, 2019.
- ❖ Public Notice published in the Daily Reflector on 8/28/19 and 9/4/19.



Mayor Jackson declared the public hearing open, asked if anyone would like to speak in favor or in opposition to the annexation request. No one spoke. Mayor Jackson declared the public hearing closed. Mayor Jackson asked for any further discussion or any more questions. Hearing none what is the Board's pleasure.

**Motion made by Councilman Moye and seconded by Councilwoman Roberson to approve the Ange Plaza Lot 22 Annexation request. Motion carried unanimously, 4-0.**

**PUBLIC COMMENT:** Mayor Jackson read the Public Comment Policy.

No one spoke.

**CONSENT AGENDA:**

Items included in the Consent Agenda:

1. Direct Town Clerk to Investigate the Sufficiency of Annexation for Mahmoud Atiyha/Happy Trail Farms.
2. Schedule a Public Hearing for Adoption of the Comprehensive Land Use Plan for October 14, 2019.

**Motion made by Mayor Pro Tem Smith and seconded by Councilwoman Roberson to approve the consent agenda. The motion carried unanimously, 4-0.**

**OLD BUSINESS:**

1. SRF Loan Application – Decline Loan Offer – Sanitary Sewer Pump Stations Rehabilitation: Public Works Director Welborn provided the following information:

The Town applied for funding through the NCDEQ Division of Water Infrastructure Clean Water State Revolving Fund this spring for a Pump Stations Improvements Project, and offered 0% financing for 100% of the proposed project. The loan offer did not include any principal forgiveness or grant money. After the funding request was submitted, staff and the Town's Engineer also concluded that a bar screen will need to be added to the Church Street Lift Station, which was not included in the funding application. Rags and other debris are constantly causing issues with the pumps, leading to costly repairs. Staff advised that the Town's application would score better with an updated CIP and that the addition of the CIP would increase the chances of the Town receiving grant money or principal forgiveness funding in addition to low or zero interest loans. Staff has since revised the project application and cost estimate to include the Church Street Bar Screen, and adopted a revised Capital Improvement Plan to get the extra points on the project application. Staff will submit a revised application in the fall of 2019 with the hopes of receiving this grant money and therefore recommends declining the current loan offer from NCDEQ.

**Motion made by Councilman Moore and seconded by Councilwoman Roberson to decline the Current Loan Offer for the SRF Loan Application. The motion carried unanimously, 4-0.**

2. Community Day – Change of date for Community Day event to March/April: Police Chief Willhite provided the following information:

Due to several events (Watermelon Festival, Hurricane and other parks and recreation events) and considering that, the Community Day coordination has been minimal, staff would recommend that the Community Day event be coordinated with the Town Easter Egg hunt on March 28, 2020. The Community Day coordinator advised of this possibility, has given positive feedback, and is awaiting the decision and then coordination with the Police Department.

**Motion made by Councilman Moore and seconded by Councilwoman Roberson to approve the item. The motion carried unanimously, 4-0.**

**NEW BUSINESS:**

1. Ordinance Amendment – 19-O-091 for Yard Waste in Streets: Public Works Director Welborn provided the following information:

Public Works Department staff has noticed a recent increase in incidents where residents and contractors are discharging yard waste including grass and leaves in the streets. The Town does not currently have an ordinance that specifically prohibits discharging of grass into Town streets. Staff proposes to modify Ordinance 98.003 – Tree Trimmings in the General Regulations Ordinances to prohibit discharging or depositing any yard debris in the streets.

**ORDINANCE NO. 19-O-091**

**ORDINANCE AMENDING CHAPTER 98 OF THE CODE OF ORDINANCES  
OF THE TOWN OF WINTERVILLE, NORTH CAROLINA**

BE IT ORDAINED by the Town Council of the Town of Winterville, North Carolina that Title IX Chapter 98 of the Code of Ordinances of the Town of Winterville is hereby amended as follows:

**CHAPTER 98: STREETS AND SIDEWALKS.**

**SECTION 003: YARD WASTE. (FORMERLY TREE TRIMMINGS)**

It shall be unlawful for any person to place, throw, discharge, deposit, or allow to be placed any yard waste including but not limited to leaves, grass clippings, pine straw, tree trimmings or shrubbery on any street or sidewalk.

(1992 Code, § 98.03) Penalty, see § 98.999

This Ordinance shall be effective upon adoption.

Adopted this the 9<sup>th</sup> day of September, 2019.

\_\_\_\_\_  
Douglas A. Jackson, Mayor

ATTEST:

\_\_\_\_\_  
Donald Harvey, Town Clerk

**Motion made by Mayor Pro Tem Smith and seconded by Councilman Moore to approve Ordinance 19-O-091 Yard Waste. The motion carried unanimously, 4-0.**

2. Veterans Affairs Greenville Health Care Center request for use of Winterville Operations Center Training Room: Parks and Recreation Director Johnston provided the following information:

The U.S. Department of Veterans Affairs (VA) Greenville Health Care Center is requesting use of the Winterville Operations Center Training Room (OCTR). Request made with the intention of utilizing the OCTR for VA Tai Chi Classes two times per week. Class participants would be veterans registered in the VA system. The VA is requesting that use of the OCTR be a donation (no charge for use of facility). Brett Jacobs, Therapy Supervisor, with the VA Greenville Health Care Center is present to discuss the VA request and answer any questions. Town Attorney Lassiter is reviewing the Memorandum of Understanding (MOU) for use of the facility.

**Motion made by Mayor Pro Tem Smith and seconded by Councilman Moore to approve the use of the Winterville Operations Center Training Room by the VA after review of the MOU by the Town Attorney. The motion carried unanimously, 4-0.**

3. 2018 Sidewalk Improvements Project – Dixie Queen Parking Lot: Public Works Director provided the following information:

Staff is requesting Council direction regarding a sidewalk easement to allow completion of the downtown portion of the 2018 Sidewalk Improvements Project. Conflict arose near the Dixie Queen when the sidewalk encroached on private property. Property owner has been unwilling to negotiate a settlement.

Councilman Moore requested to abstain due to relationship with party.

**Motion made by Mayor Pro Tem Smith and seconded by Councilwoman Roberson to approve Councilman Moore’s abstention. The motion carried unanimously, 3-0.**

**Motion made by Mayor Pro Tem Smith, seconded by Councilwoman Roberson to authorize staff to negotiate a settlement, and should a settlement not be reachable, authorized condemnation of the property. The motion carried unanimously, 3-0.**

4. Discussion of Drainage Areas (12) – (Councilman Moore): Public Works Director Welborn commented:

Councilman Moore noted that citizens continue to question drainage problems. Town Manager Parker discussed revenue stream and ability to taking over backyard drainage areas. Also; many more than 12 areas exist. Public Works Director Welborn noted that numerous drains do not go thru the town system. Councilman Moore related a small area near his house. Public Works Director Welborn said that presently we maintain drains on Town property. Town Manager Parker noted this will continue to be a problem, and will do as council directs. Staff will continue to investigate opportunities to address drainage issues and funding sources.

#### **OTHER AGENDA ITEMS:**

None

#### **ITEMS FOR FUTURE AGENDA/FUTURE WORK SESSIONS:**

None

#### **REPORTS FROM DEPARTMENT HEADS:**

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

Public Works Director Welborn reported that Hurricane Dorian damage limited, limbs picked up today for 11 hours, progressing to completion. Mayor Pro Tem Smith asked about mosquito truck status. Electric Director Sutton noted the truck would roll regularly. He also stated the only electrical issue during Hurricane Dorian was one blown fuse.

Public Works Director Welborn noted that the Chapman Street Project was out to bid He stated that the 2018 sewer rehabilitation design would be messy. Church Street pump station rehabilitation bids accepted.

Councilwoman Roberson asked about the bank stabilization. Public Works Director Welborn noted that upstream and downstream not the entire length and easements acquired. Town Manager Parker noted no funding source for additional work and permits. Public Works Director Welborn said existing work consists of cast in place construction. Councilman Moye stated have been begging for years. Councilwoman Roberson said asking a long time. Councilman Moye asked could we do it at this time. Councilwoman Roberson asked are funds available Town Manager Parker said funding not available in house. Assistant Town Manager Williams said additional work would come under a separate and different permit. Public Works Director Welborn said Railroad Street is in dire need with sinkholes. Nobel Canal was the large study area. Assistant Town Manager Williams said many different areas in need, extra easements will make it easier to stabilize, and some work will make the situation worse.

Assistant Town Manager Williams to stabilize banks would investigate other funding sources. Councilwoman Roberson said Magnolia Ridge completed, others see that and Nobel Canal not done. Assistant Town Manager Williams noted that a non-blue line ditch, requirements less. We have studied and can dig in and look for ways. Town Manager Parker stated staff would investigate and be back with additional information.

Mayor Jackson asked about unpaved strips. Public Works Director Welborn said unpaved areas listed and completed soon.

Councilman Moore asked about Old Tar Road stakes. Public Works Director Welborn noted since project delayed by DOT, owners could pull up.

Planning Director Jones noted Comprehensive Land Use Plan received today, will get copies to Council.

Councilman Moye asked about Minimum Housing process. Town Manager Parker stated cases underway and on radar, will send list, Police checking on cars.

Mayor Pro Tem Smith asked about fence problems. Town Manager Parker said staff would check ordinance and get back with council concerning permits. Planning Director Jones noted not always required to get permit, there is no cost, there are conditions required. It is a good idea to owners check with the Planning Department.

Electric Director Sutton noted the Tar Road Widening Project on hold. Met with new engineers, Pike, concerning new territory areas. Town Manager Parker said Pike would be here next month to discuss new territory and long term.

Parks and Recreation Director Johnston discussed Fork Swamp project. Town Manager Parker discussed Town Common Plan. Electric Director Sutton noted lights on the Walking Trail are working.

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

**Attorney Lassiter:** No report, many thanks for all the assistance with the Watermelon Festival.

**Councilman Moore:** Asked to invite the Watermelon Festival invited to the Town Appreciation Dinner.

**Councilwoman Roberson:** Thanks to Town staff during Hurricane Dorian.

**Mayor Pro-Tem Smith:** Thanks to Town staff during Hurricane Dorian and the Watermelon Festival.

**Councilman Moye:** Thanks to Town staff for Hurricane Dorian response. The storm could have been much worse. Thanks for the ElectriCities Conference and opportunity to learn to make Town better.

**Manager Parker:** Thanks to Town staff during Hurricane Dorian. Staff is the best out there every day.

**Mayor Jackson:** Echo the remarks of the others. Was in contact with Town Manager Parker during Hurricane Dorian.

**ANNOUNCEMENTS:** Clerk Harvey gave the following announcements

1. Special General Election: Tuesday, September 10, 2019.
2. Planning and Zoning Board Meeting: Monday, September 16, 2019 at 7 pm in Town Hall Assembly Room.
3. Board of Adjustment Meeting: Tuesday, September 17, 2019 at 7 pm in Town Hall Assembly Room.

**ADJOURN:** Motion made by Mayor Pro Tem Smith and seconded by Councilwoman Roberson to adjourn regular meeting. Motion carried unanimously, 4-0. Meeting adjourned at 8:34 pm.

Adopted this the 14<sup>th</sup> day of October, 2019.

\_\_\_\_\_  
Douglas A. Jackson, Mayor

ATTEST:

\_\_\_\_\_  
Donald Harvey, Town Clerk



**Town of Winterville  
Town Council  
Agenda Abstract**

Item Section: Consent Agenda

**Meeting Date:** October 14, 2019

**Presenter:** Bryan Jones, Planning Director

**Item to be Considered**

**Subject:** Annexation – Mahmoud Atiyha/Happy Trail Farms.

**Action Requested:** Schedule Public Hearing for Annexation on November 12, 2019.

**Attachments:** Annexation Petition, Annexation Map, Legal Description, Certificate of Sufficiency.

**Prepared By:** Bryan Jones, Planning Director

**Date:** 9/30/2019

**ABSTRACT ROUTING:**

TC 10/8/2019

FD

TM 10/8/2019

Final tlp – 10/8/2019

**Supporting Documentation**

The property owner (Mahmoud Atiyha) of Parcel 24482 is applying for annexation into the Town limits.

**Holly Grove, Section 1:**

**Location:** Church Street Ext. south of its intersection with Laurie Ellis Road.

**Size:** 1 Lot, 1.87 Acres.

**Zoned:** GB.

Annexation Process:

1<sup>st</sup> Council Meeting: Direct Town Clerk to Investigate the Sufficiency of the Annexation (9/9/19).

2<sup>nd</sup> Council Meeting: Schedule a Public Hearing for the Annexation (10/14/19).

3<sup>rd</sup> Council Meeting: Hold Public Hearing on the Annexation (11/12/19).

**Budgetary Impact:** NA.

**Recommendation:** Schedule the Public Hearing.

**PETITION REQUESTING ANNEXATION**

Date: 8/13/2019

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

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

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

Description

See Attached

Name Mahmoud Atiyha Address 940 Van Gert Dr Winterville, NC 28590

Signature 

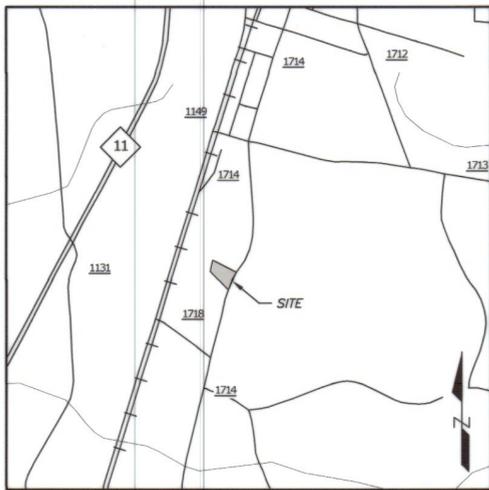
Name \_\_\_\_\_ Address \_\_\_\_\_

Signature \_\_\_\_\_

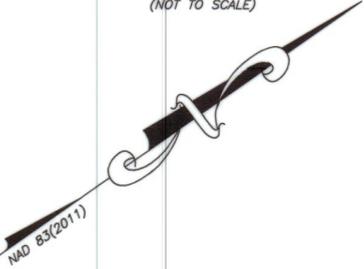
Name \_\_\_\_\_ Address \_\_\_\_\_

Signature \_\_\_\_\_

**FLOOD STATEMENT**  
 THIS PROPERTY IS LOCATED IN ZONE "X"  
 AND IS NOT WITHIN A SPECIAL FLOOD HAZARD  
 AREA, AS DETERMINED BY NFIP RATE MAP  
 DATED 1/2/2004 : COMMUNITY PANEL  
 NUMBER 370193-4674-J.



**VICINITY MAP**  
(NOT TO SCALE)



**NOTES:**  
 1. ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS  
 IN FEET & DECIMALS THEREOF, UNLESS OTHERWISE NOTED.

STATE OF NORTH CAROLINA      PITT COUNTY

I, JAMES R. WATSON, CERTIFY THAT THIS  
 PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL  
 SURVEY MADE UNDER MY SUPERVISION; (DEED DESCRIPTION  
 RECORDED IN MAP & DEED BOOKS NOTED); THAT THE  
 BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN  
 FROM INFORMATION REFERENCED HEREON; THAT THE RATIO  
 OF PRECISION AS CALCULATED IS 1: 10,000±; THAT THIS PLAT  
 WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS  
 AMENDED, THAT THE FOLLOWING INFORMATION WAS USED TO  
 PERFORM THIS GNSS SURVEY:

CLASS OF SURVEY: A  
 POSITIONAL ACCURACY: 0.10'  
 TYPE OF GPS FIELD PROCEDURE: RTK  
 DATES OF SURVEY: 5/28/2019 & 6/3/2019  
 DATUM / EPOCH: NAD 83(2011)  
 PUBLISHED / FIXED CONTROL USED: REAL TIME NETWORK  
 GEOID MODEL: GEOID12  
 COMBINED GRID FACTOR: 0.99988566  
 UNITS: U.S. SURVEY FEET

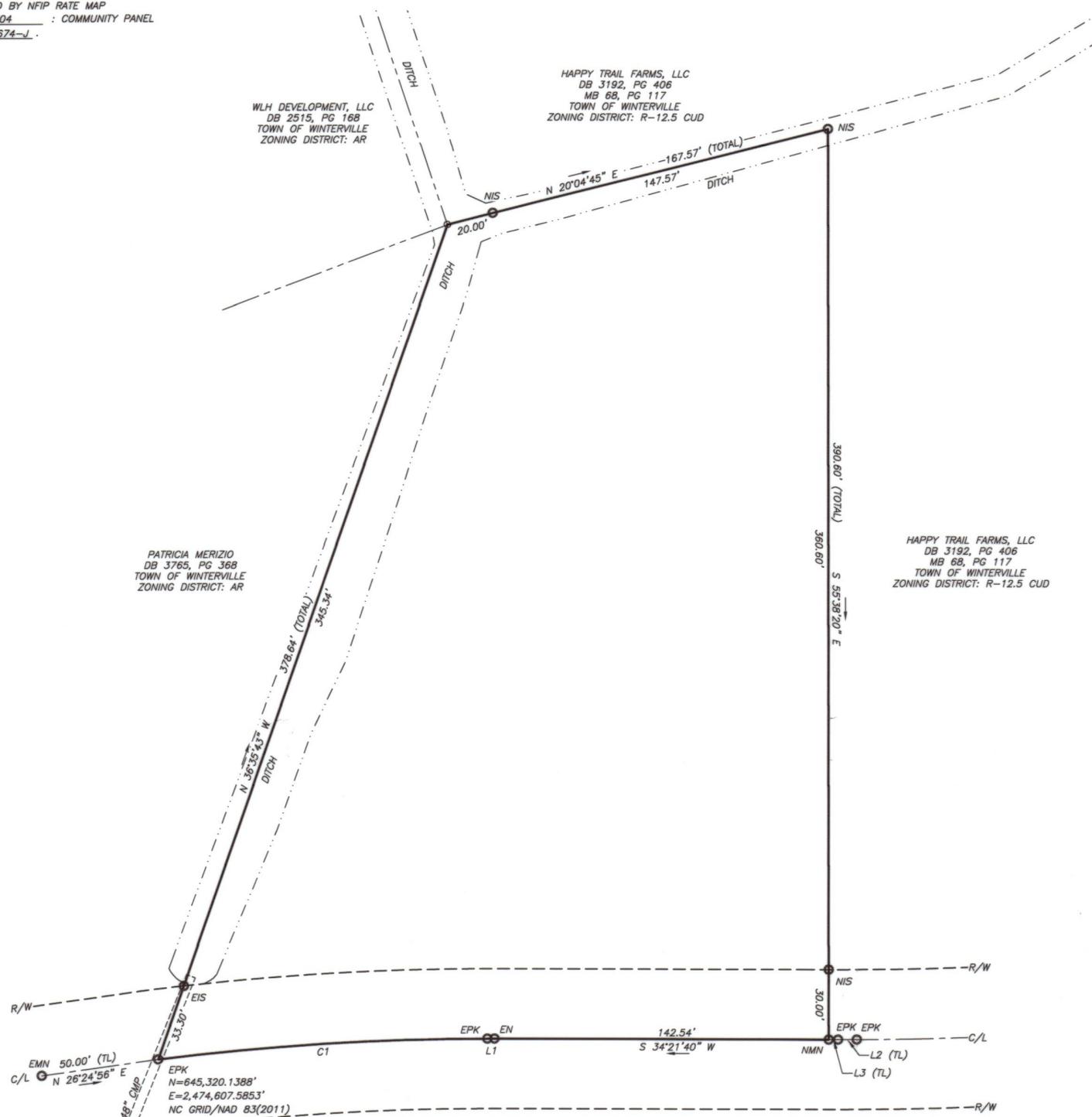
WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER  
 AND SEAL THIS 17TH DAY OF JUNE, A.D., 2019.

James R. Watson  
 L-4712



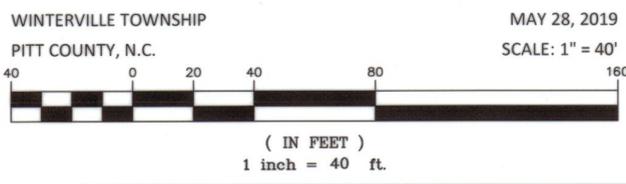
I, JAMES R. WATSON, PROFESSIONAL LAND SURVEYOR NO. 4712,  
 CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY. TO WIT,  
 A MAP FOR ANNEXATION.

James R. Watson  
 L-4712



**CHURCH STREET EXTENSION**  
**N.C.S.R. 1714 - 60' PUBLIC R/W**  
**(SEE DB 458, PG 657)**

ANNEXATION  
 MAP FOR  
**HAPPY TRAIL FARMS, LLC**  
 AND  
**MAHMOUD ATIYHA**



**ACREAGE DATA**  
(BY COMPUTER)

1.678 AC± EXCL. R/W  
 1.871 AC± INCL. R/W

**SOURCE OF TITLE**

DB 3192, PG 406  
 MB 68, PG 117

**REFERENCES**

DB 200, PG 51  
 DB 458, PG 657  
 DB 852, PG 765  
 MB 50, PG 105

**LEGEND**

- R/W = RIGHT OF WAY
- C/L = CENTERLINE
- EIS = EXISTING IRON STAKE
- EPK = EXISTING PK NAIL
- EN = EXISTING NAIL
- EMN = EXISTING MAG NAIL
- NIS = NEW IRON STAKE
- NMN = NEW MAG NAIL
- = NO POINT SET
- PP = POWER POLE
- TP = TELEPHONE PEDESTAL
- TB = TELEPHONE BOX
- CMP = CORRUGATED METAL PIPE
- SDMH = STORM DRAIN MANHOLE
- SSMH = SANITARY SEWER MANHOLE
- (TL) = TIE LINE
- E — = ELECTRICAL LINE
- - - - - = ADJOINING PROPERTY LINE

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S 34°21'40" W	3.02'
L2 (TL)	S 34°21'40" W	7.77'
L3 (TL)	S 34°21'40" W	3.95'

CURVE TABLE					
CURVE #	LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH	DELTA ANGLE
C1	140.72'	1141.51'	S 30°49'55" W	140.63'	007°03'47"

MAP SHOWING AREA ANNEXED BY  
**TOWN OF WINTERVILLE, N.C.**

ORDINANCE NO: \_\_\_\_\_

AREA: 1.678 AC± EXCL. R/W

ACCEPTED FOR THE TOWN OF WINTERVILLE

MAYOR

DATE



**MATRIX EAST, PLLC**  
 PROFESSIONAL LAND SURVEYORS

906 N. QUEEN ST., SUITE A      KINSTON, NC 28501  
 TEL: 252-522-2500      FAX: 252-522-4747  
 EMAIL: [surveyor@matriceast.net](mailto:surveyor@matriceast.net)      FIRM LIC. #P-0221

PROJECT NO.: 20190088	DATE: 6/17/2019
DRAWN BY: JRW	SCALE: 1" = 40'
SURVEYED BY: JRW	CHECKED BY: JRW
DRAWING NAME: 20190088-ANNEXATION.DWG	

## LEGAL DESCRIPTION FOR THE TOWN OF WINTERVILLE ANNEXATION

LYING IN WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING PK NAIL HAVING NC GRID / NAD 83(2011) COORDINATES N = 645,320.1388', E = 2,474,607.5853'; SAID EXISTING PK NAIL BEING LOCATED IN THE CENTER OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY); SAID EXISTING PK NAIL BEING THE TRUE POINT OF BEGINNING.

THENCE, FROM THE POINT OF BEGINNING SO LOCATED, N 36° 35' 43" W A DISTANCE OF 33.30 FEET TO AN EXISTING IRON STAKE ON THE NORTHERN RIGHT OF WAY LINE OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY); THENCE, CONTINUING, N 36° 35' 43" W, ALONG A DITCH, A DISTANCE OF 345.34 FEET TO A POINT IN THE INTERSECTION OF TWO DITCHES; THENCE, N 20° 04' 45" E, ALONG ANOTHER DITCH, A DISTANCE OF 20.00 FEET TO A NEW IRON STAKE; THENCE, CONTINUING, N 20° 04' 45" E, ALONG SAID DITCH, A DISTANCE OF 147.67 FEET TO A NEW IRON STAKE; THENCE, LEAVING SAID DITCH, S 55° 38' 20" E A DISTANCE OF 360.60 FEET TO A NEW IRON STAKE ON THE NORTHERN RIGHT OF WAY LINE OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY); THENCE, CONTINUING S 55° 38' 20" E A DISTANCE OF 30.00 FEET TO A NEW MAG NAIL IN THE CENTER OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY); THENCE, ALONG THE CENTER OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY), S 34° 21' 40" W A DISTANCE OF 142.54 FEET TO AN EXISTING NAIL; THENCE, CONTINUING ALONG THE CENTER OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY), S 34° 21' 40" W A DISTANCE OF 3.02 FEET TO AN EXISTING PK NAIL; THENCE, CONTINUING ALONG THE CENTER OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY), ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1141.51 FEET, AND WHOSE CHORD BEARS S 30° 49' 55" W A DISTANCE OF 140.63 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.871 ACRES MORE OR LESS INCLUDING THE RIGHT-OF-WAY OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY) AND 1.678 ACRES MORE OR LESS EXCLUDING THE RIGHT-OF-WAY OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY).



Matrix East, PLLC  
Firm License # P-0221  
906 N. Queen St., Ste. A  
Kinston, NC 28501  
252-522-2500

*James R. Watson*  
8/12/2019

**RESOLUTION DIRECTING THE TOWN CLERK TO INVESTIGATE  
A PETITION RECEIVED UNDER NCGS 160A-31**

**Mahmoud Atiyha/Happy Trail Farms**

**WHEREAS**, petitions requesting annexation of an area described in said petition was received August 13, 2019 by the Town Council; and

**WHEREAS**, NCGS 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

**WHEREAS**, the Town Council of the Town of Winterville seems it advisable to proceed in response to this request for annexation.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Winterville that:

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the result of the investigation.

Adopted this the 9<sup>th</sup> day of September, 2019.



*Douglas A Jackson*  
\_\_\_\_\_  
Douglas A. Jackson, Mayor

ATTEST:

*Donald Harvey*  
\_\_\_\_\_  
Donald Harvey, Town Clerk

**CERTIFICATE OF SUFFICIENCY**

**Mahmoud Atiyha/Happy Trail Farms**

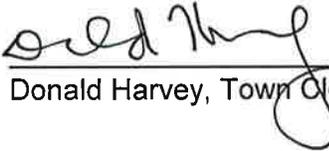
To the Town Council of the Town of Winterville, North Carolina:

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

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Winterville this the 10<sup>th</sup> day of September, 2019.

ATTEST:



  
\_\_\_\_\_  
Donald Harvey, Town Clerk



**Town of Winterville  
Town Council  
Agenda Abstract**

Item Section: Consent Agenda

**Meeting Date:** October 14, 2019

**Presenter:** Bryan Jones, Planning Director

**Item to be Considered**

**Subject:** Janet Hare and Joan Neitz Property – Rezoning Request.

**Action Requested:** Schedule a Public Hearing for the Rezoning Request for November 12, 2019.

**Attachments:** Rezoning and Conditional Zoning Application, Rezoning Map, Legal Description, Notification to Adjacent Property Owners.

**Prepared By:** Bryan Jones, Planning Director

**Date:** 10/3/2019

**ABSTRACT ROUTING:**

TC 10/8/2019

FD

TM 10/8/2019

Final tlp – 10/8/2019

**Supporting Documentation**

Applicant: Rocky Russell Development, LLC.

Location: Reedy Branch Road south of its intersection with Davenport Farm Road.

Parcel Number: **13889.**

Site Data: **19.74 Acres.**

Current Zoning District: **AR.**

Proposed Zoning District: **R-6 CUD.**

Reason for zoning change: To allow development of a subdivision with construction of duplex residences with the following conditions:

1. Minimum lot dimensions 82' wide X 110' deep (9,020 square foot lots).
2. One and two story duplexes.
3. Brick or stone will be placed on part of front elevation. Vinyl on sides/rear/front partial.
4. 70% with single car garages.
5. Building square footage will not be less than 1100 square feet per side.
6. A HOA will be established and the HOA will maintain all lawns (fenced in areas to be maintained by homeowner), and entrance to areas to subdivision.

- ❖ Planning and Zoning Board recommended denial of the request.
- ❖ Adjacent property owners were mailed notification of the rezoning request on August 28, 2019.
- ❖ Notification was posted on the site on August 28, 2019.

**Budgetary Impact:** TBD.

**Recommendation:** Schedule the Public Hearing for the Rezoning Request.



**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: Rocky Russell Development, LLC

Address: 106 Regency Blvd., Suite B, Greenville, NC

Phone #: 252-355-7812

Owner: Janet Hare and Joan Neitz

Address: 2365 south Wolfshare, Virginia Beach, VA 23454

Phone #: 757-373-8479 (Hare) 919-601-7307 (Neitz)

**PROPERTY INFORMATION**

Parcel #: 13889 Area (square feet or acres): 19.4202 acres

Current Land Use: Farm land

Location of Property: Reedy Branch Road

**ZONING REQUEST**

Existing Zoning: AR Requested Zoning: R6 CUD

Reason for zoning change: To allow development of a subdivision with for construction of duplex residences.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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, Janet Hare, 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           /          /          .

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance my 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.

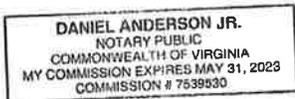
Janet Hare Signature Aug 17, 2019 Date

**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, Janet Hare, being the Owner of the property described herein, do hereby authorize Rocky Russell as agent for the purpose of this application.

Janet Hare Signature Aug 17, 2019 Date

Sworn to and subscribed before me, this 17<sup>th</sup> day of August, 2019.



[Signature]  
Notary Public

My Commission Expires:

May 31, 2023

**OWNER/AGENT STATEMENT**

I, Jean Little Neitz, 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 \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance my 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.

Jean Little Neitz \_\_\_\_\_ Date 8/19/19  
Signature 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, Jean Little Neitz, being the Owner of the property described herein, do hereby authorize Rocky Russell as agent for the purpose of this application.

Jean Little Neitz \_\_\_\_\_ Date 8/19/19  
Signature Date

Sworn to and subscribed before me, this 19th day of August, 2019.

Peggy H. Rouse  
Notary Public

My Commission Expires:

30 January 2020



**Staff Use Only**

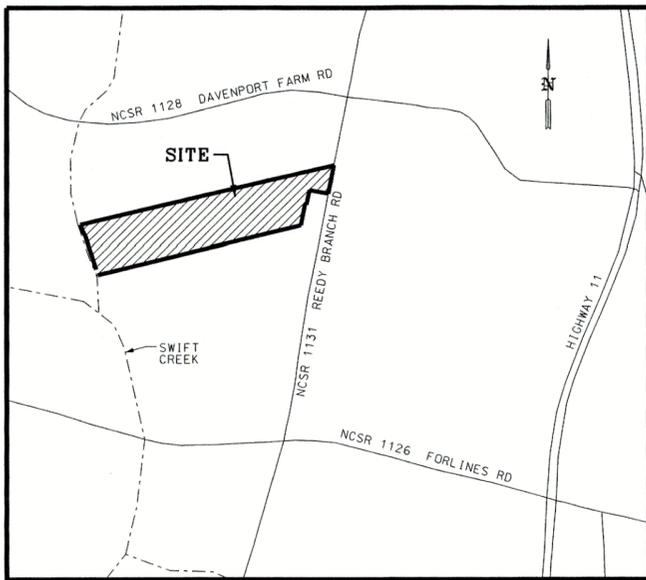
Appl. #: \_\_\_\_\_ Fee Amount \_\_\_\_\_ Date Paid \_\_\_\_\_

Planning Board Recommendation: APPROVED Meeting Date: \_\_\_\_\_  
DENIED

Conditions/Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Town Council Decision: APPROVED Meeting Date: \_\_\_\_\_  
DENIED

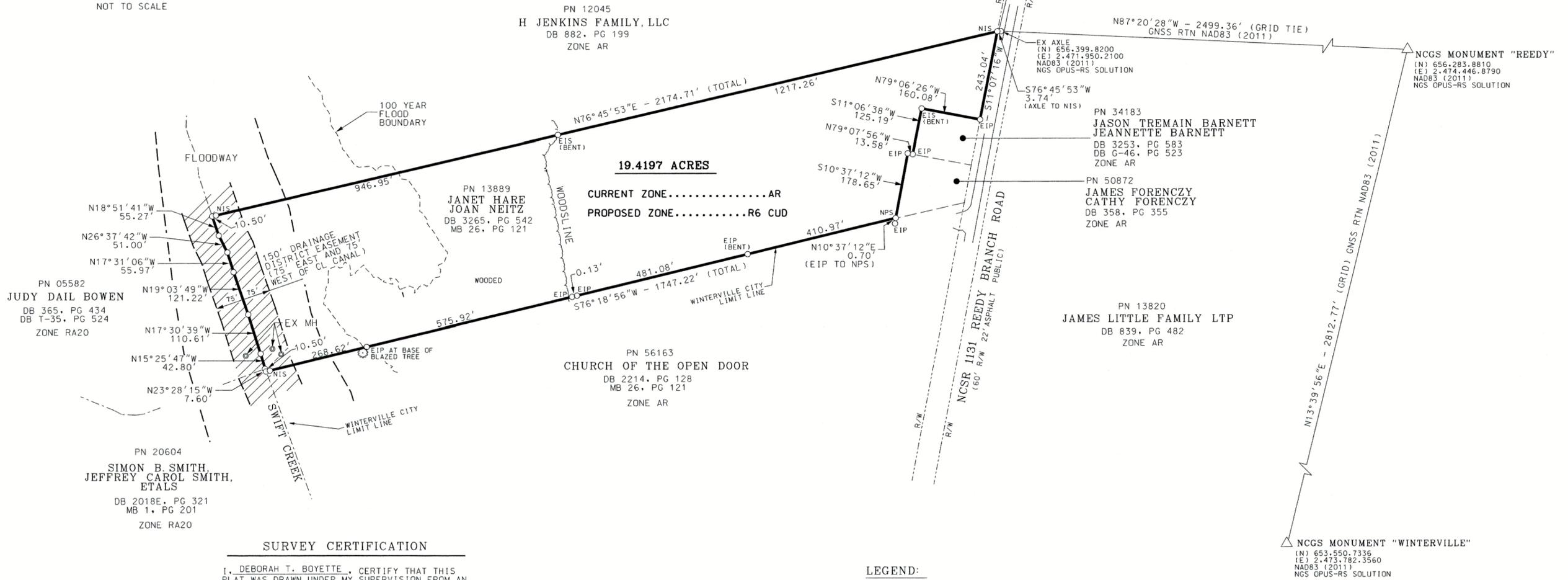
Conditions/Comments: \_\_\_\_\_  
\_\_\_\_\_



VICINITY MAP  
NOT TO SCALE

**NOTES:**

1. A PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED THE NATIONAL FLOOD INSURANCE PROGRAM. REFERENCE: FIRM NUMBER 3720467500K DATED 07/07/2014 AND FIRM NUMBER 3720466500K DATED 07/07/2014.
2. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
3. NO POINTS SET UNLESS OTHERWISE NOTED. NO POINTS SET IN SWIFT CREEK.



**SURVEY CERTIFICATION**

I, DEBORAH T. BOYETTE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 3265 PAGE 542 PLAT: THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK 3265 PAGE 542; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1: 20,371; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH GS 47-30 AS AMENDED.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 19 DAY OF August, A.D. 2019.

Deborah T. Boyette  
PROFESSIONAL LAND SURVEYOR L-4146

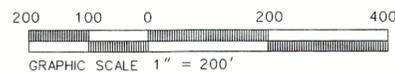
I, DEBORAH T. BOYETTE, CERTIFY THAT THIS MAP IS OF A SURVEY OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

Deborah T. Boyette  
PROFESSIONAL LAND SURVEYOR L-4146



**LEGEND:**

- EIP= EXISTING IRON PIPE
- EIS= EXISTING IRON STAKE
- R/W= RIGHT-OF-WAY
- MH= MANHOLE
- NIS= NEW IRON STAKE
- NPS= NO POINT SET
- CL= CENTERLINE



PN 13889

REZONING MAP FOR  
**JANET HARE and JOAN NEITZ PROPERTY**

REFERENCE: DEED BOOK 3265, PAGE 542 OF THE PITT COUNTY REGISTRY

WINTERVILLE TOWNSHIP      PITT COUNTY      NORTH CAROLINA

CLIENT: ROCKY RUSSELL DEVELOPMENT, LLC  
ADDRESS: 106 REGENCY BOULEVARD, SUITE B  
GREENVILLE, NC 27834

PHONE: (252) 355-7812



**STROUD ENGINEERING, P.A.**  
107B COMMERCE ST.  
GREENVILLE, NC  
(252) 756-9352  
LICENSE NO. C-0647

SURVEYED: JE

DRAWN: LHJ

APPROVED: DTB

DATE: 8/19/19

SCALE: 1" = 200'

SHEET 1 OF 1

**Town of Winterville  
Planning and Zoning  
Rezoning Case**

NOTICE IS HEREBY GIVEN that the Winterville Planning and Zoning Board will meet on Monday, September 16, 2019 at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, in order to review the following rezoning:

A proposal to rezone Parcel 13889 as shown on the attached map, owned by Janet Hare and Joan Neitz from Agricultural-Residential (AR) to R-6 CD 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. The proposed conditions for the rezoning are as follows:

1. Minimum lot dimensions: 82' width X 110' deep.
2. One and two story duplexes.
3. Brick or stone will be placed on part of front part of elevation. Vinyl on sides/rear/front partial.
4. 70% with single car garages.
5. Building square footage will not be less than 1100 sq ft per side.
6. A homeowner association will be established and the homeowner association will maintain all lawns (areas of home closed with a fence will be maintained by homeowner) and entrance areas to subdivision.

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 during normal business hours (8:00 am to 5:00 pm) Monday through Friday.

Persons having an interest in this matter and desiring to speak either for or against the requested rezoning are invited to be present and will be given the opportunity to be heard. For further information, contact the Winterville Planning Department at (252) 215-2358.

Legal Description for the  
Rezoning of the  
JANET HARE and JOAN NEITZ PROPERTY

Lying and being in Winterville Township, Pitt County, North Carolina and being west of NC Highway 11, north of NCSR 1126 Forlines Road and being bounded on the north by the H. Jenkins Family, LLC (Deed Book 882, Page 199), on the east by the western right-of-way of NCSR 1131 Reedy Branch Road, by Jason T. Barnett (Deed Book 3253, Page 583) and by James Forency (Deed Book 358, Page 355), on the south by Church Of The Open Door (Deed Book 2214, Page 128) and on the west by Swift Creek canal, and being more particularly described as follows:

Beginning at an existing iron axle found on the western side of NCSR 1131 Reedy Branch Road, said axle being located S13-44-01W - 615.23' from a magnetic nail set in the centerline intersection of NCSR 1128 Davenport Farm Road and NCSR 1131 Reedy Branch Road, thence from the axle S76-45-53W - 3.74' to a new iron stake set on the western right-of-way of NCSR 1131 Reedy Branch Road, the true Point of Beginning.

Thence from the true Point of Beginning, following the western right-of-way of NCSR 1131 Reedy Branch Road S 11-07-16 W - 243.04' to an existing iron pipe, the northeast corner of the Jason T. Barnett property (Deed Book 3253, Page 583), thence leaving the western right-of-way of Reedy Branch Road and following the Barnett property N 79-06-26 W - 160.08' to an existing iron pipe bent, thence S 11-06-38 W - 125.19' to an existing iron pipe, thence N 79-07-56 W - 13.58' to an existing iron pipe, the northwest corner of the James Forency property, thence along the Forency boundary S 10-37-12 W - 178.65' to a point in the northern line of Church Of The Open Door property (Deed Book 2214, Page 128 and Map Book 26, Page 121), thence following the Church Of The Open Door boundary S 76-18-56 W - 1747.22' to a point in the centerline of Swift Creek canal, thence along the centerline of Swift Creek canal the following calls: N 23-28-15 W - 7.60', thence N 15-25-47 W - 42.80', thence N 17-30-39 W - 110.61', thence N 19-03-49 W - 121.22', thence N 17-31-06 W - 55.97', thence N 26-37-42 W - 51.00', thence N 18-51-41 W - 55.27' to a point in the southern line of the H. Jenkins Family, LLC property (Deed Book 882, Page 199), thence along the southern line of the Jenkins family N 76-45-53 E - 2174.71' to a new iron stake, the true Point of Beginning, containing 19.4197 Acres and being all of Parcel Number 13889 as filed with the Pitt County Tax Assessor's office.

Deborah T. Boyette  
Professional Land Surveyor  
L- 4146  
Date 8-19-19





**Town of Winterville  
Town Council  
Agenda Abstract**

Item Section: Consent Agenda

**Meeting Date:** October 14, 2019

**Presenter:** Travis Welborn, Public Works  
Director

**Item to be Considered**

**Subject:** Approval of Engineering Contracts for Church Street Lift Station Force Main Bores.

**Action Requested:** Approval of Task Orders 27 & 28 with The Wooten Company.

**Attachments:** Engineering Proposals.

**Prepared By:** Travis Welborn, Public Works Director

**Date:** 10/7/2019

**ABSTRACT ROUTING:**

TC 10/8/2019

FD

TM 10/8/2019

Final tlp - 10/8/2019

**Supporting Documentation**

Staff requests approval to execute Engineering Task Orders 27 & 28 with The Wooten Company for engineering services related to the Church Street Lift Station Force Main Replacement Projects. Task Order 27 in the amount of \$33,250.00 will cover survey, engineering design, easement mapping, construction administration, and construction inspection for the force main replacement under Highway 11. The existing force main has experienced failures in the past, and the State has mandated that it be replaced in order to prevent future sanitary sewer overflows. The replacement force main will also be increased in size to allow for future growth within the Town of Winterville.

Task Order 28 is proposed to cover construction administration and construction inspection services for the CSX Railroad force main crossing. Task Order 28 is in the amount of \$16,000.00. The Contract for the construction of this portion of force main has already been executed and staff hopes to get started within the next 30 days.

**Budgetary Impact:** The approved budget for this fiscal year included the money necessary for task order 27 – Highway 11 force main bore. The approved engineering budget also included approximately half of the money necessary for task order 28 – CSX Railroad bore. The remaining funds necessary for task order 28 will be transferred from other line items within the approved sanitary sewer budget.

**Recommendation:** Approval of Engineering contracts with The Wooten Company.

**Task Order No. 27 – Town of Winterville, NC – Hwy 11 Forcemain Relocation**

In accordance with Paragraph 1.01 of the Agreement between Owner and Engineer for Professional Services – Task Order Edition, dated **September 10, 2015** ("Agreement"), Owner and Engineer agree as follows:

1. Specific Project Data

A. Title: **NC Hwy 11 Forcemain Relocation**

B. Description: **Engineer will provide services (as noted in Section 2) for engineering design of approximately 450-feet of sewer forcemain relocation under NC Highway 11 with a new valve vault. Project is funded with local funds.**

C. Number of Construction Contracts

The Specific Project is anticipated to be constructed under **1** Construction Contracts.

2. Services of Engineer

Design Services

Bidding or Negotiating Services

Construction Administration and Part-Time Resident Project Representative Services

3. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 and in Exhibit B, subject to the following: **No modifications.**

4. Times for Rendering Services

<u>Phase</u>	<u>Completion Date</u>
<b>Engineering Design Completion</b>	<b>October 1, 2019</b>
<b>Construction Administration / RPR Services</b>	<b>Completion 1 mos. after NTP</b>

5. Payments to Engineer

A. Owner shall pay Engineer for services rendered as follows:

<i>Category of Services</i>	<i>Compensation Method</i>	<i>Estimate of Compensation for Services</i>
<b>Engineering Survey</b>	<b>Lump Sum</b>	<b>\$2,000.00</b>
<b>Engineering Design</b>	<b>Lump Sum</b>	<b>\$ 10,750.00</b>
<b>Easement Mapping</b>	<b>Hourly Rate</b>	<b>\$5,000.00</b>
<b>Construction Admin./RPR</b>	<b>Hourly Rate</b>	<b>\$ 15,500.00</b>
<b>Total Estimate</b>		<b>\$ 33,250.00</b>

B. The terms of payment are set forth in Article 4 of the Agreement and in Exhibit C.

**C. Estimated Ceiling Fees will not be exceeded without written consent of the Owner.**

6. Consultants: **None.**

7. Other Modifications to Agreement: **None.**

8. Attachments: **Appendix 1, Schedule of Fees**

9. Documents Incorporated By Reference: **None.**

10. Terms and Conditions: Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is July 12, 2019.

**OWNER:**

**Town of Winterville, NC**

By (Signature): \_\_\_\_\_

Typed Name: Douglas A. Jackson

Title: Mayor

**ENGINEER:**

**L.E. Wooten & Company dba  
The Wooten Company**

By (Signature):  \_\_\_\_\_

Typed Name: Gary D. Hartong, PE

Title: Executive Vice President

Engineer License or Firm's  
Certificate No. F-0115  
State of: North Carolina

**DESIGNATED REPRESENTATIVE FOR  
TASK ORDER:**

Typed Name: Travis Welborn, PE

Title: Public Works Director

Address: P. O. Box 1459  
Winterville, NC 28590

E-Mail  
Address: Travis.welborn@wintervillenc.com

Phone: (252) 215-2420

Fax: (252) 215-2465

**DESIGNATED REPRESENTATIVE FOR  
TASK ORDER:**

Typed Name: Derrick C. Smith, PE

Title: Greenville Regional Manager

Address: 310 W. 14th Street  
Greenville, NC 27834

E-Mail  
Address: dsmith@thewootencompany.com

Phone: (252) 757-1096

Fax: (252) 757-3221



**SCHEDULE OF FEES**  
Hourly Rates for Wage Categories

<b>Wage Category</b>	<b>Hourly Billing Rate</b>
Engineer I	\$ 106
Engineer II	\$ 135
Engineer III	\$ 160
Engineer IV	\$ 212
Architect II	\$ 135
Designer I	\$ 75
Designer II	\$ 90
Designer III	\$ 114
Designer IV	\$ 139
Construction Admin I	\$ 106
Construction Admin II	\$ 160
Construction Admin III	\$ 212
Construction Observer / Resident Project Representative	\$ 97
Utility Coordinator II	\$ 119
Utility Coordinator III	\$ 151
Survey Technician I	\$ 50
Survey Technician II	\$ 65
Survey Technician III	\$ 85
Survey Technician IV	\$ 115
Surveyor II	\$ 109
Surveyor III	\$ 129
Surveyor IV	\$ 164
GIS Analyst II	\$ 80
GIS Analyst III	\$ 111
GIS Analyst IV	\$ 124
Community Development Coordinator	\$ 110
Housing Rehabilitation Specialist	\$ 89
Project Assistant	\$ 77

Reimbursables: Mileage will be billed at the current IRS Standard Mileage Rate, Subcontracted Services and other expenses at cost plus 10%.

Annual adjustments are made on July 1st of each year. The above hourly rates reflect current rates for the period through June 30, 2020. Hourly billing rates will change next on July 1, 2020 to reflect Direct Payroll Costs (salaries) being paid at that time.

*Effective Rates July 1, 2019 through June 30, 2020*

**This is Task Order No. 28  
consisting of 3 pages.**

**Task Order No. 28 – Church Street Forcemain CSX Crossing**

**Town of Winterville, NC**

In accordance with Paragraph 1.01 of the Agreement between Owner and Engineer for Professional Services – Task Order Edition, dated September 10, 2015 ("Agreement"), Owner and Engineer agree as follows:

1. Specific Project Data

A. Title: Church Street Forcemain CSX Crossing

B. Description: Engineer will provide services (as noted in Section 2) for construction administration and part-time construction observation of approximately 180-foot dry bore and jack under the CSX Railroad and Old Hwy 11. Project is funded with local funds.

C. Number of Construction Contracts

The Specific Project is anticipated to be constructed under 1 Construction Contracts.

2. Services of Engineer

Design Services:

Bidding or Negotiating Services

Part-time Construction Admin. And Resident Project Representative Services

3. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 and in Exhibit B, subject to the following: **No modifications.**

4. Times for Rendering Services

3 months from the execution of this agreement.

5. Payments to Engineer

A. Owner shall pay Engineer for services rendered as follows:

<i>Category of Services</i>	<i>Compensation Method</i>	<i>Estimate of Compensation for Services</i>
<b>Construction Administration</b>	<b>Standard Hourly Rate</b>	<b>\$ 6,000.00</b>
<b>Construction Observation</b>	<b>Standard Hourly Rate</b>	<b><u>\$10,000.00</u></b>
<b>TOTAL ESTIMATE</b>		<b>\$ 16,000.00</b>

B. The terms of payment are set forth in Article 4 of the Agreement and in Exhibit C.

6. Consultants: **None.**

7. Other Modifications to Agreement: **None.**

8. Attachments: **N/A**

9. Documents Incorporated By Reference: **None.**

10. Terms and Conditions: Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is **October 1, 2019.**

**OWNER:**

**Town of Winterville, NC**

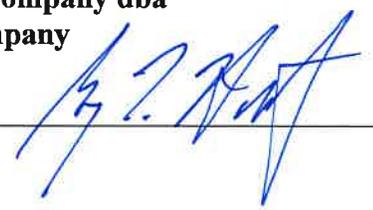
By (Signature): \_\_\_\_\_

Typed Name: **Douglas A. Jackson**

Title: **Mayor**

**ENGINEER:**

**L.E. Wooten & Company dba  
The Wooten Company**

By (Signature):  \_\_\_\_\_

Typed Name: **Gary D. Hartong, PE**

Title: **Executive Vice President**

Engineer License or Firm's  
Certificate No. **F-0115**  
State of: **North Carolina**



**DESIGNATED REPRESENTATIVE FOR  
TASK ORDER:**

Typed Name: **Travis Welborn, PE**

Title: **Public Works Director**

Address: **P. O. Box 1459  
Winterville, NC 28590**

E-Mail  
Address: **Travis.welborn@wintervillenc.com**

Phone: **(252) 215-2420**

Fax: **(252) 215-2465**

**DESIGNATED REPRESENTATIVE FOR  
TASK ORDER:**

Typed Name: **Derrick C. Smith, PE**

Title: **Greenville Regional Manager**

Address: **310 W. 14th Street  
Greenville, NC 27834**

E-Mail  
Address: **dsmith@thewootencompany.com**

Phone: **(252) 757-1096**

Fax: **(252) 757-3221**



**Town of Winterville  
Town Council  
Agenda Abstract**

Item Section: Consent Agenda

**Meeting Date:** October 14, 2019

**Presenter:** Ben Williams, Assistant Town Manager

**Item to be Considered**

**Subject:** Wooten Company - General Consulting Services – Engineering.

**Action Requested:** Approval of Request.

**Attachments:** Engineering Services Agreement.

**Prepared By:** Ben Williams, Assistant Town Manager

**Date:** 10/8/2019

**ABSTRACT ROUTING:**

TC 10/8/2019

FD

TM 10/8/2019

Final tlp – 10/8/2019

**Supporting Documentation**

In 2012, Council entered into an agreement with the Wooten Company for general consulting services related to engineering on a case-by-case basis for smaller projects without a defined scope of work. This general services contract is renewed annually. The services provided by Wooten Company through the subject agreement include but are not limited to development plan review. The attached agreement will extend the general consulting services contract through June 30, 2019.

**Budgetary Impact:** Estimated beginning contract amount \$41,500.

**Recommendation:** Staff recommends approval of contract with Wooten Co. for general consulting services.

**Task Order No. 26**

**Town of Winterville, NC**

In accordance with Paragraph 1.01 of the Agreement between Owner and Engineer for Professional Services – Task Order Edition, dated September 10, 2012 ("Agreement"), Owner and Engineer agree as follows:

1. Specific Project Data

A. Title: 2019-2020 General Consulting Services

B. Description: Engineering-related services on a task-by-task basis requested by Owner for small projects not requiring execution of a separate task order.

C. Number of Construction Contracts

The Specific Project is anticipated to be constructed under n/a Construction Contracts.

2. Services of Engineer

Study and Report Services

Part 1 of Exhibit A as specifically requested by Owner.

Design Services

Part 2 of Exhibit A as specifically requested by Owner.

Bidding or Negotiating Services

Construction and Commissioning Services

Resident Project Representative Services

Engineer will provide Resident Project Representative services pursuant to Part 4 of Exhibit A; Exhibit D is attached to this Task Order and expressly incorporated by reference.

Additional Services

Part 5 of Exhibit A as specifically requested by Owner.

Additional Services Requiring an Amendment to Task Order

Part 6 of Exhibit A is incorporated by reference unless otherwise noted.

3. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 and in Exhibit B, subject to the following: **No modifications.**

4. Times for Rendering Services

<u>Phase</u>	<u>Completion Date</u>
<b><u>General Consulting Services</u></b>	<b><u>June 30, 2020</u></b>

5. Payments to Engineer

A. Owner shall pay Engineer for services rendered as follows:

<i>Category of Services</i>	<i>Compensation Method</i>	<i>Estimate of Compensation for Services</i>
General Consulting Services	Hourly Rate (Ceiling)	\$ 41,500.00

B. The terms of payment are set forth in Article 4 of the Agreement and in Exhibit C.

C. **Ceiling Fee will not be exceeded without written consent of the Owner.**

6. Consultants: **With written consent of the Owner.**

7. Other Modifications to Agreement: **None.**

8. Attachments: **Appendix 1, Schedule of Fees.**

9. Documents Incorporated By Reference: **None.**

10. Terms and Conditions: Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is July 1, 2019.

**OWNER:**

**Town of Winterville, NC**

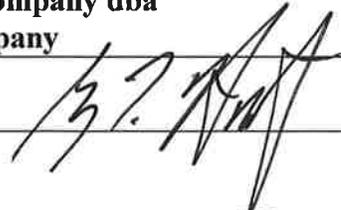
By (Signature): \_\_\_\_\_

Typed Name: **Douglas A. Jackson**

Title: **Mayor**

**ENGINEER:**

**L.E. Wooten & Company dba  
The Wooten Company**

By (Signature):  \_\_\_\_\_

Typed Name: **Gary D. Hartong, PE**

Title: **Executive Vice President**

Engineer License or Firm's  
Certificate No. **F-0115**  
State of: **North Carolina**

**DESIGNATED REPRESENTATIVE FOR  
TASK ORDER:**

Typed Name: **Terri Parker**

Title: **Town Manager**

Address: **P. O. Box 1459  
Winterville, NC 28590**

E-Mail  
Address: **terriparker@wintervillenc.com**

Phone: **(252) 215-2340**

Fax: **(252) 321-8455**

**DESIGNATED REPRESENTATIVE FOR  
TASK ORDER:**

Typed Name: **Derrick C. Smith**

Title: **Regional Manager**

Address: **310 W. 14th Street  
Greenville, NC 27834**

E-Mail  
Address: **dsmith@thewootencompany.com**

Phone: **(252) 757-1096**

Fax: **(252) 757-3221**

THE WOOTEN COMPANY  
SCHEDULE OF FEES  
ENGINEERING COST BREAKDOWN  
HOURLY RATES FOR WAGE CATEGORIES

Wage Category	Hourly Billing Rate
Engineer I	\$ 90
Engineer II	\$ 118
Engineer III	\$ 146
Engineer IV	\$ 190
Architect II	\$ 135
Designer I	\$ 75
Designer II	\$ 90
Designer III	\$ 106
Designer IV	\$ 129
Construction Admin I	\$ 87
Construction Admin II	\$ 146
Construction Admin III	\$ 190
Construction Observer / Resident Project Representative	\$ 90
Utility Coordinator II	\$ 110
Utility Coordinator III	\$ 132
Survey Technician I	\$ 45
Survey Technician II	\$ 65
Survey Technician III	\$ 85
Survey Technician IV	\$ 105
Surveyor II	\$ 105
Surveyor III	\$ 125
Surveyor IV	\$ 146
GIS Analyst II	\$ 80
GIS Analyst III	\$ 105
GIS Analyst IV	\$ 120
Community Development Coordinator	\$ 109
Housing Rehabilitation Specialist	\$ 84
Project Assistant	\$ 77

Reimbursables: Mileage will be billed at the current IRS Standard Mileage Rate, Subcontracted Services and other expenses at cost plus 10%.

The Wooten Company makes annual adjustments on July 1st of each year. The above hourly rates reflect current rates for the period through June 30, 2019. Hourly billing rates will change next on July 1, 2019 to reflect Direct Payroll Costs (salaries) being paid at that time.

Effective Rates July 1, 2018 through June 30, 2019



**Town of Winterville  
Town Council  
Agenda Abstract**

Item Section: Old Business

**Meeting Date:** October 14, 2019

**Presenter:** Ben Williams, Assistant Town Manager

**Item to be Considered**

**Subject:** Nobel Canal Bank Stabilization.

**Action Requested:** NA.

**Attachments:** None.

**Prepared By:** Ben Williams, Assistant Town Manager

**Date:** 10/8/2019

**ABSTRACT ROUTING:**

TC 10/8/2019

FD

TM 10/8/2019

Final tlp 10/8/2019

**Supporting Documentation**

Staff will present and discuss potential funding sources and associated timelines/criteria for streambank stabilization of Nobel Canal.

**Budgetary Impact:** TBD.

**Recommendation:** NA.



**Town of Winterville  
Town Council  
Agenda Abstract**

Item Section: New Business

**Meeting Date:** October 14, 2019

**Presenter:** Travis Welborn, Public Works  
Director

**Item to be Considered**

**Subject:** Chapman Street Culvert Replacement Project.

**Action Requested:** Award of Contract to Chatham Civil Contracting, LLC.

**Attachments:** Proposed Contract, Certified Bid Tab, Letter of Recommendation.

**Prepared By:** Travis Welborn, Public Works Director

**Date:** 10/4/2019

**ABSTRACT ROUTING:**

TC 10/8/2019

FD

TM 10/8/2019

Final tlp - 10/8/2019

**Supporting Documentation**

The Town received a grant in 2017 for the replacement of the Chapman Street Culvert due in part to the existing culvert being undersized and contributing to flooding issues upstream. There are also structural integrity issues with the existing culvert as sinkholes are present in the roadway due to leaks in the existing pipe. The grant was in the amount of \$1,094,000.00. Engineering design fees including inspection and construction administration services totaled \$157,940.00, leaving approximately \$936,000.00 for construction. Bids were opened on Thursday October 3, 2019, with the lowest responsible bidder being Chatham Civil Contracting, LLC with a low base bid of \$865,142.50. The base bid included replacing the existing culvert with a new, cast in place concrete box culvert. This box culvert is designed to carry the 25 year storm, whereas the existing pipes were installed with reverse grade and do not adequately convey the 10 year storm.

**Budgetary Impact:** 100% of this project including all engineering fees and construction costs will be covered by the grant that the Town received.

**Recommendation:** Award of contract to Chatham Civil Contracting, LLC.



# **ADVERTISEMENT FOR BIDS - TOWN OF WINTERVILLE CHAPMAN STREET CULVERT REPLACEMENT WINTERVILLE, NORTH CAROLINA**

Sealed bids will be received by the TOWN OF WINTERVILLE in the Winterville Town Hall located at 2571 Railroad Street, Winterville, NC 28590, on Thursday, October 3, 2019 until 2:00 PM local time, and immediately thereafter publicly opened and read, for constructing the Chapman Street Culvert Replacement:

Bids must be submitted on the complete project. Bids must be enclosed in a sealed envelope, addressed to the attention of Kristin Godley – Purchasing Manager, Town of Winterville, Finance Department, 2571 Railroad Street, Winterville, NC 28590 and the outside of the envelope must be marked “Chapman Street Culvert Bid Package”. All bids must be made on blank forms provided and included in the contract documents as described in the “Instructions to Bidders”.

Each bid must be accompanied by a certified check, drawn on a bank or trust company authorized to do business in North Carolina, payable to the TOWN OF WINTERVILLE in an amount at least equal to five percent (5%) of the total amount of the bid, as a guarantee that a contract will be entered into. In lieu of a certified check, the Bidder may submit a bid bond in the form prescribed in G.S. 143 129 as amended by Chapter 1104 of the Public Laws of 1951.

Contractors are notified that North Carolina G.S. 87 relating to licensing of contractors will be observed in receiving bids and awarding contracts.

In accordance with the Minority Participation Goals, potential prime Contractor(s), should attend the Pre-Bid Conference to be held in the Town of Winterville Operations Center at 2936 Church Street Extension, Winterville, NC 28590 on Wednesday, September 18, 2019 at 2:00 PM local time.

The project consists of the replacement of two existing 60” storm drainage pipes with 237 LF of dual 6’x5’ reinforced concrete box culverts with endwalls, as well as improvements to the adjacent curb and gutter, roadway, storm drain system, and utilities.

Plans and specifications can be requested electronically by contacting the office of the engineer, Freese and Nichols, Inc. at 919-582-5855, or by emailing Sam Beavans at Sam.Beavans@freese.com. All questions shall be submitted to Sam Beavans via email by noon on September 25, 2019 and any addenda will be sent to the plan holder list maintained by the engineer.

The right is reserved to reject any or all bids, to waive informalities, and to award contract or contracts which, in the opinion of the Owner, appear to be in its best interest.

Signed: Mr. Travis Welborn, PE  
Public Works Director  
Town of Winterville, NC  
2571 Railroad Street  
Winterville, NC 28590

October 7, 2019

Mr. Travis Welborn  
 Town of Winterville Public Works Director  
 2936 Church Street Ext.  
 Winterville, NC 28590

Subject: Chapman Street Culvert Replacement Award Recommendation

Dear Mr. Welborn:

Construction bids for the subject project were received and opened at 2:00 PM on Thursday, October 3, 2019 at the Winterville Town Hall in Winterville, North Carolina. A total of six (6) bids were received, summarized as follows:

Bidder	BridgePoint Civil, LLC	Chatham Civil Contracting, LLC	Dane Construction, Inc.	Fred Smith Company, LLC	Trader Construction Co.	Tripp Brothers, Inc.
<b>Total Base Bid</b>	\$ 1,251,378.00	\$ 865,142.50	\$ 1,722,994.75	\$ 996,699.00	\$ 1,327,526.50	\$ 1,104,169.00
<b>Alternate 1 Price</b>	\$ 474,790.00	\$ 371,127.00	\$ 346,405.00	\$ 505,550.00	\$ 608,110.00	\$ 111,115.50

A detailed Bid Tabulation is attached.

Alternate 1 prices were used to evaluate the alternative of using a precast culvert instead of a cast-in-place option. It was determined that the alternate would not be awarded and that a cast-in-place culvert is the best long-term maintenance solution for the Town.

Chatham Civil Contracting, LLC submitted the lowest Base Bid. They have executed all the required bid forms. Therefore, we recommended that the Town of Winterville award a construction contract to Chatham Civil Contracting, LLC in the amount of \$865,142.50 for the Chapman Street Culvert Replacement.

Please let us know if you have any questions or need further information. We look forward to working with the Town on this important project.

Sincerely,  
 Freese and Nichols, Inc.



David S. Webb, P.E.

Town of Winterville  
 Chapman Street Culvert Replacement  
 3 October, 2019, 2:00 PM  
 WINT18987

BridgePoint Civil, LLC  
 3733 N US Hwy 117  
 Goldsboro, NC 27530

Chatham Civil Contracting, LLC  
 811 Archie Johnson Rd  
 Siler City, NC 27344

Dane Construction, Inc.  
 PO Box 800  
 Mooresville, NC 28115

Fred Smith Company, LLC  
 701 Corporate Center Dr, Suite 101  
 Raleigh, NC 27607

Trader Construction Co  
 PO Drawer 1578  
 New Bern, NC 28563

Tripp Brothers, Inc.  
 PO Box 128  
 Ayden, NC 28513

#	Description	QTY	UNIT	Unit Cost	Extended Amount	Unit Cost	Extended Amount	Unit Cost	Extended Amount	Unit Cost	Extended Amount	Unit Cost	Extended Amount	Unit Cost	Extended Amount	Unit Cost	Extended Amount
<b>BASE BID</b>																	
1	Construction Staking	1	LS	\$4,000.00	\$4,000.00	\$10,000.00	\$10,000.00	\$8,000.00	\$8,000.00	\$6,500.00	\$6,500.00	\$55,500.00	\$55,500.00	\$18,165.00	\$18,165.00	\$18,165.00	\$18,165.00
2	Erosion Control	1	EA	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00	\$7,515.70	\$7,515.70	\$16,000.00	\$16,000.00	\$49,875.00	\$49,875.00	\$16,275.00	\$16,275.00	\$16,275.00	\$16,275.00
3	Construction Entrance	1	EA	\$3,650.00	\$3,650.00	\$2,500.00	\$2,500.00	\$4,785.00	\$4,785.00	\$6,000.00	\$6,000.00	\$4,250.00	\$4,250.00	\$8,505.00	\$8,505.00	\$8,505.00	\$8,505.00
4	Mobilization (Maximum 5% of Total Bid)	1	LS	\$15,000.00	\$15,000.00	\$40,000.00	\$40,000.00	\$103,455.00	\$103,455.00	\$50,000.00	\$50,000.00	\$67,300.00	\$67,300.00	\$55,000.00	\$55,000.00	\$55,000.00	\$55,000.00
5	Traffic Control	1	LS	\$11,000.00	\$11,000.00	\$2,500.00	\$2,500.00	\$25,000.00	\$25,000.00	\$6,000.00	\$6,000.00	\$17,350.00	\$17,350.00	\$7,875.00	\$7,875.00	\$7,875.00	\$7,875.00
6	Concrete Washout Pit	1	EA	\$4,000.00	\$4,000.00	\$1,000.00	\$1,000.00	\$2,325.00	\$2,325.00	\$700.00	\$700.00	\$2,000.00	\$2,000.00	\$2,100.00	\$2,100.00	\$2,100.00	\$2,100.00
7	Straam Pump Around and Pipe Diversion	1	LS	\$78,000.00	\$78,000.00	\$57,916.00	\$57,916.00	\$50,000.00	\$50,000.00	\$62,000.00	\$62,000.00	\$93,450.00	\$93,450.00	\$84,525.00	\$84,525.00	\$84,525.00	\$84,525.00
8	Remove Exst. Curb & Gutter	295	LF	\$12.00	\$3,540.00	\$5.00	\$1,475.00	\$6.75	\$1,998.75	\$16.00	\$4,720.00	\$20.00	\$5,900.00	\$20.00	\$5,900.00	\$8.00	\$2,360.00
9	Remove Exst. Stone Base & Pavement	470	SY	\$9.00	\$4,230.00	\$5.00	\$2,350.00	\$7.50	\$3,525.00	\$20.00	\$9,400.00	\$29.00	\$13,830.00	\$8.00	\$3,760.00	\$8.00	\$3,760.00
10	Remove Exst. Stormwater Structures	9	EA	\$550.00	\$4,950.00	\$250.00	\$2,250.00	\$1,235.00	\$11,115.00	\$900.00	\$8,100.00	\$350.00	\$3,150.00	\$525.00	\$4,725.00	\$525.00	\$4,725.00
11	Remove Exst. Storm Drainage Pipe <= 36"	200	LF	\$30.00	\$6,000.00	\$5.00	\$1,000.00	\$16.00	\$3,200.00	\$40.00	\$8,000.00	\$35.00	\$7,000.00	\$14.00	\$2,800.00	\$14.00	\$2,800.00
12	Remove Exst. Storm Drainage Pipe > 36"	490	LF	\$35.00	\$17,150.00	\$5.00	\$2,450.00	\$22.00	\$10,780.00	\$40.00	\$19,600.00	\$46.00	\$22,540.00	\$35.00	\$17,150.00	\$35.00	\$17,150.00
13	Sanitary Sewer Dypass Pump	1	LS	\$20,500.00	\$20,500.00	\$6,400.00	\$6,400.00	\$48,000.00	\$48,000.00	\$25,000.00	\$25,000.00	\$49,000.00	\$49,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00
14	Remove & Replace San. Sewer w/ 10" DIP	90	LF	\$165.00	\$14,850.00	\$152.00	\$13,680.00	\$300.00	\$27,000.00	\$300.00	\$27,000.00	\$90.00	\$8,100.00	\$235.00	\$21,150.00	\$235.00	\$21,150.00
15	10" Ball Champs	2	EA	\$400.00	\$800.00	\$250.00	\$500.00	\$495.00	\$990.00	\$1,000.00	\$2,000.00	\$495.00	\$990.00	\$1,100.00	\$2,200.00	\$1,100.00	\$2,200.00
16	24" Steel Encasement for Sanitary Sewer	28	LF	\$278.00	\$7,728.00	\$205.00	\$5,740.00	\$405.00	\$11,540.00	\$345.00	\$9,660.00	\$405.00	\$11,540.00	\$280.00	\$7,840.00	\$280.00	\$7,840.00
17	Residential Sanitary Sewer Service Replacement	1	EA	\$3,050.00	\$3,050.00	\$1,000.00	\$1,000.00	\$5,500.00	\$5,500.00	\$3,500.00	\$3,500.00	\$5,500.00	\$5,500.00	\$5,750.00	\$5,750.00	\$5,750.00	\$5,750.00
18	Temporary Chain Link Fence (5' Min. Height)	950	LF	\$8.00	\$7,600.00	\$8.00	\$7,600.00	\$12.00	\$11,400.00	\$7.00	\$6,650.00	\$17.20	\$16,340.00	\$7.50	\$7,125.00	\$7.50	\$7,125.00
19	Remove & Replace Existing 6" Water Main w/ DIP	140	LF	\$150.00	\$21,000.00	\$150.00	\$21,000.00	\$200.00	\$28,000.00	\$255.00	\$35,700.00	\$200.00	\$28,000.00	\$100.00	\$14,000.00	\$100.00	\$14,000.00
20	6" Gate Valves for Water Main	2	EA	\$1,300.00	\$2,600.00	\$1,065.00	\$2,130.00	\$1,860.00	\$3,720.00	\$1,100.00	\$2,200.00	\$1,860.00	\$3,720.00	\$2,025.00	\$4,050.00	\$2,025.00	\$4,050.00
21	12" Steel Encasement for Water Main	28	LF	\$160.00	\$4,480.00	\$160.00	\$4,480.00	\$205.00	\$5,740.00	\$205.00	\$5,740.00	\$205.00	\$5,740.00	\$180.00	\$4,860.00	\$180.00	\$4,860.00
22	Residential Water Service Replacement	2	EA	\$1,700.00	\$3,400.00	\$1,000.00	\$2,000.00	\$3,200.00	\$6,400.00	\$3,000.00	\$6,000.00	\$3,000.00	\$6,000.00	\$3,200.00	\$6,400.00	\$3,200.00	\$6,400.00
23	Undercut Excavation	200	CY	\$25.00	\$5,000.00	\$25.00	\$5,000.00	\$50.00	\$10,000.00	\$40.00	\$8,000.00	\$40.00	\$8,000.00	\$14.00	\$2,800.00	\$14.00	\$2,800.00
24	Select Soil Backfill	260	CY	\$26.00	\$6,760.00	\$15.00	\$3,900.00	\$49.00	\$12,740.00	\$50.00	\$13,000.00	\$51.00	\$13,260.00	\$51.00	\$13,260.00	\$42.00	\$8,400.00
25	Stabilization Stone	200	TN	\$29.60	\$5,920.00	\$35.00	\$7,000.00	\$39.00	\$7,800.00	\$50.00	\$10,000.00	\$49.00	\$9,800.00	\$49.00	\$9,800.00	\$42.00	\$8,400.00
26	Dual 6x5' Reinforced Concrete Box Culvert (Cast-in-Place)	1	LS	\$743,000.00	\$743,000.00	\$530,000.00	\$530,000.00	\$424,050.00	\$424,050.00	\$464,000.00	\$464,000.00	\$566,055.00	\$566,055.00	\$582,000.00	\$582,000.00	\$582,000.00	\$582,000.00
27	Box Culvert End Walls	2	EA	\$87,000.00	\$174,000.00	\$16,000.00	\$32,000.00	\$7,470.00	\$14,940.00	\$28,000.00	\$56,000.00	\$35,725.00	\$71,450.00	\$37,000.00	\$74,000.00	\$37,000.00	\$74,000.00
28	15' RCP	36	LF	\$62.00	\$2,232.00	\$58.00	\$2,088.00	\$58.00	\$2,088.00	\$75.00	\$2,700.00	\$158.00	\$5,688.00	\$56.00	\$2,016.00	\$56.00	\$2,016.00
29	18' RCP	128	LF	\$68.00	\$8,704.00	\$52.50	\$6,720.00	\$70.00	\$8,960.00	\$85.00	\$10,880.00	\$120.00	\$15,360.00	\$65.00	\$8,320.00	\$65.00	\$8,320.00
30	24' RCP	44	LF	\$96.00	\$4,224.00	\$75.00	\$3,300.00	\$97.00	\$4,288.00	\$127.00	\$5,598.00	\$200.00	\$8,800.00	\$77.00	\$3,388.00	\$77.00	\$3,388.00
31	30' RCP	112	LF	\$126.00	\$14,112.00	\$75.00	\$8,400.00	\$105.00	\$11,760.00	\$132.00	\$14,784.00	\$180.00	\$22,080.00	\$99.00	\$11,088.00	\$99.00	\$11,088.00
32	Downstream Rip Rap Energy Dissipator Pad	120	TN	\$58.00	\$6,960.00	\$50.00	\$6,000.00	\$82.00	\$9,840.00	\$95.00	\$11,400.00	\$93.00	\$11,160.00	\$59.00	\$7,080.00	\$59.00	\$7,080.00
33	Upstream Rip Rap on Banks	80	TN	\$59.00	\$4,720.00	\$50.00	\$4,000.00	\$93.00	\$7,440.00	\$95.00	\$7,600.00	\$117.00	\$13,360.00	\$61.00	\$4,880.00	\$61.00	\$4,880.00
34	Upstream Floodplain Bench	80	SY	\$120.00	\$9,600.00	\$20.00	\$1,600.00	\$173.00	\$13,840.00	\$95.00	\$7,600.00	\$90.00	\$7,200.00	\$20.00	\$1,600.00	\$20.00	\$1,600.00
35	Roadway ABC Stone	470	SY	\$15.00	\$7,050.00	\$10.65	\$5,005.50	\$19.00	\$8,930.00	\$18.00	\$8,460.00	\$32.00	\$15,040.00	\$20.10	\$9,447.00	\$20.10	\$9,447.00
36	2" Asphalt Surface (S9 S9)	470	SY	\$22.50	\$10,575.00	\$21.50	\$10,105.00	\$25.00	\$11,750.00	\$25.00	\$11,750.00	\$17.05	\$8,013.50	\$21.00	\$9,870.00	\$21.00	\$9,870.00
37	24" Concrete Curb & Gutter	265	LF	\$20.20	\$5,353.00	\$20.00	\$5,300.00	\$35.00	\$9,275.00	\$28.00	\$7,424.00	\$36.00	\$9,576.00	\$32.00	\$8,480.00	\$32.00	\$8,480.00
38	Concrete Driveway Apron	3	EA	\$2,000.00	\$6,000.00	\$2,500.00	\$7,500.00	\$1,500.00	\$4,500.00	\$3,000.00	\$9,000.00	\$1,625.00	\$4,875.00	\$900.00	\$2,700.00	\$900.00	\$2,700.00
39	Catch Basin	4	EA	\$2,800.00	\$11,200.00	\$2,800.00	\$11,200.00	\$3,680.00	\$14,720.00	\$3,000.00	\$12,000.00	\$4,200.00	\$16,800.00	\$1,825.00	\$7,300.00	\$1,825.00	\$7,300.00
40	Double Catch Basin	2	EA	\$5,750.00	\$11,500.00	\$4,480.00	\$8,960.00	\$3,680.00	\$7,360.00	\$5,600.00	\$11,200.00	\$6,000.00	\$12,000.00	\$3,800.00	\$7,600.00	\$3,800.00	\$7,600.00
41	Drop Inlet	1	EA	\$2,900.00	\$2,900.00	\$3,593.00	\$3,593.00	\$3,200.00	\$3,200.00	\$2,500.00	\$2,500.00	\$5,800.00	\$5,800.00	\$1,935.00	\$1,935.00	\$1,935.00	\$1,935.00
42	Seeding & Mulching	1	LS	\$5,000.00	\$5,000.00	\$2,500.00	\$2,500.00	\$3,000.00	\$3,000.00	\$3,287.00	\$3,287.00	\$7,275.00	\$7,275.00	\$5,500.00	\$5,500.00	\$5,500.00	\$5,500.00
43	Testing Allowance	1	LS	\$8,500.00	\$8,500.00	\$8,500.00	\$8,500.00	\$8,500.00	\$8,500.00	\$8,500.00	\$8,500.00	\$8,500.00	\$8,500.00	\$8,500.00	\$8,500.00	\$8,500.00	\$8,500.00
<b>TOTAL BASE BID PRICE</b>					<b>\$1,251,378.00</b>		<b>\$865,142.50</b>		<b>\$1,722,994.75</b>		<b>\$999,699.00</b>		<b>\$1,327,526.50</b>		<b>\$1,104,169.00</b>		<b>\$1,104,169.00</b>

<b>ALTERNATE 1</b>																	
#	Description	QTY	UNIT	Unit Cost	Extended Amount	Unit Cost	Extended Amount	Unit Cost	Extended Amount	Unit Cost	Extended Amount	Unit Cost	Extended Amount	Unit Cost	Extended Amount	Unit Cost	Extended Amount
44	6x5' Box Culvert - Precast Concrete	474	LF	\$860.00	\$407,640.00	\$745.00	\$353,130.00	\$680.00	\$322,320.00	\$950.00	\$450,300.00	\$1,090.00	\$516,660.00	\$1,020.00	\$483,348.00	\$1,020.00	\$483,348.00
45	Precast Concrete Endwalls	2	EA	\$32,000.00	\$64,000.00	\$8,823.50	\$17,647.00	\$11,255.00	\$22,510.00	\$25,000.00	\$50,000.00	\$43,625.00	\$87,250.00	\$29,975.00	\$59,950.00	\$29,975.00	\$59,950.00
46	78M Washed Rock	35	CY	\$90.00	\$3,150.00	\$10.00	\$350.00	\$45.00	\$1,575.00	\$150.00	\$5,250.00	\$120.00	\$4,200.00	\$80.50	\$2,817.50	\$80.50	\$2,817.50
<b>ALTERNATE 1 PRICE</b>					<b>\$474,790.00</b>		<b>\$371,127.00</b>		<b>\$346,405.00</b>		<b>\$509,550.00</b>		<b>\$608,110.00</b>		<b>\$1,111,115.50</b>		<b>\$1,111,115.50</b>

This Bid Tabulation is certified to be true and correct.



David S. Webb, P.E., Freese and Nichols, Inc.</



**Town of Winterville  
Town Council  
Agenda Abstract**

Item Section: New Business

**Meeting Date:** October 14, 2019

**Presenter:** Ryan Willhite, Chief of Police

**Item to be Considered**

**Subject:** Gardners Street parking.

**Action Requested:** Restrict parking on the North side of Gardners Street.

**Attachments:** NA.

**Prepared By:** Ryan C. Willhite, Chief of Police

**Date:** 10/9/2019

**ABSTRACT ROUTING:**

TC 10/9/2019

FD \_\_\_\_\_

TM 10/09/2019

Final tlp - 10/9/2019

**Supporting Documentation**

Gardners Street is not passable by any vehicle, regardless of size, if vehicles are parked on both sides of the street. Although parking is not common on the North side of the street, it would be legal and does sometimes occurs.

**Budgetary Impact:** Marking/painting of the curb and signage.

**Recommendation:** Approval of request.