

MINUTES OF MEETING OF MAYOR AND CITY COUNCIL HELD  
FEBRUARY 20, 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 February 20, 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 to the City Manager  
Kaye Scott, Finance Director  
Jimmy Rowe, Planning Director  
Jennifer Collins, Assistant Planning Director  
Rick Fletcher, Interim Public Works Director  
Scott Barnard, Parks & Recreation Director  
Felicia Brown, Assistant Parks & Recreation Director  
Brad Hinnant, Server Database Administrator  
Mike Wagner, Interim Public Utilities Director  
Shycole Simpson-Carter, Community Relations Director  
Pam Leake, Interim Human Resources Director  
Octavius Murphy, Assistant to the City Manager  
Julie Metz, DGDC Director  
Allen Anderson, Chief Building Inspector  
Sherry Archibald, Paramount Theatre & GEC Director  
Tracie Davis, Communications & Marketing Director  
Wendy Walker, Arts Council of Wayne County  
Rochelle Moore, Goldsboro News-Argus  
Lonnie Casey, Citizen  
Shirley Edwards, Citizen  
Carl Martin, Citizen  
Stephen LaFleur, Citizen  
Garren Taylor, Citizen  
Glenn Barwick, Citizen  
Bobby Mathis, Citizen  
Della Mathis, Citizen  
Yvonnia Moore, Citizen  
Sylvia Barnes, Citizen (arrived at 5:34 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 Councilmember Broadaway.

**FHWA/NCFOT/City Union Station MOU and Enhancement Grant Update.**  
Ms. Julie Metz shared the following information:

- 2016 Council Retreat Authorized Mayor to Revise Scope & Schedule of 2009 MOU
- New Scope Does Not Require Complete Rehabilitation for Operations
- FHWA and NCDOT provided additional funding to 2009 Enhancement Project for Union Station
- Cover eligible expenses that were part of the original 2009 Scope of Union Station not funded with TIGER 2013.

- FHWA provide \$120,000, NCDOT \$15,000, City \$15,000
- Eligible Expenses Include:
  - Replace Union Station Sump Pump
  - Rear Union Station Property Fencing,
  - Light Pole Banners for Walnut Streetscape Project
  - Top Paving for Union Station Drive
- Estimates/Quotes:
  - Sump Pump: \$1,300
  - Paving of Drive: \$22,650
  - Banners: 108 x 2: \$22,392
  - Fencing: \$70,000
  - Total Estimate: \$116,342
- FY 2016-17 Budget Share of \$15,000
- Require \$11,634.20 at Estimate Amount

Council agreed it was ok for staff to proceed.

**City Steering Committee for Design Services of Cornerstone Commons.** Ms. Julie Metz presented the following information:

- Schedule:
 

○ January 20, 2017:	Goldsboro Solicits RFQs
○ February 20, 2017:	Due Date for RFQ Submittals
○ February 21 - 28, 2017:	Selection Team Reviews RFQ submittals
○ March 7 - 10, 2017:	Team Conducts Interviews
○ March 20, 2017:	Team Recommends Consultant selection to Goldsboro City Council
○ March 21, 2017:	Consultant is Approved to Begin Work
○ June 15, 2017	Consultant Submits Plan for Review
○ June 15-30, 2017	Plan Review & Approvals
○ July 2017	Solicitation of Construction Bids
○ August 2017	Award Construction Bid
○ September 2017	Construction Start
○ June 2018	Construction Complete
- Design Committee
  - City Manager/Asst. City Manager
  - Downtown Development Director
  - Paramount/Event Center Director
  - IT Director
  - Parks & Recreation Director
  - Building Maintenance Superintendent
  - Chamber President
  - Travel & Tourism Director
  - Arts Council Director
  - Assistant Planning Director
  - 1st Meeting February 22 (Wednesday)

Councilmember Williams expressed interest in serving on the Design Committee.

**Retreat Follow-up – Change of Public Comment Placement on the Agenda.** Mr. Scott Stevens asked if Council would consider moving the Public Comment Period to follow public hearings. Council agreed staff could proceed and report back at a later date if needed.

**Retreat Follow-up – City Council Pay.** Ms. Kaye Scott shared she contacted the School of Government regarding the elected officials compensation and as always they were very helpful. According to the statutes, a municipal council may fix its own compensation and compensation of the Mayor and other elected officials of the city by adoption of its annual budget each year but there is a statute that constitutes exceptions, the governing board cannot amend their compensation through the fiscal year. Ms. Scott stated we can talk about but it could not be effective until the next budget cycle. Ms.

Scott provided Council with handouts regarding Inflation Rates and a copy of the NCLM Salary Survey with Elected Officials Compensation sorted by population.

Mayor Allen asked if that meant we could not do the insurance until the new fiscal year as well and Ms. Scott replied since insurance is compensation she is checking on that. She stated she believes both would be July 1 but she wanted to confirm. Council agreed to discuss during budget time.

**Retreat Follow-up – 24 Hours of Peace.** Mr. Stevens stated you had a presentation at the Retreat, I really intended for the gentleman to eat lunch with us and talk with you that afternoon to see where you would like to go. I thought it was an interesting idea and community outreach is good. Mr. Stevens asked Council how they would like to proceed.

Councilmember Broadaway stated he thought it was good discussion but before we spend a lot of money I would like it to be vetted by our recreation people and community relations department.

Council discussed pricing. Mayor Allen asked if we could get a proposal.

**Mayor Pro Tem Discussion Items – Conduct Unbecoming of a Police Officer and Officer’s in a Supervisory Role.** Mayor Pro Tem Foster stated in Goldsboro Police Department’s General Order Conduct While Off Duty “Goldsboro Police Department personnel are free to express themselves as private citizens on social media sites so long as their speech does not hinder working relationships of the department, or negatively reflect on the public perception of the department” and due to our recent event I think that we have had, the public has had; definitely been a negative effect on the public with what the Police Chief has done. Even though we do not have a social media policy, it is stated in the General Order of the Police Department. It is stated right there in plain sight so I don’t know who makes the decision on that but it was something I wanted to bring to the light.

**Mayor Pro Tem Discussion Items – The Implementation of an Anti-retaliation Statute to Protect Those Deemed as ‘Whistleblower.’** Mayor Pro Tem Foster stated our policy now if you have a problem with employment, you follow the chain of command, your supervisor to maybe the director to city manager but once it gets to the city manager, whatever he finds appropriate it ends there. I think that’s a hard thing to decide, even if they go to Human Resources, but at the end of the day if Scott feels that there is nothing that should be done or that there should be something done to a person, I really do not think it should stop there. I think it should come to the board and the board should decide as a board at that point. The employee should be able to come to us and it should just not stop at Scott. Councilmember Broadaway stated he disagreed. Mayor Pro Tem Foster stated he felt the process was unfair to employees because it stops at Scott. Mayor Pro Tem Foster stated it’s just like the police chief thing, Scott feels he did not do anything wrong, which that is his opinion at the end of the day, but you may feel like this employee did not do anything wrong but this other employee did and you reprimand that employee. Mayor Pro Tem Foster stated so I feel putting that decision is Scott’s hands are wrong, it should come to the board or even if we create a board or committee. Councilmember Stevens stated are you asking for a board of arbitration and Mayor Pro Tem Foster stated yes.

Mayor Allen asked Mr. Scott Stevens to share what happens today. Mr. Stevens stated in our supervisory chain we have a dozen or so supervisors from me down to your entry level workers depending on department. So you have a lot of supervisors out there, probably 80 or so that are all responsible for the supervision of their employees. If we have an employee that there is disciplinary action occurring or is not performing well, it’s typically a conversation with the superintendent and the department head, we do an oral warning for the first thing in terms of performance, a written warning for the second item, a final written warning and then it could be termination. So it is a four step process on performance, on the conduct side it is similar steps but does not have to start with an oral warning it can jump further than and quicker than that depending on severity. If it gets beyond the oral or written warning, if we get to the point of any type of suspension, they

are reaching out to myself and HR to make sure we are aware and at least understanding of the rough outline of the situation from our side before we impact someone's pay in terms of suspensions, demotions, or termination. If they have another case that is unusual, they can reach out to HR or me at any time but I have not required that for oral or written warnings generally speaking. Once folks have it, we give them a letter with a form that outlines the appeals process. If it's at a superintendent level it is appealed to the department head, if it's at a department head level then the appeal would be to me. Beyond me it is court. If an employee appeals to me, and I have heard about 6-8 appeals, in my time here. I have changed the discipline sometimes after hearing the employee's side of it, but it does give me the opportunity for the employee to sit with me, the department head and HR in a room and tell their side of the story, for me to hear the department head side of the story clarifying each other's viewpoints. I can't say that I have ever totally changed and done away with the disciplinary action but I can tell you I have modified some once I've heard the employee's side. Beyond me, the next step would be to go to court.

Mayor Allen asked if Mr. Stevens knew if other towns have a different process than we do today. Mr. Stevens stated I'm sure they do, some towns used to have a citizen board, for a level beyond the manager, many have done away with that. Mayor Allen stated he did not see any problem with seeing how other communities do and have further discussion.

**Mayor Pro Tem Foster Discussion Items – A Revision to the Current Policy to Change Hiring Requirements for City Employees in Supervisory/Leadership Roles.** Mayor Pro Tem Foster asked HR to come up. Mayor Pro Tem Foster stated we spoke during the retreat about employment and how we do not have requirements in a lot of our roles. We have desirable, it most other places there are required. We also talked about equivalent to a degree. I did some research and reached out to the firm that is handling most, they have handled Durham, Charlotte, Clayton, I think Fayetteville, Spring Lake and they are working on Clinton now, about the piece of equivalent, and I am going to quote exactly what the man said, he did not have time to send me information, but he said, his name is Mr. Tom Moss, a Retired Police Chief with Developmental Associates, LLC stated "it is rare and also detrimental to have a police chief that does not have at least a Bachelor's degree with a Master's preferred." He used Spring Lake as an example, Spring Lake has a population of about 13,000 with 30 officers but they required that the police chief have a Master's degree. He said he has been with the firm for seven years and in that seven years, they have never hired a police chief without a degree. The problems you cause within your organization without hiring someone at that level without a degree is just sort of ridiculous. So I will have that information at a later time if we would like to discuss it more, that's just from my research I was able to do over the weekend.

Councilmember Aycock asked Mayor Pro Tem Foster after he got that information if he would to share that with the other councilmembers before the meeting. Mayor Pro Tem Foster stated I will.

Councilmember Stevens stated we do have tuition assistance correct, Mr. Scott Stevens replied we do, up to \$1,100 per year. Councilmember Stevens stated he would hope that an employee could be acquiring their degree while being under employment with the city and it not become detrimental harm to their employment. Mr. Scott Stevens stated it would not harm their employment, but again balancing school time, family time and work time, is challenging for many people who are working full-time. We are not generally giving time for school we are helping with the cost.

Mayor Pro Tem Foster stated Mr. Moss stated they even have a series of test for an equivalent but they haven't had to give the tests, they just don't hire anyone without a degree.

Ms. Leake stated most department heads go through an assessment center not just an interview.

Mayor Allen stated he had been doing a little looking and the one thing he noticed in Southern City under career, everywhere they have equivalent combination, I would like to get rid of desirable, I think that maybe causing some problems, so with whatever we do, lets change from desirable to equivalent.

Mayor Pro Tem Foster stated you can't change desired to equivalent, you either have to go to required from desired, and equivalent honestly I think that is just in there, you cannot measure the equivalent to a degree because regardless of how much training you have while working, how many classes you have taken, no matter how long you have been here, you still cannot take that to a college and them hand you a degree. You can be an E9 in the Air Force and been in for 20 years but you cannot be an officer without a degree. We have to set a standard, we are not in the 80's anymore where it was hard to acquire a degree.

**Cover Agenda.** Each item on the cover agenda was generally discussed. Additional discussion included the following:

**Item L. Resolution Authorizing Execution of Award and Contract with Water Utility Advanced Metering Infrastructure Project.** Councilmember Williams asked once the equipment is installed what we would do with employees. Ms. Scott stated we always need people for customer service, we will need meter readers; there may be two we shift to distribution and collection.

**Item M. Resolution – Essential Single-Family Rehabilitation Loan Pool – Disaster Recovery (Assistance, Procurement, and Disbursement Policies).** Councilmember Broadway asked if the department had enough staffing and Ms. Simpson-Carter stated currently staff could handle the workload.

**Closed Session Held.** Upon motion of Councilmember Aycock, seconded by Councilmember Stevens and unanimously carried, Council convened into Closed Session to discuss a personnel matter.

Council came out of Closed Session.

There being no further business, the work session adjourned.

## **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 February 20, 2017 with attendance as follows:

Present: Mayor Chuck Allen, Presiding  
Mayor Pro Tem Bevan Foster  
Councilmember Antonio Williams  
Councilmember Bill Broadway  
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 person spoke:

Carl Martin, 801 S. Baines Place, Goldsboro stated I would like to thank City Council for the monthly reports as it helps have transparency in the City. I also wanted to share a concern and a message to my Councilmember. I am strongly opposed to City

Council approving the Cornerstone Commons Project as a part of the TIGER Grant No. 12155296 for the following reasons:

- We have a City park at the location of this project.
- The project will cost the City approximately \$500,000 over the next 16 months, to tear down what we already have and to build another bigger and better park and bus stop.
- It would be in the best interest of the City to use that money to build a neighborhood park in the area of District 6, the fastest growing residential area in the City and the only District in the City that has no parks or recreation center, nor any plans to build one.

Mr. Martin stated as for me, I say use the \$500,000 to build a neighborhood park for the residents that live in or near District 6, rather than pumping more money into the redevelopment of the downtown area of the City at this time. In that way, we in District 6, can have more representation for our taxation by the end of 2018.

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

**Red Cross Proclamation.** Mayor Allen proclaimed March 2017 as American Red Cross Month. I encourage all citizens of the City of Goldsboro and all Americans to support this organization and its noble humanitarian mission.

Mayor Allen stated the Red Cross as you know does do a lot for our community, state and nation. We do want to thank them and encourage folks to help when you can.

**Z-2-17 Gospel Light Temple – South side of Atlantic Avenue between Herman St. and Pineview Avenue (R-9 to O&I-1CD). Public Hearing Held.** The applicant requests a zoning change from R-9 Residential to Office and Institutional-1 Conditional District to allow the construction of a church and related uses. Separate development plan approval would be required.

Frontage: 80 ft.  
Depth: 155 ft.  
Area: 12,400 sq. ft., or 0.28 acres

Surrounding Zoning: North:	R-9 and O&I-1
South:	R-6 Residential
East:	R-9 Residential
West:	O&I-1

The property is currently vacant.

The applicant requests the O&I-1 Conditional District in order to allow the construction of a church and related uses. Complete development plans would have to be approved by the Council prior to issuance of building permits.

The City's adopted Land Use Plan designates this property for high-density residential development.

City water and sewer services are available to the subject property.

The applicant's existing church is located immediately west of the subject property. They have proposed construction of a new sanctuary next door. It is unknown whether the existing church will remain.

High-density residential and O&I-1 uses are compatible and provide a step down in intensity from commercial to residential. The request would be compatible with the Comprehensive Plan.

The applicant does not have specific plans at this time, however, site and landscape plans will have to be approved by the Council prior to development. If the rezoning to O&I-1 is approved, a waiver of the site plan requirement at time of rezoning would be necessary.

Mayor Allen opened the public hearing and the following person spoke:

Maria Bell, 1008 Atlantic Ave, Goldsboro stated I am Vice-President to the Bishop Carlton Jackson. Good evening, I would like to thank you all for having this on the docket tonight. We plan to tear down this old building that has been there for over 50-60 years and build a new facility to help accommodate our community. My mother, Bertha Jackson, passed along to heaven 14 years ago, stood by the community with feeding, helping many people's families, and now it is our obligation to keep this legacy and ministry going to support our community. Thank you.

No one else spoke and the public hearing was closed. No action necessary. Planning Commission will have a recommendation for the Council's meeting on March 6, 2017.

**Z-3-17 Hutton Team, LLC - East side of North Berkeley Boulevard between Langston Drive and Ridgecrest Drive. Public Hearing Held.** The applicant requests a zoning change from Office-Residence and R-16 Residential to General Business Conditional District. In conjunction with this request, the applicant is requesting a waiver of the site plan requirement. If the rezoning is approved, the new owner/developer will be required to have complete development plans approved by City Council prior to issuance of any building permits.

A conceptual plan has been submitted for preliminary review and comment by City staff.

Frontage: 300 ft. (N. Berkeley Blvd.)  
285 ft. (Langston Dr.)

Area: 75,500 sq. ft. or 1.7 acres

Surrounding Zoning: North: Shopping Center  
South: R-16 Residential  
East: Office and Institutional-1 CD and R-16 Residential  
West: Office and Institutional-1 CD and R-16 Residential

If approved to GBCD, the applicant proposes the construction of a multi-tenant commercial strip center.

Currently, each lot included within the request contains a single-family dwelling.

The City's Land Use Plan recommends commercial development for the property. The proposed rezoning would be compatible with the Comprehensive Plan.

City water and sewer are available to the property. Subject property is not located within a special flood hazard area.

The submitted conceptual plan indicates a 13,708 sq. ft. building which will be divided into four tenant spaces.

Based on retail uses, at least 55 parking spaces would be required depending on the specific uses proposed. The conceptual plan designates 93 spaces including four handicapped spaces.

The developer proposes construction of a right-in, right-out driveway from Berkeley Boulevard and the construction of a right-turn lane. Additional access is proposed from Langston Drive which accesses Berkeley Boulevard through a traffic signal aligning with the main entrance to Berkeley Mall.

Stormwater calculations will be required for the site. A detention pond is shown to the rear of the development which would abut adjacent residential development to both the north and east.

As noted previously, complete development plans including site plan, landscape plan, building elevation plans and commercial lighting plans will be required prior to issuance of any building permits for this site.

Mayor Allen opened the public hearing and the following person spoke:

Jake Simko, 3555 Keith Street, Cleveland, Tennessee stated I am with Berry Engineers, the civil engineer on the project. I am representing the applicant, Hutton, and I am available if there are any questions or discussion.

No else spoke and the public hearing was closed. No action necessary. The Planning Commission will have a recommendation for the Council's meeting on March 6, 2017.

**Z-4-17 John R. Best - South side of Graves Drive between Berkeley Boulevard and Malloy Street. Public Hearing Held.** The applicant requests a zoning change from Shopping Center to General Business Conditional District. In conjunction with this request, the applicant is requesting a waiver of the site plan requirement. If the rezoning is approved, the new owner/developer will be required to have the site plan approved by City Council before occupying the site.

Frontage: 100 ft. (Graves Dr.)  
Depth: 200 ft.  
Area: 20,000 sq. ft. or 0.46 acres

Surrounding Zoning: North: Shopping Center and General Business  
South: General Business  
East: Shopping Center  
West: General Business

Currently the property is occupied by an existing 4,750 sq. ft. masonry block and metal commercial building formerly occupied by Century Uniforms.

A 20 ft. wide asphalt driveway provides access to the site from Graves Drive.

The City's Land Use Plan recommends commercial development for the property. The proposed rezoning would be compatible with the Comprehensive Plan.

City water and sewer are available to the property. Subject property is not located within a special flood hazard area.

The applicant has indicated that the property has been for sale for some time. He believes the marketability of the property will be enhanced if it is zoned General Business Conditional District. As noted previously, complete development plans would have to be approved before a new business could occupy the structure.

Mayor Allen opened the public hearing. No one spoke and the public hearing was closed. No action necessary. The Planning Commission will have a recommendation for the Council's meeting on March 6, 2017.

**Z-5-17 Charles Ginn – West side of Central Heights Road between Tommy's Road and Courtney Road (R-16 and RM-NC to RM-9). Public Hearing Held.** The property is currently zoned R-16 Residential with an RM-NC (Nonconforming Manufactured Home) Overlay. As the property has been vacant for more than six months, a rezoning to RM-9 (Residential Manufactured Home) will be required before another manufactured home may be placed on the lot.

Frontage: 120 ft.  
Depth: 125 ft.



Area: 15,000 sq. ft., or 0.34 acres

Surrounding Zoning: North: R-16 Residential/RM-NC  
South: R-16 Residential/RM-NC  
East: R-20A Residential/RM-NC  
West: R-16 Residential

The property is currently vacant.

If approved to RM-9, one manufactured home would be permitted on the property.

The City's adopted Land Use Plan designates this property for medium-density residential development. The requested RM-9 zone is considered medium-density and would be compatible with the plan.

City water and sewer service is not available to serve the subject property.

At one time, the property, along with land to the south, contained five dilapidated manufactured homes. Upon inheritance by the applicant, all were removed and one was replaced. As noted previously, the subject property has been vacant for more than six months and will require rezoning.

The RM-9 zoning district will require masonry underpinning, pitched roof and horizontal siding. It will be required to have working windows and no rust and have the appearance of a site-built home.

If the rezoning is approved, the applicant plans to subdivide the property to sell the lot.

Mayor Allen opened the public hearing, no one spoke and the public hearing was closed. No action necessary. Planning Commission will have a recommendation for the Council's meeting on March 6, 2017.

**CU-3-17 Michael Carroll - South side of East Ash Street between Lionel Street and Leslie Street. Public Hearing Held.** The applicant requests a Conditional Use Permit to operate an electronic sweepstakes establishment.

Unit Frontage: 50ft.  
Unit Depth: 75 ft.  
Unit Area: 3,750 sq. ft.  
Zone: GB (General Business)

The property is zoned General Business. Electronic sweepstake establishments are a permitted use within the district only after the issuance of a Conditional Use Permit approved by City Council.

Applicant proposes to operate the sweepstakes establishment within a tenant space of an existing commercial strip center. Uses within the strip mall include tax preparation and insurance offices, a convenience store, and other retail sales. The proposed tenant space was previously occupied for church-related purposes.

The submitted floor plan shows an assembly area of approximately 3,750 square feet to include an office area and restrooms for patrons of the facility.

The following information has been submitted with the application:

No. Employees: 2  
Hours and Days of Operation: 8:00 a. m. to 2 a. m., Monday - Sunday  
No. of computers: 40

Required parking for the electronic sweepstake establishment is 1.5 spaces per computer station. A total of 60 parking spaces are required. There are a total of 90 available

parking spaces for use at the front and rear of the commercial strip center. Based on existing uses within the center, a total of 140 spaces would be required as follows:

Retail Space (11,250 sq. ft.) =	45 spaces
Office Space (6,000 sq. ft.) =	17 spaces
Place of Entertainment (600 sq. ft.) =	18 spaces
Electronic Sweepstakes (1.5 x 40) =	60 spaces

A modification of required parking from 140 to 90 would be necessary.

The applicant contends that most of his business would be conducted after other uses within the center are closed and the 60 spaces required would be excessive given that only 40 computers are proposed.

The City's UDO requires a separation distance of 200 ft. from residentially-zoned or developed property, a church or school. There is no church or school facility located within 200 ft. of the proposed use. Since residentially zoned property exists to the rear of the site, a modification of the 200 ft. distance requirement will be necessary.

Mayor Allen opened the public hearing and the following people spoke after being properly sworn in:

1. Michael Carroll, 63 Dole Drive, Roanoke Rapids, NC stated we want to name the business if it does get approved Click It. We have several of these businesses in Hertford County, Halifax County. We know there is a temporary restraining order in the Court of Appeals in Raleigh. Looks like it is going back in the favor of, they are changing it of gift surplus and not as a sweepstakes because it is actually a skilled gaming, where you have to move up or down and it is in the Court of Appeals right now. Every business we have is tight knit, we have security, put up cameras, no loitering, basically our clientele, the people who come to play; it is for relaxation. We are not a go by night type of people that is just trying to put a hole in the wall, like some of these establishments that gives it a bad rep. I've come to Goldsboro, seen a couple, went into a couple of these businesses, I do not even know if they are running legal. Talked to one lady out on 117, I asked if she had a conditional use permit, she said no I just opened back up when they passed the law in the Court of Appeals that let them open back up. I'm trying to do it the right way. Mr. Carroll stated we are not someone with a business that expect just to have anyone running in and out to make a quick buck. We have put fountain machines in, we do it nice. Mr. Carroll stated I think we could keep up the parking lot where it's at looking nice and keep it cleaner on West Ash Street.
2. Ernest Mansour, 1810 Evergreen Ave., Goldsboro NC stated I manage the property for my mother, Virginia Mansour. I just wanted to speak in favor of the business going there. In my lease I plan on requiring they have a full-time security guard. He's to not only look after the inside but make sure the exterior building with no people loitering. They are going to pick up the trash every day. The entire parking lot in the rear is only used by (2) cars a day now. I do not feel like parking will be an issue and also there are (2) tax offices there, they will only be open 2-3 months a year and are closed the rest of the time. Thank you.

Mayor Allen asked if the convenience store was part of his. Mr. Mansour stated that shopping center has a line down the middle, the right half closest to Kentucky Fried Chicken belongs to my mother Virginia Mansour and the left hand half belongs to my Aunt Juanita Mansour. Mayor Allen asked Mr. Mansour to speak with his aunt and ask they work together to keep the area clean.

3. Bill Keel, 801 E. Mulberry Street, Goldsboro, NC stated tonight you have been asked to allow an internet café within walking distance of some of the poorest neighborhoods of Goldsboro. I want that to sit with you just a minute. Sometime in 2010 there was a survey, it's called a survey of law enforcement

perceptions, a survey about internet cafes specifically. It was commissioned by the Governor's Crime Commission. It's 34-40 pages long, 90% of it is common sense, but you ought to read it. As a matter of fact with your agreement, I can email you the article. I will be referencing this some, also other articles in local papers or whatever. In this brochure it talks about North Carolina Sheriff and Police Departments generally oppose the operation of internet sweepstake cafes. Many argue that these operations contribute to the increasing financial hardship for low income customers and families as reflected in several national gambling studies. Those are formal studies, each one of you have seen what they are talking about. You have seen the same thing in lines to buy lottery tickets, it's the same thing people. The Alamance Times News January 2017 there's an excerpt from there they talk about a number of issues with the internet cafes but the very point he makes he basically says they lose everything they got. Gentlemen, we have students passing that area everyday walking to Goldsboro High School, parks and recreation facility at Herman Park, Herman Park, families with kids going to the health department or to the bus stop which in fact would be within the 200 ft. range if you went parcel to parcel. I do not know where you start the 200 ft. range maybe it's in the middle of that building, in the mist of all those 40 machines or maybe it's where that parcel ends, because he is going to use that parcel for his parking, because he does not meet the amount he needs and he is also going to use the parking in the rear. The parking lot at the rear backs up to a residential area there is a home that parks their cars in that same area. Behind it is another residential area, so if you included the parking areas, the owner claims to meet its requirements, parcel to parcel, you have the health department, you might even have that church that's on the corner of Leslie and Ash Street. We have kids and parents walking to the Piggly Wiggly all the way from Bain Street, Daisy Street, Holly Street and other areas because that is the only grocery store within walking distance for a lot of them, a lot of those people do not have cars, some have cars but no money for gasoline, a lot use that money for gasoline for lottery tickets and sweepstake cafes. Our neighbors do not need to fight through all the traffic, congestion this business will create on our residential streets. And I will say one thing, I commend you Mayor for what you said, I'm surprised there is not a police here because I know if you look at the crime statistics for that area, basically that convenient store there and the people that own that lot, trash, loitering, and fights go on. People say they can stop that, the only people that can stop that is the Goldsboro Police Department when they come by there and as soon as they leave they come right back. Mr. Keel stated so anyone who says they can stop loitering, they can stop crime, unless they are a police officer or a sheriff officer, they can't; don't let them tell you that. But now let's talk about the legality issues associated with sweepstake cafes. I may go over and I apologize Mayor. I ask each of you go home tonight get on the internet and Google sweepstake cafes and crime in North Carolina. Just Google that, see how many hits you get, you will spend the next 2-3 days looking at them, or post something on Facebook about the issue. What I am going to talk about now is a small portion of what you will get back. A really good friend of mine and her husband own a business in Kinston, real profitable business, employ about 20 folks shared we have four sweepstakes within a mile of each other, one of those right next door to our business, another is like 20 ft. from a daycare, so what happened to the 200 ft. You have to remember a lot of counties, a lot of places do not have these things on the books to stop this; we do. Two of them have been robbed, the owner's son was shot in a robbery about 5:00 am one morning, but it did not keep him from opening the business by noon. You've got to realize if you get shot in the morning, open that business up, there has to be a draw there folks, and it is cash. Also when they are shut down, for the level of criminal activity or questionable legal operations, they are back open in a week. The gentleman just spoke about how long have we heard about the battle that's been going on 10-15 years. They are illegal, well we changed the software code; they are not illegal anymore. How much of our money could be spent trying to find out if they are legal or not; Police Department money, Sheriff's Department money. 9

On Your Side investigated the legality of sweepstakes in Lenoir County in November 2015, they wanted to know why they were so prevalent in Lenoir County and banned in surrounding counties. Lenoir County planning records indicated there were fourteen sweepstake cafes operating in Lenoir County, does anyone know how many we have, I didn't have time to look it up.

Mr. Rowe stated we have four. Mr. Keel stated but we have rules on the book that could stop this? Lenoir has fourteen. I mention a couple of peoples' names that I have a lot of regard for, you will recognize both of them, it is not a discouraging remark against these folks. Both Ronnie Ingram and District Attorney Matt Delbridge declined to talk on camera about the issue, but I think both would agree if you got into a conversation with either of them, it's easier to prohibit those from starting up then it is to close them down. In surrounding counties like Pitt, Craven, and Onslow, they are banned because the General Assembly outlawed them back in 2010 and I guess if this was a court of law I'd get an objection, that it has been changed since 2010. Pitt County Assistant District Attorney, Caroline Lawler leads prosecutions of sweepstakes in her County, the sweepstakes parlors that we are seeing pop-up in our communities and places surrounding us are still illegal, she says. Pitt County Assistant District Attorney Caroline Lawler said one of the reasons they shut down sweepstakes is they are hotspots for crime because they have large amounts of money. By using the sweepstakes law to shut them down, it is actually creating a lower risk of break-ins and robberies in those establishments. Again, this may have changed in the last 5 years, in another article, I forget the paper, state and local authorities search for sweepstakes businesses in Forsyth County; they notified 10-15 they were operating illegally. The Associated Press in 2016, Washington, North Carolina, prosecutors in eastern North Carolina are threatening criminal charges against sweepstakes café operators the latest round in a 5 year battle between business owners and officials who call the games a form of gambling. District Attorney Seth Edwards issued warning letters to sweepstakes operators in Washington, Beaufort, Tyrell, Martin and Hyde Counties. Alcohol Law Enforcement Agent Russ King got involved, sent out the letters, I forget the Monday cut-off date, but they were all supposed to be closed, they are still probably operating. State lawmakers ban internet based sweepstakes games in 2010 after year of seeking to outlaw electronic gambling. The State's Supreme Court upheld the law in 2010. Sweepstake operators say they've changed the software to comply with the law. It does not take a genius to figure out what changes they've made to actually comply with the law. Again, back to the Governor's Crime Commission, a study of October 2010 shared what kind of crimes were being committed around these operations. Let's name a few, this is what local police and sheriff investigations, not ALE; illegal gambling, drug related charges, illegal alcohol charges, fraud, robbery, larceny, money laundering, assault, murder, weapons violations, gambling addiction, larceny, theft and underage gambling. In Alamance Time-news, January 2017 through its lottery the state has empowered and has in fact funded the ALE to go out and try to put out any business, anybody they view being in any way shape or form a competitor with the state lottery system. And in doing so, those people who are effected are acting like the mafia. There is really no difference in what they are doing then organized crime. You look at the law, find a loophole, and change your business practices to fit the law. But you know it's just not a question of location, or an imaginary 200 ft. distance, proximity to our neighborhoods, churches, daycares, parking and traffic issues, its more than that. If you look at the large preponderance of evidence and history associated with sweepstakes parlors, they are illegal and they become crime spots. Gentlemen, let common sense take over in regards to this, if it flies like a duck, looks like a duck, walks like a duct, it's probably a duck. Regardless of the loopholes, many have tested and tried to keep it flying. Thank you and may God grant you the wisdom and strength to deal with issues such as these. Mr. Keel stated if you haven't gathered it by now, I am against this.

4. Ravonda Jacobs, 301 A St, Goldsboro, NC, stated honestly please do not allow this internet café to come in this area. I am definitely opposed and I am representing a part of the community as an internal part. I have seen what these do and like he said this is one of our poorest neighborhoods. We are trying to uplift that neighborhood. The last thing we want to do is give our people the option to be lazy, honestly. Probably a month ago I had some little children who did some work for me and I paid them. You know what they asked me to do with their dollar, go buy them a lottery ticket. Because they really thought that I don't have to work for her anymore if I can spend my dollar on that. Now as a whole in our community that should bring a thought to even shut down the other ones we have because we are bringing our people in this community with a mindset of laziness and that is why we are never going to have a better community. So we have to take the options away. If they don't have the option to do that, they might not. So like he said, we have children walking past there, people who are not...the love of money is the root to all evil. And when you don't have money you would love to have it. I've seen men waste their whole paycheck in the internet cafes. I've seen mothers waste their whole afternoon in internet cafes when they should be reading to their children. So this is more than just a money issue, it is such an internal issue in our community, in our black community, economically really because everyone is looking for a way to get money. So let's maybe turn it into a small business center, to help teach people how to create and be entrepreneurs, instead of being lazy. So please, please think about that in a different level. It affects our children, what options we put in our city, what we see is what will be their reality. If every corner they see I can get a quick dollar and not work, and not be responsible, and not be self-accountable, that's not what we are looking for so let's please consider that, before we allow money to take over. Thank you.
5. Willie Battle, 120 Kelly Court, Goldsboro, stated I am strongly against this thing here. I have seen too many folks out in my area already that go into these things on a payday, on a holiday, especially on Christmas. How can you win something you already got? You are going to lose it. There on the other hand, they put the ATM machine in and make it so you can stay there and get this money again, so you are paying double again. As for the last thing, I think in January there was a stabbing right there on the corner there on Lionel Street in the middle of the morning. So as far as people coming there, they claim they have all this parking when all the other businesses are there at the same time, all you are asking for is a break-in, someone's vehicle get broken into or somebody come out and get robbed, then you got the Police involved again. We have too much going on there to be going back and forth and putting up these gambling houses. Mr. Battle stated so I do not think we need them. It's in the wrong location for one thing and you've got people going straight from work going there instead of going home, losing their money, then they got to turn around, they gave away their utility money, part of the rent money, now they have to go through a change store to get some money and pay double money for it, then you are back in same hole. We don't need nothing like that. People that are on skid row, leave it. Just like some stores around here with beer and alcohol, they steady bouncing up, folks falling into this here, not working, buying drugs, selling drugs right around the same area. This is not the time for this. It is going to cause a greater problem then what is going on.

No one else spoke and the public hearing was closed. No action necessary. The Planning Commission will have a recommendation for the Council meeting on March 6, 2017.

**CU-4-17 Tim Gill – West side of South Berkeley Boulevard between East Street and Elm Street. Public Hearing Held.** The applicant requests a Conditional Use Permit to allow the operation of a place of entertainment with no ABC permit (video gaming lounge and retail sales of related products) not to include any computer-based sweepstakes.

Frontage: 50 ft.  
Depth: 45 ft.  
Area: 2,250 sq. ft., or 0.05 acres  
Zoning: General Business

In January, 2017, a request for a Conditional Use Permit to allow the operation of a computer-based sweepstakes facility was withdrawn by the owner due to opposition. The current request would specifically prohibit a sweepstakes facility and would limit the use of the property to video gaming and sales of video game-related products.

The applicant has submitted a floor plan which indicates a total of six gaming stations along with the following other designated areas:

Restrooms  
Storage  
Trading Card Game Room  
Network Closet  
Console Hub/Office  
Repair Room  
2 Vending Machines  
Merchandise Display Cases

Hours/Days of Operation: 10:00 a. m. to 10:00 p. m.  
(Monday through Saturday)

Number of Employees: Up to 2

The applicant proposes a number of renovations to the interior of the building including removal of window tint, repainting and replacing doors and light fixtures.

The business plan for the operation indicates that the market to be served will be customers wishing to utilize gaming consoles and playing the newest video games prior to purchasing them. Video games, accessories and consoles would be available for sale along with new and used trading card games. In addition, the applicant plans to provide computer and video gaming console repair services.

The applicant, who served in the United States Air Force from 2007 to 2010 is now the lead Computer Hardware Technician at Wayne Community College.

Mayor Allen opened the public hearing and the following people spoke after being properly sworn in:

1. Tim Gill, 101 Clint Drive, Dudley, NC stated the main thing I am here to say is I am not a sweepstakes at all, no gambling of any sort, at all. We are just a bunch of gamers, who love gaming and want to open a place where people can go game. CGS was a couple of weeks ago, but that's a one time a year thing, but I'd like a place that's open every single day, practically. I can't stress enough this is not a sweepstakes. If you have any questions for me, that's why I am here. Thank you.
2. Lawrence Washington, Goldsboro, NC stated I personally think this is a great idea. I attended the CGS thing and saw how it made downtown flourish. I saw what it did for the other businesses surrounding it and that's just a once a year thing. You get a business that is now open daily that can do nothing but positive for the rest of the community. I cannot see a lot of downside to it. It is just a bunch of people playing games, nobody causes any problems, so a lot of people I saw while at CGS, there was no incident to my knowledge, everything was great. There's no problems; everyone enjoyed themselves. Why not have something like that opened daily. It's a great opportunity to do something for the community. I have been here for about 25 years and the closest thing we have ever had in Goldsboro was an arcade in the mall and that was a really long time ago. I see it as a good opportunity to start something new. You can't uplift the City if you don't try new things right and start opening up new job opportunities

as well as new entertainment opportunities. Mr. Washington stated he would like to see Goldsboro flourish again, the way it used to when I was younger.

Mayor Allen thanked him for his comments. Mr. Washington stated thank you for having me.

3. Allen Young, Goldsboro, NC stated thank you for letting me speak. I believe something like this can only help to push forward Goldsboro's new positive upbeat image. As he said, there is not a lot to do, that is a major complaint of a lot of people and there is a large market for people who play video games, who enjoy playing them with other people, in the same room with other people. And I feel something like this could only help Goldsboro's image. Something else positive to have on our agenda that could bring in more money from outside of Goldsboro. CGS brought people in from as far as Chapel Hill, Fayetteville, those people could be coming to this and those other local businesses would also benefit from that. Thank you.
4. Bobby Stocks, Goldsboro, NC stated I am a current student at Wayne Community College and I am also in favor of this lounge going up. I believe it can only do nothing but uplift the community and give everybody, every family a place to come in have fun and enjoy; have family time and be socially involved within the community. I think this would be a great addition to Goldsboro and it will also help increase and probably decrease a lot of the activity in Goldsboro. It would help bring people that were normally out on the streets doing something different to come into a place of safety, it will help bring a place of safety to families. I can bring my family here, they will be protected and also have fun while doing it. We have a lot of entertainment areas in Goldsboro as it is, such as Chucky Cheese that bring people and family together to have community time. But that is one of the main reasons I would love to see this go through. It is for the uplifting of this community. Thank you so much for your time.
5. Daniel Pasky, Goldsboro, NC stated I actually had the privilege of working with Tim, volunteering at Carolina Game Summit, loved the turnout, we did not have any incidents. It was beautiful, the community coming together all over downtown, businesses working together, it was great. If we could have a place, have it open all the time like I know when I was in high school we would get together and have land parties, playing video games all night. It's a lot of hassle to get (8) people together, move (8) consoles and (8) TVs. But if we can just hangout after school and college and hang out with our friends, it's a good place they can hang out. We have not had anything like this in a while. I look at what can I do in Goldsboro, I think I can go out to eat, I can go to the movies, I can go bowling. There's not a Dave and Busters here, Chucky Cheese is a little young for me. I just would like a place where I could go and hang out with my friends, do something fun, relaxing and not dangerous. It's also in a safe location. It's close to the base, kids aren't going to be hanging out in areas that are not safe. I like it. Thank you.
6. Lindsay Davis, 3000 Wayne Memorial Drive, Goldsboro, NC stated I would like to thank you all first for being here tonight, this is really important to me and many others as you can tell. I am an instructor at Wayne Community College. I teach simulation and game development, meaning that I teach students how to make their own computer games. And if you come to our building you would see there are more than enough people who want to have this here. There are people that will be outside, not just our students, but people all over the campus that are playing video games, board games, card games and I know the school doesn't exactly want us out there playing games but having a place outside of school would be a wonderful addition to our community itself. I know there are not many things to do here in Goldsboro, you can eat, go to the theatre about a month, or so, go to the movie theater and pay a lot of money to go there but this is something I think would be wonderful. I have many students who say their parents don't

understand what they are going for that they want some connection, this could be a place where parents and children can come together and just be together.

Councilmember Stevens stated thank you Ms. Davis for coming and speaking being a fellow designer of video games, thank you for coming and speaking about Wayne Community College and the simulation game development course.

7. Dustin Porter, Goldsboro, NC stated thank you for hearing me speak. I have lived in Goldsboro for close to 32 years. As far as the game community, I do believe this is very good and lucrative. If you want to do anything for the age group of 18-40, you need to go out of town, like Dave and Busters, golf carting, and I believe this would help kids because you can talk to them and show them how to play video games. I do believe having a gaming community in this space will bring in a lot more customers just not from Goldsboro but from outside of town. So people will know Goldsboro is not just Seymour Johnson and a bowling alley. Thank you.

No one else spoke and the public hearing was closed. No action necessary. Planning Commission will have a recommendation for the Council's meeting on March 6, 2017.

### **Planning Commission Excused.**

**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 Aycock moved the items on the Consent Agenda, Items H, I, J, K, L, M, N and O be approved as recommended by the City Manager and staff. The motion was seconded by Councilmember Broadway 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:

**US 70 Business & Ash Street Designation. Resolution Adopted.** The North Carolina Department of Transportation completed the Goldsboro Bypass, known as NC 44, which extends just west of Community Drive eastwardly to the vicinity of Promise Land Road last summer. On August 3, 2015 City Council adopted a resolution requesting that NCDOT designate NC 44 as US 70 Bypass. Upon its completion in May, 2016 the new freeway is now designated as US 70 Bypass.

At this time, the City of Goldsboro would like to request that the North Carolina Department of Transportation consider renaming existing US 70 as US 70 "Business" and existing US 70 Business as "Ash Street".

The renaming of these facilities will not affect addresses of businesses or citizens along these corridors. City staff will work with NCDOT to coordinate appropriate signage for these corridors if renamed.

Staff recommended the Council adopted the following entitled Resolution requesting that the North Carolina Department of Transportation rename existing US 70 as US 70 Business and existing US 70 Business as Ash Street in Goldsboro, North Carolina. Consent Agenda Approval. Broadway/Aycock (7 Ayes)

RESOLUTION NO. 2017-10 "RESOLUTION REQUESTING THAT THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION RENAME EXISTING US 70 AS 70 BUSINESS AND EXISTING US 70 BUSINESS AS ASH STREET IN GOLDSBORO, NORTH CAROLINA"

**Sale of Surplus Real Property, Tax ID #2599-93-1784, 215 E. Elm Street, as recorded in the Wayne County Registry. Offers Accepted.** In December 2016, offers were made to the City of Goldsboro for said property. Ms. Jerri J. Johnson and Mr.



Terrence Byrdsong, Jr., adjacent property owners, have offered to pay the City the sum of \$1.00 each to acquire this property.

The City of Goldsboro and the County of Wayne acquired this property in April 2007 through foreclosure. At the January 17, 2017 County Commissioners' meeting, the Commissioners declared the substandard property as surplus and authorized the sale. The property's tax value is listed as \$2,550.

Per General Assembly of North Carolina, Session Law 2004-94, allows the sale of substandard surplus real property owned alone by the City or jointly owned by the City and by Wayne County by offering it to the adjoining property owners for \$1.00.

It is recommended that Ms. Johnson and Mr. Byrdsong's offers be accepted for 215 E. Elm Street.

Staff recommended Council accept the offers of Jerri Johnson and Terrence Byrdsong, Jr. in the amount of \$1.00 each and authorize the Mayor and City Clerk to execute a deed on behalf of the City of Goldsboro. Consent Agenda Approval. Broadaway/Aycock (7 Ayes)

**Resolution Authorizing Execution and Delivery of an Installment Financing Contract to Finance a Portion of the Costs of a Multi-Sports Complex. Resolution Adopted.** The City of Goldsboro and County of Wayne entered into an intergovernmental agreement on March 6, 2015 and amended on October 20, 2015 regarding a \$3,000,000 loan. The funding would be used for the multi-sports complex on the property owned by Seymour Johnson AFB.

The City and County have agreed to enter into an installment financing contract under the North Carolina General Statutes Chapter 160A, Article 3, Section 20, in the amount of \$3,000,000. The County has agreed to loan the \$3,000,000 for a portion of the costs associated with the multi-sports project. This loan will bear interest at a rate of 1.5% and be payable over 15 years.

Staff recommended Council adopt the following entitled Resolution authorizing the Mayor, City Manager, Finance Director and City Clerk to sign and execute all the necessary documents needed with the County of Wayne. Consent Agenda Approval. Broadaway/Aycock (7 Ayes)

RESOLUTION NO. 2017-11 "RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT TO FINANCE A PORTION OF THE COSTS OF A MULTI-SPORTS COMPLEX"

**Resolution Authorizing Execution and Delivery of an Installment Financing Contract to Finance an Advanced Metering Infrastructure System and Certain Vehicles and Equipment. Resolution Adopted.** When Council adopted the FY 2016-17 budget, several vehicles were characterized to be purchased through installment financing. Also, the City has been pursuing a fully automated meter reading system. The City desires to finance the acquisition of the vehicles and equipment along with the water meter reading system.

The following vehicles were listed to be purchased by an installment financing agreement pursuant to N.C.G.S. 160A-20:

Equipment	Department	Total Cost
1. Utility Vehicle	Garage	40,000
2. Crew Cab Pick-Up	Streets & Stms.	29,000
3. Skid Steer	Streets & Stms.	75,000
4. Tractor with Loader	Streets & Stms.	30,000
5. Front End Loader	Solid Waste	145,000
6. Aerial Fire Truck	Fire Dept.	1,318,669
7. Equipment for Truck	Fire Dept.	169,051

8.	Pick-Up Truck	Parks & Rec.	27,000
9.	Passenger Van	Parks & Rec.	60,000
10.	Excavator	Dist. & Coll.	193,000
11.	Utility Vehicle	Dist. & Coll.	45,000
12.	Utility Vehicle	Dist. & Coll.	35,000
Total			\$ 2,166,720

Since these vehicles were needed before financing could be finalized, reimbursement resolutions were adopted by Council at previous meetings.

Requests for Proposals (RFP's) were mailed to over 40 institutions on January 25, 2017 with 14 different financial institutions responding on February 8, 2017. The RFP included loan amount of \$7,600,000, which includes cost of issuance/bank fees:

Vehicle/Equipment	\$2,206,000
Automatic Meter Reading	\$5,394,000
Total Loan Request	\$7,600,000

A listing of the proposals is available.

While the majority of the institutions submitted proposals consistent with the RFP, Bank of America Public Capital Corporation offered the lowest combined interest rate for both the vehicles/equipment and AMI automatic meter reading system. Bank of America presented a rate of 1.8265% for vehicles/equipment over a term of 59 months and 2.4856% for the AMI project over a 15-year term. The combined rate for both financing is 2.3615%.

Davenport, City's Financial Advisor, has reviewed the proposals and recommends the lowest interest rate for the combined financing and the lowest debt service on the installment purchase financing. By selecting Bank of America's bid, the City locks in the lowest cost of financing while maintaining the ability to prepay the loan in the future if needed.

Financing of this project will be authorized through the utilization of an installment contract authorized under North Carolina General Statute 160A-20. The Local Government Commission will meet for approval on this financing at its March 7th meeting.

Staff recommended the City Council accepts the proposal from Bank of America Public Capital Corporation with the combined interest rate of 2.3615 subject to the Local Government Commission's approval on March 7, 2016.

Staff recommended Council adopt the following entitled Resolution authorizing the Mayor, City Manager, Finance Director and City Clerk to sign and execute all the necessary documents required for the installment financing contract with Bank of America Public Capital Corporation. Consent Agenda Approval. Broadaway/Aycock (7 Ayes)

**RESOLUTION NO. 2017-12 "RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT TO FINANCE AN ADVANCED METERING INFRASTRUCTURE SYSTEM AND CERTAIN VEHICLES AND EQUIPMENT"**

**Resolution Authorizing Execution of Award and Contract with Water Utility Advanced Metering Infrastructure Project. Resolution Adopted.** The City has been working with MeterSys in pursuing a fully-automated meter reading system for the past 18 months. This system will eliminate more than 15,000 manual meter reads each month. It will enhance the City's efforts to promote resource conservation, operational efficiencies and customer service.

On November 28, 2016, the City received five completed responses to its requests for proposals. The selection committee, City staff and MeterSys consultants, evaluated each bidder's submittal and rated each one on the following criteria:

1. Proposal Design
2. Migrateable Endpoint
3. Network Design
4. MDMS and Customer Portal
5. System Functional Expandability/Future Technologies
6. Equipment Specifications/Warranty
7. Installation Qualifications
8. Similar Projects/Experience
9. Pricing

The Committee shortlisted two (2) bidders, Ferguson/Sensus and HD Supply/Neptune. Interviews along with further due diligence efforts were performed. A listing of the proposals are attached for Council’s information.

Based on the results of the shortlisting process, the selection committee along with MeterSys is recommending Ferguson/Sensus for the new Water Utility Advanced Metering Infrastructure project. MeterSys recommends approval to proceed to finalized contract based on the following:

1.	Base Price Full AMI (FlexNet)	\$4,691,000
2.	7.5% Contingency (Pit Rehab., System Enhancements)	352,000
3.	Professional Services (Project Management, Software & Network)	257,000

This price reflects Sensus accuStream meters, which based on MeterSys’ analysis of performance, warranty, cost and read accuracy seems to be the best overall option for the City. It has been calculated that the City should gain a payback on capital between 7-8 years while benefitting from 15 or more years of high performing, efficient meter reading. Also, it was recommended that MeterSys continue to provide support services to the City for procurement and AMI solution for water meters per master agreement.

It is recommended the following entitled Resolution be adopted authorizing the Mayor, City Manager, Finance Director and City Clerk to sign and execute contract with Ferguson/Sensus for the Water Utility Advanced Metering Infrastructure Project. Consent Agenda Approval. Broadaway/Aycock (7 Ayes)

**RESOLUTION NO. 2017-13 “RESOLUTION AUTHORIZING THE MAYOR, CITY MANAGER, FINANCE DIRECTOR AND CITY CLERK TO SIGN A CONTRACT FOR WATER UTILITY ADVANCED METERING INFRASTRUCTURE PROJECT”**

**Resolution – Essential Single-Family Rehabilitation Loan Pool – Disaster Recovery (Assistance, Procurement, and Disbursement Policies). Resolution Adopted.** Hurricane Matthew was one of the strongest hurricanes to form in the Atlantic Ocean in a decade. Through the Disaster Recovery Act of 2016, the General Assembly has authorized an allocation of \$20 million to the North Carolina Housing Finance Agency (NCHFA) through the North Carolina Housing Trust Fund to help many of those in our state who have suffered from this disaster. The City of Goldsboro applied for the first cycle of available grant funds in January 2017 from NCHFA through the Essential Single-Family Rehabilitation Loan Pool – Disaster Recovery (ESFRLP-DR) in the amount of \$150,000. This grant is to be in conjunction with the City’s Community Development Block Grant Program.

NCHFA has awarded the City in this first cycle of available funding in the amount of \$150,000 through the Essential Single-Family Rehabilitation Loan Pool – Disaster Recovery (ESFRLP-DR) to assist eligible owner-occupied homes affected by Hurricane Matthew with repair/modification up to \$40,000 per home. The time period of this grant is 30 months starting January 24, 2017 and ending on June 30, 2019.

Staff recommended Council adopt the following Resolution approving the ESFRLPDR Assistance, Procurement, and Disbursement Policies to conduct this Urgent Repair

Program in conjunction with the City’s Community Development Block Grant Program and authorizing the Mayor and City Clerk to sign the ESFRLPDR Assistance, Procurement, and Disbursement Policies. Consent Agenda Approval. Broadaway/Aycock (7 Ayes)

RESOLUTION NO. 2017-14 “RESOLUTION APPROVING ESFRLP-DR ASSISTANCE, PROCUREMENT, AND DISBURSEMENT POLICIES RESOLUTION”

**Stoney Creek Sewer Outfall Rehabilitation FBR No. 2016-001- Change Order No.2. Resolution Adopted.** Staff requested Insituform Technologies, the contractor for this project, to provide costs for additional rehabilitation of segments of 24" sewer pipe upstream of the original scope of the Stoney Creek Sewer Outfall Rehab. Insituform Technologies submitted costs for additional rehabilitation work shown below:

<u>Description</u>	<u>Total Price</u>
Preliminary CCTV Inspection	\$ 9,440.00
24-Inch CIPP Liner (350 LF)	\$ 81,900.00
5' Diameter Rehab w/ Epoxy Liner	\$ 16,537.50
Bypass	\$ 309,639.70
Traffic Control	\$ 3,548.90
Manhole Invert Opened for CIPP	\$ 887.20
Remove Suction MH Ring/Cover	\$ 2,957.40
Remove Tuberculation (Ductile Pipe)	\$ 4,732.00
24-Inch CIPP Liner (1200 LF)	<u>\$ 126,960.00</u>
Total Change Order No.2	\$ 556,602.70
Original Contract Amount	\$2,674,612.50
Previous Contract Amount w/C.O. No. 1	<u>\$2,844,378.09</u>
New Contract Amount	<u>\$3,400,980.79</u>

The Stoney Creek Sewer Outfall Rehabilitation is funded by a Clean Water State Revolving Fund Loan in the amount of \$2,674,612.50. We have reviewed the financing of Change Order No. 2 with the Division of Water Infrastructure and determined that the City of Goldsboro is eligible for additional SFR funding up to 10%.

It is recommended the City Council adopt the following entitled Resolution authorizing the City Manager to execute a change order totaling \$556,602.70 with Insituform Technologies for Stoney Creek Sewer Outfall Rehab. Consent Agenda Approval. Broadaway/Aycock (7 Ayes)

RESOLUTION NO. 2017-15 “RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER WITH INSITUFORM TECHNOLOGIES FOR STONEY CREEK SEWER OUTFALL REHABILITATION FORMAL BID REQUEST NO. 2016-001”

**Monthly Reports. Accepted as Information.** The various departmental reports for the month of January, 2017 were submitted for the Council’s approval. It was recommended that Council accept the reports as information. Consent Agenda Approval. Broadaway/Aycock (7 Ayes)

**End of Consent Agenda.**

**FY 2016 TIGER Discretionary Grant Agreement, Grant No. 12155296. Approved.** The City of Goldsboro applied for funding through the Transportation Investment Generating Economic Recovery Grant Program in the 2016 cycle. The City received notification in July, 2016 of a \$5,000,000 award to support the following projects: 1) Center Street Streetscape Project; 2 blocks of Center Street from Spruce Street to Elm Street, 2) Cornerstone Commons Project; demolition of the existing space and construction of an expanded space with amenities, 3) GWTA Transit Center Concourse Project; construction of a concourse at the transit center, 4) Wayfinding Signage Project; fabrication and installation of wayfinding signs within the Goldsboro MPO area.

Once notified of the successful award, the United States Department of Transportation assigned our project to the Region IV Federal Transit Administration to administer the grant on their behalf. City staff has been working with FTA and the Office of the Secretary of Transportation to meet and prepare all the necessary documents to permit us to move forward with the receipt of the funds and begin construction. The final necessary document is the attached Grant Agreement between the City of Goldsboro and the United States Department of Transportation (DOT).

The agreement states expectations in terms of responsibilities, timelines, benchmarks, reporting requirements, scope of work, source and use of funds, and cause for termination/expiration and modifications. Highlights of the Agreement include the following:

- 1) The City of Goldsboro (Grantee) is being granted \$5,000,000 by USDOT to complete the above mentioned projects.
- 2) The City of Goldsboro has committed 26% of the proposed project costs equaling to \$1,755,751.
- 3) If there are any cost savings, or if the contract award is under the engineer's estimate, the City of Goldsboro funding amount and percentage share may be reduced, provided the City's share of the costs may not be reduced below 20%.
- 4) Quarterly Progress Reports are due beginning August 17, 2017 and will continue through and beyond the completion of the project ending December 2024.
- 5) USDOT reserves the right to terminate the Agreement if the following benchmarks are not met:
  - a) The Grantee fails to begin construction before January 2018;
  - b) The Grantee fails to begin expenditure of Grant funds by March 2017;
- 6) Funds made available under this Agreement, once obligated, are available for liquidation and adjustment through September 30, 2024.

The following City staff are identified in the Agreement with certain roles: Randy Guthrie, Primary Contact; Julie Metz, Secondary Contact, Kaye Scott, TrAMS Contact. TrAMS is the federal program mechanism for the grant funds. Scott Stevens is also authorized to access and utilize TrAMS. These City staff persons and the City Attorney have reviewed the Agreement thoroughly and in its entirety.

Councilmember Stevens made a motion to authorize the Mayor to sign this grant agreement, on behalf of the City of Goldsboro, between the City of Goldsboro (Grantee) and the United States Department of Transportation permitting the City to execute the TIGER VIII Grant. The motion was seconded by Councilmember Broadaway. Those voting in favor of the motion included Mayor Allen, Councilmembers Steven, Broadaway, and Ham. Mayor Pro Tem Foster, Councilmembers Williams and Aycock voted against the motion. Mayor Allen declared the motion passed with a 4:3 vote.

**City Manager's Report.** Mr. Scott Stevens stated first he would like to recognize we lost a member of our family, Major Jay Memmelaar, last week. A 25 year employee died suddenly last week, he was an integral part of the Police Department. I would ask that you keep his family and the department in your thoughts and prayers. I would also like to mention the Community Affairs Awards Banquet, it is February 28<sup>th</sup> at 6:30 p.m. at the Goldsboro Event Center. If someone is interested in attending they can call to register at 919-580-4359.

**City Attorney's Report.** No report.

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

Councilmember Williams stated I think we had a very good Retreat pertaining to a lot of things happening in our City. We got a chance to move forward with CALEA, we have some summer youth jobs coming down for this summer, just a lot of good opportunities coming here. It is good to see all the beautiful faces out here to support us.

Councilmember Broadway stated no comment.

Councilmember Stevens stated I would like to thank those who came out to support the game industry and how it is growing. It is not just about playing games, it's about emerging technology swarming our world. I would also like to say thank you to Officer Childs and Sgt. Foster; there was an incident in my neighborhood and they knocked on my door to let me know they had apprehended someone who was trying to break into homes. They were letting me know they were doing neighborhood policing. So I would like to say thank you Officer Childs and Sgt. Foster, I appreciate that so much.

Mayor Pro Tem Foster stated no comment.

Councilmember Ham stated no comment.

Councilmember Aycock stated no comment.

Mayor Allen stated one thing I would like to mention as you know February is Black History Month, about two weeks ago a couple of citizens, Jay and Amie Bauer called and came into to see me. They were a meeting at the museum and have been working on a project for a couple of years. Back in March of 1865, there was a 135<sup>th</sup> Regiment of the US Colored Troops formed in Goldsboro. On Thursday, February 23<sup>rd</sup> the Curator of the North Carolina Museum of History, Mr. Earl James, is going to be here at the library and will be doing a presentation on this troop. It's at the Goldsboro Library on Thursday beginning at 7:00 p.m. Mayor Allen also asked everyone to keep the Memmelaar family in their thoughts and prayers, it is always a great loss when you lose someone and especially someone who has been here 25 years and only 49 years old. We had no idea he was not going to be here with us anymore. I do say the take away from that is don't put off tomorrow what you want done today, because tomorrow may never come. We thank everyone for coming out tonight.

There being no further business, the meeting adjourned at 8:03 p.m.

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Chuck Allen  
Mayor

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Melissa Corser, MMC  
City Clerk