

MINUTES OF MEETING OF MAYOR AND CITY COUNCIL HELD  
JANUARY 7, 2019

**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 5:30 p.m. on January 7, 2019 with attendance as follows:

Present: Mayor Chuck Allen, Presiding  
Mayor Pro Tem Bill Broadaway  
Councilmember Antonio Williams  
Councilmember Mark Stevens  
Councilmember Bevan Foster  
Councilmember David Ham  
Councilmember Gene Aycock  
Ron Lawrence, Attorney  
Randy Guthrie, Interim City Manager  
Melissa Corser, City Clerk  
LaToya Henry, Public Information Officer  
Octavius Murphy, Assistant to the City Manager  
Jennifer Collins, Planning Director  
Mike West, Police Chief  
Rosie Wagner, Police Department  
Josh Stine, Police Department  
Scott Williams, IT Director  
Brad Hinnant, Assistant IT Director  
Felicia Brown, Interim P&R Director  
Mike Wagner, Deputy Public Works Director – Utilities  
Rick Fletcher, Public Works Director  
Joe Dixon, Fire Chief  
Julie Metz, DGDC Director  
Bernadette Dove, HR Director  
Ken Conners, News Director-Curtis Media Group East  
Joey Pitchford, News Argus Reporter  
Phillip Stokes, Salvation Army  
Sherry Stokes, Salvation Army  
Lonnie Casey, Citizen  
Ravonda Jacobs, Citizen  
Sylvia Barnes, Citizen  
Yvonnia Moore, Citizen  
Charles Wright, Citizen  
Taj Pollack, Citizen

**Call to Order.** The meeting was called to order by Mayor Allen at 5:30 p.m.

**Adoption of the Agenda.** Councilmember Stevens requested Council amend the agenda to include entertainment and television industry in the City of Goldsboro. Councilmember Ham made a motion to approve the agenda with the addition of entertainment and television industry in the City of Goldsboro. The motion was seconded by Councilmember Stevens. Mayor Allen, Mayor Pro Tem Broadaway, Councilmembers Stevens, Foster, Ham and Aycock voted in favor of the motion. Councilmember Williams voted against the motion. Mayor Allen stated the motion passed 6:1 and the agenda was adopted.

Mr. Randy Guthrie stated we had a piece of equipment fail earlier today that handles the broadcasting, this will be on Facebook Live, the 7:00 p.m. meeting will be on Facebook Live. They will also be recorded and aired on a later date.

**Council Committee Appointments.** Mayor Allen stated if memory serves me correct, we were looking at our appointment to the DGDC Board and GWTA. Councilmember Williams had mentioned he felt like, the GWTA Board had wrongly

asked for him to be removed from the board and we had asked Attorney Lawrence to look into that.

Mr. Lawrence stated I spoke with Borden Parker, the attorney for the board. Borden was not present when things supposedly took place. The chairman of that board was the one who made the written request to you Mayor, so the board itself did not act and as a result, whatever the board bylaws say as far as asking for removal from the board does not apply since the board did not act on its own, only the chairman acted. So the question then became, did the city council act correctly. Pursuant to the Kinsland v. MacKey (NC 1940) with the power of appointment to the board also comes the power to remove. And in this case, the transportation authority was created by Resolution, because it is created by Resolution, no property right was created, and as a result, that Kinsland case applies, so there is nothing wrong with the City Council voting to remove Councilmember Williams.

Mayor Allen stated so everything up to this point is legal as far as what we have done. Mr. Lawrence replied yes, that is my opinion.

Councilmember Williams stated can you give me a copy of the statute, that you have, that law. I think we should all have it to review before we make a decision. Also pertaining to September 27<sup>th</sup>, the chairman of the GWTA sent that letter to the Mayor not to the city manager, which that is the first process because we are a body here. We don't make decisions on our own. I think him sending the letter to Mayor Allen was inappropriate. The board made a decision to remove me from the board without basically going through the proper channels. I disagree with our attorney. The bylaws state it must be 2/3 of a vote from the GWTA Board. We violated due process again. This is the second time when it has come to me.

Councilmember Foster stated we made a decision based off them. Councilmember Foster stated I think we need to revisit this and reinstate him.

Councilmember Williams stated it was based on untruths. We moved too quickly pertaining to me being removed.

Discussion continued. Mayor Allen stated as I see it, there are three things Council can do. One, we can reinstate Councilmember Williams to the board like he has asked; two, delay our vote on this and send it back to Gateway, three, in my opinion Attorney Lawrence stated we are legitimate in what we did, we cannot appoint him back to the board.

Mayor Pro Tem Broadaway made a motion to remand it back to GWTA for a vote. Councilmember Stevens seconded the motion.

Councilmember Foster stated he was ok with sending it back to GWTA but felt that Councilmember Williams should have the right to vote.

Attorney Lawrence stated at this time Councilmember Williams is not on the board, he would have to be reinstated to have the authority to vote.

Councilmember Foster stated he felt that was not fair; I would rather the motion be he is reinstated.

Mayor Pro Tem Broadaway stated I will not make that motion.

Mayor Allen called for a vote.

Mayor Allen, Mayor Pro Tem Broadaway, Councilmembers Stevens, Ham and Aycock voted in favor of the item. Councilmember Williams and Foster did not vote. Due to not being excused from voting, the lack of a vote would count as an affirmative vote. The motion passed unanimously to remand back to the GWTA Board for a vote.

**Discussion Item Councilmember Foster – The Dillard track and field repairs.** We've recently approved funding and grant monies to be used to improve the track surface. The Council needs to discuss what will be repaired and what methods will be utilized to ensure that we make the most of the available funding. Councilmember Foster shared photos of the track and stated he did not believe \$40,000 would be enough to repair the track. Ms. Felicia Brown stated they had planned to shave off about an inch of the track and repave the track. Councilmember Foster shared concerns regarding the high jump area and the long jump pit. Councilmember Foster stated he would like to see some money put into this track. He stated he would like to get a rubberized track.

Mayor Allen suggested Ms. Brown continue working on getting prices and then come back to Council.

Councilmember Foster stated she can get the true numbers on both surfaces; asphalt and synthetic.

Mayor Pro Tem Broadway suggested partnering with the County on improvements.

**Discussion Item Councilmember Foster – The Day Circle playground and basketball court. It is my understanding that the City of Goldsboro does not own the land however we have an agreement with the owner for the placement and maintenance of equipment.** Mr. Randy Guthrie shared information regarding a lease agreement from 2003. There was a desire to put a park out there so the city entered into an agreement with Eastern Carolina Housing Authority. The city leased the property for \$1 for 15 years. We maintained the basketball courts and installed a playground.

Councilmember Foster shared concerns regarding equipment and stated if we renewed the lease it would be good to get some new equipment out there.

Ms. Brown shared they are working with the housing authority to renew the lease.

**Appointments to Boards and Commissions.** Councilmember Williams asked to go back to appointments. Council discussed the letter received from the DGDC Board of Directors President.

Council discussed the relationship between the Downtown Development office and the Downtown Goldsboro Development Corporation, non-profit (DGDC).

Councilmember Foster asked if the DGDC was paying for use of the city stage. Staff will check on that and bring back that information.

Councilmember Williams stated a lot of businesses have shut down, predominately African American businesses, have left. What is the DGDC going to do about that, are they supporting the African American businesses, because I can be honest with you, I walk around and a lot the black businesses here say they have not been getting support. Please help more, if you are able to.

Ms. Julie Metz stated Scott Satterfield, our Business and Property Development Specialist, has been aware of the statuses of some of the businesses. We are not trying to hone in if it is a black owned or white owned business; we are helping everybody equally. I know that some business practices, at least in the last year, has probably equated to the business closings that you've seen. He is working with the Small Business Center to try to help educate businesses on better business practices.

**Discussion Item Councilmember Stevens – Entertainment and Animation Industry.** Councilmember Stevens stated ever since becoming a councilmember he has been trying to bring new industry to Goldsboro and Wayne County. He shared information regarding his effort to bring the entertainment and animation industry to Goldsboro. He also shared information about bringing an art and design school. He presented council with a Roku channel he has developed called Infinity Television. Councilmember Stevens shared the channel is expected to go live by the end of March.

**Consent Agenda Review.** Each item on the Consent Agenda was reviewed.

There being no further business, the meeting recessed until the 7:00 p.m. meeting.

### **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 January 7, 2019 with attendance as follows:

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

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

Pastor Andy Stovall with the Bridge Church provided the invocation. The Pledge to the Flag followed.

**Approval of Minutes.** Councilmember Aycock made a motion to approve the Minutes of the Work Session and Regular Meeting of December 3, 2018 as submitted. Councilmember Ham seconded the motion. Mayor Allen, Mayor Pro Tem Ham, Councilmembers Broadaway, Stevens and Aycock voted in favor of the motion. Councilmembers Williams and Foster voted against the motion. Mayor Allen stated the motion carried 5:2.

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

1. Carl Martin provided information on the Parks and Recreation (PAR) / Goldsboro Municipal Golf Course (GMGC) Budget (a copy of the handout is on file in the Clerk's Office). Mr. Martin stated it is my belief expenses incurred for the GMGC have been improperly shifted from the GMGC budget to the PAR budget and asked Council to consider an independent investigation into the revenue, expenses and staff budgeting practices for the PAR and GMGC departments.

Mayor Allen stated let us look at this with staff and we will come back with an answer.

Councilmember Foster shared he received an email from a gentleman who was doing volunteer work at the golf course and he never got a salary but received a W-2. Did you notice anything like that in these numbers?

Mr. Martin stated no, I heard of what was happening there. Volunteers were not paying for but receiving use of golf carts. A complaint was file and it was found that they should have been reporting the benefits they were receiving.

Discussion continued regarding revenues and losses at the golf course and performing an independent audit was requested.

2. Larry Dawson shared information regarding an event hosted by the Dillard/Goldsboro Alumni and Friends, Inc. celebrating the life and legacy of Dr. Martin Luther King, Jr. on Monday, January 21, 2019 from 11:00 am – 2:00 pm at H.V. Brown Hall.

3. Alan Young read a statement concerning what makes up the essence of a city. He urged Council to make better decisions for people who dwell within the districts they have been placed over. Mr. Young stated do not let politics and policies make you lose sight of what is truly important, the people of this city.
4. Ravonda Jacobs provided a prayer.
5. Charles Wright stated after listening in on the work session concerning the by-laws of the Goldsboro Wayne Transportation Authority I thought I would just like to speak out on that part. He reviewed Section 3 which talks about how they can remove a member. He expressed concerns regarding due process.

Mayor Allen stated the City Council has 100% authority to remove anyone we appoint to a board. Councilmember Williams felt like he did not get due process at the Gateway Board; out of respect for Councilmember Williams, we will send it back to the Gateway Board. They may or may not act. Mayor Allen stated I want to point out that we can appoint and remove those we appoint.

6. Sylvia Barnes stated she wanted to come and make sure that the Council knew of Senate Bill 469 that was passed. It was a bill written by Representative John Bell and Senator Don Davis supporting the Board of Education keeping Carver Heights Elementary.

Mayor Allen spoke about the importance of community support.

No one else spoke and the Public Comment Period was closed.

**Consent Agenda - Approved as Recommended.** Interim City Manager, Randy Guthrie, 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 Aycock moved the items on the Consent Agenda, Items B, C, D, and E be approved as recommended by the Interim City Manager and staff. The motion was seconded by Mayor Pro Tem Broadaway and a roll call vote resulted in all members voting in the affirmative. Mayor Allen declared the Consent Agenda approved as recommended. The items on the Consent Agenda were as follows:

**Informal Bid Request #2018-004 – Stump Grinding Services. Ordinance Adopted.** The City of Goldsboro requested stump-grinding services on various City properties and right-of-ways throughout the City. These stumps are a result of trees removed due to Hurricane Florence. The City's current debris removal contract does not cover this stump grinding. Also, after conversations with FEMA, we learned that FEMA would not reimburse for this service. The City opened bids on December 21, 2018 from four (4) responsive bidders. The bids were reviewed by the Public Works Department, checked for accuracy and dependability and found to be in order. The low bid from Bell's Tree Service is being recommended. A bid tabulation is available.

The low bid is \$5,625 but staff is requesting \$7,500 for additional stumps that could have been missed during the inventory count.

It is recommended Council:

1. Accept the low bid from Bell's Tree Service and authorize the City Manager and City Clerk to sign the agreement.
2. Adopt the following entitled budget ordinance appropriating the necessary funding. Consent Agenda Approval. Aycock/Broadaway (7 Ayes)

ORDINANCE NO. 2019 – 1 “AN ORDINANCE AMENDING THE BUDGET  
ORDINANCE OF THE CITY OF GOLDSBORO FOR THE 2018-19 FISCAL YEAR”

**Wrecker Ordinance Amendment and Rate Schedule. Ordinance Adopted.** City of Goldsboro Code of Ordinances Title IX Chapter 90. Abandoned and Junked Vehicles contains regulations regarding junked and abandoned motor vehicles on public streets or on public or private property within the City as well as regulations for wrecker services on the Police Department rotation list.

Several sections have out-of-date requirements regarding wrecker services on the Police Department rotation list.

Section 90.20 Requirements for Entry on the Wrecker Rotation List for Police Department Use. Has requirements that need updated regarding vehicles, insurance, and driver impairment. This section also requires each company on the Wrecker Rotation List to file its fees or charges with the Chief of Police; however, the rates submitted are not consistent in detail or amount among companies.

Based on the above, staff feels it necessary to update the language of the City Ordinance to reflect the current requirements regarding wrecker services on the Police Department rotation list and to set rates for Rotation Wreckers. The amendment would provide current Police Department services in regards to the “General Regulations” and the resolution would establish uniform, detailed rates for wreckers.

It is recommended that Council, by motion, accept the staff’s recommendation and:

1. Adopt the following entitled ordinance amending the “General Regulations” as indicated above.
2. Adopt the following entitled resolution establishing rotation wrecker rates. Consent Agenda Approval. Aycock/Broadaway (7 Ayes)

ORDINANCE NO. 2019-2 “AN ORDINANCE AMENDING CHAPTER 90  
ENTITLED "ABANDONED AND JUNKED VEHICLES" OF THE CODE OF  
ORDINANCES OF THE CITY OF GOLDSBORO, NORTH CAROLINA”

RESOLUTION NO. 2019-1 “RESOLUTION ESTABLISHING ROTATION  
WRECKER RATES FOR THE CITY OF GOLDSBORO, NORTH CAROLINA”

**Adoption of Animal Control Fee Schedule. Resolution Adopted.** Currently, the City of Goldsboro Code of Ordinances Title IX: General Regulations. Chapter 91. Animals; sets forth the rules and regulations regarding animals within the City and references a general penalty of an incurred fine (§ 10.99 General Penalty) not to exceed \$500. Setting specific fees will allow the Animal Control Officer to enforce animal control ordinances in a transparent and fair manner. All fees reflected in the proposed resolution have been reviewed to ensure they are comparable to current rates in the local area.

Based on the above, staff feels it necessary to set fees detailing the fines incurred for violations of City Ordinances related to Animals. The attached resolution would establish uniform, detailed fees for violations of animal control ordinances.

It is recommended Council adopt the following entitled resolution establishing fees for violations of City Ordinances related to Animals. Consent Agenda Approval. Aycock/Broadaway (7 Ayes)

RESOLUTION NO. 2019-2 “RESOLUTION ESTABLISHING ANIMAL CONTROL  
SERVICE FEES FOR THE CITY OF GOLDSBORO, NORTH CAROLINA”

**Sale of Real Property, Tax ID #2690-80-2238, 901 N. Carolina Street as recorded in the Wayne County Registry. Offer Accepted.** In August, 2018 an offer to purchase the above referenced property was made to the County of Wayne by Ricardo Ortiz. Mr. Ortiz is an adjacent property owner and has offered to pay the County \$3,400

to acquire this property. The City of Goldsboro and County of Wayne acquired this property in August 2012. The property is zoned R-6 and contains approximately 9,200 sq. ft. of area. The property's assessed value is shown as \$3,210.

The County Commissioners at their November 20, 2018 meeting approved the sale of this property. In order to sale real property jointly owned by Wayne County and the City, the City is required to agree to the sale of the property. The buyer will pay the attorney fees associated with transferring the deed. The City and County's portion from the sale of these properties would be \$1,700 each minus expenses.

Staff recommended Council accept the offer from Ricardo Ortiz in the amount of \$3,400 and authorize the County of Wayne to execute a deed on behalf of the City of Goldsboro and County of Wayne. Consent Agenda Approval. Aycock/Broadaway (7 Ayes)

**End of Consent Agenda.**

**City Manager's Report.** Mr. Guthrie stated no report.

**Mayor and Councilmembers' Reports and Recommendations.**

Councilmember Williams stated no comment.

Councilmember Stevens stated I hope everyone had a wonderful holiday season. I will always be an artist, so whether I run again for office, being an artist is where my heart will always be. Councilmember Stevens shared concerns regarding Wayne County Public Schools. I hope we can find a way to bring an art school to Wayne County.

Mayor Pro Tem Broadaway stated no comment.

Councilmember Ham stated no comment.

Councilmember Foster stated no comment.

Councilmember Aycock stated no comment

Mayor Allen reminded everyone we have two big events coming up on January 21<sup>st</sup> and shared information regarding the following events:

- Dillard/Goldsboro Alumni and Friends Inc. presents Celebrating the Life and Legacy of Dr. Martin Luther King Jr. Monday, January 21, 2019 11:00 am – 2:00 pm.
- The City of Goldsboro will once again join with Martin Luther King, Jr. Committee and the Commission on Community Relations and Development to host its 31st Annual Martin Luther King, Jr. Holiday Celebration on Monday, January 21, 2019 at 12:00 pm. The MLK Luncheon will be held at The First Pentecostal Holiness Church located at 1100 The First Church Road, Goldsboro, NC, 27534.

Mayor Allen thanked everyone for coming out.

There being no further business, the meeting adjourned at 7:13 p.m.

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Chuck Allen  
Mayor

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Melissa Corser, MMC/NCCMC  
City Clerk