GOLDSBORO CITY COUNCIL REGULAR MEETING AGENDA MONDAY, MAY 1, 2023



(Please turn off, or silence, all cellphones upon entering the Council Chambers)

I. WORK SESSION-5:00 P.M. - COUNCIL CHAMBERS, 214 N. CENTER STREET

- 1. ROLL CALL
- 2. ADOPTION OF THE AGENDA
- 3. OLD BUSINESS
 - a. United Way NPO Funding (Sherry Archibald, Executive Director)
 - b. Parking Update (Downtown Development)
 - c. Distributions and Collections Division's Valve Truck Purchase Update (Public Works)

4. NEW BUSINESS

- d. Community Relations Department Name Change Proposal (City Manager)
- e. Property Tax Update (Alan Lumpkin, Wayne County Tax Administrator)
- f. FY23-24 Budget (City Manager)

II. CALL TO ORDER - 7:00 P.M. - COUNCIL CHAMBERS, 214 N. CENTER STREET

Invocation (Prophet Rodger Taylor, Philadelphia Community Church) Pledge of Allegiance

III. ROLL CALL

IV. APPROVAL OF MINUTES

A. Minutes of the Work Session and Regular Meeting of April 17, 2023

V. PRESENTATIONS

B. Mental Health Month Proclamation

VI. PUBLIC HEARINGS

- C. SU-6-23 Place of Entertainment (no ABC Permit) (Planning) Continued from 4-17-23
- D. Contiguous Annexation Petition Perry Real Estate Group Located at the intersection of New Hope Rd. & Hare Rd. (Planning)
- E. Z-5-23 Mallard Oil Company (Residential 16 to General Business) East side of N William St. off of W Tommy's Rd. (Planning)
- F. FY2023-2024 Annual Action Plan Review/Public Hearing (Community Relations)

VII. PUBLIC COMMENT PERIOD

VIII. CONSENT AGENDA ITEMS

- G. Amending a Special Revenue Fund Ordinance Fire Other Restricted Revenue Funds (F3110) (Finance)
- H. Accept or Reject Initial Bid and Authorize Finance to Advertise for Upset Bids for 808 and 800 W. Grantham Street from Two Farms, Inc. (a Maryland Corporation) (Finance)
- I. Utilizing the NCGS 143-64.32 exception to NCGS 143-64.31 Procurement of Architectural, Engineering and Surveying Services for professional design drawings related to specific projects in the Public Utilities Department (Public Utilities)
- J. ANNEXATION ORDINANCE REVISION Election District Decision Magnolia Grove Subdivision Located on the east and west side of Eleventh St. between Norwood Ave. and Englewood Dr. (Planning)
- K. Revising the Policy Regarding the Use of City-Owned Property for Special Events (City Clerk)

IX. ITEMS REQUIRING INDIVIDUAL ACTION

X. CITY MANAGER'S REPORT

XI. CEREMONIAL DOCUMENTS

- L. Military Appreciation Month Proclamation
- M. Municipal Clerks Week Proclamation
- N. National Day of Prayer Proclamation

XII. MAYOR AND COUNCILMEMBERS' COMMENTS

- XIII. CLOSED SESSION
- XIV. ADJOURN

UW process for COG	Details	Timeline	Status
Survey to Council to identify priority areas for	UW create survey to Council requesting priority order.		
funding	Sent 4/13, 4/24 & 4/27. Evaluate results.	Apr-23	Complete
	Results: (1)Prioriity order: Basic Needs, Health, Education,		
	Financial Stability, Animal Welfare, Recreaion Arts Culture.		
	(2)Fund programs rather than agency (3)Preferences:		
	Seeks measurable outcome, build capacity for NPO, serve		
Review & evaluate Council survey results.	ALL demographcis	Apr-23	Complete
			Complete.
			20
	Recruit volunteers to serve on Committee. Sent to		volunteers
	database of 300 volunteers. Social media engagement.		for COG
Identify COG Impact Committee to serve	Require live/work in the City. Majority live in city.	Apr-23	Impact
	UW discussed process & cost with ecImpact. Time		
	contraints prohibit ability for non-profits to be prepared to		
Create COG campaign in grant management	apply through online software. Plan to follow UW process		
software Or determine best approach	with FEMA/EFSP program	Apr-23	Complete
	Process modeled after UW. Criteria based on Council		
Mark the second	survey results. Created Notice of Funding Opportunity for		90%
Create COG NPO funding criteria	COG	Apr-23	Complete
	Include two-step process. Step one: Prequalification		
	documents. Step two-request for funding through		90%
Create COG Application	application	Apr-23	Complete
	Council to advise of total amount of funding for NPO for		
Determine funding amount for NPO	2023-2024 fiscal year.	May-23	
Promote COG NPO opportunity	Press Release in preparation of opening application	May-23	
Open applications for funding (emphasis on	Invite non-profits to apply. Step ONE-Complete all		
priority areas/order)	requirements/documents. stepTWO-application	May-23	
Staff to assess applications.	UW staff to review -confirm all required documents.	May-23	
Committee to review applications	UW staff to share applications with Committee	Jun-23	
Staff to line up presentations for Committee	Presentations for all NPO to Volunteer Committee	Jun-23	
Presentations	Non-Profits provide presentations to Committee	Jun-23	
Committee makes recommendations	UW staff reports recommendations to Council	Jul-23	

UW Staff, on behalf of COG, notifies all applicants	Respond to all by email. Send copy to Finance	Jul-23	
	Process 100% in July to seasoned applicants. Process on reimbursement for consideration for non-seasoned or new		
Request COG Finance process NPO funding	applicants.	Jul-23	
Prepare Reporting Criteria	With outcome & indicator examplescreate reporting document	Oct-23	
Request COG reimburse	Process for reimbursement for non-seasoned/new applicants	Dec-23	
Evaluate process	COG & UW discuss process and results. If continueactivate ecImpact for futre management. Open training for NPOs	Mar-24	
Reporting Due	Reporting from seasoned NOP. TIMELINE: Step ON E: 5/10-5/19. Step TW O: 5/22-6/7. Committee Reviews: Week of 6/12. Presentations: week of 6/19. Present to Council: July.	Apr-23	
Tracking Required	track supporting documents & measure outcomes & demographics		

Downtown Parking

Erin Fonseca, Director Downtown Development

May 1, 2023



Background

- **History:**•Prior to 2013, 2-hr street parking was located/enforced throughout downtown.
- •2016/2017 A parking study was executed to determine current & future parking needs and capture availability. The study also captured parking during peak times and briefly covered future enforcement/management opportunities.
- Consultant hired to conduct a public parking forum in January 2023 in response to ongoing concerns from downtown stakeholders.
 - The Consultant's presentation analyzed the following:
 - Growth has exceeded project assumptions from the 16/17 study, which anticipated future parking demand of 593 spaces by 2026. Only 55 spaces have been added.
 - Types of parking, users, and behavior public, private, citizens, employees, residents, visitors
 - Current concerns and opportunities for improvement
 - Potential management options

Downtown Parking

- Create a system that supports business & growth downtown
- Has to support economic vitality of downtown
- Parking has to be balanced between public and private interests - (users include merchants, residents, visitors and employees)
- Parking has to be managed to balance the interests

Table 1. Total Parking by Type

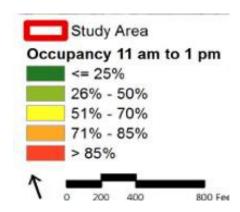
Parking by Type	Spaces	% of Total
On-Street	680	19%
Public Off-Street	1,249	35%
Private Off-Street	1,666	46%
TOTAL	3,595	100%

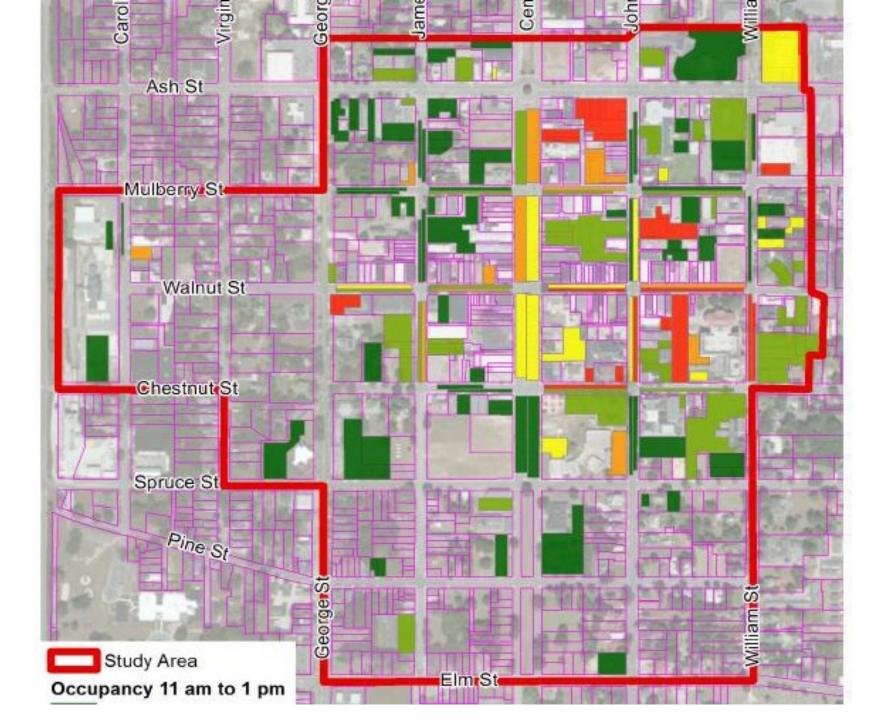
Source: VHB inventory on March 24, 2016

Parking Supply

Only change in 2023:
Private offstreet has increased by 55 spaces

2016 Conditions





Study Area Occupancy 11 am to 1 pm <= 25% 26% - 50% 51% - 70% 71% - 85% > 85% > 85%

2023 Conditions:

>85% occupancy in proposed enforcement area



Options & Findings from Public Forum

50+ Attendees → 42 voted for some type of parking management at conclusion

Option 1

- Manage on-street customer spaces and patrol by time
- No change for parking
- Ticket cars parked for more than 2 or 3 hours
- Use courtesy tickets for first-time violators
- Develop a continuing education program and about why you are patrolling for on-street parking

VOTES

35

Option 2

- Manage on-street public parking
- Manage on-street for 2 or 3 hour time limits and ticket violators
- Set parking rate for onstreet from \$.25 per hour to \$1 per hour
- Issue residential and business decals for use in off-street lots
- Issue courtesy tickets for first time violations

VOTES

10

VOTE

Option 3

- Manage on-street and offstreet public parking
- Manage on-street for 2 or 3 hour time limits and ticket violators
- Set parking rate for onstreet from \$.25 per hour to \$1 per hour
- Set off-street rate per day or month
- Issue residential and business decals for use in off-street lots
- Issue courtesy tickets
 first time violations

VOTES 1

Parking Recommendations

Provided by Dwight Bassett at February Council Retreat



- Manage on-street customer spaces and patrol by time
- No change in parking
- Ticket cars parked for more than 2 or 3 hours
- Use courtesy tickets for first-time violators
- Develop a continuing education program and explain why you are patrolling for on-street parking





Industry Standard Schedule and & Signage

Staff Recommendation in Response to Consultant

Reinstate Regulations & Signage

• Per Existing City Ordinance 72.26, 2 Hour Parking 8:30AM To 5:30PM, Mon - Sat.

Free, Timed Parking, On-Street Only

- Center Street from Ash to Chestnut
- Mulberry Street from John to James
- Walnut Street from John to James (Add streets to City Ordinance Chapter 75 Parking Schedule)
- Recommendation made with input from Assistant City Manager, Planning, Engineering, PD and Downtown Development

Proposed 2 Hour Parking Zone Map — Reinstated Regulations

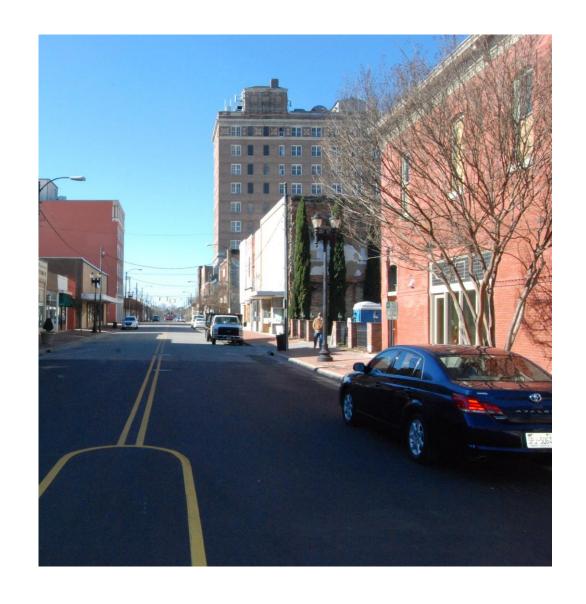
- 2-Hour On-Street Parking Recommendation
 - Center Street Ash to Chestnut
 - Mulberry Street John to James
 - Walnut Street John to James
- Off Street Parking Lots (Public)



Additional Parking Data

In Response to March 20 Meeting, the following data was collected and reviewed.

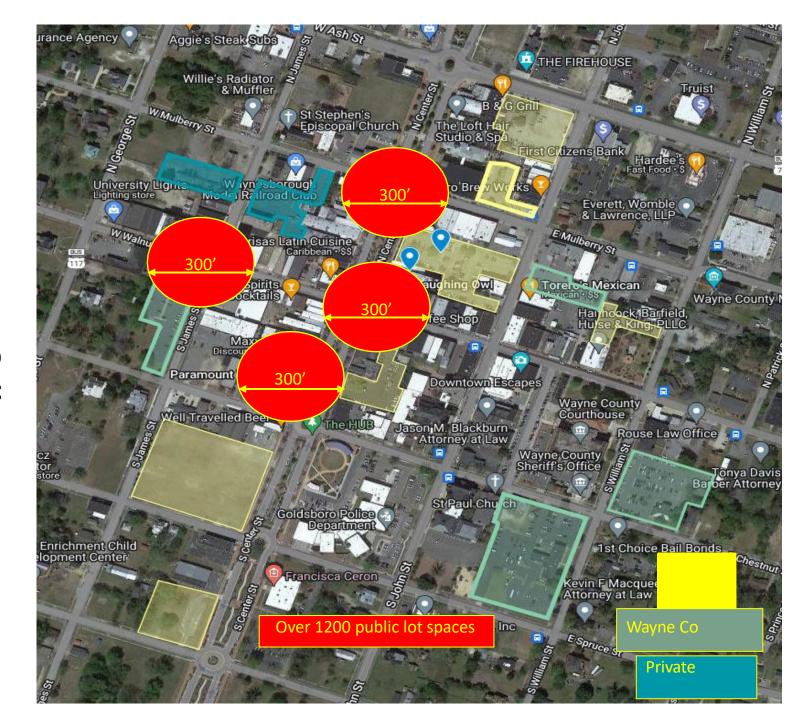
- Distance to Public Parking Lots
- Updated Use and Turnover
- Lighting in Public Parking Lots

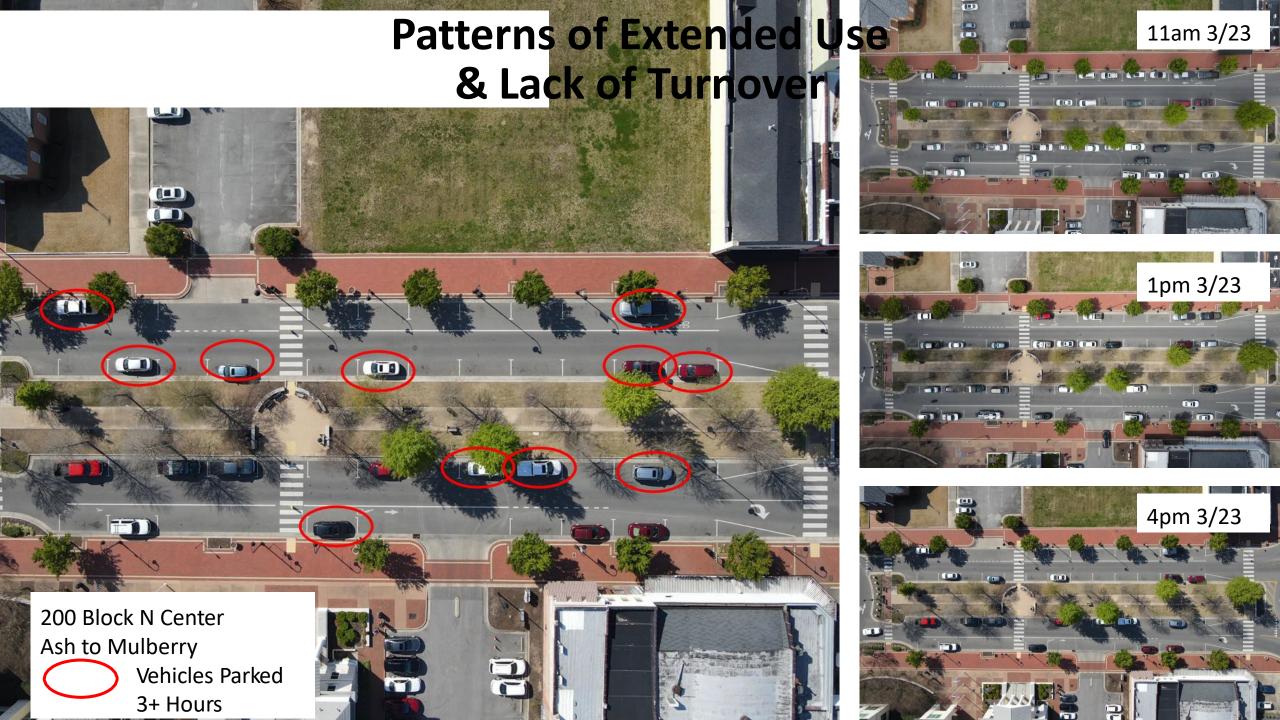




Distance to Public Lots

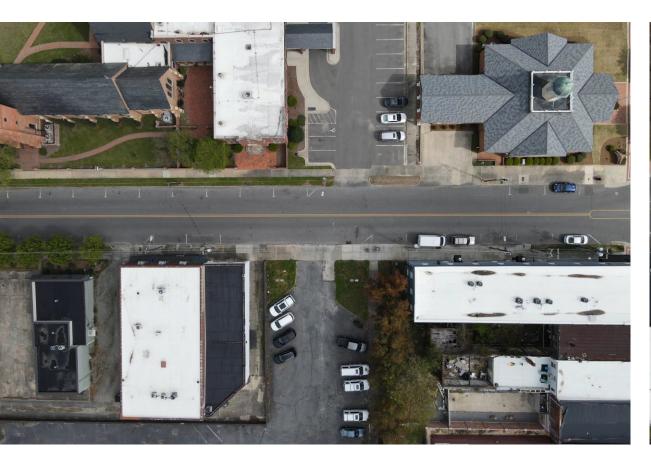
- All businesses and residents within the area of proposed parking management are within 300 feet (100 yds) of a public parking lot.
- Off-Street Lots within this map include more than 1200 public parking spaces.

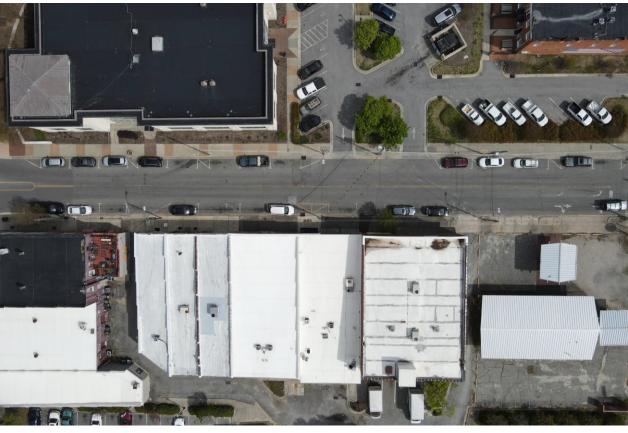




100 Block W. Mulberry (James to Center) 11 am 3/31

100 Block E. Mulberry (Center to John) 11am 3/31







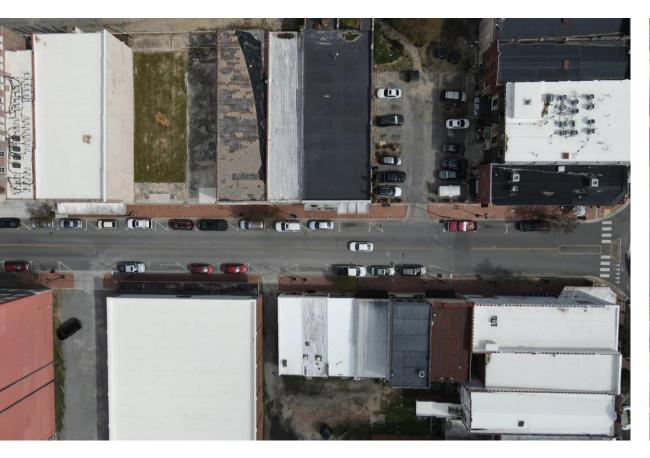


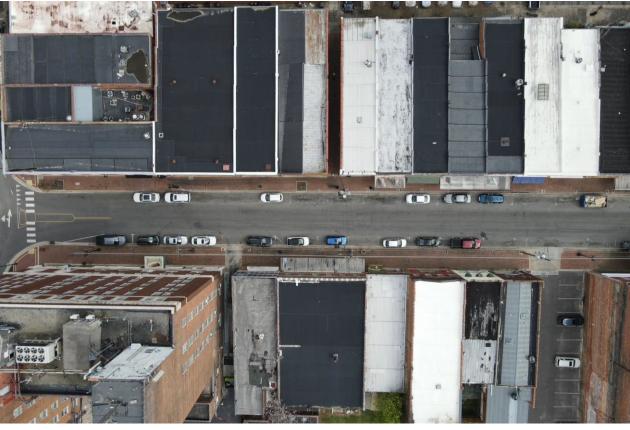


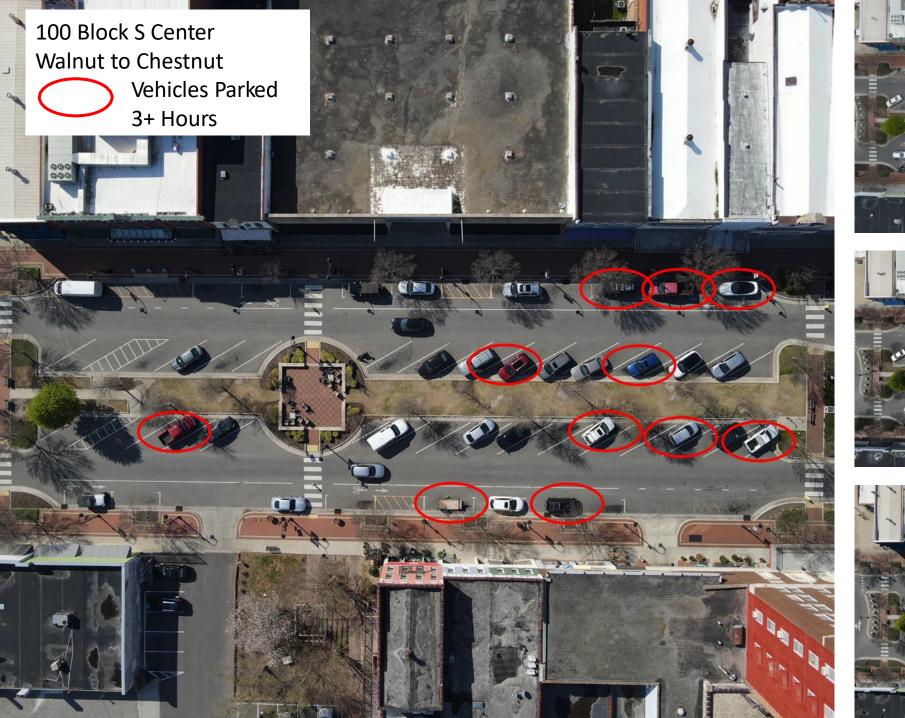


100 Block W. Walnut (James to Center) 11 am 3/31

100 Block E. Walnut (Center to John) 11am 3/31



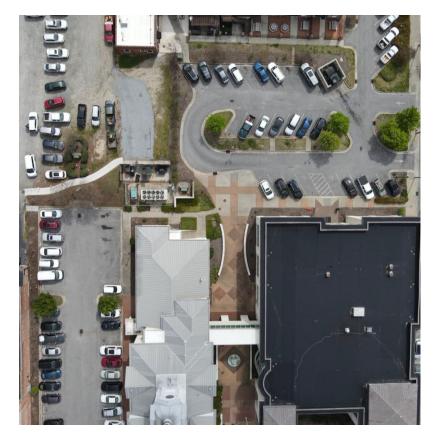




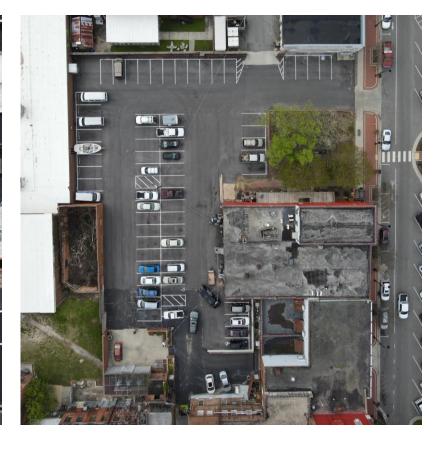








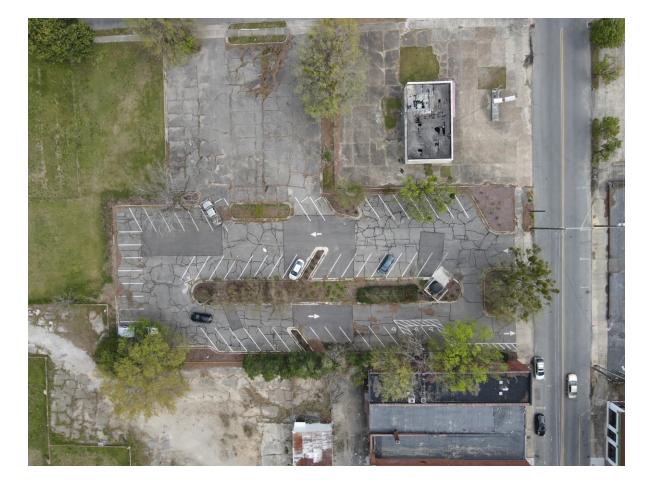




City Hall Lots 85% Full

John Street Lot (Center to John, Near Mulberry) 38% Full

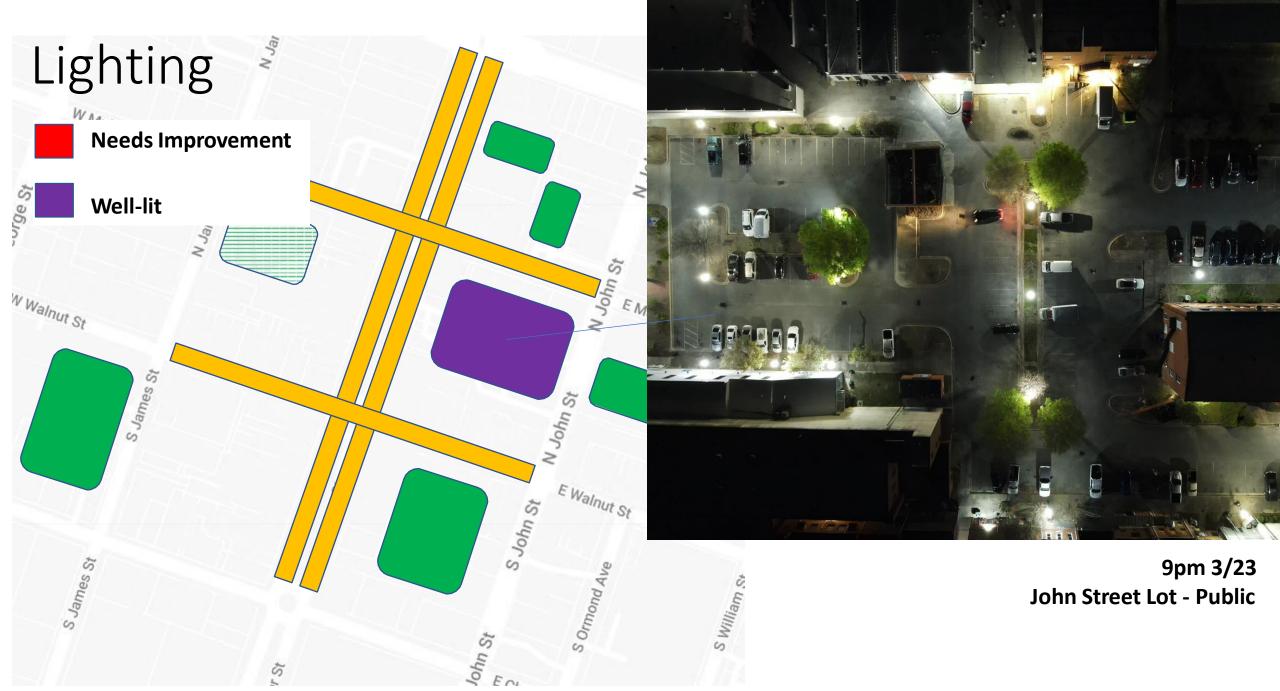
Waynesborough Lot (Across from Paramount) 48% Full

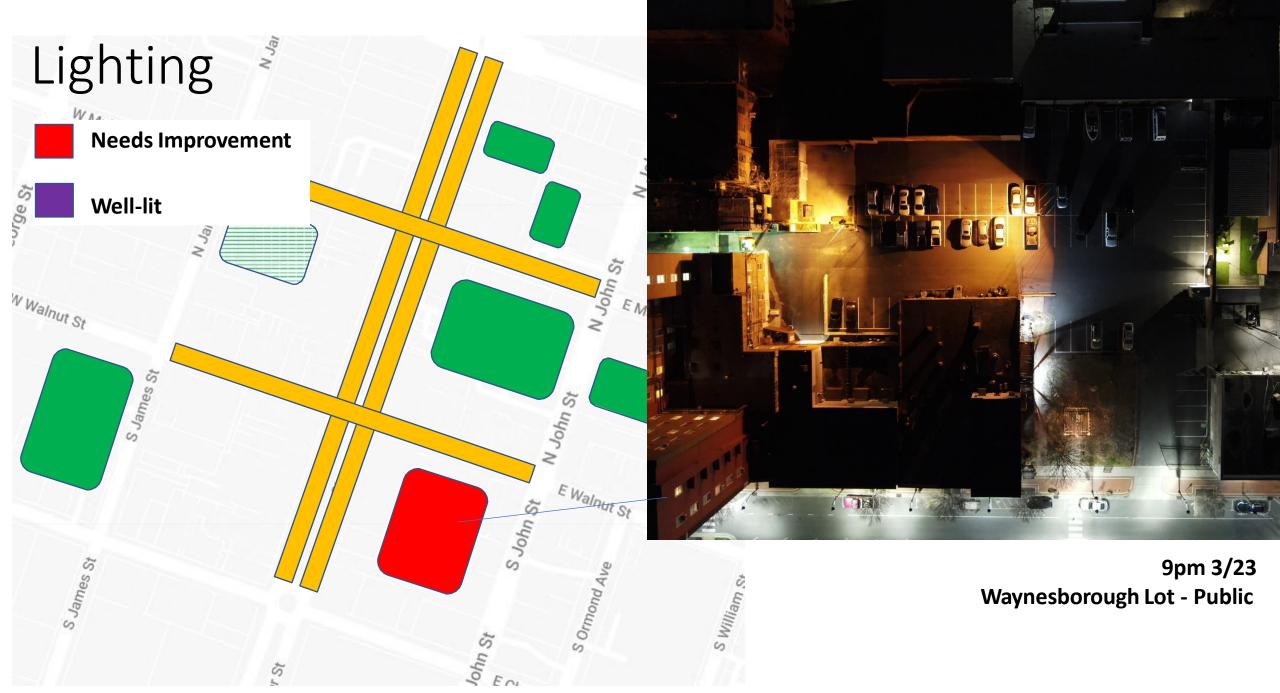


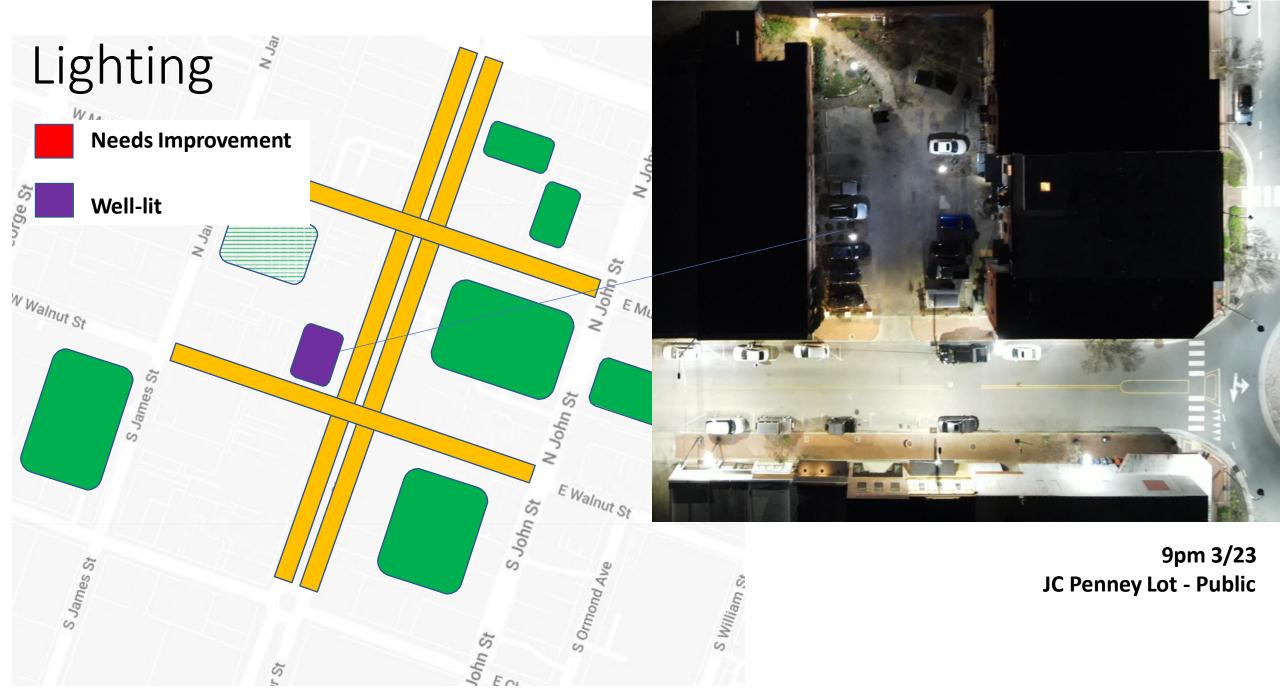


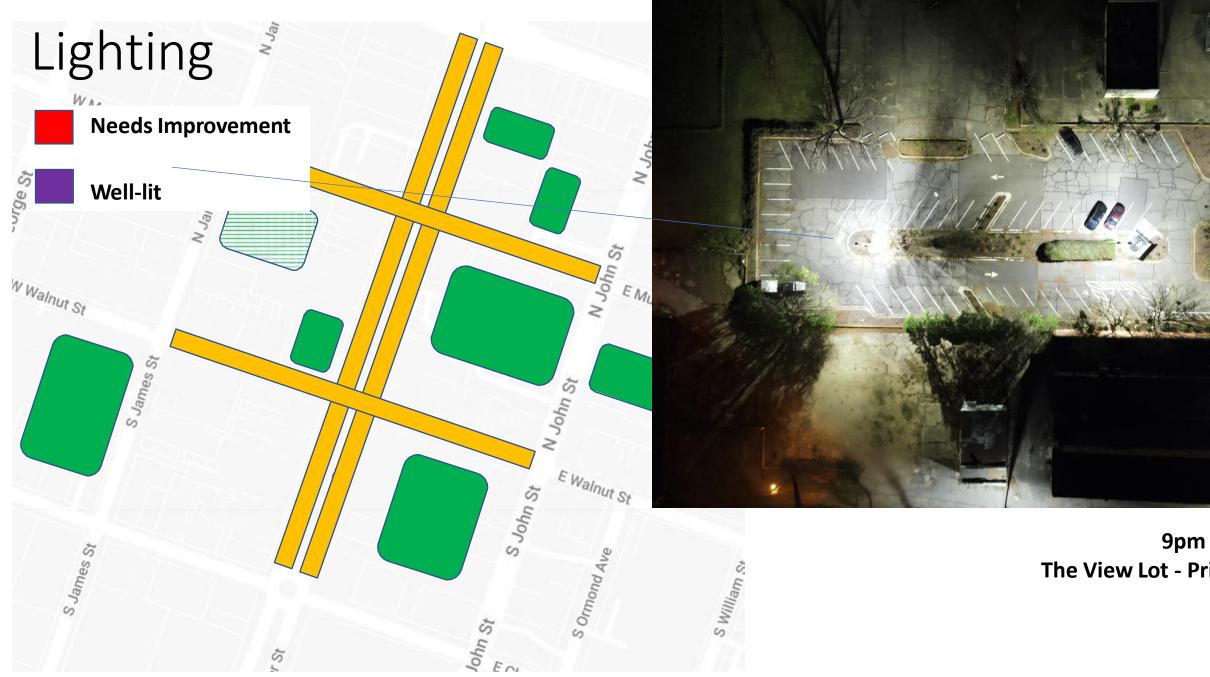
The View Lot (Private)
7% Full

N James Lot (Private)
Entrances on James & Mulberry
13% Full









9pm 3/23 The View Lot - Private

Parking Management Options

Option	Cost	Resolve Parking Concerns?
Parking Garage	\$6M (200 spaces)	Quantity – Yes; Distance - No
2 Hour Parking, Mon-Sat, 8:30am – 5:30pm Center Street from Ash to Chestnut Mulberry Street from John to James Walnut Street from John to James	Signage - \$4-8K Staffing – Absorbed Cost	Yes, according to parking consultant. Resolves need for turnover in key areas. Flexibility remains after business hours. Not new concept.
2 Hour Parking Mon-Sat 8:30am – 5:30pm Walnut & Mulberry from John to James Only	Signage - \$2K Staffing – Absorbed Cost	Yes and No. Demonstrated need for turnover on Center Street not addressed, potentially exacerbated.
Postpone Enforcement	None to City	No.

CITY OF GOLDSBORO AGENDA MEMORANDUM MAY 1, 2023 COUNCIL MEETING

SUBJECT:

Distributions and Collections Division's Valve Truck Purchase Update

BACKGROUND:

The valve truck is comprised of a chassis and valve maintenance service body. It was authorized to be purchased in the FY21 budget, but has been repeatedly delayed due to the shortage of F-550 chassis available on government contract. Staff have worked diligently with the Ford dealership and even tried to locate a used F-550 as a suitable substitute. Most recent efforts included trying to find suitable chassis in other makes and models, like the Dodge 5500, but they fell short too.

DISCUSSION:

The lack of chassis has also delayed the manufacture and installation of the valve maintenance service body by E. H. Wachs. The extensive delay and subsequent material costs increases from inflation have resulted in price increases on both the chassis and valve maintenance service body. The service body has increased from \$138,271.07 to \$159,361.75 and the chassis has increased from \$52,196.65 to \$62,953.00 for a combined total cost increase of \$31,847.43.

The valve truck is an essential piece of equipment needed to maintain the City's water distribution system. Public Works currently has funds in the Distributions and Collections budget to transfer from operational supplies and cover the increased costs without transferring funds from the Utility Fund balance or Capital Reserve fund.

RECOMMENDATION:

Staff recommends the City Manager approve the utility find transfer of \$31,847.43 from operational supplies to purchase the valve truck for \$222,314.75.

Date: 4/28/73

Richard E. A. Fletcher III, Public Works Director

Date: 4/7.7/2

Timothy Salmon, City Manager

ws	Item	d	
----	------	---	--

CITY OF GOLDSBORO AGENDA MEMORANDUM MAY 1, 2023 COUNCIL MEETING

SUBJECT:	Community	Relations	Department	Name	Change	Proposa!	1

BACKGROUND: The City Community Relations Department currently has

three staff members responsible for administering the City's

U.S. Department of Housing and Urban Development

Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds; investigating citizen

complaints; overseeing three of the city's boards and commissions; updating and provide community resources,

local church listings and local civic organization listings; and

planning annual community relations events.

DISCUSSION: City Manager Salmon is proposing to change the name of the

Community Relations Department to the Community

Relations and Development Department to reflect the HUD

funding responsibilities.

RECOMMENDATION: It is recommended that Council accept the recommendation

of the City Manager and rename the Community Relations
Department to the Community Relations and Development

Department effective on May 1, 2023.

Date: $\frac{4}{27/23}$

Timothy Salmon, City Manager

WAYNE COUNTY TAX DEPARTMENT

ALAN LUMPKIN – TAX ADMINISTRATOR

GOLDSBORO CITY COUNCIL PRESENTATION

05/01/2023

COUNTY REAPPRAISAL

- Mandated by NC General Statutes
- All properties appraised at 100% market value
- Must be performed at least every 8 years(may be sooner)
- Equalization of values (Residential, Commercial & Industrial)
- Last reappraisal (2019)
- Must use 2019 schedule of values

NORTH CAROLINA DEPARTMENT OF REVENUE SALES RATIO STUDY

- Performed annually, random sampling comparing tax values to actual property sales
- Current 2023 sales ratio 69.98% (2019-100.04%, 2020=98.14%, 2021=94.45%, 2022=83.35%)
- Counties with populations over 75,000
- Ratio drops below 85% or exceeds 115% Triggers Reappraisal within 3 years
- Wayne County's next reappraisal will be 01/01/2025
- Revenue Neutral

2023-2024 VALUES

- Property types (Real, Personal, Public Service & RMV)
- City of Goldsboro Values

					OVERALL	REAL	PERSONAL	PUB
YEAR	REAL	PERSONAL	<u>PUB</u>	TOTAL	% CHANGE	% CHANGE	% CHANGE	% CHANGE
2019-2020	\$1,981,833,310	\$250,802,345	\$79,103,601	\$2,311,739,256				
2020-2021	\$1,998,851,761	\$254,682,252	\$74,792,835	\$2,328,326,848	0.72%	0.86%	1.55%	-5.45%
2021-2022	\$2,006,572,759	\$247,836,662	\$74,767,017	\$2,329,176,438	0.04%	0.39%	-2.69%	-0.03%
2022-2023	\$2,022,812,385	\$236,473,811	\$76,711,694	\$2,335,997,890	0.29%	0.81%	-4.58%	2.60%
2023-2024	\$2,037,730,884	\$259,764,388	\$57,533,771	\$2,355,029,043	0.81%	0.74%	9.85%	-25.00%

???LOOKING AHEAD???



QUESTIONS???

FY 2023-24 Manager's Recommended Budget Initial Council Presentation

May 1, 2023





FY22-23 Budget Future GF Concerns

- How do we fund FY23 pay raises next FY or the FYs after? Use of ARPA \$3M in FY23 decreases to \$1.4M in FY24 and \$0 in FY25
- FY24: Offset \$1.6M w/ FY22 3-Cent Property Tax (\$750K) increase—no longer available for contingency/fund balance increase; Additional 3-Cent Property Tax (\$750K) may be appropriate (e.g. 68 to 71 cents/\$100 valuation); more debt due to vehicle loan (+\$370K); still no funding for road work and department offsets.
- FY25: Offset additional \$1.4M w/ growth in tax base/revenue and/or reduce size of government/expenditures.



Revenue Assumptions

- General Fund (GF) \$15M deficit between department requests and expected revenue; cut ~\$10.5M in requests and increased revenue ~\$4.5M
- GF revenue increases pay for costs of inflation and minimal capital
 - Property tax increase +4 cents/\$100 valuation (6%) = \$1.2M
 - ARPA \$1.5M from fund balance (\$1.4M not budgeted FY22-23; spent \$8.8M salaries)
 - \$1.8M loan for rolling stock TBD (once off LGC Unit Assistance List (UAL))
 - Expecting sales tax growth +5% = \$.6M
- Utility Fund (UF) revenue adjusted for inflation
 - Water and Sewer rate +4% = \$1M; reviewing customer contracts for future options
 - System Development Fees TBD and not budgeted; will enable future projects
- Stormwater Fund (SWF) revenue increase +\$.25 (5.5%) = \$77K
- Occupancy Tax Fund (OTF) revenue growth +4% = \$38K



Expenditure Assumptions

- GF employee COLA +2% and merit +1% = +\$.75M
 - 20 GPD and 3 GFD positions remain frozen/not funded
 - New Engineer Admin; Nurse FTE; 2 PPT to FT w/ PPT and PT offsets; 12 reclassifications
- GF Capital
 - PW Solid Waste rear loader trash truck and leaf machine (.6M)
 - GPD vehicles (8 of 16 = \$.6M); IT GPD MDT replacement (\$.6M)
- UF projects and capital
 - Lead Service Line Replacement study est. ~\$3M; grant/loan forgiveness TBD
 - Water tank management and WTP repairs \$.6M
 - Backhoe loader and bobcat \$.25M
- SWF \$.25M dump truck
- OTF \$.25M Bryan MSC maintenance bldg



Currently Not Funded

- Employees: 10 new positions; 7 Public Works reclassifications
- GF capital: street paving \$1.4+M; fire engine \$.9M; City Hall chiller & boiler \$.8M; IT network equipment \$.6M; GPD vehicles \$.6M; 1-arm trash truck \$.4M; Public Safety Complex chiller \$.3M; GPD radios and cameras \$.2M
- GF projects: GFD equipment and training ctr upgrades \$.4M; demolition \$.2M; comprehensive plan \$.2M (10 yrs old); NPOs -\$60K (\$100K), GWTA +\$50K; HPC demo \$.2M; no contingency fund (use of adtl fund balance TBD)
- UF \$1.9M UV System replacement; \$8M phase III sewer
- SWF projects TBD from FY22-23 study; frontend loader \$.3M
- OTF balance: \$320K -\$250K BMSC maint bldg = \$70K; adtl BMSC field lights



Budget Schedule

- Manager's Recommended Budget published by May 15
- Council determine budget work sessions (e.g. May 22, May 30)
- Public hearing Jun 5
- Adopt budget Jun 20
- Publish FY23-24 Adopted Budget by Jun 30, 2023



Questions?

MINUTES OF THE MEETING OF THE GOLDSBORO CITY COUNCIL APRIL 17, 2023

WORK SESSION

The City Council of the City of Goldsboro, North Carolina, met in a Work Session in the Council Chambers, City Hall, 214 North Center Street, at 5:00 p.m. on April 17, 2023.

Call to Order. Mayor Ham called the meeting to order at 5:00 p.m.

Roll Call.

Present: Mayor David Ham, Presiding

Mayor Pro Tem Taj Polack Councilwoman Hiawatha Jones Councilman Bill Broadaway Councilwoman Brandi Matthews Councilman Charles Gaylor, IV

Councilman Greg Batts

Also Present: Tim Salmon, City Manager

Ron Lawrence, City Attorney

Matthew Livingston, Assistant City Manager

Holly Jones, Deputy City Clerk

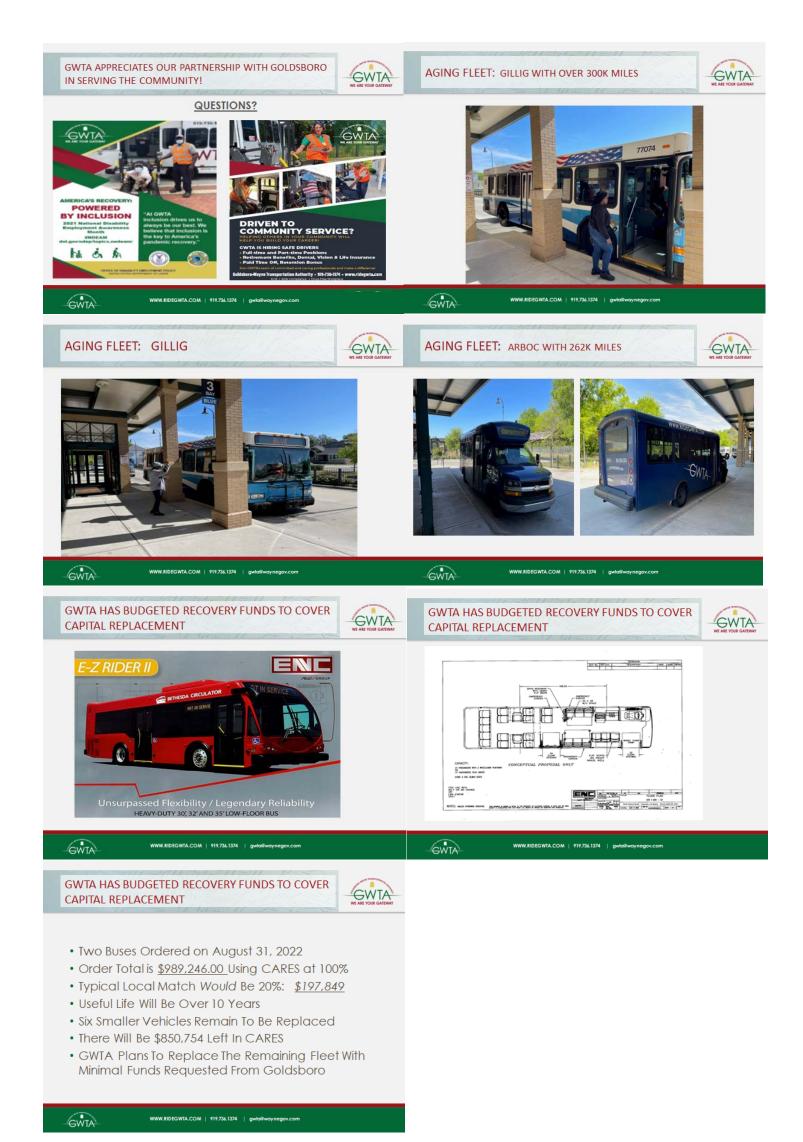
Laura Getz, City Clerk

Adoption of the Agenda. Council voted unanimously to adopt the agenda.

New Business.

GWTA Funding Request. Don Willis, GWTA Director, presented the following:





Council discussed the Dial-A-Ride program, CARES Funds, providing more covered shelters, electric bus options, and what would be done with the old GILLIG buses.

<u>Consent Agenda Review.</u> Items J - V on the consent agenda were reviewed. Further discussion included the following:

Item J: Operating Budget Amendment FY22-23. Mayor Ham asked what was involved with the upfit of the Police vehicles. Chief West stated that 8 vehicles had been received from previous budgets, and they needed to be upfitted with the required emergency equipment. The department overlooked doing a PO to roll the previously budgeted money to the next fiscal year, so the money needs to be taken back from the fund balance. Tim Salmon, City Manager, confirmed that the previously unused funds had been rolled back into the fund balance.

Mayor Ham asked about how the Travel and Tourism funds would be used. Catherine Gwynn, Finance Director, stated that the money had already been spent on the tennis event, this money is a reimbursement. Councilman Broadaway asked if money had been budgeted to resurface the tennis courts. Tim Salmon, City Manager, confirmed that Parks and Recreation is budgeting in the next fiscal year to fill in the cracks at the Herman Park Tennis Courts.

Item R: Annexation Ordinance Revision - Election District Decision—Magnolia Grove Subdivision Located on the east and west side of Eleventh St. between Norwood Ave. and Englewood Dr. Council discussed the location of the annexed area, and which election district the area should be in. Mayor Ham suggested that the item be continued to the next meeting. Councilman Gaylor made a motion to amend the agenda and remove Item R. The motion was seconded by Mayor Pro Tem Polack and unanimously carried.

Item S: SU-3-22 – Gregory Sakas (Retail Sales) 4265 E. US Hwy 70. Councilman Broadaway asked for clarification on the Superior Court overriding Councils decision. Ron Lawrence, City Attorney, explained.

Item T: Use of Public Utilities Capital Reserve to fund the purchase of a replacement Dump Truck for the Compost facility. Mayor Ham asked if the money would come from the current year's funds. Bert Sherman, Public Utilities Director, confirmed it would. Councilman Gaylor asked for confirmation of the two-year lead time. Bert Sherman, Public Utilities Director, confirmed.

Closed Session.

Upon motion of Mayor Pro Tem Polack, seconded by Councilman Batts, and unanimously carried, Council went into Closed Session to discuss potential litigation.

After the Closed Session was held, Council came out of Closed Session and back into Open Session.

Mayor Ham recessed the meeting until 7:00 p.m.

CITY COUNCIL MEETING

The City 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 April 17, 2023.

Mayor Ham called the meeting to order at 7:00 p.m.

Pastor Jonathan Smith with Freedom Baptist Church provided the invocation. The Pledge of Allegiance followed.

Roll Call.

Present: Mayor David Ham, Presiding

Mayor Pro Tem Taj Polack Councilwoman Hiawatha Jones Councilman Bill Broadaway Councilwoman Brandi Matthews Councilman Charles Gaylor, IV

Councilman Greg Batts

Also Present: Tim Salmon, City Manager

Ron Lawrence, City Attorney

Matthew Livingston, Assistant City Manager

Holly Jones, Deputy City Clerk

Laura Getz, City Clerk

<u>Amend Agenda.</u> Mayor Pro Tem Polack made a motion to remove Item R from the Agenda. The motion was seconded by Councilwoman Jones and unanimously carried.

Approval of Minutes. Mayor Pro Tem Polack made a motion to approve the minutes of the Work Session and Regular Meeting of April 3, 2023. The motion was seconded by Councilman Broadaway. Mayor Ham, Mayor Pro Tem Polack, Councilwoman Jones, Councilman Broadaway, Councilman Gaylor, and Councilman Batts voted in favor of the motion. Councilwoman Matthews voted against the motion. The motion passed 6:1.

Presentations.

Resolution Expressing Appreciation for Services Rendered by William Cobb as an Employee of The City of Goldsboro for More Than 33 Years. *Resolution Adopted*. William Cobb retires on May 1, 2023 as an Equipment

Operator, with more than 33 years of service with the Goldsboro Public Works Department. William began his career on May 3, 1989, as a Temporary Laborer with the Recreation and Parks Department. On August 4, 1989, William was transferred to Permanent Laborer II with the Public Works Department. On November 21, 1990, William was promoted to Equipment Operator I with the Public Works Department. On July 20, 1998, William was promoted to Equipment Operator II with the Public Works Department. On January 1, 2016, William was promoted to Motor Equipment Operator with the Public Works Department. On July 1, 2016, William was transferred to Equipment Operator with the Public Works Department, where he has served until his retirement. William has proven himself to be a dedicated and efficient public servant who has gained the admiration and respect of his fellow workers and the citizens of the City of Goldsboro. The Mayor and City Council of the City of Goldsboro are desirous, on behalf of themselves, City employees, and the citizens of the City of Goldsboro, of expressing to William Cobb their deep appreciation and gratitude for the service rendered by him to the City over the years, and express to William Cobb our very best wishes for success, happiness, prosperity, and good health in his future endeavors.

This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 17th day of April, 2023.

A motion was made by Councilman Broadaway to adopt the resolution. The motion was seconded by Councilwoman Jones and unanimously carried. Council adopted the following entitled Resolution.

RESOLUTION NO. 2023 – 30 "RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY WILLIAM COBB AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 33 YEARS"

National Volunteer Appreciation Week Proclamation. Read by Councilwoman Matthews. The Goldsboro City Council proclaimed the week of April 16-22, 2023 as NATIONAL VOLUNTEER APPRECIATION WEEK and urged all citizens to recognize and thank our volunteers across this country and within Goldsboro as we acknowledge the importance of our volunteers and take the time to officially thank them for all they do.

Sherry Archibald received the proclamation, and said a few words thanking all volunteers.

National Small Business Week Proclamation. Read by Mayor Pro Tem Polack. The Goldsboro City Council proclaimed, April 30 – May 6, 2023 as NATIONAL SMALL BUSINESS WEEK in Goldsboro, North Carolina, and declared support for our small businesses, recognized the innovations and contributions of small businesses, and urged the residents of our community to support small businesses and merchants during Small Business Week and throughout the year.

Esteban Guzman, Small Business Director, Wayne Community College-Wayne Business and Industry Center; Kimber L. Roche', DGDC Merchant Chair; Greg Mills, Business/Property Development Specialist, DGDC Office; Donna Phillips, Director, Wayne County Public Library; and Scott Satterfield, President Wayne County Chamber of Commerce; received the proclamation.

Goldsboro/Wayne Certificate of Appreciation. Eric Busse, Purple Heart Foundation, presented a Certificate of Appreciation to the City of Goldsboro for dedicated support and contribution to honor those that have borne the battle and have suffered the wounds of war.

Mayor Ham accepted the Certificate on behalf of himself and the City Council. He spoke to all those that have served and have received the Purple Heart, and thanked the Purple Heart Foundation for all that they do.

<u>Public Comment Period.</u> Mayor Ham opened the public comment period. The following people spoke:

1. Zyaire Webb, stated that those who should be held accountable have not been mentioned; it was an illegal event, and the owners of the property should be held accountable the same as the one that pulled the trigger.

Mayor Ham provided information on the history of the City's involvement in the property, including rezoning requests, violations, and notices, leading up to the event. He stated that the City was not aware of any events occurring on the property until this event occurred. Mayor Ham stated that City Officials met with the owners and their attorney the morning after the event, declaring a cease and desist on events; the meeting was followed up with a formal letter and notice of violation. Police Chief West stated that the investigation is still ongoing.

- 2. Christopher Ward, Assistant Manager of Piggly Wiggly, stated that he was worried, and the crowd gathered said a lot about the community. He stated that something has to change, and it takes a village.
- 3. Maria Bell, speaking for the victim's family, stated that she had served the community for decades, and spoke about the need for gun registration.
- 4. Matt Whittle, Habitat for Humanity, spoke in support of the family, stating there is power in numbers. He stated that housing and safety are connected, and he wants homeowners to feel safe.
- 5. Timothy Whitfield, Refuge Temple Church Outreach Ministries, stated that we should feel safe, even if we are not safe; say something if you see something.
- 6. Trebor Jackson, Deeper Life Church Ministries, stated he wants an atmosphere for our kids to grow and exist. He also stated he wants to work with Council and be a part of the solution; lets come together.

- 7. Tiffany Lawson, Attorney, raised concern about how guns have been used to take countless innocent lives, and that rarely a month goes by without a mass shooting.
- 8. Tasha Adams, stated she had many concerns, spoke to the rich history of Leslie Street, and stated people should not have to worry about the safety of their mothers, sons, and neighbors. She wants to see more police presence, wants to see change, and feels children need a place to enjoy and live life.
- 9. Patrick Lechner, spoke about the need to speak up, stating that someone should say something; this happened in broad daylight, and someone should know something.
- 10. Barbara Williams, spoke about the need for counselling for the surviving victims and their families. She also commended the Goldsboro Police for all they do.
- 11. Grace Johnson, raised concern about the illegal business at the residence not being shut down.

Mayor Ham emphasized that if anyone sees something, they should say something; call the police. He asked citizens to speak to a Councilmember if they have an idea. Mayor Ham asked the citizens to help the police identify those that have committed a crime.

Mayor Pro Tem Polack reiterated that somebody knows somebody that knows somebody, and expressed the need to hold everyone accountable.

Councilwoman Jones expressed her condolences to the families of those shot, and asked for prayer for the city and the families. She stated we need to put the action in proactive.

Councilwoman Matthews spoke about implementing a curfew. She also spoke to using the money currently set for NPOs to be earmarked for those organizations doing crime prevention, or for people and churches with ideas.

Councilwoman Jones stated that the money could also be used to provide a place for youth to go, so they do not have to rent a place.

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

Public Hearings.

UDO-1-23 Article 5: Section 5.5.4 – Special Use Specific Use Regulations (E) Bars, Nightclubs, Pool Halls, Microbreweries, Places of Entertainment (Both Public Private and for Profit) w/ ABC Permit – Continued from 4/3/23. *Public Hearing Held. Denial Ordinance Approved*.

APPLICANT: Kyle Merritt.

The applicant is proposing for the text located in Section 5.5.4 (E) of the City of Goldsboro UDO to be amended. The proposed amendment would remove language regarding how distance is measured to determine that there is at least 50 feet between Bars, Nightclubs, Pool Halls, Microbreweries, and Places of Entertainment (Both Public Private and for Profit) w/ ABC Permit. The way that distance is currently measured reads as follows.

The separation distance required by this section shall be measured in a straight line from property line to property line, with no consideration as to intervening structures, roads, or landforms.

The applicant is requesting for the portion of this text that reads "with no consideration as to intervening structures, roads or landforms." to be removed from the City of Goldsboro UDO.

By removing this, it creates a situation where you could include things such as a public right of way in the required distance separation to achieve the minimum 50 feet needed. These types of uses that are required to meet this 50 feet separation are still identified as Special Uses and would require quasi-judicial review and approval from City Council before any operation would be allowed to take place.

The applicant is requesting this Text Amendment to relocate "Church Spirits & Cocktails" to 116 W. Mulberry Street, which adjacent to St. Stephens Episcopal Church. The only thing separating the property lines is the Mulberry St. right-of-way. This text amendment, if approved, would create an opportunity for Kyle Merritt to apply for a Special Use Permit to establish "Church Spirits & Cocktails" at 116 W. Mulberry St.

The City of Goldsboro Comprehensive Plan classifies the Central Business District to be in the Mixed-Use Downtown designation. An identified goal of the comprehensive land use plan is to continue to focus on improvement of the downtown Goldsboro area. See below for the language for the proposed amendment.

ARTICLE 5: SECTION 5.5.4 SPECIAL USE SPECIFIC REGULATIONS (E)

The separation distance required by this section shall be measured in a straight line from property line to property line, with no consideration as to intervening structures, roads, or landforms.

Staff is neither recommending approval nor recommending denial. Staff is acknowledging the fact that if the text is amended that these types of uses (Bars, Nightclubs, Pool Halls, Microbreweries, and Places of Entertainment (Both Public Private and for Profit) w/ ABC Permit) would still be required to undergo the Special Use Permit process which would require City Council to perform quasi-judicial review on each separate request and apply conditions as they see necessary to mitigate the use.

The City of Goldsboro Planning Commission met on February 27, 2023, to review and make a recommendation regarding the text amendment. The Planning Commission voted to adopt the Inconsistency Statement (attached) and recommend denial to City Council for the proposed text amendment. The vote was 3-2.

Council shall vote to adopt the recommendation for denial and inconsistency statement that the Planning Commission has provided and vote to adopt the Ordinance to Deny with the inclusion of the Inconsistency Statement, or council shall vote to adopt the Ordinance to Approve, with the inclusion of a statement that deems this text amendment request to be consistent. Council first heard this item on March 20, 2023, the hearing was continued to April 3, 2023, at the April 3rd meeting, due to not having all Council members present, it was continued to April 17, 2023.

Mayor Ham asked to be recused due to he and his wife being members of the affected church. Councilman Broadaway made a motion to recuse Mayor Ham. The motion was seconded by Councilman Batts and unanimously carried.

Mayor Pro Tem Polack opened the public hearing. The following people spoke:

- 1. David Elliot, Pastor at St. James AME Zion Church, spoke against the amendment, feeling that a bar that close to a church would be dangerous.
- 2. Kyle Merritt, applicant, read a letter from the owners of Hairology in support of the business, and stated that he had spoken with the church wardens, and they were neither for nor against the business. He also stated that he was not asking for the required distance to be reduced; he is just asking for 50' to be 50'.

No one else spoke and the public hearing was closed.

Councilmembers discussed the proposed amendment.

A motion was made by Councilwoman Jones to adopt the Ordinance denying the amendment. The motion was seconded by Councilman Batts and unanimously carried. Council adopted the following entitled Ordinance.

ORDINANCE NO. 2023-16 "AN ORDINANCE DENYING AMENDING ARTICLE 5: SECTION 5.5.4 (E) SPECIAL USE SPECIFIC REGULATIONS: BARS, NIGHTCLUBS, POOL HALLS, MICROBREWERIES, PLACES OF ENTERTAINMENT (BOTH PUBLIC AND PRIVATE AND FOR PROFIT) – ABC PERMIT, OF THE CITY OF GOLDSBORO UNIFIED DEVELOPMENT ORDINANCE"

Mayor Ham returned at 8:29 p.m.

Contiguous Annexation Petition – New Hope Place, LLC - Located on the north side Cuyler Best Rd. between Oxford Blvd. and Glendas Dr. *Public Hearing Held. Ordinance Adopted*.

Tax Parcel #: 3610508709. Acreage: 14.04.

The City Council, at their meeting on April 3, 2023, scheduled a public hearing for the proposed annexation of the subject properties. A public hearing notice was properly advertised stating the time, place and purpose of the meeting. The property proposed for annexation received site plan approval for an 80-unit multi-family development on September 13, 2022.

Pursuant to G. S. 160A-31, at the public hearing all persons owning property in the area proposed to be annexed, as well as the residents of the municipality, shall be given an opportunity to be heard on the proposed annexation.

If the Council determines that the proposed annexation meets all the requirements of G. S. 160A-31, it has the authority to adopt an annexation ordinance.

Attached is a report prepared by the Planning Department in conjunction with other departments, concerning the subject annexation area. All City services can be provided to the property.

It was recommended that Council, by motion, after the public hearing, adopt the following entitled Ordinance annexing Tax Parcel # 3610508709 effective April 17, 2023.

Mayor Ham opened the public hearing. No one spoke and the public hearing was closed.

A motion was made by Councilman Broadaway to adopt the ordinance. The motion was seconded by Mayor Pro Tem Polack and unanimously carried. Council adopted the following entitled Ordinance.

ORDINANCE NO. 2023-17 "AN ORDINANCE ANNEXING CERTAIN CONTIGUOUS REAL PROPERTY TO THE CITY OF GOLDSBORO, NORTH CAROLINA"

Contiguous Annexation Petition – Highland Trails (JD Gupta) - Located on the south side of W New Hope Rd. between Somervale Ln. and Twin Oaks Pl. Public Hearing Held. Ordinance Adopted.

Tax Parcel #: 3600971450, 3600974104, 3600969806

Acreage: 19.35 acres

The City Council, at their meeting on April 3, 2023, scheduled a public hearing for the proposed annexation of the subject properties. A public hearing notice was properly advertised stating the time, place and purpose of the meeting. The properties proposed for annexation were rezoned by City Council on June 6, 2022, to Residential 12 for a 62-lot subdivision.

Pursuant to G. S. 160A-31, at the public hearing all persons owning property in the area proposed to be annexed, as well as the residents of the municipality, shall be given an opportunity to be heard on the proposed annexation.

If the Council determines that the proposed annexation meets all the requirements of G. S. 160A-31, it has the authority to adopt an annexation ordinance.

Attached is a report prepared by the Planning Department in conjunction with other departments, concerning the subject annexation area. All City services can be provided to the property.

It was recommended that Council, by motion, after the public hearing, adopt the following entitled Ordinance annexing Tax Parcel # 3600971450, 3600974104, & 3600969806 effective April 17, 2023.

Mayor Ham opened the public hearing. No one spoke and the public hearing was closed.

A motion was made by Mayor Pro Tem Polack to adopt the ordinance. The motion was seconded by Councilman Batts and unanimously carried. Council adopted the following entitled Ordinance.

ORDINANCE NO. 2023-18 "AN ORDINANCE ANNEXING CERTAIN CONTIGUOUS REAL PROPERTY TO THE CITY OF GOLDSBORO, NORTH CAROLINA"

SU-6-23 Place of Entertainment (no ABC Permit). Public Hearing Held. Continued to May 1, 2023.

ADDRESS: 307 N Berkeley Blvd. Suite E & F.

PARCEL #: 3519321795.

OWNER: AVI Investments, LLC.

APPLICANT: Treda Oates.

The applicant requests a Special Use Permit to establish a Place of Entertainment (no ABC Permit). The property is located in the Shopping Center (SC) Zoning District. The Shopping Center district is established to provide for a mix of office, retail, and service establishments in one development. The district is intended to promote high quality, unified, and accessible developments serving the needs of the community and surrounding area.

According to the City's Unified Development Code, Table 5.4 Permitted Uses, Places of Entertainment with no ABC Permit is permitted as a Special Use in the Shopping Center Zoning District, provided that City Council, acting as the Board of Adjustment votes to issue the permit.

Frontage: Property has double frontage and access off of both Spence Ave & Berkeley Blvd.

Area: Suite E & F approximately 2,400 sq feet (combined).

Zoning: Shopping Center

Existing Use: Vacant commercial units, upfit required.

The City's Land Use Plan locates this parcel within the Commercial land use designation. This designation was given based off of proximity to existing major transportation corridors and commercial development. The designation encourages in-fill development at existing commercial sites.

According to the Unified Development Ordinance, a Special Use Permit is required to establish a Place of Entertainment (no ABC Permit) in the Shopping Center Zoning District. The applicant is proposing that this use would operate as a flexible space that may be rented and used for entertainment purposes as well as a space that could be rented for conferences and large meetings. The space would not be permitted to allow for alcohol sales. If the Special Use is approved, the use will be required to go through Site Plan review and comply with any applicable requirements listed in the UDO.

Business Hours: Sunday-Saturday 8:00 AM – 12:00 midnight

Employees: 5 (volunteer employees included in this number)

There were no comments or concerns generated in the TRC review period.

Staff is recommending a condition be that a shared parking Agreement (per Section 6.1.6 of the Goldsboro UDO) be made between AVI Investment, LLC and one of the adjacent commercial properties in order to accommodate for the additional parking that is required for this use that is not currently existing on Tax Parcel # 3519321795.

It was recommended that after Public Hearing is closed, City Council shall enter into deliberation and vote on each of the four findings in order to determine whether or not the Special Use Permit shall be issued. See the attached worksheet for the four findings to be voted on and staffs comments related to each finding.

Councilman Gaylor asked for clarification of who would be responsible to obtain the shared parking.

Austin Brinkley, Assistant Planning Director, stated that: The way it is worded, AVI Investments is to organize the shared parking agreement with the adjacent parcel, that being they are the ones responsible for that agreement, knowing that the tenant occupying it has that agreement in place, rather than leaving it up to a tenant. We do have specific standards for that agreement in the UDO.

Councilman Gaylor asked if there was any authority to require AVI to make an adjustment, given that they had to build a certain number of spaces on the front end for the development.

Austin Brinkley, Assistant Planning Director: So, there is not any more space on that parcel to add any more additional parking. The UDO does allow shared parking to take place whenever it is present on other properties, so the existing parking there could accommodate for it.

Councilman Gaylor asked if that would be on the Northern side over by Pet Supplies Plus.

Austin Brinkley, Assistant Planning Director: Yes sir. So, on either one really, whoever they enter into a contact with to accommodate for it.

Councilman Gaylor: And if the neighbor says no?

Austin Brinkley, Assistant Planning Director: If the neighbor says no, the use can't occupy those units because they don't have valid parking for it.

Mayor Ham: So, you would deny it based on that.

Austin Brinkley, Assistant Planning Director: We wouldn't issue staff approval.

Councilman Gaylor asked roughly how many additional parking spaces do you suggest they need.

Austin Brinkley, Assistant Planning Director: For a place of entertainment the UDO requires around 70 for this size of place of entertainment.

Councilman Gaylor: So how many spaces in the existing development, roughly would you count towards a 70 or they going to have to get 70.

Austin Brinkley, Assistant Planning Director: No, they don't have to get 70 from somewhere else. The way the UDO reads, whenever certain businesses close down, you can occupy a certain percentage of their space. So, they would be able to accommodate some of their parking on site. Just not 100% of the parking on site.

Councilman Gaylor: So, it's kind of a floating number, depending on the circumstances of the moment.

Austin Brinkley, Assistant Planning Director: Yes.

Mayor Ham opened the public hearing. The following person spoke:

1. Manoj Bhatia, AVI Investments, LLC., spoke on behalf of Treda Oates, asking Council to reconsider the shared parking requirement:

Manoj Bhatia: Good evening, sorry for trying to jump in early before Austin did. I'm the owner of AVI investments. I'm trying to talk on behalf of Treda Oats. I'm from Raleigh, NC. The space that you saw, if you can see on the map right there, we have close to 210 spaces. We have three restaurants and a coffee shop. Majority of, because of the pandemic, you see a majority of the restaurants are going through a QSR service where it's a quick service restaurant where you get more takeouts than what's actually needed. With that being said, our tenant, Treda Oates, is a small business owner out of South Carolina. Her daughter is based in Raleigh, NC, and she's an event planner in Raleigh and she said there's a big demand for this space over here for birthday parties. She gets requests on a frequent basis, but nothing to serve over here. Treda is coming up, moving up from South Carolina to help her business, grow this business over here. What I'm asking is to reconsider the parking request, because if you go at any time; I've been there daytime, nighttime, evening, weekends. That parking lot is empty majority of the time. Asking my neighbors with Planet Fitness or Hobby Lobby, and we're trying to get in touch with them, trying to understand how the whole situation worked. This was brought to me over the last week, week and a half. Big tenants like Hobby Lobby, Planet Fitness, Harbor Freight, they have a contract where they are asked to provide a certain amount of parking spots. We're not doing that; we are just a small business. We encourage small business, and we want more small businesses to come to our shopping center. Our businesses, with Wingstop, the person Kirk is from Raleigh, Noah is a local guy who owns the Laughing Owl. We have Jack who is moving from Raleigh opening up foot reflexology, Barry has moved down from Pittsburgh. Treda is moving from South Carolina. I've got Amy who does the coffee shop and I've got Little Caesars, that's a big franchise over there. So, I'm requesting if you guys can reconsider not putting the stipulation of the parking. I know the UDO does say 75. I don't see my parking being used ever to that full extent. We have 210 spaces that can accommodate a lot of people in that area.

Mayor Pro Tem Polack: I have a question.

Manoj Bhatia: Sure.

Mayor Pro Tem Polack: I'm not as concerned with the parking as I am with the employees and supervision you have. I don't know if you were here when we were talking about the situation that happened with the young lady that was killed.

Manoj Bhatia: Yes.

Mayor Pro Tem Polack: You're talking about people from South Carolina, Raleigh, and all that, which I'm understanding they're coming here or whatever, but I saw you, on the previous slide I think, 5 employees. Is there

going to be someone there as a representative at all events that you're hosting, and how is it going to work as far as how you run your business? That's my question.

Manoj Bhatia: So, I'm the property owner from the tenant who is going to be there. From my conversations with her, she is going to be present during the events that are going to be handled.

Mayor Pro Tem Polack: Now let me ask you, is she going to be able to secure that facility. I mean, I don't, I'm just thinking outside the box, being proactive as we've said. I want to make sure, because as you see we have a limited space for people to use in this area. So being that one possibly maybe just be getting shut down when it's going to open, hopefully your business, but I just want to make sure that we have everything in place to prevent something of this magnitude that just occurred. So, I just want to be, you know, proactive.

Manoj Bhatia: I completely understand.

Mayor Pro Tem Polack: So, I just want to ensure, because the proposal that was done by the gentleman we spoke of earlier. He proposed all this grandiose idea of security and this and that, so I just want to be sure that moving forward that, you know, we're conscious of what's going on, and I just want to make sure that before we approve, that we know what we're dealing with as far as security and things of that nature, not just parking but other issues that go along with it.

Manoj Bhatia: Absolutely. As we purchased this property in 2018, this was when the Kmart existed at that time. We had a vision that the property wasn't being used properly, the parking was completely blocked off, you could not get onto our property from that center, you had to go around to Spence. We made a decision to open it up at our expense. The previous owners did not do any development. They were an ownership group out of New York. We decided to, you know, take it into our own hands and build it completely out to make it more accessible for folks to come in here. One of the things that, there are certain businesses that are calling our attention, and we have said no to them over and over and over again, because we understand the kind of crowd they attract. This is a family-based center, Dana, who is with Fantastic Sam's, Kirk who is with Wingstop; they are great partners with us, they keep eyes over there. We work with Wayne Realty, with Bob Logan and April Womble. They are there on a frequent basis checking out the property. I am there on a weekly to biweekly basis checking on the property and the condition on different times of day. As it concerns to what occurred last week, our permit for Treda Oates, this is, she runs a daycare, so I am trusting her on the way she runs her operations as a daycare and her daughter too as she does her operation in Raleigh as an event planner, to carry on the same principles of running a business here. Again, the permit is also without an ABC license as well, so we're trying to keep it as simple as possible, attract the right kind of crowd, make it a family related environment. My wife is a commercial broker in Raleigh and she's trying to get people to come look at Goldsboro from a different perspective, just being an hours drive. I think this is a community that people are sleeping on.

Mayor Pro Tem Polack: Thank you, Sir.

Councilwoman Jones: Well, I know that we're trying to be extremely cautious, and I don't know if this is an appropriate question, but I'm going to ask it anyway, maybe leaning kind of toward what Councilman Polack has said, but the lady that's going to be renting out, in her contract where she has the number of persons that are, will it be limited, since we don't, you can only have 70 spaces. So, in your contract where you talk about the limits per individuals per event, will you have that in your contract, and you know security, or how you're going to do that, as well as medical?

Manoj Bhatia: Sure. You know, I can ask that. I can put it in the contract. If you look at the space that way, she had designed the space, that's, you're asking 70 spaces to be filled out for a small event space that can hold between 30 to 50 people at the most, with tables and everything set in there. The UDO is the way the UDO reads, but if you look at the way she has designed the space, I don't see more than 25-30, if more, if not 50 people show up, and if I'm doing a basic math, I'm seeing between 15 to 20 cars at the most show up and I can get it into the contract where it says it has to be less than 75 cars based on the UDO, and I think she will be more than happy to sign that to say this is less than 75 cars.

Councilwoman Matthews: I have a quick question. I won't keep you long. So, you were saying originally that there's about 210 spaces.

Manoj Bhatia: 210 spaces.

Councilwoman Matthews: So, just so I'm clear, so, what we're saying is we're asking, AVI?

Manoj Bhatia: AVI. That's my son's name,

Councilwoman Matthews: OK, we're asking AVI to say; this new business owner along with the other businesses in that area to share parking.

Austin Brinkley: We're asking for him to have a contract agreement with an adjacent property to provide for parking, for this new proposed use that's going here, because the existing spots cannot accommodate a use of that volume. Typically, a place of entertainment like that would sit on a parcel by itself as a standalone use, or it would be, kind of where Dunham's is there, being the primary attractor to that center. Where in this case, a lot of this parking is already compromised. I do agree with what he says; you ride by that parking lot, it's not ever full, but we're bound to operate within the UDO, as far as what it requires based off the numbers. The shared parking is a way to make this work for him, but you have to, it has to be provided on that adjacent parcel.

Councilwoman Matthews: I'm sure you understood that, but thank you for, thank you for breaking that down for me again. So, I'm asking you if that's a matter of it being accepted or denied, is that something that you can do to get that?

Manoj Bhatia: We have already reached out to the representatives of the adjacent shopping centers, both are REITs, they are national REITs, I don't think they care about my little time, and seeing why they should they share space with me seeing that even though we have space available on our parking. They don't want to be held and get into a contract saying, hey you need to get parking from us even though you have parking. I don't know what the legal language how it'll spell out. I could put something in Chat GPT and spit something out real quick, but I don't think they want to hear that hey, you have parking and you still want my parking. That's kind of the sense that I'm going with is, we are never full. I mean, even on busy days that I see, less than 1/3 of that parking lot is filled up. I can get, as Ms. Jones said, I can get into a contract with Miss Oates and say: hey, you will not use more than 30 vehicles or whatever the number that we feel is comfortable over here for an event. Wingstop, Little Caesars, are takeout businesses; Coffee shops is a takeout business; haircuts are 15 minutes at the tops. So, there's not a lot of parking used at our space right now.

Mayor Ham: Thank you, sir.

Manoj Bhatia: Thank you.

No one else spoke and the public hearing was closed.

Council discussed the venue and parking situation of the center.

Councilman Gaylor made a motion to continue the public hearing to the next council meeting on May 1, 2023. The motion was seconded by Councilwoman Matthews. Council discussed what could be done between now and the next meeting to help with the situation. The motion carried unanimously.

<u>Consent Agenda</u> – **Approved as Recommended.** City Manager Tim Salmon 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. Councilman Broadaway moved the items on the Consent Agenda, Items J-Q and S-V be approved as recommended by the City Manager and staff. The motion was seconded by Mayor Pro Tem Polack, and a roll call vote resulted in all members voting in favor of the motion.

The items on the Consent Agenda were as follows:

Operating Budget Amendment FY22-23. *Ordinance Adopted*. Council adopted the FY22-23 annual operating budget on June 20, 2022.

Goldsboro Event Center

Ms. Felicia Brown, Parks and Recreation director, requested an appropriation of \$7,500 for additional part time salaries needed to handle events at the Goldsboro Event Center through the end of the fiscal year. Event center rental have outpaced budgeted revenues of \$44,000 by over \$40,000. The additional part time salaries will be funded with an increase in building rentals revenue.

Multi-Peril Insurance – General Fund

During the FY23 budget process, staff must estimate premiums in early February. Due to changes in rates and changes in exposures, the actual cost may vary from organization to organization. Several organizations in the General Fund were short in the budgeted estimated amount by a significant difference. The GEC, Information Technology, Public Works Administration, Building and Grounds, Solid Waste, Parks and Recreation, and Police are included in this additional appropriation of multi-peril insurance expense, and this will be funded with an additional appropriation of interest income revenue in the General Fund.

Finance

There are several line items in Finance requiring additional expenditure appropriation. Finance manages the payment of unemployment claim reimbursement to the Employment Security Commission, and there were quite few more claims than in the prior fiscal year. The budget was based on the prior year actual of \$500, and actual claims were received of approximately \$8,200.

It is expected that the first billing of the FY22 audit will be received in FY23 and the funds budgeted in the current year will be used to pay for the FY21 audit. An additional appropriation of \$22,000 is requested to pay for the first billing of field work.

The Finance department has been responsible for the administration and program management of the ARPA grant funding. An additional appropriation is requested so that we can finish the ARPA record keeping that is required by Uniform Guidance in order to comply with the grant. An additional appropriation of \$22,300 is requested. We anticipate that all grant paperwork will be completed by the end of FY23.

In preparing the June 30 estimates of revenue for the General Fund, it is expected that the NCVTS fees will be slightly short of the budgeted expense in the amount of \$5,890.

On July 7, 2022 the legislature enacted SL2022-53 which made significant changes to N.C. G.S. §159-29 Fidelity Bonds which require the Finance Officer and the Tax Collector to be bonded. The threshold was raised from \$50,000 to an amount equal to 10% of the unit's annually budgeted funds, up to \$1M bond. The City falls into the category which requires the \$1M bond. An additional appropriation is required to fund the additional cost of premiums for the Finance Director and Tax Collector in the amount of \$6,760.

The additional expense appropriations listed above for Finance will be funded with an appropriation of interest income revenue.

Police

Chief Mike West has requested an additional appropriation to fund the upfit of police cars in the amount of \$63,720. The upfit will be performed on (2) 2022 Ford Police Interceptors, (2) Ford Mustang, (2) Chevrolet Tahoes, (1) Ford Bronco. The expense appropriation will be funded with an appropriation of insurance proceeds revenue.

Stormwater Fund – Transfers

The final appropriation necessary to pay for the stormwater assessment being conducted by CDM Smith is required in FY23 in the amount of \$221,495. This will be funded with an appropriation of fund balance from the Stormwater Fund.

An analysis of fund balance appropriated in the Stormwater Fund is presented below:

Date	Description	Adopted
6/20/2022	Ord 2022-31 FY22-23 Adopted Budget	\$ -
8/15/2022	FY21-22 Purchase Order Rollovers	 62,900.00
	Current Year Appropriations	\$ 62,900.00
4/17/2023	Stormwater Assessment (CDM Smith) T2201	\$ 221,495.00
	Proposed	\$ 284,395.00
	Current Year with Proposed	\$ 347,295.00

Compost – Utility Fund

Previously, Mr. Bert Sherman, Public Utilities Director presented an item for approval for the purchase of a tandem dump truck for the Compost facility in the amount of \$171,000. This will be funded with an appropriation from the Utility Capital Reserve.

Travel & Tourism – Occupancy Tax

The Travel and Tourism department received a reimbursement of \$5,037.15 from the NC Tennis Association in November, 2022 for event costs related to the tennis event held here in Goldsboro. The revenue will be appropriated as a local grant and will fund additional event costs incurred by Travel and Tourism.

It was recommended that the City Council, by motion, adopt the following entitled Ordinance to amend the FY22-23 Operating Budget for the General Fund, Stormwater Fund, Utility Fund, and Occupancy Tax Fund. Consent Agenda Approval. Broadaway / Polack (7 Ayes).

ORDINANCE NO. 2023-19 "AN ORDINANCE AMENDING THE BUDGET ORDINANCE OF THE CITY OF GOLDSBORO FOR THE 2022-23 FISCAL YEAR"

Grant Project Budget Amendment for the Stormwater Capital Projects Fund (T2201) *Ordinance Adopted*. At the January 10, 2022 council meeting, City Council was presented with a brief history and an update on the Stormwater Fund from inception to date, including a discussion about the capital projects that the revenues were anticipated to fund. A professional engineering agreement with CDM Smith, Inc. was authorized to be executed with a total cost not exceed \$1,567,900 for the contract period, and not to exceed \$1,100,000 in FY22. The Vine Street project was also approved which will be completed with City force labor. On January 24, 2022, Council approved the appropriation of a transfer from the Stormwater Fund to the Stormwater Capital Projects Fund of \$640,000.00 to fund the mapping and GIS overlay project, as well as a reduction of Contingency to fund the same. At the September 6, 2022 Council approved the addition of funding from the FY23 adopted budget ordinance from the Stormwater Fund.

Attached is an ordinance amending the Stormwater Capital Project Fund to appropriate revenue from a transfer from the Stormwater Fund for the remaining costs approved for the stormwater mapping assessment by CDM Smith in the amount of \$221,495. In addition, the Vine Street project was completed with a total cost of \$26,465.01, and the remaining balance of \$13,534.99 is being transferred to the stormwater mapping and GIS overlay project.

It was recommended that the City Council, by motion, adopt the following entitled amendment to the Stormwater Capital Project Fund (T2201). Consent Agenda Approval. Broadaway / Polack (7 Ayes).

ORDINANCE NO. 2023-20"AN ORDINANCE AMENDING THE GRANT PROJECT FUND FOR THE STORMWATER CAPITAL PROJECT FUND (T2201)"

Grant Project Budget Ordinance for the State Grants Miscellaneous Grant Project Fund (G1109) *Ordinance Adopted.* The North Carolina General Assembly adopted the FY23 budget earlier this fiscal year. The budget included a grant for the City of Goldsboro for \$150,000 split between capital improvements or equipment of \$100,000 and parks and recreation \$50,000. At the November 7, 2022 Council meeting, Council approved 2 resolutions to accept both awards.

The Parks and Recreation Director, Ms. Felicia Brown, has completed and submitted the scope of work. The North Carolina Office of State Budget and Management has approved the scope and has executed the grant agreement with the City of Goldsboro. Funding was received after execution of the agreement in the amount of \$50,000 on February 15, 2023. At this time, Ms. Brown has requested an appropriation of the expenditures in accordance with the scope of work so that she and her staff may begin fulfilling the terms of the agreement in a timely manner. In accordance with the grant agreement, these funds are being accounted for in a grant project ordinance.

It was recommended that the City Council, by motion, adopt the following entitled Ordinance creating the State Grants Miscellaneous (G1109). Consent Agenda Approval. Broadaway / Polack (7 Ayes).

ORDINANCE NO. 2023-21 "AN ORDINANCE CREATING THE GRANT PROJECT FUND FOR STATE GRANTS MISCELLANEOUS(G1109)"

Nonprofit Funding Policy (FINPOL-N001) Amendment. *Resolution Adopted.* In the FY2022-23 budget process, the City initiated changes to implement a more formal process to apply, approve and fund nonprofits performing contracted services for the City.

At the January 15, 2023, Council approved resolution to adopt a nonprofit funding policy.

At this time, it is necessary for Council to amend the attached Nonprofit Funding Policy (FINPOL-N001) for the requirement of audits for NPO's that receive more than \$200K in revenue each year as approved at the February 22, 2023 Council retreat. This decision affects the FY23 NPO funding. The policy will be amended in FY24 to reflect the changes approved by Council at the April 3, 2023 meeting.

It was recommended that the City Council, by motion, adopt the following entitled Resolution to amend the Nonprofit Funding Policy (FINPOL-N001). Consent Agenda Approval. Broadaway / Polack (7 Ayes).

RESOLUTION NO. 2023-31 "RESOLUTION AMENDING POLICY FOR NONPROFIT FUNDING (FINPOL-N001)"

Dillard/Goldsboro Alumni Parade – Temporary Street Closure. *Application Approved*. The Dillard-Goldsboro Alumni & Friends, Inc. 68th Homecoming has events scheduled through the weekend to include the Dillard/Goldsboro Alumni & Friends, Inc. Annual Homecoming Parade.

The street closing request for Saturday, May 27, 2023 is as follows:

<u>Parade Route</u>: North on Center Street at Spruce Street to Mulberry Street, going around the traffic circle heading South on Center Street back to Spruce Street, ending at Spruce Street.

<u>Staging Areas (streets closed for staging):</u> Pine Street between James Street and John Street; Spruce Street between James Street and Center Street; Center Street between Elm and Center Streets.

Additional Closures recommended by the Police Department to manage traffic flow will encompass: Mulberry Street from James Street to John Street; Walnut Street from James Street to John Street; Chestnut Street from James Street to John Street; Spruce Street from James Street to John Street; Pine Street from James Street to John Street; and Center Street at Elm Street.

Parking Restrictions: No parallel parking on Center Street from Pine Street to Ash Street.

The time requested for the street closing is from 8:00am to 11:30am. Police have indicated that traffic will be restricted from 7:00am until 9:30am and all traffic stopped at 9:30am. The actual parade will begin at 10:00am and end at approximately 11:30am.

As with all downtown events, affected city departments will be contacted and the following concerns are to be addressed:

- 1. All intersections remain open for Police Department traffic control.
- 2. A 14-foot fire lane is to be maintained to provide access for fire and emergency vehicles.
- 3. All activities, change in plans, etc., will be coordinated with the Police Department.
- 4. The Police and Fire Departments should be involved in the logistical aspects of the Event.

It was recommended that Council, by motion, grant the requested temporary street closures of the sections of Pine Street, John Street, Center Street, James Street, Spruce Street, Chestnut Street, Walnut Street, and Mulberry Street for the Dillard-Goldsboro Alumni & Friends, Inc. 68th Homecoming Parade staging area and parade route from 8:00am to 11:30am on Saturday, May 27, 2023, as stated above. Consent Agenda Approval. Broadaway / Polack (7 Ayes).

Jamz Out Juneteenth – Temporary Street Closure. *Application Approved.* A celebration of Freedom – Music artist, bouncy houses, vendors and food trucks.

The event will be hosted at The HUB and Freedom Field from 3:00pm-8:00pm on June 17, 2023. The event is sponsored by Curtis Media Group, and they are requesting the closure of the southbound and northbound lanes of South Center Street from Chestnut Street to Elm Street from 12:00pm-8:30pm.

As with all downtown events, affected city departments will be contacted and the following concerns are to be addressed:

- 1. All intersections remain open for Police Department traffic control.
- 2. A 14-foot fire lane is to be maintained to provide access for fire and emergency vehicles.
- 3. All activities, change in plans, etc., will be coordinated with the Police Department.
- 4. The Police and Fire Departments should be involved in the logistical aspects of the Event.

It was recommended that Council, by motion, grant the requested temporary closing of S. Center Street from Chestnut Street to Elm Street as stated above. Consent Agenda Approval. Broadaway / Polack (7 Ayes).

Center Street Jam Concert Series – Temporary Street Closure. *Application Approved.* The City of Goldsboro's Downtown Development Dept., in conjunction with the Downtown Goldsboro Development Corporation looks forward to hosting the annual Center Street Jam Summer Concert Series. The Center Street Jam is a community-favorite event, bringing crowds of 1500 – 3500 to enjoy live music, fellowship and food from local vendors. As always, Center Street Jam concerts are free, family-friendly and open to the public.

The events will be hosted every other Thursday from 6:00pm - 9:00pm at The HUB in the 200 block of South Center Street. Event dates are May 4th, May 18th, June 1st, June 15th, June 29th, July 13th, July 27th, and August 10th. For the safety of event-goers, the Downtown Development Department and DGDC are requesting the closure of the northbound lane of South Center Street from Spruce to Chestnut and a partial closure of East Chestnut from Center Street to the Chestnut Street PD parking lot entrance from 4:00pm - 9:30pm.

As with all downtown events, affected city departments will be contacted and the following concerns are to be addressed:

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

It was recommended that Council, by motion, grant the requested temporary closing of the northbound lane of South Center Street from Spruce to Chestnut Street and a partial closure of East Chestnut Street from Center Street to the Chestnut Street PD parking lot entrance, as stated above. Consent Agenda Approval. Broadaway / Polack (7 Ayes).

Set Public Hearing - Contiguous Annexation Petition – Perry Real Estate Group – Located at the intersection of New Hope Rd. & Hare Rd. *Public Hearing Set*.

Tax Parcel #: 3610839018 & 3610828686

Acreage: 32.70 acres

The City Council, at their meeting on April 3, 2023, requested that the City Clerk examine the voluntary contiguous annexation petition for sufficiency.

On April 4, 2023, the City Clerk completed the examination and determined that the petition is sufficient. Sufficiency indicates that all property owners have signed the petition for voluntary annexation and that all information listed upon the application is accurate.

Pursuant to G. S. 160A-31, Council shall fix a date for public hearing on the annexation once the petition is considered sufficient by the City Clerk.

The attached Notice of Public Hearing would schedule May 1, 2023, as the date for the public hearing. A report prepared by the Planning Department, in conjunction with other City departments, will be submitted to the Council on that date.

It was recommended that Council, by motion, schedule a public hearing for the proposed voluntary contiguous annexation of Perry Real Estate Group, Tax Parcels 3610839018 & 3610828686 for May 1, 2023. Consent Agenda Approval. Broadaway / Polack (7 Ayes).

SU-3-22 – **Gregory Sakas (Retail Sales) 4265 E. US Hwy 70.** *Approved.* This Special Use Permit was DENIED by City Council on May 2, 2022. The decision of the City Council was appealed to the Superior Court of Wayne County and the denial was reversed by the Superior Court. The Superior Court of Wayne County has ORDERED Council to APPROVE SU-3-22, this is not eligible for further deliberation or discussion. Mayor Ham shall sign the order. Consent Agenda Approval. Broadaway / Polack (7 Ayes).

Use of Public Utilities Capital Reserve to fund the purchase of a replacement Dump Truck for the Compost facility. *Resolution Approved*. Currently the City owns a 2003 Sterling Dump Truck assigned to the Compost facility. This Dump Truck is an essential piece of equipment that transports biosolids from the WRF to the Compost facility.

The Dump Truck needs replacement, due to age, milage (134,041 miles) and constant repairs. Staff is requesting \$171,000 out of the Utilities Capital Reserve to fund the replacement of the Compost Facility Dump Truck. The current estimated delivery for trucks is two years. Pricing for a tandem axle dump truck was received from Piedmont Trucking under the NC Sheriff's Association competitive bidding group Heavy Equipment Procurement Program Bid 22-06-0426R.

Staff recommended that the Council approve the use of the Public Utilities Capital Reserve fund in the amount of \$171,000 to purchase a tandem axle dump truck for the Compost Facility. Consent Agenda Approval. Broadaway / Polack (7 Ayes).

RESOLUTION NO. 2023-32 "RESOLUTION OF INTENT TO PURCHASE USING PROCUREMENT EXCEPTION"

Fleet and Fuel Policy. *Resolution Adopted.* This policy details the management, operations, and maintenance of City of Goldsboro (City) government owned and leased vehicles and motorized equipment (fleet), and the associated fuel procedures, to ensure a safe work environment for employees, a positive public image, and protect against liability.

The City Manager, in coordination with department heads, is responsible for the development and implementation of this policy. Department heads are responsible for the policy tasks and the development and implementation of appropriate department standard operating procedures.

Department heads will authorize and assign the use of all City-owned or leased vehicles assigned to their department to an employee or divisional supervisor via the Fleet and Fuel Policy Acknowledgement Statement and the Department Fleet Assignment List. Take-home vehicles for emergency on-call employees must be approved by the City Manager.

This policy covers: Take Home Vehicles, Inclement Weather, Accident/Crash Actions and Reporting, Drug Tests, Key (Fob) Responsibility, Maintenance, Employee Accountability, Moving Violations, Equipment Citations, Insurance Reporting, Insurance on Rented Vehicles and Motorized Equipment, Driver Training, Vehicle and Motorized Equipment Replacement, Use of City Fuel Pumps, and Duty to Notify of Fraud, Waste or Abuse.

It was recommended that Council approve the following entitled Resolution adopting the Fleet and Fuel Policy. Consent Agenda Approval. Broadaway / Polack (7 Ayes).

RESOLUTION NO. 2023-33 "RESOLUTION ADOPTING THE FLEET AND FUEL POLICY"

Departmental Monthly Reports. *Accepted as Information.* The various departmental reports for March 2023 were submitted for Council approval. It was recommended that Council accept the reports as information. Consent Agenda Approval. Broadaway / Polack (7 Ayes).

End of Consent Agenda.

<u>City Manager's Report.</u> Tim Salmon, City Manager, shared his condolences to the families and friends of the shooting victims from the event on the 12th, and of Aubry Redding on the 15th. He thanked the community for coming out for their vigil and march; community policing involves the community not just the police. Tim, Salmon, City Manager, also stated that there are several openings in the Police Department and asked citizens to consider applying. He thanked the Goldsboro Police Department for their service.

Tim Salmon, City Manager, stated that there is a system development fee that went out for public review for the next 45 days, as well as the annual action plan deals with a lot of HUD homes and CDBG funding that is out for public comment for 30 days; they can be found on our home page under important announcements. He also stated that information will soon be posted for our spring clean-up on May 6th; if people would like to sign up and be part of that it would be much appreciated.

Mayor and Councilmembers' Comments.

Councilman Batts stated that his heart goes out to the family of the young girl that was murdered.

Councilman Gaylor stated that having to be reminded about a second shooting says it all. He stated that an amazing job was done on the vigil and there was an amazing gathering tonight. Councilman Gaylor stated we have an amazing police force, and asked for those that were there to say something, because the Police Departments hands are tied if they do not get any information on what happened.

Councilwoman Matthews had no comment.

Mayor Pro Tem Polack thanked everyone that came out tonight. He stated that we need to continue the conversation and uplift the community; we need to work collectively and unite, not separate. We need to use this as a template for moving forward; to do something positive and be proactive before the next tragedy.

Councilman Broadaway thanked everyone that came out tonight. He stated that the entire nation is frustrated with the gun violence, and we need to join together as a community. He also asked, if you see something, say something.

Councilwoman Jones stated that we need to be proactive; we need to put the action in proactive. She stated that there will be a proposal for a day camp and summer camp, and suggested that is where the City's money needs to go; into our youth, our children, and our community.

Mayor Ham also thanked everyone that came out tonight; it was a good show of force in trying to change the situation. He stated that it is going to take individual effort, and invited the Councilmembers and staff to listen to any ideas that citizens may have. Mayor Ham stated that we are going through budget recommendations now, so if we want to redirect NPO funds, we need to think about it quickly; we need to give thought, but do not need to delay. He stated that we need to have communication in the next 7-10 days, not wait until the next council meeting to come up with a plan. He also asked if the Councilmembers had any further comments.

Mayor Pro Tem Polack asked if a date needed to be set. Mayor Ham stated that a time needed to be set to listen, not a formal council meeting.

Councilwoman Matthews discussed a program in Fayetteville in which the City listened to pitches from crime prevention programs to determine who to fund. She also suggested a meeting of the minds to determine the structure for moving forward. Mayor Ham asked if she meant having a working session to discuss our resources and limitations. Councilwoman Matthews confirmed that was correct; in order to determine what they would do as a Council.

Tim Salmon, City Manager, proposed that Councilmembers discuss the situation offline, and announce a date at another time.

Mayor Ham and Councilwoman Matthews agreed that the districts could be polled, and ideas submitted to the City Clerk over the next week, then consolidated and sent to Councilmembers for review and consideration; then a date could be determined for Council to meet and discuss.

Mayor Ham stated they would end that discussion for now. He also reminded Councilmembers to respond to an email from Sherry Archibald concerning NPO Funding.

There being no further business, Mayor Ham adjourned the meeting at 9:31 p.m.

David Ham Mayor

inay or

Holly Jones

Deputy City Clerk



200 North Center Street, 27530 **P** 919.580.4362

MENTAL HEALTH MONTH PROCLAMATION

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives; and

WHEREAS, prevention is an effective way to reduce the burden of mental health conditions; and

WHEREAS, there is a strong body of research that supports specific tools that all Americans can use to better handle challenges and protect their health and well-being; and

WHEREAS, mental health conditions are real and prevalent in our nation; and

WHEREAS, with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

WHEREAS, each business, school, government agency, health care provider, organization and citizen shares the burden of mental health problems and has responsibility to promote mental wellness and support prevention efforts.

NOW, THEREFORE, I, David Ham, Mayor of the City of Goldsboro, North Carolina, do hereby proclaim May 2023 as

MENTAL HEALTH MONTH

and call upon the citizens, government agencies, public and private institutions, businesses and schools in Goldsboro to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Goldsboro, North Carolina, this the 1st day of May, 2023.



David Ham, Mayor

44	\mathcal{C}
Item	

CITY OF GOLDSBORO AGENDA MEMORANDUM MAY 1, 2023 COUNCIL MEETING

CONTINUED FROM 4/17/23 COUNCIL MEETING

SUBJECT:

PUBLIC HEARING

SU-6-23 Place of Entertainment (no ABC Permit)

ADDRESS: 307 N Berkeley Blvd. Suite E & F

PARCEL #: 3519321795

OWNER: AVI Investment, LLC

APPLICANT: Treda Oates

BACKGROUND:

The applicant requests a Special Use Permit to establish a Place of Entertainment (no ABC Permit). The property is located in the Shopping Center (SC) Zoning District. The Shopping Center district is established to provide for a mix of office, retail and service establishments in one development. The district is intended to promote high quality, unified and accessible developments serving the needs of the community and surrounding area.

According to the City's Unified Development Code, Table 5.4 Permitted Uses, Places of Entertainment with no ABC Permit is permitted as a Special Use in the Shopping Center Zoning District, provided that City Council, acting as the Board of Adjustment votes to issue the permit.

Frontage: Property has double frontage and access off of both

Spence Ave & Berkeley Blvd.

Area: Suite E & F approximately 2,400 sq feet

(combined).

Zoning: Shopping Center

Existing Use: Vacant commercial units, upfit required.

Land Use Plan: The City's Land Use Plan locates this parcel within the Commercial land use designation. This designation was given based off of proximity to existing major transportation corridors and commercial development. The designation encourages in-fill development at existing commercial sites.

DISCUSSION:

According to the Unified Development Ordinance, a Special Use Permit is required to establish a Place of Entertainment (no ABC Permit) in the Shopping Center Zoning District. The applicant is proposing that this use would operate as a flexible space that may be rented and used for entertainment purposes as well as a space that could be rented for conferences and large meetings. The space would not be permitted to allow for alcohol sales. If the Special Use is approved, the use will be required to go through Site Plan review and comply with any applicable requirements listed in the UDO.

Business Hours: Sunday-Saturday 8:00 AM - 12:00 midnight

Employees: 5 (volunteer employees included in this number)

TRC REVIEW:

There were no comments or concerns generated in the TRC review period.

STAFF COMMENTS: Staff initially recommended a condition be that a shared parking agreement be required as a condition for approval of this special use request. After further evaluation of the Goldsboro Unified Development Ordinance and the site itself, staff would like to rescind this recommendation. Staff has found that the UDO contains language that states the following:

ARTICLE 6: SECTION 6.1.2 OFF-STREET PARKING REQUIREMENTS

1.) Unless otherwise approved, lots containing more than one use must provide parking and loading equal to the total amount required by all uses.

It is the Interim Planning Director's professional interpretation that this language does allow for City Council to make an approval for parking that does not meet the requirements of the UDO based off of the evidence that staff has collected and observed on site. The subject property has a maximum capacity of 210 parking spaces. Planning staff performed site visits to the property on April 19-22nd at various times and at no point was the parking lot ever at 50% capacity.

PARKING LOT COUNTS

- April 19th at 12:45 PM 46 cars
- April 20th at 1:35 PM 43 cars
- April 21st at 12:40 PM 45 cars
- April 21st at 4:00 PM 42 cars
- April 22nd at 7:30 PM 30 cars

REQUIRED ACTION: After Public Hearing is closed, City Council shall enter into deliberation and vote on each of the four findings in order to determine whether or not the Special Use Permit shall be issued. See the attached worksheet for the four findings to be voted on and staffs comments related to each finding.

Austin Brinkley hterim Planning Director

Date: $\frac{4|24|23}{28/23}$

Timothy Salmon, City Manager

CITY COUNCIL WORK SHEET SU-6-23 PLACE OF ENTERTAINMENT (NO ABC PERMIT) 307 N BERKELEY BLVD. SUITE E & F

Staff comments in red.

- 1. The proposal is to establish a Place of Entertainment (no ABC Permit). This use would not pose any immediate threat to public health or safety.
 - Consider aspects of the proposed use or development that may have a negative impact on public health and safety.
 - Discuss conditions, if any that Council might impose in order to make this finding.
 - For each condition imposed, if any, state the reason the condition is necessary to protect public health and safety.
 - Consider any conditions to be applied to the application.
 Yes, the use will not materially endanger the public health or safety
 No, the use will materially endanger the public health or safety
- 2. There was no evidence presented with the application that indicates the use will injure the beneficial use of adjoining or abutting property.
 - Consider aspects of the proposed use or development that may have a negative impact on the value of adjoining properties.
 - Consider aspects of the proposed use of development that make it a public necessity. (Note: most private applications for a special use permit will not rise to the level of a "public necessity")
 - Discuss conditions, if any, that Council might impose to make this a finding.
 - For each condition imposed, if any, state the reason the condition is necessary to protect the beneficial use of adjoining or abutting properties.
 - Consider any conditions to be applied to the application.

 Yes, the use will not substantially injure the beneficial use of adjoining or abutting property

_____No, the use will substantially injure the beneficial use of adjoining or abutting property

- 3. The proposed use will be located in the Shopping Center Zoning District. The proposed use would be in harmony with the district and is not anticipated to have a negative impact.
 - Consider aspects of the proposed use or development that may have a negative impact on the nature or character of the surrounding community.
 - Consider whether the proposed use or development is in general conformity with the Unified Development Ordinance.
 - Discuss conditions, if any, that Council might impose to make this finding.
 - For each condition imposed, if any, state the reason the condition is necessary to ensure harmony with existing development and uses of the surrounding area.
 - Consider any conditions to be applied to the application.
 - Yes, the use will be in harmony with existing development and uses within the area in which it is located
 - No, the use will not be in harmony with existing development and uses within the area in which it is located
- 4. The Land Use Plan shows the property as being in the Commercial designation. This proposed use will not serve as a detriment to this designation due to the fact this type of use will not generate any type of traffic or use impact that is not already in existence within this area.
 - Consider whether the proposed use or development is in general conformity with the City of Goldsboro Comprehensive Land Use Plan.
 - Discuss conditions, if any, that the Board might impose to make this finding.
 - For each condition imposed, if any, state the reason the condition is necessary to ensure general conformity with the City of Goldsboro Comprehensive Land Use Plan.
 - Consider any conditions to be applied to the application.
 - Yes, the use will be in general conformity with the City of Goldsboro Comprehensive Land Use Plan
 - No, the use will not be in general conformity with the City of Goldsboro Comprehensive Land Use Plan

CITY OF GOLDSBORO AGENDA MEMORANDUM MAY 1, 2023 COUNCIL MEETING

SUBJECT:

PUBLIC HEARING

Contiguous Annexation Petition - Perry Real Estate Group - Located at the intersection of New Hope Rd. &

Hare Rd.

Tax Parcel #: 3610839018 & 3610828686

Acreage: 32.70 acres

BACKGROUND:

The City Council, at their meeting on April 17, 2023, scheduled a public hearing for the proposed annexation of the subject properties. A public hearing notice was properly advertised stating the time, place and purpose of the meeting. There are no approved site plans for a specific use

on these parcels at this time.

DISCUSSION:

Pursuant to G. S. 160A-31, at the public hearing all persons owning property in the area proposed to be annexed, as well as the residents of the municipality, shall be given an opportunity to be heard on the proposed annexation.

If the Council determines that the proposed annexation meets all the requirements of G. S. 160A-31, it has the authority to adopt an annexation ordinance.

Attached is a report prepared by the Planning Department in conjunction with other departments, concerning the subject annexation area. All City services can be provided to the property.

RECOMMENDATION:

By motion, after the public hearing, adopt the attached Ordinance annexing Tax Parcels # 3610839018 & 3610828686 effective May 1, 2023.

Date: $\frac{4}{20}$ 23

Austin Brinkley, Inferim Planning Director

Timothy Salmon, City Manager

CONTIGUOUS ANNEXATION REPORT PERRY REAL ESTATE GROUP

1. Property Description

- a. Location: Located at the intersection of New Hope Rd. & Hare Rd.
- b. Population: Not applicable, property currently vacant (no proposed development at this time).
- c. Acreage: 32.70
- d. Zoning: General Business, Office & Institutional I
- e. Tax Parcel: 3610828686 & 3610839018
- 2. <u>Engineering Description</u> (see attached metes and bounds description)

3. Qualifications

- a. The area proposed to be annexed meets the requirements of G. S. 160A-31.
 - The City of Goldsboro has received a petition signed by all owners and the City Clerk has certified sufficiency. Sufficiency was certified on April 4, 2023.

4. Plans for Extension of Municipal Services

- a. <u>Fire Protection</u>: The City will provide fire protection to the subject properties.
- b. <u>Police Protection</u>: The City will provide police protection to the subject properties.
- c. <u>Refuse Collection</u>: The City's Public Works Department will provide service to the subject properties.
- d. <u>Street Construction and Maintenance</u>: No existing streets are included in the petition for annexation.
- e. <u>Water and Sewer Service</u>: City water and sanitary sewer lines are available to serve the property. The developer is responsible for the extension of water and sewer lines to serve the properties.

f. <u>Estimated Revenues</u>: The estimated revenue for the undeveloped property, as listed below, is based on the assessed valuation for 2019.

Existing Development:

Vacant Land @ 32.70 acres

Land Value

(Wayne Co. Tax Office):

\$396,200.00 / \$100.00 = \$3,962.00

Estimated Revenue

(City tax rate):

\$3,962.00 X .68 / \$100 = \$2,694.16

g. Estimated Payments to Volunteer Fire Department:

As required under G. S. 160A-31.1, the City is required to pay either:

1. A <u>proportionate share</u> of the Saulston Volunteer Fire Department's debt if the calculated amount is \$100 or more.

*The City of Goldsboro obtained information from the Saulston Volunteer Fire Department to determine if a proportionate share will be owed. As of April 19, 2023, there will be no proportionate share owed.

- 2. The cost of <u>contracting for fire protection</u> with the Saulston Volunteer Fire Department. (Not applicable)
- 5. Voting District

The City adopted a new Official Election District Boundary Map on August 1, 2022. It is customary to add a newly annexed area to the nearest voting district, therefore, this area, if annexed, will be added to District 5 unless the City Council instructs the City staff to include this area in another district.

6. <u>Staff Findings</u>: The proposed annexation meets the City policy requirements as outlined in all of the above items and NCGS 160A-31.

METES AND BOUNDS DESCRIPTION

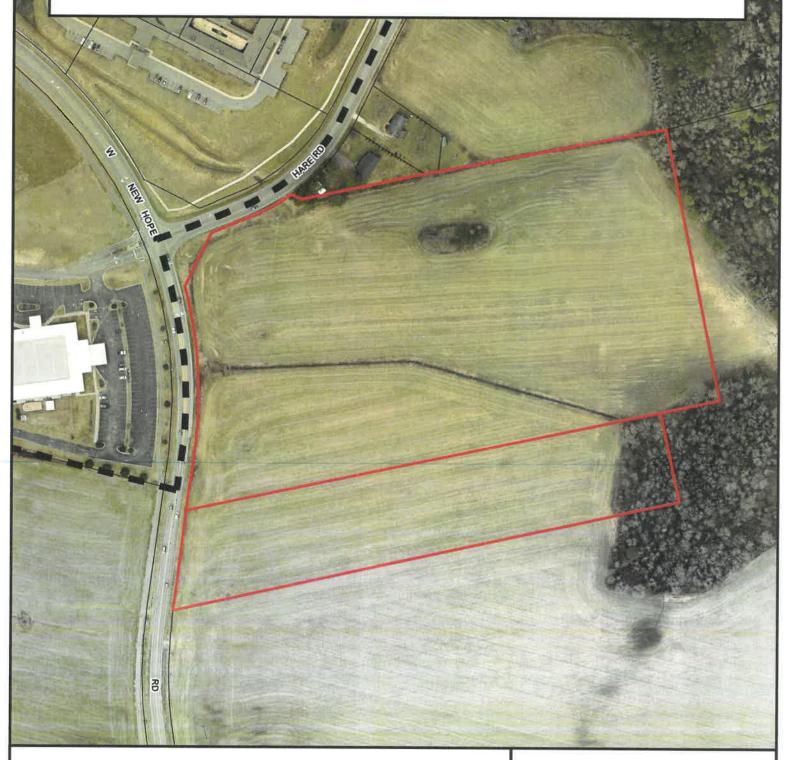
PERRY REAL ESTATE GROUP

TRACT 1: BEGINNING at a PK nail at the centerline intersection of N. C. Secondary Road No. 1003 (New Hope Road) and N. C. Secondary Road No. 1570 (Hare Road); thence from the beginning, with the centerline of N. C. Secondary Road No. 1570 (Hare Road), N. 74° 12' 12" E. 150.00 feet to a Mag nail in said road center; thence continuing with said road center, N. 74° 12' 12" E. 16.69 feet to a Mag nail in said road center: thence continuing and with said road center, N. 74° 12' 12" E. 20.32 feet to a Mag nail in the centerline of N. C. Secondary Road No. 1570 (Hare Road); thence with said road center, along a curve to the left having an arc distance of 97.02 feet, a radius of 430.00 feet (a chord), N. 67° 47' 11" E. 96.81 feet to a PK nail in said road center; thence leaving said road center, S. 53° 31' 46" E. 32.83 feet to an iron stake on the Eastern right of way of N. C. Secondary Road No. 1570 (Hare Road); thence leaving said road right of way, S. 53° 31' 46" E. 27.38 feet to an iron stake; thence with the line of the property of Paul B. Drohan et al, and to and with the center of a ditch, N. 81° 55' 00" E. 314.32 feet to a point in said ditch center; thence leaving the ditch, and with the line of the property of Eugene L. Grandy, N. 09° 51' 31" E. 82.97 feet to a point; thence with the line of the property of Eugene L. Grandy, N. 53° 31' 27" W. 185.85 feet to a point on the Eastern right of way of N. C. Secondary Road No. 1570 (Hare Road); thence continuing N. 53° 31' 27" W. 30.16 feet to a point in the centerline of N. C. Secondary Road No. 1570 (Hare Road); thence with said road center, the following bearings and distances: N. 31° 21' 19" E. 59.17 feet, N. 31° 19' 29" E. 51.00 feet, N. 31° 11' 23" E. 49.38 feet, N. 32° 20' 37" E. 99.29 feet to a point in the center of N. C. Secondary Road No. 1570 (Hare Road); thence leaving said road center, S. 58° 44' 27" E. 30,00 feet to a point on the Eastern right of way of N. C. Secondary Road No. 1570 (Hare Road); thence leaving said road right of way, with the line of the property of Walter Lee Battle, S. 58° 44' 27" E. 200.00 feet to a point; thence with the line of the property of Walter Lee Battle, and to and with the line of the property of Sean B. Greenfield et al, N. 31° 15' 33" E. 414.06 feet to a point in the center of a ditch, Sean B. Greenfield et al most Northeastern property corner as shown by deed recorded in Deed Book 3311, Page 676 in the Wayne County Registry; thence with the center of a ditch and with the line of John Bell Subdivision, Section One as shown on plat recorded in Plat Cabinet F. Slide 214 in the Wayne County Registry, and with the line of John Bell Subdivision, Section Two as shown on plat recorded in Plat Cabinet F, Slide 286 in the Wayne County Registry, S. 61° 26' 21" E. 239.24 feet to a point at a bend in the ditch; thence with the center of the ditch, S. 73° 58' 21 " E. 854.00 feet to a point in said ditch center; thence leaving the ditch and with the line of the property of Lottie M. Bell, S. 09° 17' 21" E. 100.00 feet to a point; thence with the line of the property of Yvonne W. Parnell, S. 80° 11' 00" W. 958.97 feet to an iron pipe; thence with the line of the property of Yvonne W. Parnell, S. 06° 53' 23" E. 400.00 feet to an iron stake; thence continuing, and with the line of the property of Yvonne W. Parnell, S. 06° 53' 23" E. 200.00 feet to an iron stake; thence with the line of the property of Yvonne W. Parnell, S. 32° 39' 41" W. 129.84 feet to a concrete monument, the most Northeastern corner of the property of Greenbrier Office Park, LLC as shown by deed recorded in Deed Book 2406, Page 222 in the Wayne County Registry; thence continuing and with the line of the property of

Greenbrier Office Park, LLC, S. 82° 39' 41" W. 247.53 feet to an iron stake: thence continuing and with the line of the property of Greenbrier Office Park, LLC, S. 82° 39' 41" W. 805.45 feet to a concrete monument on the Eastern right of way of N. C. Secondary Road No. 1003 (New Hope Road); thence continuing S. 82° 39' 41 " W. 31.95 feet to a point in the centerline of N. C. Secondary Road No. 1003 (New Hope Road); thence with the centerline of N. C. Secondary Road No. 1003 (New Hope Road), N. 12° 45' 57" E. 122.47 feet to a point in said road center; thence with said road center, along a curve to the left having an arc distance of 89.13 feet, a radius of 973.06 feet (a chord), N. 10° 08' 30" E. 89.10 feet to a point in said road center; thence with said road center, along a curve to the left having an arc distance of 248.77 feet, a radius of 973.06 feet (a chord), N. 00° 11' 36" E. 248.10 feet to a point in said road center; thence with said road center, along a curve to the left having an arc distance of 150.15 feet, a radius of 973.06 feet (a chord), N. 11° 33' 05" E. 150.00 feet to a PK nail at the centerline intersection of N. C. Secondary Road No. 1003 (New Hope Road) and N. C. Secondary Road No. 1570 (Hare Road), the point of beginning containing 28.489 Acres more or less including the right of way of N. C. Secondary Road No. 1003 (New Hope Road) and the right of way of N. C. Secondary Road No. 1570 (Hare Road), or 27.706 Acres more or less excluding the right of way of N. C. Secondary Road No. 1003 (New Hope Road) and the right of way of N. C. Secondary Road No. 1570 (Hare Road).

TRACT 2: BEGINNING at a point in the centerline of N. C. Secondary Road No. 1003 (New Hope Road), said beginning point being located S. 11° 33' 05" E. 150.00 feet, S. 00° 11' 36" W. 248.10 feet, S. 10° 08' 30" W. 89.10 feet, S. 12° 45' 57" W. 122.47 feet from a nail at the centerline intersection of N. C. Secondary Road No. 1570 (Hare Road) and N. C. Secondary Road No. 1003 (New Hope Road); thence from the beginning with the centerline of N. C. Secondary Road No. 1003 (New Hope Road), S. 12° 45' 26" W. 102.60 feet to a point in said road center; thence with said road center, S. 11° 26' 25" W. 109.48 feet to a point in the centerline of N. C. Secondary Road No. 1003 (New Hope Road); thence leaving said road center. N. 82° 39' 41" E. 31 .69 feet to an iron stake on the Eastern right of way of N. C. Secondary Road No. 1003 (New Hope Road); thence leaving said road right of way, N. 82° 39' 41 " E. 70.75 feet to an iron stake; thence continuing N. 82° 39' 41 " E. 805.45 feet to an iron stake; thence continuing N. 82° 39' 41" E. 150.00 feet to an iron stake; thence continuing N. 82° 39' 41" E. 97.53 feet to a point; thence N. 07° 20' 19" W. 200.00 feet to a concrete monument; thence with the line of the property of Perry Real Estate Group, LLC, S. 82° 39' 41" W. 247.53 feet to an iron stake; thence continuing and with the line of the property of Perry Real Estate Group, LLC, S. 82° 39' 41" W. 805.45 feet to a concrete monument on the Eastern right of way of N. C. Secondary Road No. 1003 (New Hope Road), the most Southwestern corner at said road right of way of the property of Perry Real Estate Group, LLC as shown by map recorded in Plat Cabinet L, Slide 7-G in the Wayne County Registry; thence continuing S. 82° 39' 41" W. 31 .95 feet to a point in the centerline of N. C. Secondary Road No. 1003 (New Hope Road), the point of beginning containing 5.146 Acres more or less including the right of way of N. C. Secondary Road No. 1003 (New Hope Road), or 5.000 Acres more or less excluding the right of way of N. C. Secondary Road No. 1003 (New Hope Road).

Contiguous Annexation Petition Perry Real Estate



ANNEXATION

REQUEST: CONTIGUOUS ANNEXATION

APPLICANT: Perry Real Estate

LOCATION: Located at the intersection of New Hope Rd. & Hare Rd.





The data represented on this map has been compiled by the best methods available. Accuracy is contingent upon the source information as compiled by various agencies and departments both internal and external to the City of Goldsboro, NC. Users of the data represented on this map are hereby notified that the primary information sources should be consulted for verification of the information contained herein. The City of Goldsboro and the companies contracted to develop these data assume no legal responsibilities for the information or accuracy contained on this map. It is strictly forbidden to sell or reproduce these maps or data for any reason without the written consent of the City of Goldsboro.

ORDINANCE NO. 2023 - 22

AN ORDINANCE ANNEXING CERTAIN CONTIGUOUS REAL PROPERTY TO THE CITY OF GOLDSBORO, NORTH CAROLINA

WHEREAS, after notice duly given in compliance with the pertinent provisions of Chapter 160A-31 of the General Statutes of North Carolina, a public hearing was held before the City Council of the City of Goldsboro, North Carolina, at a regular meeting held in the City Hall in Goldsboro on **May 1, 2023,** relative to the annexation of the contiguous real property identified as Tax Parcels 3610839018, 3610933731 & 3610828686 hereinafter described to the City of Goldsboro; and

WHEREAS, at said public hearing all persons owning property in the area proposed to be annexed who alleged error in the Petition for Annexation, as well as residents of the City of Goldsboro who question the necessity for annexation, were given an opportunity to be heard along with proponents of such annexation regarding Tax Parcels 3610839018, 3610933731 & 3610828686; and

WHEREAS, after the completion of said public hearing, the City Council has determined that the Petition for Annexation meets the requirements of said Section 31 of Chapter 160A of the General Statutes of North Carolina, and has further determined, after due and careful deliberation, that it is for the best interest of the City of Goldsboro and its citizens that the contiguous real property proposed to be annexed to the City of Goldsboro; and

WHEREAS, as a result of said annexation, it is necessary to modify the boundaries of the six (6) single-member electoral districts of the City of Goldsboro as shown on a map entitled "Official Election District Boundaries" adopted **August 1, 2022**, and to amend said map as hereinafter set forth; and

WHEREAS, the City Council finds it to be in the best interests of the City of Goldsboro to modify the boundaries of the electoral district in order to afford the citizens of the annexed area full participation in the electoral process of the City of Goldsboro and in order to comply with State and Federal law.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina, that the following described (metes and bounds) non-contiguous real property be and the same is hereby annexed to the City of Goldsboro:

TRACT 1: BEGINNING at a PK nail at the centerline intersection of N. C. Secondary Road No. 1003 (New Hope Road) and N. C. Secondary Road No. 1570 (Hare Road); thence from the beginning, with the centerline of N. C. Secondary Road No. 1570 (Hare Road), N. 74° 12' 12" E. 150.00 feet to a Mag nail in said road center; thence continuing with said road center, N. 74° 12' 12" E. 16.69 feet to a Mag nail in said road center; thence continuing and with said road center, N. 74° 12' 12" E. 20.32 feet to a Mag nail in the centerline of N. C. Secondary Road No. 1570 (Hare Road); thence with said road center, along a curve to the left having an arc distance of 97.02 feet, a radius of 430.00 feet (a chord), N. 67° 47' 11" E. 96.81 feet to a PK nail in said road center; thence leaving said road center, S. 53° 31' 46" E. 32.83 feet to an iron stake on the Eastern right of way of N. C. Secondary Road No. 1570 (Hare Road); thence leaving said road right of way, S. 53° 31' 46" E. 27.38 feet to an iron stake; thence with the line of the property of Paul B. Drohan et al, and to and with the center of a ditch, N. 81° 55' 00" E. 314.32 feet to a point in said ditch center; thence leaving the ditch, and with the line of the property of Eugene L. Grandy, N. 09° 51' 31" E. 82.97 feet to a point; thence with the line of the property of Eugene L. Grandy, N. 53° 31' 27" W. 185.85 feet to a point on the Eastern right of way of N. C. Secondary Road No. 1570 (Hare Road); thence continuing N. 53° 31' 27" W. 30.16 feet to a point in the centerline of N. C. Secondary Road No. 1570 (Hare Road); thence with said road center, the following bearings and distances: N. 31° 21' 19" E. 59.17 feet, N. 31° 19' 29" E. 51.00 feet, N. 31° 11' 23" E. 49.38 feet, N. 32° 20' 37" E. 99.29 feet to a point in the center of N. C. Secondary Road

No. 1570 (Hare Road); thence leaving said road center, S. 58° 44' 27" E. 30.00 feet to a point on the Eastern right of way of N. C. Secondary Road No. 1570 (Hare Road); thence leaving said road right of way, with the line of the property of Walter Lee Battle, S. 58° 44' 27" E. 200.00 feet to a point; thence with the line of the property of Walter Lee Battle, and to and with the line of the property of Sean B. Greenfield et al, N. 31° 15' 33" E. 414.06 feet to a point in the center of a ditch, Sean B. Greenfield et al most Northeastern property corner as shown by deed recorded in Deed Book 3311, Page 676 in the Wayne County Registry; thence with the center of a ditch and with the line of John Bell Subdivision, Section One as shown on plat recorded in Plat Cabinet F, Slide 214 in the Wayne County Registry, and with the line of John Bell Subdivision, Section Two as shown on plat recorded in Plat Cabinet F, Slide 286 in the Wayne County Registry, S. 61° 26' 21" E. 239.24 feet to a point at a bend in the ditch; thence with the center of the ditch, S. 73° 58' 21 " E. 854.00 feet to a point in said ditch center; thence leaving the ditch and with the line of the property of Lottie M. Bell, S. 09° 17' 21" E. 100.00 feet to a point; thence with the line of the property of Yvonne W. Parnell, S. 80° 11' 00" W. 958.97 feet to an iron pipe; thence with the line of the property of Yvonne W. Parnell, S. 06° 53' 23" E. 400.00 feet to an iron stake; thence continuing, and with the line of the property of Yvonne W. Parnell, S. 06° 53' 23" E. 200.00 feet to an iron stake; thence with the line of the property of Yvonne W. Parnell, S. 32° 39' 41" W. 129.84 feet to a concrete monument, the most Northeastern corner of the property of Greenbrier Office Park, LLC as shown by deed recorded in Deed Book 2406, Page 222 in the Wayne County Registry; thence continuing and with the line of the property of Greenbrier Office Park, LLC, S. 82° 39' 41" W. 247.53 feet to an iron stake; thence continuing and with the line of the property of Greenbrier Office Park, LLC, S. 82° 39' 41" W. 805.45 feet to a concrete monument on the Eastern right of way of N. C. Secondary Road No. 1003 (New Hope Road); thence continuing S. 82° 39' 41 " W. 31.95 feet to a point in the centerline of N. C. Secondary Road No. 1003 (New Hope Road); thence with the centerline of N. C. Secondary Road No. 1003 (New Hope Road), N. 12° 45' 57" E. 122.47 feet to a point in said road center; thence with said road center, along a curve to the left having an arc distance of 89.13 feet, a radius of 973.06 feet (a chord), N. 10° 08' 30" E. 89.10 feet to a point in said road center; thence with said road center, along a curve to the left having an arc distance of 248.77 feet, a radius of 973.06 feet (a chord), N. 00° 11' 36" E. 248.10 feet to a point in said road center; thence with said road center, along a curve to the left having an arc distance of 150.15 feet, a radius of 973.06 feet (a chord), N. 11° 33' 05" E. 150.00 feet to a PK nail at the centerline intersection of N. C. Secondary Road No. 1003 (New Hope Road) and N. C. Secondary Road No. 1570 (Hare Road), the point of beginning containing 28.489 Acres more or less including the right of way of N. C. Secondary Road No. 1003 (New Hope Road) and the right of way of N. C. Secondary Road No. 1570 (Hare Road), or 27.706 acres more or less excluding the right of way of N. C. Secondary Road No. 1003 (New Hope Road) and the right of way of N. C. Secondary Road No. 1570 (Hare Road).

TRACT 2: BEGINNING at a point in the centerline of N. C. Secondary Road No. 1003 (New Hope Road), said beginning point being located S. 11° 33' 05" E. 150.00 feet, S. 00° 11' 36" W. 248.10 feet, S. 10° 08' 30" W. 89.10 feet, S. 12° 45' 57" W. 122.47 feet from a nail at the centerline intersection of N. C. Secondary Road No. 1570 (Hare Road) and N. C. Secondary Road No. 1003 (New Hope Road); thence from the beginning with the centerline of N. C. Secondary Road No. 1003 (New Hope Road), S. 12° 45' 26" W. 102.60 feet to a point in said road center; thence with said road center, S. 11° 26' 25" W. 109.48 feet to a point in the centerline of N. C. Secondary Road No. 1003 (New Hope Road); thence leaving said road center. N. 82° 39' 41" E. 31 .69 feet to an iron stake on the Eastern right of way of N. C. Secondary Road No. 1003 (New Hope Road); thence leaving said road right of way, N. 82° 39' 41 " E. 70.75 feet to an iron stake; thence continuing N. 82° 39' 41 " E. 805.45 feet to an iron stake; thence continuing N. 82° 39' 41" E. 150.00 feet to an iron stake; thence continuing N. 82° 39' 41" E. 97.53 feet to a point; thence N. 07° 20' 19" W. 200.00 feet to a concrete monument; thence with the line of the property of Perry Real Estate Group, LLC, S. 82° 39' 41" W. 247.53 feet to an iron stake; thence continuing and with the line of the

property of Perry Real Estate Group, LLC, S. 82° 39' 41" W. 805.45 feet to a concrete monument on the Eastern right of way of N. C. Secondary Road No. 1003 (New Hope Road), the most Southwestern corner at said road right of way of the property of Perry Real Estate Group, LLC as shown by map recorded in Plat Cabinet L, Slide 7-G in the Wayne County Registry; thence continuing S. 82° 39' 41" W. 31 .95 feet to a point in the centerline of N. C. Secondary Road No. 1003 (New Hope Road), the point of beginning containing 5.146 Acres more or less including the right of way of N. C. Secondary Road No. 1003 (New Hope Road), or 5.000 Acres more or less excluding the right of way of N. C. Secondary Road No. 1003 (New Hope Road).

BE IT FURTHER ORDAINED THAT:

- 1. The City of Goldsboro will provide commercial refuse service upon request, fire and police protection to the property;
- 2. The developer of the property will agree to be responsible for all costs associated with extending City water and sewer lines to serve the property;
- 3. The annexed area herein above identified be added to and become a part of Electoral District 5;
- 4. The boundaries of the six single-member electoral districts shall be modified and changed as shown on a map entitled "Official Election District Boundaries Map" adopted August 1, 2022;
- 5. The Director of Planning is directed to prepare an official map showing the district boundaries and to file a copy of the official map in the Office of the City Clerk as required by G. S. 160A-22 and 160A-Article 23. Further, the City Clerk shall forward a copy of the official map to the Wayne County Board of Elections, Wayne County Register of Deeds and the North Carolina Secretary of State;
- 6. The effective date of annexation for the property under consideration is May 1st, 2023.

David Ham, Mayor

Adopted this 1^{st} day of May, 2023.

Attested by:

Laura Getz, City Clerk

CITY OF GOLDSBORO AGENDA MEMORANDUM MAY 1, 2023 COUNCIL MEETING

SUBJECT:

PUBLIC HEARING & FINAL ACTION

Z-5-23 Mallard Oil Company (Residential 16 to General Business) – East side of N William St. off of W Tommy's Rd.

ADDRESS: N William St.

PARCEL #: 3600398704

PROPERTY OWNER: Elizabeth Kirby Bischoff

APPLICANT: Mallard Oil Company

BACKGROUND:

The applicant is requesting a rezoning from the Residential 16 Zoning District (R-16) to the General Business (GB) Zoning District. The purpose of the General Business (GB) Zoning District is to accommodate the widest range of uses, providing general goods and services to the community. The district is intended to promote high quality, accessible developments serving the needs of the community and surrounding area.

Access: N William St. & W Tommy's Rd.

Area: 8.04 acres

SURROUNDING

ZONING:

North: Residential 16

South: Residential 16

East: Highway Business (Conditional) & Residential 16

West: General Business & Residential 16

Existing Use: The property currently consists of

woodland/agricultural land.

<u>Land Use Plan</u>: The City's Land Use Plan locates this parcel within three separate land use designations. The majority of the property is within the Mixed-Use II designation, with a small portion falling within the Mixed-Use I and Medium-Density Residential designations.

Mixed-Use II: This designation desires a mixture of uses that serves an area that extends beyond the immediate vicinity of the mixed-use. Vertical mixed-use is preferred and higher traffic volume generation is expected.

The General Business (GB) Zoning District is not identified as a corresponding district for the Mixed-Use II land use designation, however the types of uses permitted within this district would not be out of character with some of the expected land uses to occur within this designation.

DISCUSSION:

This is a rezoning proposal for an 8.04-acre parcel to be rezoned from the Residential 16 (R-16) Zoning District to the General Business (GB) Zoning District. The subject property is situated adjacent to the US 70 Bypass. The adjacent uses are a Circle K gas station located west across N William St., with the remaining adjacent properties being undeveloped. This property is located withing the ETJ and would need to be annexed into the City in order to receive municipal services. The rezoning of this property would allow for commercial uses to establish themselves to serve the adjacent properties as they develop.

TRC REVIEW:

Staff has distributed this proposed rezoning to several different departments as well as Seymour Johnson Air Force Base and NCDOT. There were no comments or recommendations due to this being a straight rezoning request.

STAFF

RECOMMENDATION: Staff is recommending approval of the rezoning request based on the fact that this parcel is adjacent to multiple General Business Zoning Districts located in the general vicinity on N William St. The rezoning of this parcel would provide an opportunity for commercial types of development to occur that could serve the adjacent properties as they develop. The development of this parcel in the manner that the General Business district allows for, should create a situation for mixed-use types of development to occur on adjacent properties. The rezoning of this property to a General Business district would allow for an expanded list of uses that could serve the surrounding community as well.

PLANNING COMMISSION

RECOMMENDATION: The City of Goldsboro Planning Commission met on April 24, 2023, to review and make a recommendation regarding the rezoning request. The Planning Commission voted to adopt the consistency statement (attached) and recommend approval to City Council for the proposed rezoning. The vote was 6-0.

REQUIRED ACTION: Council shall vote to adopt the recommendation for approval and consistency statement that the Planning Commission has provided and vote to adopt the Approval Ordinance with the inclusion of the consistency statement, or council shall vote to deny and adopt the Ordinance to Deny with the inclusion of a statement that deems this rezoning request to be inconsistent. Council may also continue the public hearing to a date certain if they determine further discussion is needed.

Date: 4/27/23

Austin Brinkley, Interim Planning Director

Timothy Salmon, City Manager

CITY OF GOLDSBORO PLANNING COMMISSION Z-5-23 MALLARD OIL COMPANY WORKSHEET

Pursuant to NCGS 160D-604(d), when the Planning Board (Planning Commission) is conducting a review of a proposed zoning text or map amendment, the Planning Board (Planning Commission) shall advise and comment on whether the proposed action is consistent with the City of Goldsboro Land Use Plan. The Planning Board (Planning Commission) must provide the City of Goldsboro City Council with a written recommendation that addresses plan consistency or inconsistency and other matters as deemed appropriate by the Planning Board (Planning Commission).

Consistency Statement: The City of Goldsboro Planning Commission finds the proposed rezoning to be consistent with the Mixed-Use II designation. The City of Goldsboro Planning Commission finds that the rezoning request is reasonable and in best public interest due to the parcels potential to commercially develop and serve the adjacent properties as they develop, the Planning Commission also finds that the rezoning of this parcel to the General Business district should promote mixed-use of development to occur on adjacent properties. The City of Goldsboro Planning Commission recommends approval to the City of Goldsboro City Council.

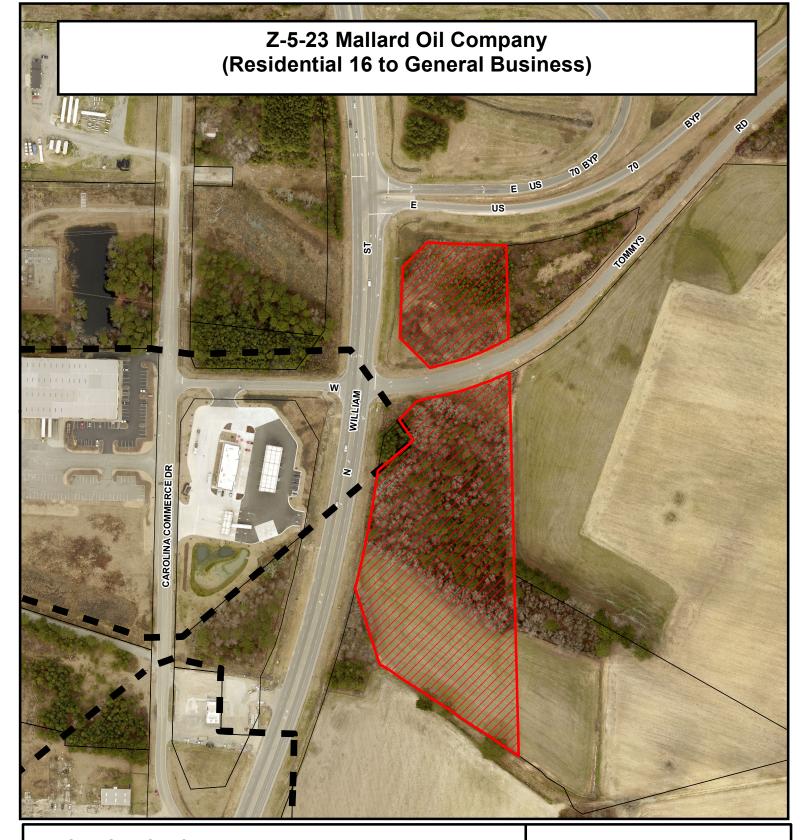
Yes 6 No 0

Inconsistency Statement: The City of Goldsboro Planning Commission finds the proposed rezoning to be inconsistent with the Mixed-Use II designation and finds that this rezoning, if executed, would have a negative impact on the public. The City of Goldsboro Planning Commission deems this proposed rezoning to not be appropriate and does not recommend approval to the City of Goldsboro City Council. The City of Goldsboro Planning Commission finds the proposed rezoning to be inconsistent with the land use plan.

Voting Record for Recommendation:

No_____

Yes



REZONING REQUEST:

CASE NO: Z-5-23

APPLICANT: Mallard Oil Company

(R16 - GB) REQUEST:

LOCATION: Northeast corner of the intersection of

W Tommys Road and Hwy 117

PIN #: 3518758167

100 200 400 Feet





The data represented on this map has been compiled by the best methods available. Accuracy is contingent upon the source information as compiled by various agencies and departments both internal and external to the City of Goldsboro, NC. Users of the data represented on this map are hereby notified that the primary information sources should be consulted for verification of the information contained herein. The City of Goldsboro and the companies contracted to develop these data assume no legal responsibilities for the information or accuracy contained on this map. It is strictly forbidden to sell or reproduce these maps or data for any reason without the written consent of the City of Goldsboro.

Z-5-23 Mallard Oil Company (Residential 16 to General Business) MU₂ US ST MU MU₂ **MU 2** CAROLINA COMMERCE DR MU₂ MU Industrial Industrial **MDR**

REZONING REQUEST:

CASE NO: Z-5-23

APPLICANT: Mallard Oil Company

REQUEST: (R16 - GB)

LOCATION: Northeast corner of the intersection of

W Tommys Road and Hwy 117

PIN #: 3518758167

0 100 200 400 Feet





North Carolin

The data represented on this map has been compiled by the best methods available. Accuracy is contingent upon the source information as compiled by various agencies and departments both internal and external to the City of Goldsboro, NC. Users of the data represented on this map are hereby notified that the primary information sources should be consulted for verification of the information contained herein. The City of Goldsboro and the companies contracted to develop these data assume no legal responsibilities for the information or accuracy contained on this map. It is strictly forbidden to sell or reproduce these maps or data for any reason without the written consent of the City of Goldsboro.

Z-5-23 Mallard Oil Company (Residential 16 to General Business) BYP R-16 E US 1-2 US ST HB CD GB R-16 GB HB CD CAROLINA COMMERCE DR GB GB R-16 GB R-16 GB R-16

REZONING REQUEST:

CASE NO: Z-5-23

APPLICANT: Mallard Oil Company

REQUEST: (R16 - GB)

LOCATION: Northeast corner of the intersection of

W Tommys Road and Hwy 117

PIN #: 3518758167

0 100 200 400 Feet





North Caroli

The data represented on this map has been compiled by the best methods available. Accuracy is contingent upon the source information as compiled by various agencies and departments both internal and external to the City of Goldsboro, NC. Users of the data represented on this map are hereby notified that the primary information sources should be consulted for verification of the information contained herein. The City of Goldsboro and the companies contracted to develop these data assume no legal responsibilities for the information or accuracy contained on this map. It is strictly forbidden to sell or reproduce these maps or data for any reason without the written consent of the City of Goldsboro.

ORDINANCE NO. 2023 – 23

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF GOLDSBORO, NORTH CAROLINA

WHEREAS, after notice duly given according to law, a public hearing was held before the City Council at a regular meeting held in the City Council Chambers, 214 N. Center St. in the Historic City Hall building, on **Monday, May 1, 2023**, at 7:00 p.m., for the purpose of considering and discussing the passing of an ordinance amending the Official Zoning Map of the City of Goldsboro, North Carolina, and the Planning Commission voted to recommend approval on **Monday, April 24, 2023**; and,

WHEREAS, Mallard Oil Company has submitted a petition to rezone Tax Parcel 3600398704 from the Residential 16 Zoning District to the General Business Zoning District; and,

WHEREAS, the City of Goldsboro Comprehensive Land Use Plan places the proposed rezoning area in the Mixed-Use II land use designation; and,

WHEREAS, the proposed General Business Zoning District is consistent with the Mixed-Use II land use designation; and,

WHEREAS, the General Business Zoning District is designed to accommodate the widest range of uses providing general goods and services to the community and promote high-quality and accessible developments; and,

WHEREAS, the subject property is located adjacent to existing General Business Zoning Districts; and,

WHEREAS, the subject property has the ability to provide commercial type uses that are permitted in the General Business Zoning District that could serve the adjacent properties as they develop as well as the surrounding community; and,

WHEREAS, the proposed rezoning request is reasonable and, in the public's best interest since the proposed rezoning classification will not impair or injure the health, safety, and general welfare of the public; and,

WHEREAS, after completion of said public hearing and receipt of the recommendation of the Planning Commission, the City Council of the City of Goldsboro deems it advisable and for the best interest of the City and those residing within its zoning jurisdiction that the Official Zoning Map of the City of Goldsboro be amended as herein below set forth;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina:

1. That the Official Zoning Map of Goldsboro, North Carolina, be and the same is hereby amended by changing:

From Residential 16 Zoning District to the General Business Zoning District

Z-5-23 Mallard Oil Company (Residential 16 to General Business)

Wayne County Tax Identification Number: 3600398704

2. The above amendment is effective upon the adoption of this Ordinance.

Adopted this 1st day of May, 2023.

Attested by:

Laura Getz, City Cler

CITY OF GOLDSBORO AGENDA MEMORANDUM May 1, 2023 COUNCIL MEETING

SUBJECT:

FY2023-2024 Annual Action Plan Review/Public Hearing

BACKGROUND:

The U.S. Department of Housing and Urban Development (HUD) has allocated \$361,561 in CDBG and \$293,636 in HOME funds to the City of Goldsboro for fiscal year (FY) 2023-2024 to develop viable urban communities by providing decent housing, suitable living environment, and expanding economic opportunities for persons of low-to-moderate income. In addition, there are prior year funds allocated to the City that remain available to support previously programmed and ongoing community development activities.

Due to the restrictive use of funds placed on the HOME program to focus on projects and/or activities designed exclusively to create affordable housing for low-income households, the City has historically each year carried over a substantial amount of prior years' HOME funds when it has not undertaken large development projects. Staff have developed plans to responsibly spend these funds in the upcoming fiscal year.

DISCUSSION:

A draft copy of the 2023-2024 Annual Action Plan (AAP) was made available to the public on April 14, 2023 for a thirty (30) day public comment period that runs through May 13, 2023. A public meeting was held on April 11, 2023, during the regular meeting of the Commission on Community Relations and Development, to discuss priorities and eligible activities. During this evening's regular meeting of the City Council, staff will provide the Council with a presentation highlighting proposed activities of the FY23-24 Annual Action Plan and open a public hearing to gather public input on the use of these federal funds. All public meetings and hearings, as well as the availability of the draft plan for public review and comment, were duly advertised in the Goldsboro News-Argus, as well as on the City's website and other local and media outlets.

The 2023-2024 Annual Action Plan is the fourth year of implementing the 2020-2024 Five-Year Consolidated Plan.

RECOMMENDATION: Council consider the AAP public comments, direct any appropriate changes to the plan, and approve the plan at the May 15, 2023, Council meeting.

Date: 4-27-23

Felecia Williams, Community Relations Director

Date: 4/27/23



The Annual Action Plan "AAP"

Provides a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan.



FY23-24 HUD ALLOCATIONS

• CDBG - \$361,561

• HOME- \$293,636

FY23-24— PROPOSED ACTIVITIES

Activity Name	Activity Type	Funding Source
H.E. McNair Development	Public Facilities & Improvements: Infrastructure	CDBG
Hopkins Street Apts.	Rental Rehabilitation	НОМЕ
Tiffany Garden-Phase II	Multifamily Development	НОМЕ

Activity Name	Funding Source & Amount	Prior Year Funds that can be applied	Activity Description
Program Administration	CDBG: \$72,312 (20%) HOME: \$29,336 (10%)	\$0	Support Program Delivery
Demolition/Clearance	CDBG: \$55,015	CDBG: \$100,000	To address slum/blight
Homeowner Rehabilitation	CDBG: \$180,000	HOME: \$100,000	To assist 6 homeowners @ maximum of \$30,000
Public Services	CDBG: \$54,234 (15%)	\$0	Grants to non-profits
Affordable Housing	HOME: \$150,296	CDBG: \$55,000 HOME: \$804,597	Construct/Rehabilitate 30 rental units
Down Payment Assistance	HOME: \$70,000	\$0	To assist 7 first-time homebuyers with down payment and closing costs
Affordable Housing: CHDO	HOME: \$44,004 (15% HOME)	\$0	Construction/Rehabilitation of 3 housing units for LMI families
Activity Totals:	CDBG: \$361,561 HOME: \$293,636	CDBG: \$155,000 HOME: \$904,597	

Item	0	
No.	G	

CITY OF GOLDSBORO AGENDA MEMORANDUM MAY 1, 2023 COUNCIL MEETING

SUBJECT: Amending a Special Revenue Fund Ordinance – Fire Other Restricted

Revenue Funds (F3110)

BACKGROUND: At the September 6, 2022 Council meeting, Council authorized the

establishment of a grant project ordinance for the Fire Other Restricted Revenue Fund (F3110) in order to create more transparency in the collection and disbursement of funds received from various donations, local grants, fundraisers and other restricted revenue sources for the Fire

department.

DISCUSSION: The Fire department has received donations earmarked for summer

camps to be taught by the Fire department in the amount of \$1,600, and it is necessary to appropriate the expenditures in order for the department to begin fulfilling the terms of the donation. The expenditures will be funded with an appropriation of donation revenue.

RECOMMENDATION: It is recommended that the attached Special Revenue Fund Ordinance for the Fire Other Restricted Revenue Funds (F3110) be adopted.

Date: 4/11/2023

Catherine F. Gwynn, Finance Director

Timothy M. Salmon, City Manager

ORDINANCE NO. 2023- 24

AN ORDINANCE AMENDING THE SPECIAL REVENUE FUND FOR THE FIRE OTHER RESTRICTED REVENUE FUND (F3110)

WHEREAS, the City of Goldsboro Fire Department receives revenues from various local grants, and conducts various fundraisers and receives various donations, and bequests to help provide safety for the citizens and community; and

WHEREAS, on September 6, 2022 Council authorized the establishment of the Fire Other Restricted Revenue Fund (F3110) in order to account for the local grants, fundraisers, donations, bequests, and other miscellaneous monies obtained through these sources to provide more accountability, transparency and a more efficient means to track and manage these funds; and

WHEREAS, additional donation revenue has been received for the purpose of summer camps taught by the Fire department, and it is necessary to appropriate the expenditures so that the department may execute the programs.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina, that the following special revenue project budget is hereby amended:

Fire Other Restricted Revenue Fund (F3110)

						ncrease
	Curr	ent Budget	Amen	ded Budget	(D	ecrease)
Revenues:						
Local Donations - Walmart	\$	2,000.00	\$	2,000.00	\$	-
Local Donations - Fire Summer Camps				1,600.00		1,600.00
Total Revenues	\$	2,000.00	\$	3,600.00	\$	1,600.00
Expenditures:						
Fire Grant Expenditures - Walmart	\$	2,000.00	\$	2,000.00	\$	-
Fire Grant Expenditures - Fire Summer Camps				1,600.00		1,600.00
Total Expenditures	\$	2,000.00	\$	3,600.00	\$	1,600.00

This Ordinance shall be in full force and effect from and after this 1st day of May, 2023.

David Ham Mayor

ATTEST:

Laura Getz, City Clerk

ITEM H

CITY OF GOLDSBORO AGENDA MEMORANDUM MAY 1, 2023 COUNCIL MEETING

SUBJECT:

Accept or Reject Initial Bid and Authorize Finance to Advertise for Upset Bids for 808 and 800 W. Grantham Street from Two Farms, Inc. (a Maryland Corporation)

BACKGROUND:

Staff has received an offer to purchase city owned property. Council must either accept or reject the offer, and if accepted authorize advertisement for upset bids (G.S. 160A-266 and 160A-269).

DISCUSSION:

The following offer has been received:

Offeror: Two Farms, Inc. Offer: \$675,000.00

Bid Deposit: \$33,750.00 Parcels included in Offer:

1. <u>808 W. Grantham Street (4.41 acres)</u> Parcel #: 58793 Pin #: 2690603842

Tax Value: \$681,000.00 Zoning: HB-Highway Business

2. <u>800 W. Grantham Street (0.11 acres)</u> Parcel #: 48596 Pin #: 2690613087

Tax Value: \$2,500.00 Zoning: HB-Highway Business

The offer is at least 50% of the tax value of the property. The bid deposit of 5% has been received in the form of a cashier's check drawn on an out of state bank. The offeror has additional terms and conditions that entity wishes to negotiate if it is the winning high bidder for the property. The resolution has been drafted to allow for City staff to negotiate the final agreement, and for the Mayor to execute the final contract and/or deed for closing if the original offeror is the winning high bidder.

Offeror is a duly organized company registered with the Maryland Secretary of State. It is also registered as a foreign corporation with the State of North Carolina.

Please note, there are CDBG funds that were expended to demolish and clean up the olds Gold's Inn Hotel in 2014 in the amount of \$250,971.00. These funds would be reimbursed to the CDBG fund and utilized for allowable type expenditures related to that special revenue fund. Any remaining proceeds at closing would be credited to the General Fund.

RECOMMENDATION: It is recommended that the City Council, by motion:

- 1. Accept or reject offer on 808 and 800 W. Grantham Street parcel 2690603842 and 2690613087.
- 2. If accepted, adopt attached resolution authorizing Finance to advertise for upset bids.

Date: 4/22/2023

Catherine F. Gwynn, Finance Director

Date:____//2_/

Timothy Salmon, City Manager

RESOLUTION NO. 2023- 34

RESOLUTION AUTHORIZING UPSET BID PROCESS

WHEREAS, the City of Goldsboro owns certain real property at <u>808 W. Grantham Street (Pin</u> #2690603842) and 800 W. Grantham Street (Pin #2690613087); and

WHEREAS, North Carolina General Statute § 160A-269 permits the city to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the City has received an offer to purchase the properties described above, in the amount of \$675,000.00 (Six Hundred Seventy Five Thousand Dollars and no/100) submitted by Two Farms, Inc. (a Maryland Company) (Offeror); and

WHEREAS, Offeror has paid the required five percent (5%) deposit on his/her offer in the amount of \$33,750.00 (Thirty Three Thousand Seven Hundred Fifty Dollars and No/100);

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Goldsboro, North Carolina, that:

- 1) The City Council declares this property as surplus.
- 2) The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.
- 3) The Finance Director shall cause a notice of the proposed sale to be published in a newspaper of general circulation within its jurisdiction. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
- 4) Persons wishing to upset the offer that has been received shall submit a <u>sealed bid</u> with their offer to the office of the Finance Director at 200 N. Center Street, Goldsboro, NC 27530 during normal business hours within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the Finance Director shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
- 5) Upset offer and deposit shall be delivered in a sealed envelope. The written offer proposal must include the name of the person or business making the offer, address of said property, and Wayne County parcel identification number. The offer shall be signed by the individual or person with signature authority if a business entity. The outside of the sealed envelope should have the address of the property, the words "Upset Bid".
- 6) The City of Goldsboro reserves the right to reject any or all offers at any time.
- 7) If a qualifying higher bid is received, the Finance Director shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.
- 8) A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that existing offer and five percent (5%) of the remainder of that existing offer.
- 9) A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The city will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received; provided that sufficient time has elapsed to allow for the payment draft, if by check, to clear the City's central depository and be credited to such, the return of the deposit will then be issued within 10 days of confirmation of clearing. The city will refund the deposit of the final high

- bidder at closing or apply to the sales price, as determined at the time of closing by the Finance Director.
- 10) Any Offeror's bid deposit shall be refunded if it is not the final high bidder; or if mutually agreeable terms cannot be settled upon if no upset bids are received, provided that sufficient time has elapsed to allow for the payment draft, if by check, to clear the City's central depository and be credited to such. Refund will be issued within 10 days of confirmation of clearing.
- 11) The terms of the final sale are:
 - a) City Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed.
 - b) Buyer must pay with cash at the time of closing.
 - c) Buyer must pay closing costs.
- 12) The City reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
- 13) If no qualifying upset bid is received after the initial public notice, City staff is hereby authorized to proceed with negotiating the final terms of the offer with the offeror, and the Mayor is authorized to execute the final contract and/or deed.
- 14) At any point in the process, if the City and offeror are not able to come to mutually agreeable terms, City staff shall bring back to Council for decision on terms or to withdraw property from sale.

This resolution shall be in full force and effect from and after this 1st day of May, 2023.

David Ham, Mayor

Attested by:

Laura Getz, City Clerk



Cashier's Check

No. 1019520398

Bank of America, N.A. San Antonio, Texas Deposit Services 318-0005594 KH Void after 90 days
PAY 2 3 7 5 0 0 0

30-1/1140

DATE

04/06/23

03:49:27 PM

\$33,750.00

PAY

Thirty three thousand seven hundred fifty dollars and 00/100

To The Order Of

00-12-2582B 02-2019

City of Goldsboro

800-808 West Grantham St Pin# 2690613087-2690603842

SR1-42898014285

Remitter: TWO FARMS INC

Void Over \$33,750.00

AUTHORIZED SIGNATURE

EN CHECKING THE ENDORSEMENTS

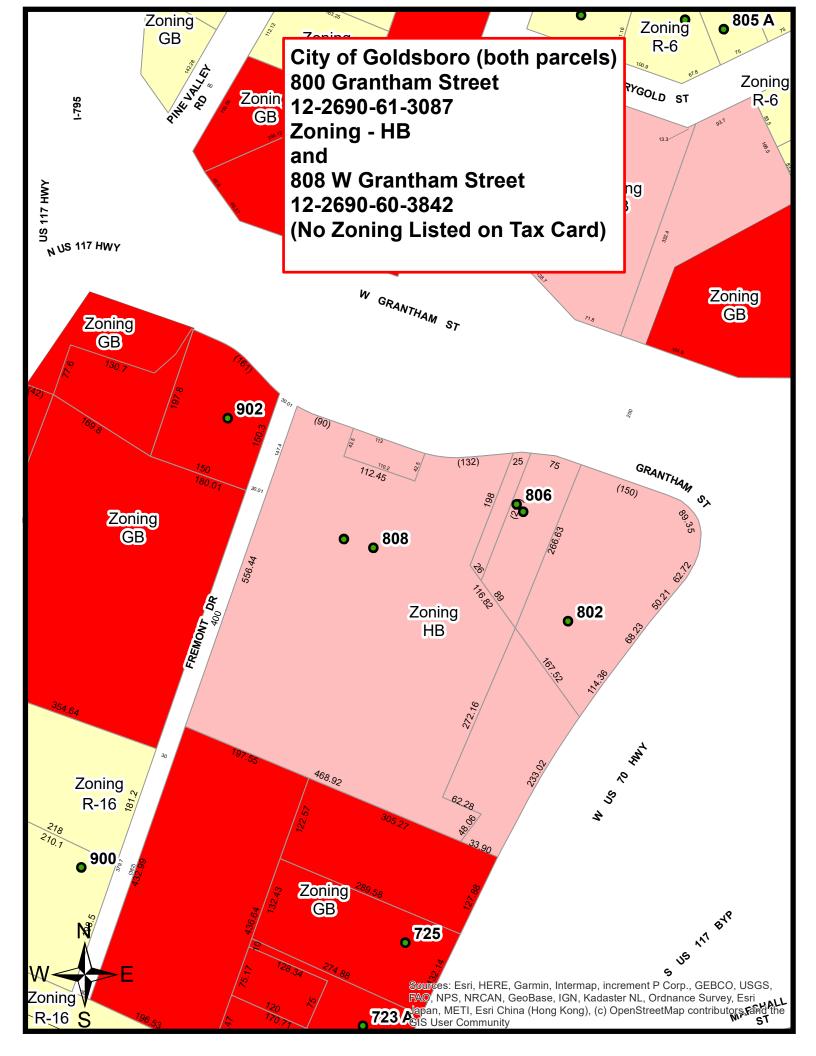
Two Farms, Inc., a Maryland Corporation would like to offer the \$675,000.00 City of Goldsboro the sum of for the purchase of property at the following location: (PIN #s 2690613087/2690603842) Parcel: 800-808 West Grantham St. Street: Digitally signed by NATHAN NATHAN HALL HALL Date: 2023.03.31 Signed: 14:54:08 -04'00' 3/31/2023 Date: Name Nathan B. Hall 3611 Roland Ave, Baltimore MD 21211 Address: 443-603-5574 Phone: nhall@royalfarms.com Email: \$33,750 Amount of Bid Deposit:

CITY OF GOLDSBORO

RECEIVED







4/22/23, 9:56 AM Appraisal Card

WAYNE COU	NTY																4/	22/2023 9:	56:25 AM
CITY OF GOL 800 GRANTHA 76121320		RO										Return	n/Appeal No		PL	: 26906130 AT: /UNIQ I 174001007 <i>8</i>	D 48596		
Reval Year: 20				3 LT 25	PLBO	RDEN FAF	RM	4Χ (100), CITY	- GOLDSBORO (1	00)	1.0000				RC=			
Appraised by				TRAL BU								TW-12	2	CI-01	LFR-00EX			ST ACTION 2	0201019
CONSTRUCT			IL			T VALU				DEPRE	CIATIO)N			co	RRELATIO	N OF VALU	E	
TOTAL POIN			Щ.,,		Eff.		BASE												
BUILDING A					Area	QUAL	RATE	RCN E	B AYB	۵٬ ۵			CREDENC						
TOTAL ADJUST	TMENT		10	00						% G	OOD					JE - CARD			0
FACTOR TOTAL QUALIT	TV IND	EV	TY	PE: CO	MMERCIA	AL							DEPR. O						2,500
TOTAL QUALIT	I I IND		c	ΓYLE:									TOTAL M						2,500
			5	ITLE:												LUE - CARI	,		2,500
																LUE - PAR			2,500
																ALUE - PA			2,300
																ED - PARCI			ő
																E - PARCEL			2,500
																PRI	OR		
													BUILDING	VALU	JE				0
													OBXF VAL	.UE					0
													LAND VAL						2,500
													PRESENT						0
													DEFERRE		UE				0
													TOTAL VA	LUE					2,500
																PERI			
													CODE		DATE	NOTE	NUMBER	L AMO	DUNT
													ROUT: W	rrshe):				
																SALES	DATA		
													OFF.						
													RECORD BOOK P		DATE MOVE	DEED TYPE	Q/UV/I	INDICATE S	
															10 2020	WD	C V	i itzez	
														101	4 2002	WD	υİİ		120000
													00955 0:	190	1 1978	WD	UI		0
																HEATED	AREA		
																NOT	ES		
													RENUM FI	ROM 2	2690-61-3	3190 ABC PA	CKAGE STO	DRE	
													.16 TO RI						
S	UBARI	GS		PL COL	SECULAL	TTYPES	CDIDT				JNIT RICE	ORIG %	BLDG#	SIZ		ANN D			XF DEPR. VALUE
TYPE						XF VALU		LOINCO	ONTILL	niminionii e	KICE	COND	BLDG#	FAC	IAIDE	TO KATI	. pvn c	JOND	0
FIREPLACE		<u> </u>	/0 C	<u>.5 101</u>	AL UB/	AF VALU	, <u> </u>												U
SUBARFA																			
SUBAREA TOTALS																			
BUILDING D	IMEN:	SION	s																
LAND INFOR																			
HIGHEST									OTHE	R ADJUSTMENTS		LAND	TOTAL						
AND BEST	USE	LC	CAL	FRON		DEPTH	LND	COND	AND I	NOTES	ROAD	UNIT	LAND	UNT	TOTAL	ADJUSTE	D LAND	OVERRIDE	LAND
USE	CODE	ZO	NING	TAGE	DEPTH	/ SIZE	MOD	FACT	RF	AC LC TO OT	TYPE	PRICE	UNITS	TYP	ADJST	UNIT PRI	CE VALUE	VALUE	NOTES
1000	1000		НВ	0	0	1.0000	0	1.0000	.10 A	.c		2,500.00	1.000	LT	1.000	2,500	00 2500)
TOTAL MARK	(ET L A	ND F	ΔΤΔ															2,500	
TOTAL PRES																			\vdash
O IAL FRES	_11. 0	- D	A1A												1			1	

4/22/23, 9:53 AM Appraisal Card

WAYNE COU	NTY																4/	22/2023 9:	53:26 AM
CITY OF GOI 808 W GRANT												Return	/Appeal No	otes:		: 26906038 AT: / UNIQ II			
76121320						= . D				601 000000 (400)	6455							
D 1 V 24	010 T-		202				OREM	IAX (10	J), CITY	- GOLDSBORO (100)		NO. 1 of 1		CD				
Reval Year: 20 Appraised by												4.5400 TW-12	AC	CT_01	FR-00 EX	C=	1.4	ST ACTION 2	0170720
CONSTRUCT	TTON C	ETAI	ri I	IL DUST		ET VALU	E			DEDD	ECIATI			CI-UI		RRELATION			01/0/29
TOTAL POIN				1 1	Eff.	ET VALU	BASE	_		DEFR	LCIAII	014			CU	KKELATIO	OF VALU	_	
BUILDING A			TCIII	E MOD	Area	QUAL	RATE	RCN F	YB AYB				CREDENC	F TO					
TOTAL ADJUS		1-11-10		1 00	711 00	20/12		11011		%	GOOD				NG VALI	JE - CARD			0
FACTOR					STAURA	NIT							DEPR. OI						0
TOTAL QUALI	TY IND	ΞX	11	PE: KE	STAUKA	INI							MARKET	LAND	VALUE	- CARD			681,000
			S	ΓYLE:									TOTAL M						681,000
																LUE - CARD			681,000
																LUE - PARC			681,000
																/ALUE - PAI ED - PARCE			0
																E - PARCEL			681,000
													IOIAL I	AAADI	L VALO	PRIC			001,000
													BUILDING	S VALU	F	1 1121	ж.		0
													OBXF VAL		_				ő
													LAND VAL						681,000
													PRESENT						0
													DEFERRE		JE				0
													TOTAL VA	LUE					681,000
																PERM		1	
													CODE		DATE	NOTE	NUMBER	AMO	DUNT
													ROUT: W	IRSHD	:	CALEC	NATA		
													OFF.		1	SALES	JATA		
													RECORD BOOK P		DATE	DEED TYPE	2/UV/I	INDICATE S	
															5 2014	WD	C V	FRICE	
															3 2009	WD	ÜÜİ		710000
															3 2005	WD	UI		1100000
															10 2004	WD	UI		0
															10 2004	WD	UI		0
													01929 0:	149	3 2002	WD	U I I		2050000
																HEATED A			
													D11-11 D	EMO 5	5/12-LOT	CLEARED.	-3		
S	UBARE	-Δ									UNIT	ORIG %	1 11 1	SIZE		ANN DI	р	% OB/	XF DEPR.
		is	R	PL CO	DEQUA	LITYDES	CRIP	TIONCO	UNTLT	HWTHUNITS	PRICE	COND	BLDG#	FACT					VALUE
TYPE	AF	REA	% C	S TOT	AL OB	XF VAL	UE												0
FIREPLACE																			
SUBAREA TOTALS																			
BUILDING D			s																
LAND INFOR	RMATIC	N																	
HIGHEST										ADJUSTMENTS			TOTAL						
AND BEST	USE		CAL	FRON		DEPTH		COND				LAND UNIT		UNT		ADJUSTE		OVERRIDE	
USE	CODE	ZON	IING		DEPTH		MOD	FACT	RF A	C LC TO OT	TYPE		UNITS	TYP	ADJST	UNIT PRIC		VALUE	NOTES
1000	1000			0	0	1.0000	0	1.0000			1	150,000.00	4.540) LT	1.000	150,000.	00 681000	1 '	1
TOTAL MARK	KET LA	ND D	ATA									1	1		1	1	1	681,000	
TOTAL PRES																		, , ,	
		J_ J,																	

TWO FARMS, INC.: D04561833

Department ID Number:

D04561833

Business Name:

TWO FARMS, INC.

Principal Office: 0



3611 ROLAND AVENUE

BALTIMORE MD 21211

Resident Agent: 1



TRAC- THE REGISTERED AGENT COMPANY

715 ST. PAUL STREET

BALTIMORE MD 21202

Status:

INCORPORATED

Good Standing:

THIS BUSINESS IS IN GOOD STANDING

Business Type:

CORPORATION

Business Code:

03 ORDINARY BUSINESS - STOCK

Date of Formation/Registration:

12/10/1996

State of Formation:

Stock Status:

STOCK

Close Status:

NO

TWO FARMS, INC.: D04561833

Filing History

The items listed below are associated with this business.

- Click to view/print PDF (note: some items may not be available to view)
- Click to view comment associated with this item

Item	Date/Time Filed	Film	Folio	Pages
ARTICLES OF AMENDMENT	10/31/2019 3:15:00 PM			2
CERTIFICATE OF CORRECTION	12/19/2017 11:46:00 AM			3
RESOLUTION	4/21/2015 8:30:00 AM			2
ARTICLES OF AMENDMENT AND RESTATEMENT	11/12/2013 5:03:00 PM			9
CERTIFICATE OF CORRECTION	12/28/2012 12:02:00 PM			3
ARTICLES OF SHARE EXCHANGE	12/26/2012 9:57:00 AM			4
• RESOLUTION	11/13/2006 12:11:00 PM	B01040	0075	2
© CERTIFICATE OF CONVEYANCE	9/10/2003 11:58:00 AM	B00571	0701	3
ARTICLES OF MERGER	9/10/2003 11:57:00 AM	B00571	0695	4
ARTICLES OF AMENDMENT / NAME CHANGE	8/1/2002 11:02:00 AM	B00410	1650	2
RESOLUTION	8/3/1999 2:17:00 PM	B00060	0542	2
ARTICLES OF AMENDMENT & RESTATEMENT	5/16/1997 8:47:00 AM	F3934	2199	10
ARTICLES OF MERGER	12/23/1996 9:31:00 AM	F3897	1733	7
ARTICLES OF INCORPORATION	12/10/1996 3:25:00 PM	F3879	2839	9

• File an Annual Report/Amend an Annual Report • Upload a PDF Filing • Order a Document Online • Add Entity to My Email Notification List • View Filings • Print a Pre-Populated Annual Report form • Print an Amended a Annual Report form

Business Corporation

Legal Name

Two Farms, Inc.

Information

Sosld: 2314521

Status: Current-Active ①
Date Formed: 12/2/2021
Citizenship: Foreign

State of Incorporation: MD **Fiscal Month:** December

Annual Report Due Date: April 15th Current**Annual Report Status:**

Registered Agent: Registered Agent Solutions, Inc.

Addresses

Reg Office

176 Mine Lake Court, Ste. 100 Raleigh, NC 27615

Reg Mailing

176 Mine Lake Court, Ste. 100 Raleigh, NC 27615

Mailing

3611 Roland Ave Baltimore, MD 21211-2408

Principal Office

3611 Roland Ave Baltimore, MD 21211-2408

Officers

Vice President	President	Chief Financial Officer
Frank Gargiulo	John Kemp	Josh Wolfe
1709 Scott Rd	3908 N. Charles, Unit 100	7005 Connection Rd
Pylesville MD 21132	Baltimore MD 21218	Kingsville MD 21087

Stock

CITY OF GOLDSBORO AGENDA MEMORANDUM May 1, 2023 COUNCIL MEETING

SUBJECT:

Utilizing the NCGS 143-64.32 exception to NCGS 143-64.31 Procurement of Architectural, Engineering and Surveying Services for professional design drawings related to specific projects in the Public Utilities Department.

BACKGROUND:

The Public Utilities Department has two projects to advertise for bid. The Compost Facility Bay 8 Enclosure to protect stored equipment and the WTP installation of a 16-inch and 20-inch Flow Mag Meter to achieve a more accurate reading of discharge flow from the WTP.

DISCUSSION:

Professional design drawings of the Bay 8 enclosure project and the WTP installation of the flow meters project are necessary for the bid process and to have the awarded contractor a set of drawings to follow. The estimated fees of each design drawings project are less than ten thousand (\$10,000) dollars.

RECOMMENDATION:

It is recommended the City Council adopt the attached Resolution authorizing the use of the NCGS 143-64.32 exception to the procurement requirements of NCGS 143-64.31 Architectural, Engineering and Surveying Services.

Date: 4-18-2023

Date: 4/27/23

Robert Sherman, Public Utilities Director

Timothy Salmon, City Manager

RESOLUTION NO. 2023- 35

RESOLUTION OF INTENT TO PURCHASE USING PROCUREMENT EXCEPTION

WHEREAS, General Statute 143-64.31 Procurement of Architectural, Engineering and Surveying Services establishes Local Governments shall select firms qualified to provide such services on the basis of demonstrated competence and qualification for the type of professional services required without regard to fee; and

WHEREAS, General Statute 143-64.32 Written exemption of particular contracts grants Local Governments authority to exempt in writing particular projects where the estimated fee is less than fifty thousand (\$50,000) dollars; and

WHEREAS, The City of Goldsboro Procurement Manual provides that the requirements of General Statute 143-64.31 may be waived by the City Council for projects with estimated design fees less than thirty thousand (\$30,000) dollars; and

WHEREAS, The City wishes to exempt the design drawings project for enclosing bay 8 of the Compost Facility for equipment storage, and the design drawings project for piping and containers for two flow meters at the Water Treatment Plant.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Goldsboro, North Carolina hereby authorizes the use of the procurement exception to obtain Architectural, Engineering and Surveying Services for the two Public Utilities projects.

Adopted this the 1st day of May 2023.

David Ham, Mayor

Attested by:

Laura Getz, City Clerk

Item	J	

CITY OF GOLDSBORO AGENDA MEMORANDUM **MAY 1, 2023 COUNCIL MEETING**

SUBJECT:

ANNEXATION ORDINANCE REVISION

Election District Decision-Magnolia Grove Subdivision Located on the east and west side of Eleventh St. between

Norwood Ave. and Englewood Dr.

BACKGROUND:

The City Council, at their meeting on November 7, 2022, held a public hearing to discuss the potential annexation of Magnolia Grove into the municipal limits of Goldsboro.

City Council determined that the subject annexation area met all the requirements of G.S. 160A-31 regarding contiguous annexations and adopted the attached Ordinance annexing Magnolia Grove subdivision effective December 30, 2022.

DISCUSSION:

At the time of the annexation, staff determined that the newly annexed area shall be added to and become a part of Electoral District 3 or 5 or shall become a combination of the two districts.

Planning staff consulted with the City's redistricting consultants, Poyner-Spruill LLP, on April 20, 2023. During these conversations, population counts in District 3 & 5 were observed as well as recent development & annexation trends in the City of Goldsboro. In the coming years, the areas adjacent to District 5 are expected to develop and annex into the City. Due to District 5 containing the highest population and based off development trends in the areas directly adjacent to District 5, staff is recommending that Magnolia Grove subdivision be added to Electoral District 3. Also, City Council desires for neighborhoods not to be split by electoral district boundaries.

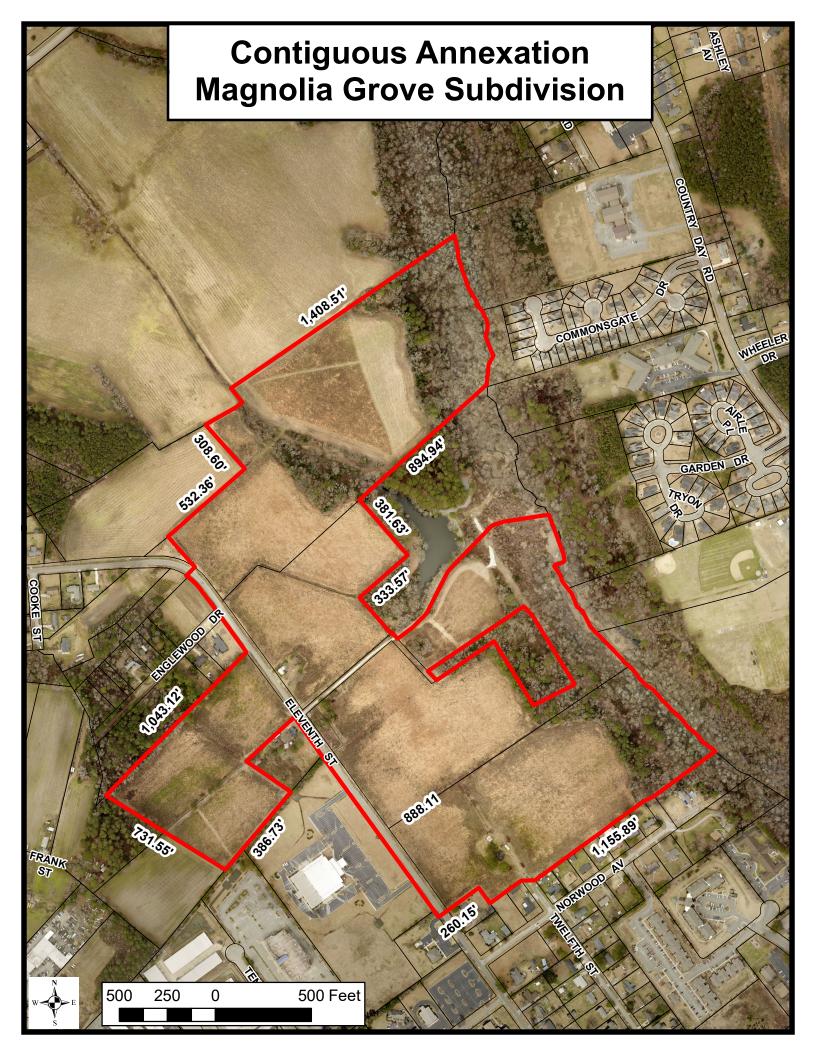
RECOMMENDATION:

By motion, adopt the revised annexation ordinance attached assigning the annexed area to Electoral District 3 effective May 1, 2023.

Date: $\frac{4/21/23}{2}$

Austin Brinkley, Interim Planning Director

Timothy Salmon, City Manager



ORDINANCE NO. 2023 - 25

A REVISION ORDINANCE ANNEXING CERTAIN CONTIGUOUS REAL PROPERTY TO THE CITY OF GOLDSBORO, NORTH CAROLINA

WHEREAS, after notice duly given in compliance with the pertinent provisions of Chapter 160A-31 of the General Statutes of North Carolina, a public hearing was held before the City Council of the City of Goldsboro, North Carolina, at a regular meeting held in the City Hall in Goldsboro on **November 7, 2022** relative to the annexation of the contiguous real property hereinafter described to the City of Goldsboro, the property was officially annexed into the City of Goldsboro on **December 30, 2022**, the property hereinafter described was not assigned to a specific electoral district at the time of annexation; and

WHEREAS, at said public hearing all persons owning property in the area proposed to be annexed who alleged error in the Petition for Annexation, as well as residents of the City of Goldsboro who question the necessity for annexation, were given an opportunity to be heard along with proponents of such annexation; and

WHEREAS, after the completion of said public hearing, the City Council has determined that the Petition for Annexation meets the requirements of said Section 31 of Chapter 160A of the General Statutes of North Carolina, and has further determined, after due and careful deliberation, that it is for the best interest of the City of Goldsboro and its citizens that the contiguous real property proposed to be annexed be annexed to the City of Goldsboro; and

WHEREAS, as a result of said annexation, it is necessary to modify the boundaries of the six (6) single-member electoral districts of the City of Goldsboro as shown on a map entitled "Official Election District Boundaries" adopted **August 1, 2022** and to amend said map as hereinafter set forth; and

WHEREAS, the City Council finds it to be in the best interests of the City of Goldsboro to modify the boundaries of the electoral district in order to afford the citizens of the annexed area full participation in the electoral process of the City of Goldsboro and in order to comply with State and Federal law.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina, that the following described (metes and bounds) contiguous real property be and the same is hereby annexed to the City of Goldsboro:

Magnolia Grove

```
Beginning at a point whose Northing is 602582.167 and whose Easting is 2306808.067;
thence bearing N 35-55-54.447 W a distance of 525.509 feet;
thence bearing N 35-56-14.294 W a distance of 495.892 feet;
thence bearing N 35-54-50.793 W a distance of 249.183 feet;
thence bearing N 35-40-31.480 W a distance of 14.362 feet;
thence bearing S 47-13-26.682 W a distance of 364.160 feet;
thence bearing S 55-33-8.033 E a distance of 281.520 feet;
thence bearing S 40-8-9.258 W a distance of 529.030 feet;
thence bearing N 58-17-20.328 W a distance of 731.550 feet;
thence bearing N 44-17-40.690 E a distance of 1072.870 feet;
thence bearing N 35-56-25.194 W a distance of 356.969 feet;
thence bearing N 36-57-13.816 W a distance of 46.140 feet;
thence bearing N 41-14-14.495 W a distance of 50.241 feet;
thence bearing N 49-16-28.495 W a distance of 54.274 feet;
thence bearing N 44-34-24.777 E a distance of 33.156 feet;
thence bearing N 41-24-29.360 W a distance of 212.149 feet;
thence bearing N 48-28-55.977 E a distance of 532.355 feet;
thence bearing N 41-34-41.031 W a distance of 308.604 feet;
thence bearing N 60-32-40.408 E a distance of 187.735 feet;
thence bearing N 49-32-11.134 E a distance of 38.660 feet;
```

```
thence bearing N 39-4-56.760 W a distance of 93.150 feet;
thence bearing N 55-30-16.499 E a distance of 1408.511 feet;
thence bearing S 13-2-31.503 E a distance of 92.753 feet;
thence bearing S 15-23-34.764 W a distance of 15.720 feet;
thence bearing S 18-37-21.236 E a distance of 174.760 feet;
thence bearing S 31-11-28.236 E a distance of 86.220 feet;
thence bearing S 1-28-31.236 E a distance of 21.230 feet;
thence bearing S 54-3-45.236 E a distance of 18.160 feet;
thence bearing S 41-43-5.236 E a distance of 22.690 feet;
thence bearing S 18-5-4.236 E a distance of 26.540 feet;
thence bearing S 29-44-43.236 E a distance of 26.760 feet;
thence bearing S 12-45-1.236 E a distance of 23.190 feet;
thence bearing S 1-8-50.764 W a distance of 28.180 feet;
thence bearing S 17-31-27.764 W a distance of 33.720 feet;
thence bearing S 20-51-7.236 E a distance of 53.510 feet;
thence bearing S 17-6-5.236 E a distance of 16.880 feet;
thence bearing S 25-23-5.236 E a distance of 40.290 feet;
thence bearing S 29-9-31.764 W a distance of 50.150 feet;
thence bearing S 5-5-18.764 W a distance of 105.634 feet;
thence bearing S 47-43-57.292 W a distance of 6.737 feet;
thence bearing S 47-43-57.292 W a distance of 888.198 feet;
thence bearing S 41-8-52.663 E a distance of 381.635 feet;
thence bearing S 48-27-18.820 W a distance of 333.570 feet;
thence bearing S 41-14-26.605 E a distance of 290.652 feet;
thence bearing N 53-2-57.585 E a distance of 107.536 feet;
thence bearing N 45-20-4.002 E a distance of 100.839 feet;
thence bearing N 26-27-26.869 E a distance of 247.255 feet;
thence bearing N 43-59-50.947 E a distance of 330.176 feet;
thence bearing N 71-41-49.111 E a distance of 65.099 feet;
thence bearing N 80-44-53.767 E a distance of 230.230 feet;
thence bearing N 80-44-53.767 E a distance of 6.456 feet;
thence bearing S 20-14-44.236 E a distance of 1.717 feet;
thence bearing S 20-14-44.236 E a distance of 219.800 feet;
thence bearing S 9-48-15.236 E a distance of 37.050 feet;
thence bearing S 64-27-22.764 W a distance of 30.840 feet;
thence bearing S 82-8-10.764 W a distance of 20.840 feet;
thence bearing S 27-41-29.764 W a distance of 12.040 feet;
thence bearing S 36-47-15.236 E a distance of 51.850 feet;
thence bearing S 18-16-12.236 E a distance of 35.760 feet;
thence bearing S 31-34-21.236 E a distance of 25.160 feet;
thence bearing S 39-32-55.236 E a distance of 58.420 feet;
thence bearing S 21-24-49.236 E a distance of 72.630 feet;
thence bearing S 53-0-45.236 E a distance of 37.520 feet;
thence bearing S 25-34-36.236 E a distance of 87.880 feet;
thence bearing S 45-16-1.236 E a distance of 107.080 feet;
thence bearing S 43-12-6.236 E a distance of 131.990 feet;
thence bearing S 37-58-58.236 E a distance of 21.400 feet;
thence bearing S 53-23-50.236 E a distance of 28.430 feet;
thence bearing S 44-56-30.236 E a distance of 2.810 feet;
thence bearing S 44-56-30.236 E a distance of 30.960 feet;
thence bearing S 36-27-20.236 E a distance of 52.640 feet;
thence bearing S 44-17-49.236 E a distance of 38.340 feet;
thence bearing S 48-43-1.236 E a distance of 21.260 feet;
thence bearing S 64-46-22.236 E a distance of 26.740 feet;
thence bearing S 41-50-50.236 E a distance of 48.650 feet;
thence bearing S 37-45-30.236 E a distance of 30.520 feet;
thence bearing S 53-43-45.236 E a distance of 23.590 feet;
thence bearing S 29-12-51.236 E a distance of 12.220 feet;
thence bearing S 44-27-4.236 E a distance of 38.220 feet;
thence bearing S 49-24-31.236 E a distance of 40.050 feet;
thence bearing S 43-52-48.236 E a distance of 40.570 feet;
thence bearing S 38-8-20.236 E a distance of 44.280 feet;
```

```
thence bearing S 52-29-30.236 E a distance of 30.950 feet;
thence bearing S 46-42-8.236 E a distance of 41.750 feet;
thence bearing S 35-2-35.236 E a distance of 34.690 feet;
thence bearing S 49-1-57.236 E a distance of 75.977 feet;
thence bearing S 54-11-13.770 W a distance of 1148.812 feet;
thence bearing S 87-54-2.292 W a distance of 72.221 feet;
thence bearing S 54-9-16.011 W a distance of 199.919 feet;
thence bearing N 35-46-41.604 W a distance of 100.041 feet;
thence bearing S 54-10-19.331 W a distance of 232.499 feet to the point of beginning.
```

LESS AND EXCEPT:

Beginning at a point whose Northing is 603791.601 and whose Easting is 2306768.398; thence bearing N 42-59-35.586 W a distance of 66.111 feet; thence bearing N 55-50-41.513 E a distance of 609.824 feet; thence bearing S 42-53-8.196 E a distance of 66.000 feet; thence bearing S 31-47-35.808 E a distance of 420.000 feet; thence bearing S 63-0-55.220 W a distance of 239.926 feet; thence bearing N 31-51-40.141 W a distance of 390.130 feet; thence bearing S 55-48-42.693 W a distance of 369.942 feet to the point of beginning.

BE IT FURTHER ORDAINED THAT:

- 1. The City of Goldsboro will provide refuse service, fire and police protection to the property;
- 2. The developer of the property will agree to be responsible for all costs associated with extending City water and sewer lines to serve the property;
- 3. The annexed area herein above identified be added to and become a part of Electoral District 3;
- 4. The boundaries of the six single-member electoral districts shall be modified and changed as shown on a map entitled "Official Election District Boundaries Map" adopted August 1, 2022;
- 5. The Director of Planning is directed to prepare an official map showing the district boundaries and to file a copy of the official map in the Office of the City Clerk as required by G. S. 160A-22 and G. S. 160A-23. Further, the City Clerk shall forward a copy of the official map to the Wayne County Board of Elections;
- 6. The effective date of this revision ordinance annexation for the property under consideration to establish the electoral district is May 1st, 2023; and

Adopted this 1st day of May, 2023.

Attested by:

CITY OF GOLDSBORO AGENDA MEMORANDUM **MAY 1, 2023 COUNCIL MEETING**

SUBJECT:

Revising the Policy Regarding the Use of City-Owned Property for

Special Events

BACKGROUND:

The Policy Regarding the use of City-Owned Property for Special Events was discussed with Council at the November 20, 2017 meeting but was not adopted by resolution.

The Special Events/Parade/Street Closing Permit Application will also be updated to reflect the revisions in the Policy Regarding the use of City-Owned Property for Special Events.

DISCUSSION:

Updates to the policy are needed regarding the HUB, increasing the application fees, and insurance for carnivals.

If the HUB is requested for the venue, applicants should review and complete the "The HUB Rental Request" form located online.

It is also important to clarify the process for waiving application fees.

Carnival applicants must provide proof of liability insurance coverage of at least 5 million dollars, and the City must be listed as an additional insured.

RECOMMENDATION: It is recommended that Council adopt the attached resolution approving the changes to the Policy Regarding the Use of City-Owned Property for Special Events.

Laura Getz, City Clerk

Timothy Salmon, City Manager

RESOLUTION NO. 2023-36

RESOLUTION REVISING THE POLICY REGARDING THE USE OF CITY-OWNED PROPERTY FOR SPECIAL EVENTS

WHEREAS, the Goldsboro Police Department may issue permits for the usage of Cityowned property for special events provided such uses comply with the provisions of the Policy; and

WHEREAS, the use of City-owned Parks and Recreation property, Goldsboro Event Center, and the Paramount Theatre is not regulated by this Policy; and

WHEREAS, the application fees for special events and parades are requested to be increased due to administrative and labor cost; and

WHEREAS, City employees spend a great deal of time preparing for special events and parades; and

WHEREAS, application fees for City owned property including the HUB/Freedom Field may be waived by the City Manager for events sponsored by the City of Goldsboro. All other application fees requested to be waived must go before the City Council; and

WHEREAS, if the HUB is requested for the venue, applicants should review and complete the "The HUB Rental Information" form; and

WHEREAS, carnival applicants must provide proof of liability insurance coverage of at least 5 million dollars, and the City must be listed as an additional insured.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina that the Policy Regarding the use of City-Owned Property for Special Events shall be revised as stated in the policy presented.

This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 1st day of May, 2023

Attested by:

Laura Getz, City Clerk



City of Goldsboro

	Policy #:	Effective Date:	Rev. #:		Revision Date:	Page:
Subject: Special Events Policy	CMOP - 003	05/01/2023	0		~	1 of 3
Section: City Manager's Office	Resolution Nu	mber and/or Adop	Prepared by: City Manager's Office			
Submitted by: City Manager's Office	Supersedes:			Ap	proved by:	

Purpose

The Goldsboro Police Department may issue permits for the usage of City-owned property for special events provided such uses comply with the provisions of this Policy. The use of City-owned Parks and Recreation property, Goldsboro Event Center and the Paramount Theatre is not regulated by this Policy.

1. Filing of an Application for Use of City-Owned Property

Any person, firm or organization that proposes to utilize City-owned property for a special event shall prepare and file an application with the Goldsboro Police Department, which shall contain the following information.

- a. The name, address and telephone number of the entity desiring to utilize the Cityowned property.
- b. A detailed description of the event to be held including the event name, proposed date and times of the event, description of the event, security needs and plans to address security issues, food, beverages, alcohol or other products to be served or sold, parking and traffic plans, trash collection and recycling plans.
- c. A drawing or site plan showing the City-owned property to be utilized depicting the proposed routes, placement of tables, barricades, portable bathroom facilities, parking or any other structures or uses proposed to be conducted on the property.
- d. An indemnity statement, approved by the City Attorney, whereby the event operator agrees to indemnify and hold harmless the city and its officers, agents and employees from any claim arising from the operation of the special event.
- e. A copy of all permits and licenses issued by the State or the City including health and ABC permits, licenses necessary for the conducting of the special event or a copy of the application for the permit if no permit has been issued.
- f. An application fee of \$25.00 \$100.00 for special events and \$50.00 \$200.00 for parades will be required at the time the application is submitted. This fee will be returned if the permit is denied. Application fees for City owned property including the HUB/Freedom Field may be waived by the City Manager for events sponsored by the City of Goldsboro. All other application fees requested to be waived must be approved by City Council.
- g. If the HUB is requested for the venue, review and complete the "The HUB Rental Request" form (https://www.goldsboronc.gov/wp-content/uploads/The-HUB-Rental-Information.pdf).

2. Issuance of Permit

No permit for the usage of a City-owned property for a special event may be issued unless the application is complete and unless the following requirements are met.

- a. The special event must be allowable by the underlying zoning district.
- b. Hours for the special event shall be no earlier than 9:00 a.m. and end no later than 10:00 p.m. unless approved by Goldsboro City Council.
- c. Security plans, including the provision of providing off-duty police officers must be provided as approved by the Goldsboro Police Department.
- d. Solid waste plans must be provided and approved by the Public Works Department. Solid waste plans shall include provisions for both trash and recyclables. An additional fee in the amount determined by the City Manager's Office may be charged if the property is not cleaned to its prior condition.
- e. No political or campaign promotions are permitted during the special event.
- f. No firearms are permitted on City-owned property.
- g. Excessive noise in violation of the City's Noise Ordinance will not be permitted and penalties may be invoked as follows:

1st Offense: Warning (Verbal or Written) and/or fine 2nd Offense: Termination of Special Event and/or fine

- h. Evidence of adequate insurance to hold the City and its taxpayers harmless from claims arising out of the operation of the special event as determined by the City Manager in consultation with the City Attorney and insurance carrier. Applicant must provide proof of general liability insurance coverage of at least \$1 million. Carnival applicants must provide proof of liability insurance coverage of at least \$5 million. The city must be listed as an additional insured on the Certificate of Insurance.
- i. All tents and other appurtenances to be utilized in conjunction with the special event shall meet all North Carolina Fire and Building Code requirements and obtain necessary permits. Events as required by the North Carolina Fire Code may require the provision of fire department personnel.
- j. When the usage of City-owned property for a special event could impact adjoining properties from a traffic, noise, parking or other perspective, all affected parties will be notified. All properties within 100 ft. of the downtown special event will be notified by the City of Goldsboro staff via hand-delivered flyer, mail or email detailing the time, place and description of the event.
- k. The City Manager may require additional provisions if he or she feels it is in the best interest of the City and its citizens.

3. Alcoholic Beverages on City-Owned Property for Special Events

The City Manager may approve the consumption of alcoholic beverages on public

Subject: Special Events Policy	Policy #:	Effective Date:	Rev. #:		Revision Date:	Page:
	CMOP - 003	05/01/2023	0		-	3 of 3
Section: City Manager's Office	Resolution Number and/or Adopted Date:			Approved by:		

property in accordance with Section 130.03 of the Goldsboro City Code if the all of the following requirements have been satisfactorily addressed and that the granting of a permit is in the City of Goldsboro or the public's best interest.

- a. The event is for a non-profit organization and proof of such has been submitted.
- b. All necessary ABC permits have been issued by the State.
- c. Signs shall be posted, visible at all exit points from the special event that it is unlawful to remove alcoholic beverages in open or unsealed containers from the premises. Areas where alcohol will be consumed, served or sold must clearly be defined and delineated on the premises by barricades, caution tape or other acceptable means.
- d. The applicant or operator of the special event shall not have violated any law, regulation or ordinance relating to the possession, sale, transportation or consumption of intoxicating beverages or controlled substances for the three years preceding the commencement of the special event.

4. <u>Denial of Request for Use of City-Owned Property for Special Events</u>

An application may be denied if it is found that the granting would not be in the City of Goldsboro's or the public's interest. If the City Manager or his or her designee feels that the use of the City-owned property for a special event has been so utilized on an excessive or too frequent basis, the application may be denied. Any applicant denied a permit to utilize City-owned property for a special event shall receive a written statement outlining the grounds on which the denial is based. The applicant may appeal the denial of the application to the City Council within fifteen working days of the written denial and the City Council may take such corrective action as it shall find necessary. The findings and the determination of the City Council shall be final.

5. Permit Revocation

The Goldsboro Police Department may revoke a permit issued pursuant to this section if he or she finds that the applicant or operator of the special event has:

- a. Deliberately misrepresented or provided false information in the permit application;
- b. Violated any provision, City or County Health Department regulation;
- c. Violated any law, regulation or ordinance regarding the possession, sale, transportation or consumption of intoxicating beverages or controlled substances;
- d. Operates the special event in such a manner as to create a public nuisance or to constitute a hazard to the public health, safety or welfare, specifically including failure to keep the City-owned property clean and free of refuse.

^{**}In the event of inclement weather or other emergency situations, the City of Goldsboro Manager's Office and/or Goldsboro Police Department reserve the right to cancel all events.



200 North Center Street, 27530 **P** 919.580.4362

MILITARY APPRECIATION MONTH PROCLAMATION

WHEREAS, our brave service men and women, their families, and their loved ones share in the support and sacrifices necessary for our freedom; and

WHEREAS, this proclamation marks the beginning of Military Appreciation Month, a month in which the Department of Defense and our grateful nation will honor the courage, commitment, and selfless service of our military; and

WHEREAS, community members, businesses, military bases and posts, and other organizations are encouraged to recognize military members and their loved ones with special events such as family activities, community gatherings, sporting events, retail discounts, and other forms of special recognition throughout the entire month of May; and

WHEREAS, military-connected non-profit organizations, veterans service organizations, and other military service providers, both public and private, are encouraged to band together to honor and serve our military families and their loved ones during the month of May.

NOW, THEREFORE BE IT RESOLVED, that the Goldsboro City Council does hereby proclaim May 2023 as

Military Appreciation Month

and officially recognize the many sacrifices made by our veterans, service members, wounded warriors, their families, and their survivors, as well as the vast network of organizations that serve these heroes across the state.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Goldsboro, North Carolina, this 1st day of May, 2023.





MUNICIPAL CLERKS WEEK PROCLAMATION

200 North Center Street, 27530 **P** 919.580.4362

WHEREAS, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, The Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, The Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations; and

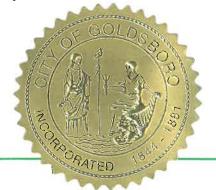
WHEREAS, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE BE IT RESOLVED, that the Goldsboro City Council does hereby recognize the week of April 30 - May 6, 2023, as

MUNICIPAL CLERKS WEEK

and further extend appreciation to our City Clerk Laura Getz, our Deputy City Clerk Holly Jones, and all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Goldsboro, North Carolina, to be affixed on this 1st day of May, 2023.





200 North Center Street, 27530 **P** 919.580.4362

NATIONAL DAY OF PRAYER PROCLAMATION

WHEREAS, civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and

WHEREAS, the Declaration of Independence, our first statement as Americans of national purpose and identify, made "the Laws of Nature and Nature's God" the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and

WHEREAS, created in 1952 by a joint resolution of the United States Congress, and signed into law by President Harry S. Truman, the mission and purpose is to encourage prayer for our country and personal repentance; and

WHEREAS, in 1988, legislation setting aside the first Thursday in May of each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and

WHEREAS, the Supreme Court has affirmed the right of state legislatures to open their sessions with prayer and the Supreme Court and the U.S. Congress themselves begin each day with prayer; and

WHEREAS, this year, Wayne County United in Prayer is hosting its annual local National Day of Prayer event; and

WHEREAS, the National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens.

NOW, THEREFORE BE IT RESOLVED, that the Goldsboro City Council does hereby proclaim Thursday, May 4, 2023 as

A NATIONAL DAY OF PRAYER

in observance of the National Day of Prayer in the City of Goldsboro, North Carolina, and commend this observance to our citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Goldsboro, North Carolina, this 1st day of May, 2023.

