

MINUTES OF MEETING OF MAYOR AND CITY COUNCIL HELD
SEPTEMBER 5, 2017

WORK SESSION

The Mayor and Council of the City of Goldsboro, North Carolina, met in a Work Session in the Large Conference Room, City Hall Addition, 200 North Center Street, at 5:00 p.m. on September 5, 2017 with attendance as follows:

Present: Mayor Chuck Allen, Presiding
Mayor Pro Tem Bevan Foster
Councilmember Antonio Williams
Councilmember Bill Broadaway
Councilmember Mark Stevens
Councilmember David Ham
Councilmember Gene Aycock
Jim Womble, Attorney
Scott Stevens, City Manager
Melissa Corser, City Clerk
Randy Guthrie, Assistant City Manager
Octavius Murphy, Assistant to the City Manager
Jimmy Rowe, Planning Director
Jennifer Collins, Assistant Planning Director
Kaye Scott, Finance Director
Rick Fletcher, Public Works Director
Mike West, Police Chief
Mike Wagner, Deputy Public Works Director - Utilities
Bernadette Carter-Dove, HR Director
Gary Whaley, Fire Chief
Brad Hinnant, Server Database Administrator
Julie Metz, DGDC Director
Elizabeth Rutland, Business and Property Development Specialist
Scott Barnard, P&R Director
Felicia Brown, Assistant P&R Director
Allen Anderson, Chief Building Inspector
Marty Anderson, City Engineer
Byron Ash, Goldsboro Municipal Golf Course Committee
Rochelle Moore, Goldsboro News-Argus (arrived at 5:07 p.m.)
Ken Conners, News Director-Curtis Media Group East
Carl Martin, Citizen
Lonnie Casey, Citizen
Bobby Mathis, Citizen
Della Mathis, Citizen
Shirley Edwards, Citizens
Tommy Jarrett, Attorney (arrived at 5:30 p.m.)

Call to Order. The meeting was called to order by Mayor Allen at 5:00 p.m.

Invocation. The invocation was provided by Chief Whaley.

Adoption of the Agenda. Upon motion of Councilmember Aycock, seconded by Councilmember Stevens and unanimously carried, Council adopted the agenda.

Goldsboro Municipal Golf Course Committee Report. Mr. Scott Barnard, Parks and Recreation Director, introduced Mr. Byron Ash, Vice-Chairman of the Municipal Golf Course Committee. Mr. Ash provided the following information:

- Final Numbers for Past Year
 - Past Year Budget - \$551,732
 - Funds Spent - \$601,124
 - Funds Collected - \$516,872
 - Delta - \$84,252

- Return of Investment – 86%
- On-going Projects
 - Cart Path Renovation (Complete)
 - Bunker Restoration (Awaiting FEMA \$)
 - Memorial Pavers
 - Promoting Golf to Our Youth (Summer Long Youth Programs)
- Fiscal Oversight of New Year Budget
 - Committee will review monthly expenditures
 - Continue to find ways to cut where possible
 - Jan-Jul '17 Report from CFO shows GMGC ahead in fiscal responsibility (revenue higher than expenditures)
- Summary
 - Golf Course Advisory Committee is dedicated to:
 - Keeping the GMGC Open
 - Finding ways to eliminate unnecessary expenditures
 - Providing a quality place for people of all ages, colors, income levels to enjoy the game of golf

Council discussed membership and the point of sales software.

Assistance to Firefighters Grant Program Application. Chief Whaley stated the primary goal of the Assistance to Firefighters Grant is to enhance the safety of the public and firefighters with respect to fire-related hazards by providing direct financial assistance to eligible fire departments, nonaffiliated Emergency Medical Services organizations, and State Fire Training Academies. This funding is for critically needed resources to equip and train emergency personnel to recognized standards, enhance operations efficiencies, foster interoperability and support community resilience. Chief Whaley shared the department would like to apply for the grant to replace current air packs that are aging out. Chief Whaley asked Council to consider granting permission for the department to pay a grant writer \$750 to write the grant requesting assistance in replacing the air packs. Council discussed and agreed staff could proceed with applying for the grant.

Former W.A. Foster Discussion. Mr. Octavius Murphy presented the following options to City Council:

| | |
|---|-----------|
| Option 1: Demolition and Asbestos Abatement | \$ 59,500 |
| Option 2: Full Abatement with Partial Demo | \$137,777 |
| Option 3: Full Abatement with No Demo | \$210,397 |
| Option 4: Partial Abatement with Partial Demo (leaves asbestos in roof flashing) | \$105,777 |
| Option 5: Partial Abatement with No Demo (leaves asbestos in roof flashing) | \$178,397 |

| Activity | <i>Option 1</i> | <i>Option 2</i> | <i>Option 3</i> | <i>Option 4</i> | <i>Option 5</i> |
|---------------------------------------|-----------------|------------------|------------------|------------------|------------------|
| Base Cost | \$59,500 | \$74,500 | \$63,500 | \$62,500 | \$51,500 |
| Reconstruction of Art | | | \$64,835 | | \$64,835 |
| Repair Gym, Game Room, Foyer and Roof | | \$32,250 | \$32,250 | \$32,250 | \$32,250 |
| Replace Roof- Art Room | | | \$6,785 | | \$6,785 |
| New HVAC System - Art Room | | | \$12,000 | | \$12,000 |
| Replace Flooring in Game Room | | \$11,027 | \$11,027 | \$11,027 | \$11,027 |
| Repair Roof Flashing (estimate) | | \$20,000 | \$20,000 | | |
| | | | | | |
| Total Cost | \$59,500 | \$137,777 | \$210,397 | \$105,777 | \$178,397 |

Council discussed the options. Councilmember Stevens made a motion to go with Option 5, Mayor Pro Tem Foster seconded the motion. Mayor Allen, Mayor Pro Tem Foster, Councilmember Williams, Broadway, Stevens, and Ham voted in favor of the motion. Councilmember Aycock voted against the motion. Mayor Allen stated the vote passed with a 6:1 vote.

Herman Park Center Discussion. Mr. Scott Barnard shared the following information:

Herman Park Center Design Team

- City of Goldsboro Reps.
- H&H Architecture
- Benesch Landscape Architects
- Lynchmykins Structural Engineers
- Entech Engineering

Background

- A feasibility study concluded that the existing building could not meet the space, flexibility, and programmatic needs of the public.
- HH Architecture provided six floor plan options for the community to vote on.
- The final two plans were adjusted based on public input and put out to vote again by the Goldsboro Parks and Recreation department.
- Based on feedback, HH Architecture designed a preliminary floor plan for the new Herman Park Center.
- The new building will be 67,170 square feet with two-stories.

Building Program

- Double Gym
- Third Gym
- Fitness Room
- Youth and Adult Rooms
- Special Populations Room
- Locker Rooms and Showers
- Multipurpose Rooms
- Art Rooms
- Warming Kitchen
- Outdoor Spaces
- Three Wall Racquet Ball Court
- Grilling Patio
- Shuffle Board & Cornhole
- Basketball Court

Budget Options

- Option 1
WA Foster Model – One gym 24,285 SF
Est. Costs \$6,000,000
Est. Debt Service (structured) \$540,000
Est. Debt Service (level)
Equivalent Property Tax Impact (structured) per Davenport 1.5
Equivalent Property Tax Impact (level) per Davenport 3
- Option 2
WA Foster Model – Two gyms 32,825 SF
Est. Costs \$8,000,000
Est. Debt Service (structured) \$720,000
Estimated Debt Service (level) \$853,000
Equivalent Property Tax Impact (structured) per Davenport 2
Equivalent Property Tax Impact (level) per Davenport 4
- Option 3
Herman Park Model – Two gyms 58,630 SF
Est. Costs \$14,900,000
Est. Debt Service (structured) \$1,350,000
Estimated Debt Service (level) \$1,589,000
Equivalent Property Tax Impact (structured) per Davenport 4
Equivalent Property Tax Impact (level) per Davenport 7
- Option 4

Herman Park Model – Three gyms 67,170 SF
Est. Costs \$16,900,000
Est. Debt Service (structured) \$1,500,000
Estimated Debt Service (level) \$1,803,000
Equivalent Property Tax Impact (structured) per Davenport 5
Equivalent Property Tax Impact (level) per Davenport 8

Mr. Stevens stated we did meet with a portion of the Council committee and got back with some version of Option 2. We have said from the beginning it would require a one to two cent property tax increase, I would still it may require that. Mr. Stevens reviewed retiring debt service and discussed revenues.

Council discussed options. Additional discussion included a walking track, possible use of the second gym as an emergency shelter. Mayor Allen asked Council to think about it over the next two weeks. Council will revisit at an upcoming meeting.

Consent Agenda Review. Each item on the Consent Agenda was reviewed. Additional discussion included the following.

Item E. Adoption of Supplement to the Code of Ordinances of Goldsboro, North Carolina. Mayor Pro Tem Foster made a motion to remove Item E. Adoption of Supplement to the Code of Ordinances of Goldsboro, North Carolina from the agenda. Councilmember Williams seconded the motion. Mayor Pro Tem Foster and Councilmember Williams voted in favor of the motion. Mayor Allen, Councilmembers Broadaway, Stevens, Ham and Aycock voted against the motion. Mayor Allen stated the motion failed with a 2:5 vote.

There being no further business, the work session adjourned at 6:12 p.m.

CITY COUNCIL MEETING

The Mayor and Council of the City of Goldsboro, North Carolina, met in regular session in Council Chambers, City Hall, 214 North Center Street, at 7:00 p.m. on September 5, 2017 with attendance as follows:

Present: Mayor Chuck Allen, Presiding
Mayor Pro Tem Bevan Foster
Councilmember Antonio Williams
Councilmember Bill Broadaway
Councilmember Mark Stevens
Councilmember David Ham
Councilmember Gene Aycock

The meeting was called to order by Mayor Allen at 7:00 p.m.

Bishop Anthony Slater with Tehillah Church Ministries provided the invocation. The Pledge to the Flag followed.

Public Comment Period. Mayor Allen opened the public comment period and the following people spoke:

1. George Williams shared information regarding an appreciation event for law enforcement which will be held on November 9th at the Goldsboro Event Center from 4:30 – 7:00 p.m. He invited Council to the event.
2. Susan Williams spoke on the art pieces downtown and suggested a Native American art piece. She also asked if she could legally carry a stun gun.
3. Ismail Qandeel spoke in favor of allowing his store, which is located in the former Bob's Supermarket, of staying open longer.

4. Janice Gains spoke in favor of Mr. Qandeel's store staying open later. She also shared concerns regarding other stores in the area.

Councilmember Williams stated pertaining to other businesses that have had violence, we are noticing and we are addressing those issues.

5. Percy Royall shared he owns a barber shop downtown. He expressed concerns regarding the two hour parking for downtown. He stated he does not agree with restricting parking for two hours and he does not want parking meters.
6. A lady who did not share her name spoke in favor of letting Mr. Qandeel's store hours being extended.
7. A another lady who did not share her name also spoke in favor of letting Mr. Qandeel's store hours being extended.
8. April Melrose who owns a boutique downtown spoke in favor of limiting parking to two hours downtown.
9. Kathy Cornelison spoke on downtown parking, parking available on side streets and merchants educating their customers on parking.
10. Shirley Edwards spoke on parking downtown, when you move them off Center Street, they will come on to the side streets. There needs to be some dialogue. If you run them from one, they will move and crowd somewhere else. We need to begin to communicate better.
11. Alton Davis stated he lives at the Waynesborough House and has gotten two parking tickets. If you are going to have 2 hour parking, you need to issue handicap stickers for those who live in Waynesborough House.
12. Charles Wright shared information regarding the Essential Single-Family Rehabilitation Loan Pool – Disaster Recovery (ESFRLP-DR) Program. He shared concerns regarding the number of people who have applied for the program.

No one else spoke and the public comment period was closed.

Resolution Expressing Appreciation For Services Rendered by John A. Morton as an Employee of the City of Goldsboro For More Than 30 Years.

Resolution Adopted. John Morton retired on September 1, 2017 as a Fire Marshal with the Goldsboro Fire Department of the City of Goldsboro with more than 30 years of service. John began his career on July 8, 1987 as a Laborer I with the Public Works Department. On January 8, 1990, John was promoted to Water Meter Reader with the Public Works Department. On October 15, 1990, John was promoted to Firefighter with the Goldsboro Fire Department. On April 2, 1997, John was promoted to Fire Engineer with the Goldsboro Fire Department. On November 18, 1998, John was promoted to Fire Captain with the Goldsboro Fire Department. On January 16, 2008, John's position was reclassified to Fire Inspector with the Goldsboro Fire Department. On March 31, 2014, John was promoted to Fire Marshal with the Goldsboro Fire Department where he has served until his retirement. John has proven himself to be a dedicated and efficient public servant who has gained the admiration and respect of his fellow workers and the citizens of the City of Goldsboro. The Mayor and City Council of the City of Goldsboro are desirous, on behalf of themselves, employees and the citizens of the City of Goldsboro, of expressing to John Morton their deep appreciation and gratitude for the service rendered by him to the City over the years. We express to John our deep appreciation and gratitude for the dedicated service rendered during his tenure with the City of Goldsboro. We offer John our very best wishes for success, happiness, prosperity and good health in his future endeavors.

Upon motion of Mayor Allen, seconded by Councilmember Williams and unanimously carried, Council adopted the following entitled Resolution.

Mayor Allen presented Mr. Morton with a framed copy of the Resolution.

Chief Whaley stated losing John will leave a big hole to fill. He was dedicated and helped protect our people. He has volunteered at the Red Cross and with Safe Kids. John did an outstanding job.

Mr. John Morton stated he would like to thank the city and Council for their support. It was a pleasure to work with Chief Whaley and Allen Anderson. We are all working on the same team. You are very privileged to have the personnel you have. Thank you.

Consent Agenda - Approved as Recommended. City Manager, Scott A. Stevens, presented the Consent Agenda. All items were considered to be routine and could be enacted simultaneously with one motion and a roll call vote. If a Councilmember so requested, any item(s) could be removed from the Consent Agenda and discussed and considered separately. In that event, the remaining item(s) on the Consent Agenda would be acted on with one motion and roll call vote. Councilmember Broadaway moved the items on the Consent Agenda, Items B, C, D, E, F, G, H, I, J and K be approved as recommended by the City Manager and staff. The motion was seconded by Councilmember Stevens. A roll call vote resulted in the following members voting in the affirmative Mayor Allen, Councilmember Broadaway, Councilmember Stevens, Councilmember Ham and Councilmember Aycock. Mayor Pro Tem Foster and Councilmember Williams voted against the motion. Mayor Allen declared the Consent Agenda approved as recommended with a 5:2 vote. The items on the Consent Agenda were as follows:

US Dept. of Justice: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation. Resolution Adopted. The Goldsboro Police Department has been notified that federal grant funds are available from 2017 Edward Byrne Memorial Justice Assistance Grant (JAG). This is the same grant that we applied for in 2016 to purchase equipment to improve the department's ability to document citizen and officer interactions.

The total amount of the grant is \$44,985.00. As in 2016, the grant requires that the application be filed on behalf of both the Goldsboro Police Department and the Wayne County Sheriff's Office. Each agency would receive \$22,492.50.

The grant requires that a Memorandum of Understanding (MOU) is submitted with the application indicating the agreement between both agencies on the amount each agency would receive and how the grant will be administered. In addition, the MOU and grant application are required to be distributed to the City Council for review only, no fewer than 30 days prior to the application submission, or before the grant will be awarded.

The Goldsboro Police Department has agreed to purchase patrol rifles to improve officer safety by having the ability to confront heavy-duty firepower situations that cannot be accomplished through the use of traditional side-arms and the Wayne County Sheriff's Office has agreed to purchase Conduct Electrical Weapons (tasers) as replacements for previously purchased tasers that have reached their lifespan and are no longer supported by current technology for maintenance.

Staff recommended Council adopt the following entitled Resolution supporting the Police Department applying for this grant. Consent Agenda Approval. Broadaway/Stevens (5 Ayes; 2 Nays)

RESOLUTION NO. 2017-54 "A RESOLUTION SUPPORTING THE 2017 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT APPLICATION"

United Way of Wayne County – 27th Annual Taste of Wayne Event – Temporary Street Closing Request. Approved. The United Way of Wayne County is requesting permission to close a portion of certain City streets beginning at 7:00 a.m.

until 4:00 p.m. on Saturday, October 14, 2017 to hold their annual Taste of Wayne fundraiser with a rain date of Sunday, October 15, 2017.

The street closing request is for the 200 block of North Center Street (between Ash and Mulberry Streets), both north and southbound lanes.

Organizers are requesting the street be closed beginning at 7:00 a.m. on Saturday, October 14th to allow for setup of the event. The event itself begins at 12:00 a.m. on Saturday, October 14th and will run through 3:00 p.m. One additional hour of closure will allow them time to tear down and clear the street.

The Police, Fire, Public Works and DGDC offices have been notified of this request.

Staff recommends approval of this request subject to the following conditions:

1. All intersections remain open for Police Department traffic control.
2. A 14-foot fire lane is maintained in the center of the street to provide access for fire and emergency vehicles.
3. All activities, changes in plans, etc. will be coordinated with the Police Department.
4. The Police, Fire, Public Works and Downtown Goldsboro offices are to be involved in the logistical aspects of this event.

Staff recommended Council grant the street closings for the 200 block of North Center Street from 7:00 a.m. until 4:00 p.m. on Saturday, October 14th for the United Way of Wayne County's Annual Taste of Wayne event, subject to the above conditions. Consent Agenda Approval. Broadaway/Stevens (5 Ayes; 2 Nays)

CDBG-DR Disaster Recovery Grant Resolution – Hurricane Matthew.

Resolution Adopted. The NC Division of Emergency Management and the NC Department of Commerce have made Community Development Block Grant-Disaster Recovery (CDBG-DR) Grant Funds under Federal Public Law 117-223/254 available to impacted counties for Hurricane Matthew recovery activities.

Wayne County has prepared an application to submit to the NC Division of Emergency Management for 2017 CDBG-DR Funds in the amount of \$25,414,784 for community development programs and activities, including housing and public facility improvements.

The NC Division of Emergency Management requires that each municipality desiring to participate in the CDBG-DR Project adopt the project activities to be implemented in the County.

If CDBG-DR Funds are received, the City will undertake hurricane recovery activities with the primary objective of benefiting low to moderate persons in accordance with goals established by the NC Department of Commerce in the "State of North Carolina CDBG-DR Action Plan" dated April 21, 2017.

The City will enter into a Sub-Grantee Agreement with Wayne County for the administration of \$9,407,966 in CDBG-DR funds for hurricane recovery activities within the City's jurisdiction.

It is recommended Council adopt the following entitled Resolution endorsing and participating with the County in its application to the CDBG-DR disaster recovery program. Consent Agenda Approval. Broadaway/Stevens (5 Ayes; 2 Nays)

RESOLUTION NO. 2017-55 "RESOLUTION SUPPORTING THE FILING OF AN APPLICATION FOR 2017 COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY FUNDS BY WAYNE COUNTY"

Adoption of a Supplement to the Code of Ordinances of Goldsboro, North Carolina. Ordinance Adopted. In 1990, an agreement was reached between the North Carolina League of Municipalities and the City of Goldsboro to engage American Legal

Publishing Company to revise the Code of Ordinances of Goldsboro. The revised Code was published in 1995.

The agreement stated that American Legal Publishing Company would prepare supplements for incorporation of new Ordinances to the City Code of Ordinances on a recurring basis. In compliance with this agreement, the City has received the S-40 Supplement. This Supplement contains all Ordinances of a general nature enacted since S-39 Code of Ordinances dated December 5, 2016.

Staff recommended Council adopt the following entitled Ordinance enacting and adopting the 2017 S-40 Supplement to the Code of Ordinances of the City of Goldsboro. Consent Agenda Approval. Broadaway/Stevens (5 Ayes; 2 Nays)

ORDINANCE NO. 2017-44 “AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES OF THE CITY OF GOLDSBORO, NORTH CAROLINA (S-40)”

CU-11-17 Southern Current – North of Old Smithfield Road between Gin Road and NC 581 South. Approved. Applicant requests a Conditional Use Permit to allow the development and operation of a solar farm facility.

The property is zoned R-20A Residential. Solar farm operations are a permitted use within this district only after the issuance of a Conditional Use Permit approved by City Council.

Area: 1,001,880 sq. ft. or 23 acres
Frontage: Approx. 1650 ft.

A small portion of the property is located within Wayne County’s jurisdiction, however, that portion is not included within the proposed solar farm development plans.

The property is currently vacant farmland.

The City’s Comprehensive Land Use Plan designates this property for Medium-Density Residential Development.

City water and sewer are not available to the property. The property is not located in a Special Flood Hazard Area.

The submitted site plan indicates a private 20 ft. wide gated access and gravel drive extending from Old Smithfield Road 1,700 ft. north to a 3-point turn around located at the rear of the site. This drive will provide access to the eastern half of the solar farm.

Another 20 ft. wide gravel drive is shown adjacent to the facility access point. This drive is part of a shared access easement to an existing cell tower located at the rear of the property. It will extend approximately 450 ft. north, 600 ft. west and 450 ft. north to a 3-point turn around. This drive will provide access to the western half of the solar farm.

The solar panels will be installed within an area to be surrounded by a 6 ft. high chain-link with barbed wire security fence.

A Type C, 20 ft. wide landscape buffer has been proposed surrounding the entire solar farm just outside a six-ft. tall chain link fence which will be slatted for additional screening.

An adjacent 50 ft. wide underground utility easement runs through a portion of the proposed solar development. Panels are not to encroach within this easement.

At the public hearing held on July 17, 2017, four people spoke in opposition to the Conditional Use Permit. A representative of the applicant spoke in favor.

The applicant has requested that this matter be deferred in order to allow them to hold a workshop/meeting with the adjacent owners who opposed the request.

On August 7, 2017, the Council deferred action on this request.

The applicant has held two workshops in order to address concerns raised at the public hearing.

The Planning Commission, at their meeting on August 28, 2017, recommended approval of the Conditional Use Permit and submitted site and landscape plans detailing the development.

Staff recommended Council accept the recommendation of the Planning Commission and:

1. Approve the Conditional Use Permit to allow the operation of a solar farm facility; and
2. Approve the submitted site and landscape plan detailing the operation. Consent Agenda Approval. Broadway/Stevens (5 Ayes; 2 Nays)

CU-13-17 Eli Wuest – West side of North John Street between East Ash Street and East Mulberry Street. Approved. The applicant requests a Conditional Use Permit to allow the operation of a place of entertainment with ABC permits (wine bar and restaurant).

Frontage: 25 ft.

Depth: 105 ft.

Area: 2,625 sq. ft., or 0.06 acres

Zoning: Central Business District

There is an existing two-story building on the site which is to be renovated for the proposed business.

Hours and Days of Operation:

11:00 a. m. to 12:00 Midnight (Monday through Thursday)

11:00 a. m. to 1:00 a. m. (Friday and Saturday)

11:00 a. m. to 9:00 p. m. (Sunday)

The actual hours may change slightly depending upon the business but should not exceed those listed.

The applicant intends to provide food for most of the time the wine bar is open and plans to have lunch available. Depending upon demand, the kitchen may close at 10:00 p. m. some evenings.

The submitted floor plan indicates that both floors of the building are to be utilized. The downstairs will have tables, restrooms, kitchen, mechanical room, a bar and wine cellars. The upstairs will have a restroom, tables, bar and raised stage for occasional small-scale musical acts up to two times per week. The applicant indicates that he envisions the operation to have a “speakeasy” atmosphere.

At the public hearing held on August 21, 2017, the applicant spoke in favor of the request. No one appeared in opposition.

The Planning Commission, at their meeting held on August 28, 2017, recommended approval of the Conditional Use Permit and site/floor plan detailing the operation.

Staff recommended Council accept the recommendation of the Planning Commission and:

1. Adopt an Order approving the Conditional Use Permit to allow the operation of a place of entertainment with ABC permits (wine bar and restaurant); and
2. Approve the submitted site and floor plans detailing the operation. Consent Agenda Approval. Broadway/Stevens (5 Ayes; 2 Nays)

Site and Landscape Plan- AAA Mini Storage (Addition of self-storage, mini-storage facility). Approved. The property is located on the north side of Industry Court between Patetown Road and William Street.

Area: 127,543 sq. ft. or 2.92 acres

Zoning: I-2 General Industry

The site is located to the rear of an existing mini-storage facility owned by the applicant. Construction of additional storage capacity and climate-controlled facilities is proposed.

The subject site is currently located outside the corporate city limits. The applicant will be required to petition for annexation before a Certificate of Occupancy can be issued.

The submitted site plan indicates a proposed 9,000 sq. ft. mini-storage building to be located behind seven existing mini-storage buildings.

Hours of Operation: 24 hours/7 days a week

Number of Employees: 1

Two existing 35 ft. wide paved driveways are provided for both ingress and egress from Industry Court.

A 25 ft. wide gravel driveway aisle is shown surrounding the new proposed storage building. A modification of the City's requirement that all vehicular traffic surface areas be paved has been requested. The existing mini-storage operation contains graveled driveway aisles.

A total of eight parking spaces have been provided which will meet the City's requirement of one space per employee plus 3 customer spaces.

Sidewalks and Pedestrian Access: According to the City's Pedestrian Plan Map, sidewalks will not be required along either Patetown Road or Industry Court.

Street trees, buffer yards and vehicular surface buffers are required for the proposed site but are not shown on the submitted site plan. The developer feels that required landscaping would create a safety and security concern for customers of his business. A modification of the landscaping requirements has been requested. There is an existing wooded area near the rear of the site which is adjacent to Builders Discount Center on the east.

A 6 ft. tall chain-link security fence has been proposed surrounding the perimeter of the new development as an extension of the existing 6 ft. tall chain-link fence on the original site.

Applicant has submitted a lighting plan for the new development which will have to be approved by staff. Light poles on the property will be mounted to a height no greater than 25 ft.

A small portion of the property at the rear of the site is located within a 100-year flood hazard area. No development is proposed within that area.

At their meeting held on August 28, 2017, the Planning Commission recommended approval of the site and landscape plans with a modification of the paving requirement to allow the applicant to continue the use of graveled drive aisles. They did not approve the requested modification of the landscape requirements.

Staff recommended Council accept the recommendation of the Planning Commission and approve the site and landscape plan with a modification of the paving requirement as requested. Consent Agenda Approval. Broadaway/Stevens (5 Ayes; 2 Nays)

Site and Landscape Plan- Realo Drugs (Pharmacy). Approved. The property is located on the northeast corner of East New Hope Road and Central Heights Road.

Area: 74,052 sq. ft. or 1.7 acres

Zoning: General Business

The site was previously operated as a convenience store and gas station.

The submitted site plan indicates an existing 3,000 sq. ft. building to be renovated for use as a pharmacy.

Hours of Operation: 9 a.m.-6 p.m. (Mon.-Fri.)

9 a.m.-2p.m. (Saturday)

Closed (Sunday)

Number of Employees: 5

One existing 50 ft. wide paved driveway is shown extending from Central Heights Road and another 50 ft. wide paved driveway is shown extending from East New Hope Road. Applicant has received approval for a new 16 ft. wide “entrance only” paved driveway from NCDOT since drive-thru and pick up services are being provided for customers of the business.

Twelve parking spaces are required and shown to be provided for the site. Four spaces are shown as required stacking for the drive-thru.

The City’s Pedestrian Plan Map will require the installation of sidewalks along Central Heights Road. The developer will be required to either install sidewalks or pay a fee in lieu of installation in the amount of \$3,580.

A Type A, 10 ft. wide landscape buffer is required along the southeastern property line. Applicant has proposed a six ft. opaque privacy fence for approximately 80 ft. from East New Hope Road since there is not enough room for required plantings between the existing parking lot and the property line.

A Type C, 20 ft. wide landscape buffer is required along the northeastern property line adjacent to residential property. Applicant has proposed a modification of the required buffer yard for approximately 50 ft. from Central Heights Road since there is not enough room for required plantings between the existing parking lot and the property line.

Street trees are shown on the submitted site plan along Central Heights Road and East New Hope Road. Applicant will install additional trees and shrubs within the grassed area at the intersection of the two streets.

If a commercial dumpster is utilized, the corral will be required to be constructed and screened according to City standards.

The following modifications are requested:

1. Modification of a Type A landscape buffer approximately eighty feet from East New Hope Road.
2. Modification of a Type C landscape buffer approximately 50 ft. from Central Heights Road.

At their meeting held on August 28, 2017, the Planning Commission recommended approval of the site and landscape plans with the requested landscape buffer modifications.

Staff recommended Council accept the recommendation of the Planning Commission and approve the site and landscape plan for Realo Drugs with the following modifications:

1. Modification of a Type A landscape buffer approximately eighty feet from East New Hope Road.
2. Modification of a Type C landscape buffer approximately 50 ft. from Central Heights Road. Consent Agenda Approval. Broadaway/Stevens (5 Ayes; 2 Nays)

Street Closings - 1. Holly Street – From Claiborne St. to Terminus; 2. Beech Street – From Claiborne St. to Terminus; 3. Palm Street – From Claiborne St. to Terminus. Ordinance Adopted. On March 6, 2017, the City Council asked the staff to investigate closing a number of unimproved street sections within the City Limits.

The referenced street sections were included within that list and none are improved or open.

Each street section has been identified on the map indicating the length and right-of-way width of each.

The petitioned street closings have been forwarded to the Fire, Police, Engineering and Public Works Departments for their review. No objections have been received.

If the street is closed, ownership of each right-of-way would be split equally between the adjoining property owners.

At the public hearing held on August 21, 2017, two people appeared to question the effect the street closings would have on their adjacent property.

The Planning Commission, at their meeting on August 28, 2017, recommended approval of the street closings.

Staff recommended Council accept the recommendation of the Planning Commission and adopt the following entitled Ordinance officially closing portions of Holly, Beech and Palm Streets. Consent Agenda Approval. Broadaway/Stevens (5 Ayes; 2 Nays)

ORDINANCE NO. 2017-45 “AN ORDINANCE ORDERING THE CLOSING OF PORTIONS OF CERTAIN STREETS WITHIN THE CITY OF GOLDSBORO, NORTH CAROLINA”

Donation of Right-of-way for Fallin Boulevard Extension. Accepted. The realignment of Central Heights Road at Berkeley Boulevard is a funded transportation highway project with right-of-way currently in progress and construction scheduled for FY 2019. This project will align Central Heights Road with Royall Avenue at Berkeley Boulevard.

The project will include the extension of Fallin Boulevard at Berkeley Boulevard to Central Heights Road. The existing 80 ft. right-of-way for Fallin Boulevard has been dedicated and the plat was recorded in 2004. NCDOT has not finalized design plans at this time but anticipates following the alignment as recorded in 2004 for the extension of Fallin Boulevard.

Ms. Sue Fallin is the owner of the six parcels which will front on the extension of Fallin Boulevard once the project is complete.

A Memorandum of Option has been prepared which gives and grants the right and option for the right-of-way of Fallin Boulevard to be donated to the City of Goldsboro in the event the alignment of the existing right-of-way shifts or construction easements are necessary once final plans have been prepared by NCDOT.

NCDOT has indicated 80 ft. is the recommended right-of-way needed for construction of the extension. The 80 ft. of right-of-way would allow for future sidewalks as well as proper utility and easements.

Staff recommended Council accept the Memorandum of Option which gives and grants the right and option for the right-of-way of Fallin Boulevard to be donated to the City of Goldsboro as described in the Option. Consent Agenda Approval. Broadaway/Stevens (5 Ayes; 2 Nays)

End of Consent Agenda.

Center Street Parking. Denied. Center Street serves as the main thoroughfare into downtown by function and design. Since its redesign, the corridor's attraction has grown and there has been an increase in commercial businesses and consumers.

Beginning in 2015, the City hired VHB, a parking and traffic consulting firm, to examine current downtown parking conditions and provide recommendations to address current and forecasted parking issues, if realized. This plan, the Goldsboro Parking & Traffic Analysis, was adopted on August 15, 2016 by the Goldsboro City Council after numerous public input opportunities, including stakeholder meetings and public surveys and meetings.

At the time of the VHB study, Center Street was noted to have current supply challenges in meeting demands at peak times. During meetings between the consultants and the study's steering committee it was noted that this problem could be resolved, at least in part, by managing the supply with time-restricted parking to eliminate issues where persons park their vehicle within this corridor for lengthy periods.

On July 27, 2017, the Downtown Merchants' Association, a group of downtown business owners, submitted a letter to the Mayor and City Council requesting action to mitigate Center Street's parking issues specifically requesting time-limited parking on Center Street from Ash Street to Chestnut Street from 8 am to 5 pm.

The Traffic & Parking Analysis recommended strategies to address parking issues within four categories: Educational, Encouragement, Enforcement, and Evaluations. A time-limited, free parking strategy would be consistent with the recommendations of the study, addressing Educational, Encouragement and Enforcement strategies.

Given the desire to create a strong downtown economic climate and support our growing downtown business environment, the City's downtown development staff is in support of the Downtown Merchants' Association request.

It was recommended Council adopt an ordinance amending Chapter 75: Parking Schedules of the Code of Ordinances that:

1. Rescinds all past parking policies and regulations pertaining to Center Street, and
2. Adopts a time-limited parking strategy for Center Street from Ash Street to Chestnut Street, Monday through Friday, from 8:00 am to 5:00 pm.

Ms. Metz stated based on comments from Mayor Pro Tem Foster, she went back to the merchant's association to see if it would matter if it was 2 hours or 3 hours, they did not have strong opinions either way. Ms. Metz stated they would like to change their recommendation if Council proceeds from 2 hours to 3 hours. Council discussed. Councilmember Williams and Mayor Pro Tem Foster expressed concerns with time limited parking, parking meters, and enforcement of time-limited parking.

Upon motion of Councilmember Williams, seconded by Mayor Pro Tem Foster and

unanimously carried Council denied the request at this time to amend Chapter 75: Parking Schedules of the Code of Ordinances.

CU-17-16 Ismail Qandeel – Northwest corner of South Slocumb Street and Harrell Street. Approved. The applicant requests amendment of a previously-issued Conditional Use Permit to allow the operation of a convenience store within the Neighborhood Business zoning district by increasing the hours of operation.

Frontage: 146 ft.

Depth: 225 ft.

Area: 32,850 sq. ft., or 0.75 acres

Zoning: Neighborhood Business

The property was formerly operated as Bob's Supermarket.

On January 17, 2017, Council approved a Conditional Use Permit to allow the operation of a convenience store within the Neighborhood Business district.

The adopted Order specified a number of stipulations which were included as conditions for approval as follows:

1. All existing signage at the subject location shall be repaired in a slightly manner in accordance with the City's Sign Ordinance;
2. Existing 20 parking spaces on the site shall be striped appropriately and bumper stops will be installed if necessary;
3. The structure on the site shall meet all State of North Carolina Building Code requirements prior to any business being conducted at this location.
4. Loitering at the subject location will not be permitted or tolerated and it shall be incumbent upon the owner or operator of the business to insure that loitering does not take place at any time on the site.
5. The owner or operator of the business at the subject location will be required to police the premises daily to insure that the site, including the area of the adjacent street rights-of-way, are free of trash and litter.
6. The hours of operation for the convenience store shall be limited to 6:00 a. m. to 9:00 p. m.
7. The owner or operator of the business shall make a diligent effort to work with the City staff to install landscaping on the site where appropriate.
8. Upon complaint regarding this operation, the Council may schedule a public hearing to determine what additional conditions, if any, may be needed to protect the public health, safety and welfare.
9. After public hearing and upon determination that any of the above stipulations have not been upheld, the City Council may modify, suspend or revoke the Conditional Use Permit for the operation of a convenience store within the Neighborhood Business zoning district.

The applicant contends that he has been operating the convenience store for more than six months while meeting the previous stipulations. He has now requested that the hours of operation for the site be extended to 6:00 a. m. to 11:00 p. m.

At the public hearing held on August 21, 2017, one person appeared to speak in favor of the request. Councilmember Foster expressed his opposition.

The Planning Commission, at their meeting held on August 28, 2017, recommended approval of the request.

Staff recommended Council accept the recommendation of the Planning Commission and adopt an Order approving the amendment to the Conditional Use Permit by allowing an extension of the hours of operation for the convenience store to 11:00 p. m.

Mayor Pro Tem Foster stated he does not support extending the store hours and shared his concerns.

Councilmember Broadaway stated let's compromise. Councilmember Broadaway made a motion to amend the Conditional Use Permit by allowing an extension of the hours of operation for the convenience store to 10:00 p.m. The motion was seconded by Councilmember Aycock. Mayor Allen, Councilmembers Broadaway, Stevens, Ham and Aycock voted in favor of the motion. Mayor Pro Tem Foster and Councilmember Williams voted against the motion. Mayor Allen stated the motion passed with a 5:2 vote.

Mayor Allen stated I have been to Mr. Sam's store since he moved and he has done a better job and I ask that you do not let up.

Deletion of Extraterritorial Jurisdiction – Properties accessed from Bryan Boulevard. Ordinance Adopted. The subject property is located west of US 117 South and includes a total of 78 lots containing 845.81 acres.

The City's extraterritorial jurisdiction arcs around the area and includes lots utilized for Busco Beach, a four-unit recreational camping area, a private cemetery, small corner portions of three privately-owned residential lots as well as vacant or wooded land. More than half of the vacant or wooded lots are owned by the City of Goldsboro or Wayne County.

Exclusion of the subject lots would result in the City's ETJ boundary following the eastern bank of the Neuse River.

In accordance with General Statutes, properties within the extraterritorial jurisdiction are subject to City zoning, subdivision and building code regulations. The City is unable to enforce its ordinances relative to nuisances within its extraterritorial jurisdiction and maintains no police powers within that area.

A Notice of Public Hearing was prepared and advertised in the newspaper for two weeks. All owners and adjacent owners were notified of the hearing by mail and the property was posted indicating that a public hearing was to be held.

At the public hearing held on August 21, 2017, one person appeared to express her concerns about enforcement of ordinances and laws pertaining to a portion of the property which is occupied by Busco Beach.

The Planning Commission, at their meeting held on August 28, 2017, recommended approval of the deletion of the subject properties from the City's extraterritorial jurisdiction.

Councilmember Aycock made a motion to accept the recommendation of the Planning Commission and adopt an Ordinance deleting properties accessed from Bryan Boulevard from the City's Extraterritorial Jurisdiction. Councilmember Ham seconded the motion. Mayor Allen, Councilmembers Broadaway, Stevens, Ham and Aycock voted in favor of the motion. Mayor Pro Tem Foster and Councilmember Williams voted against the motion. Mayor Allen stated the motion passed with a 5:2 vote.

City Manager's Report. Mr. Stevens encouraged everyone to come out to Beak Week. There are a number of activities but the main event is Saturday, September 9th beginning at 10:00 a.m.

City Attorney's Report. No report.

Mayor and Councilmembers' Reports and Recommendations. Mayor Allen read the following Proclamation:

Proclamation – Constitution Week. Mayor Allen proclaimed the week of September 17 through 23 as "CONSTITUTION WEEK" in Goldsboro, North Carolina and ask our citizens to reaffirm the ideals that the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

Councilmember Aycock stated no comment.

Councilmember Ham stated no comment.

Mayor Pro Tem Foster stated no comment.

Councilmember Stevens thanked everyone who is showing support and love to Texas.

Mayor Pro Tem Foster expressed condolences to the Gerald Family and Ms. Kaye Scott.

Councilmember Broadway expressed condolences to the family of Mike Farfour. He also encouraged everyone to be prepared for the storm.

Councilmember Williams expressed condolences to the Gerald Family and Ms. Kaye Scott. He also thanked Mr. Charles Wright for his information. He stated we do care about the citizens and we do want you all to get what you deserve. Councilmember Williams encouraged citizens to contact Community Relations for assistance or questions regarding disaster recovery funds.

Mayor Allen stated many of us attended Ms. Gerald's 100th Birthday, it was a great event. He expressed condolences to the Gerald Family and Ms. Kaye Scott. Mayor Allen stated we all have been through on a smaller scale of what Houston experienced, let's keep them in our thoughts and prayers. Mayor Allen also encouraged everyone to come out and support Beak Week. He also encouraged citizens to contact Community Relations or himself regarding disaster recovery funds.

There being no further business, the meeting adjourned at 8:12 p.m.

Chuck Allen
Mayor

Melissa Corser, MMC/NCCMC
City Clerk