### GOLDSBORO CITY COUNCIL REGULAR MEETING AGENDA MONDAY, AUGUST 7, 2023



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

North Carolina

### I. WORK SESSION-5:00 P.M. - LARGE CONF. RM, CITY HALL ADDITION, 200 N. CENTER ST., ROOM 206

- 1. ROLL CALL
- 2. ADOPTION OF THE AGENDA
- 3. OLD BUSINESS
- 4. NEW BUSINESS
  - a. NCORR Affordable Housing (Matt Whittle, Habitat for Humanity)
  - b. Insurance Waiver for Butts Mobile Home Movers to Relocate the City's Modular Building (Public Works)
  - c. Public Safety Complex Repairs (Public Works)
  - d. Wastewater Reclamation Facility Expansion Engineering Design Services (Assistant City Manager)

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

Invocation (Pastor Ronnie E. Spruill – Have Faith Ministries) Pledge of Allegiance

- III. ROLL CALL
- IV. APPROVAL OF MINUTES
  - A.1 Minutes of the Work Session and Regular Meeting of July 17, 2023
  - A.2 Revised Minutes of the Work Session and Regular Meeting of May 15, 2023
- V. PRESENTATIONS
  - B. Employee/Supervisor of Year Recognition
  - C. Susan Thornton Recognition
  - D. Justin Cates Recognition

#### VI. PUBLIC HEARINGS

- E. Z-10-23 Meares Bluff Village (Residential 20 A to Residential 6 CZ) North of US 70 on the east side of N NC 111 (Meares Bluff Subdivision) (Planning) Rezoning request withdrawn
- F. Public Hearing to Consider an Economic Development Agreement with ALTA Foods LLC and Wayne County (City Manager)

#### VII. PUBLIC COMMENT PERIOD

#### VIII. CONSENT AGENDA ITEMS

- G. Amending a Grant Project Fund Ordinance 2010 Sewer Bonds (S1104) (Finance)
- H. Authorization of sale of substandard lots to adjacent property owner under Session Law 2004-94 (Senate Bill 1370) for 100 Whitfield Drive and S. Alabama Street (John H. Oliver, Jr.) (Finance)
- I. Operating Budget Amendment FY23-24 (Finance)

### IX. ITEMS REQUIRING INDIVIDUAL ACTION

- J. Operating Budget Amendment FY23-24 Wayne County Chamber of Commerce Allocation (Finance)
- K. Adoption of an Ordinance Amending Chapter 115: Alcoholic Beverage Permits, implementing a Social District in the City of Goldsboro (Downtown Development)
- X. CITY MANAGER'S REPORT
- XI. CEREMONIAL DOCUMENTS
- XII. MAYOR AND COUNCILMEMBERS' COMMENTS
- XIII. CLOSED SESSION
- XIV. ADJOURN







# Where have we been building? Our Marshall Street Neighborhood!



707 & 709 N. Georgia Ave.

600 & 602 Marshall St.



# Where have we been building? Our Marshall Street Neighborhood



714, 712 & 710 N. Alabama Ave.

706 & 708 N. Alabama Ave. NCORR:
Affordable
Housing
Development
Fund

# McNair Heights

Off of Dr. H.E. McNair Street (formerly Poplar Street)



# NCORR: Affordable Housing Development Fund McNair Heights



# NCORR: Affordable Housing Development Fund McNair Heights



- Project Scope: Infrastructure for the extension of Berry Street to serve 26 anticipated homes. Construction of 8 of those 26 homes. Homes should be sold to families under 80% of AMI
- Total Project Budget: \$4,545,250 (estimated)
- Total Requested Amount: \$3,369,250 (estimated)

- Total Project Budget: \$5,170,260 (estimated)
  - Includes cost of infrastructure, construction, soft costs, developer/general contractor fees, and contingency
- Total Requested Amount: \$3,620,160 (estimated)
  - Includes cost of infrastructure (\$2.11M), contingency, developer/GC fees & appraisal gap funding (down payment assistance)

- Amount of funding <u>required</u> from the City: \$0\*
- Habitat Goldsboro-Wayne will cover the \$1.5M gap between anticipated project cost & requested amount\*

\*We do anticipate approximately \$160K coming from the City's HOME funds through CHDO & HBA programs

- This is the 3<sup>rd</sup> round of Affordable Housing Development funding being issued by the NC Office of Recovery & Resiliency for areas impacted by Hurricanes Matthew and Florence.
- City of Goldsboro is the applicant to NCORR for CDBG-DR funds and will be the sub-recipient of the funds.
- Habitat for Humanity of Goldsboro-Wayne will be the developer as well as the contractor for home construction.

- City Responsibilities
  - Submit the application
  - Provide evidence of local support
  - Show that the project is consistent with community planning priorities related to resiliency against future storms

- City Responsibilities (continued)
  - Show capacity to manage the CDBG-DR grant (this can including hiring or contracting plans)
    - Perform financial management & oversight
    - Show prior experience managing grants
    - Internal auditing capability
    - Administrative staffing
    - Knowledge of federal & state procurement/contracting/financial management requirements & 2 CFR 200
    - Monitoring & controls of timely expenditure of federal funds

- City/Habitat Partnership Structure
  - City is sub-recipient and will submit to NCORR for reimbursement payments, including admin costs
  - Sub-awards to Habitat must be non-amortizing loans requiring land use restriction agreements based on affordability period
  - City monitors Habitat to ensure plans & work meet all applicable NCORR standards and all federal regulations are followed

- Timeline
  - Aug. 25, 2023 Application Deadline
  - October 2023 Award Announcement
  - Mid-2026 Anticipated Grant Period End

### CITY OF GOLDSBORO AGENDA MEMORANDUM AUGUST 7, 2023 COUNCIL MEETING

SUBJECT: Insurance Waiver for Butts Mobile Home Movers to Relocate the

City's Modular Building

BACKGROUND: The modular building located at Fire Station 4 is scheduled to be

relocated to the Public Works complex and repurposed for IT office space and storage. All efforts to find a single contractor capable of relocating and setting up the modular building, and who also meets all

the City's insurance requirements, have been exhausted.

DISCUSSION: Butts Mobile Home Movers Inc. is the only local contractor that has

shown any interest in, or who is capable of, completing the entire relocation and set-up project. In fact, they accomplished the initial relocation and setup of the modular currently at Fire Station 4 and the Signal Shop modular in the Public Works compound in 2017. Since 2017, the City has updated the General Liability (GL) and Workers Compensation (WC) insurance requirements for anyone working on City property. Mr. Butts meets the auto insurance requirements, but not the GL or WC. According to the City's insurance carrier (AJG),

auto liability is the largest exposure to risk.

Mr. Butts accomplished two previous modular relocations for the City in 2017 and is capable of accomplishing the current relocation. Hiring a general contractor who meets the GL and WC requirements to oversee the removal, transport and installation of the modular will

more than likely double the cost to \$50K or \$60K.

RECOMMENDATION: Staff recommends council waive the Workers Compensation and

General Liability requirements for Butts Mobile Home Movers, so they can be awarded the contract to relocate the City's modular unit.

Date: **8** 

Richard E. A. Fletcher III, Public Works Director

Date: 8/2/23

Timothy Salmon, City Manager

# CITY OF GOLDSBORO AGENDA MEMORANDUM AUGUST 7, 2023 COUNCIL MEETING

SUBJECT:

**Public Safety Complex Repairs** 

**BACKGROUND:** 

The original 50-year-old building and the subsequent four building additions have sinking foundations causing structural separation between the roof and walls which has allowed water infiltration throughout the facility. Many windows have gaps along the sill that allow visible light to show through due to the shifting of the foundation and walls. Excessive water during rains and moisture from humidity is causing HVAC problems. Some new HVAC equipment has been installed, but the excessive moisture overwhelms the system. Portions of the facility are currently closed due to mold and the inability to regulate the interior atmosphere. Some interior electrical outlets and internet connections have flowing water inside them. The interior floor slab is sinking in multiple locations causing significant plumbing issues. An initial cost estimate to repair the existing facility is \$2 – 3M. A new 50,000 SF facility is estimated to cost \$10 – 15M.

DISCUSSION:

Options to consider: 1) Repair the identified problems in the current facility; 2) Replace all but the newest building addition; 3) Build an entirely new complex. To make repairs, the next step will be to send out a Request for Proposal (RFP) to firms for competitive bids to create the project information and all bid items that will be required for the total project. Then the project management firm will follow that process with a formal bid to general contractors to perform all work identified.

RECOMMENDATION: Staff will produce an RFP for current building envelope and HVAC repairs to better inform Council of the expected costs.

Date: 8/2/23

Jamie Stanley, Deputy Director Public Works

Date: 8/2/23

Timothy Salmon, City Manager

### **Public Safety Complex Update**



### **Key Facts**

- The original building is 50 years old, along with the core plumbing and electrical.
- The foundation is still sinking.
- The foundation failure is causing structural failure of the interior and exterior walls.
- The roof connections to the supporting walls have separated due to foundation and wall movement.
- The roof and many windows have numerous water infiltration locations.
- The interior floor slab is sinking, causing significant plumbing and flooring issues.
- Some existing duct work is positive for mold.
- Some repairs will require asbestos abatement.





### **Current Assessment Activities**

- LynchMykins Structural Assessment Recommendations
  - Helical Pier Installation
  - Hire Building Envelope Consultant (waterproofing)
  - Remove cracked brick and block and repoint all cracked joints
- Turner & Townsend Heery Proposal for Owner's Representation Services
- Ram Jack Helical Pier Foundation Stabilization
  - 160 Helical Piers
  - 24 Slab Supports





### **Estimated Costs**

 Structural Assessment – LynchMykins 2,500.00 Scope Development – Turner & Townsend 17,000.00 Foundation Stabilization – Ram Jack 550,000.00 HVAC System Total Replacement \$ 1,250,000.00 Building Envelope Repair (Roof, Walls, Windows) **TBD**  Exterior Brick and Interior Block Repair TBD Plumbing and Electrical Repairs TBD Interior Finishes (floors-ceilings-fixtures) TBD

New Public Safety Complex \$10-15 million

### **Foundation Repairs**





----- Helical Piers 160

----- Column Piers 6

----- Slab Supports 24

----- Slab Repairs 2

----- Step Rem/Rep

# CITY OF GOLDSBORO AGENDA MEMORANDUM AUGUST 7, 2023, COUNCIL MEETING

SUBJECT:

Wastewater Reclamation Facility Expansion Engineering Design Services

**BACKGROUND:** 

Approximately one year ago the City of Goldsboro was under a NC Department of Environmental Quality (DEQ) temporary sewer moratorium as the Water Reclamation Facility (WRF) exceeded 80% capacity by 1% (see attached NCDEQ memorandum). Much of the flow was due to water inflow and infiltration (I&I) into the sewer system during a very rain intensive year. The City worked with state officials to lift the moratorium by demonstrating the ongoing efforts to reduce I&I and received NCDEQ approval to permit projects up to 90% of the WRF capacity. Calendar Year 2023 WRF flows average 61% (9mgd of 14.2mgd) capacity in part due to drier conditions. While the City currently has some available capacity to support growth, that amount is quickly being used up as new development gets approved and is dependent on weather conditions. The City is permitted to discharge up to 17.6mgd but that is not adequate to meet expected future

wastewater treatment needs.

DISCUSSION:

In the FY23 budget, \$632,806 was approved for WRF expansion engineering design services. Staff seeks Council concurrence to design a plant that will increase our operational treatment capacity by at least 7mgd.

RECOMMENDATION:

On-call engineering services be used for Wastewater Treatment Plant engineering design services to expand the existing facility by at least 7mgd while concurrently seeking a wastewater flow permit increase.

Date: 8/3/27

Matthew Livingston, Assistant City Manager

Date: 8/3

Timothy Salmon, City Manager

ROY COOPER Covernor ELIZABETH S. BISER Secretary RICHARD E. ROGERS, JR.



8/10/2022

City of Goldsboro ATTN: Timothy M. Salmon, City Manager PO Drawer A Goldsboro, NC 27533-9701

Subject: Retraction of Sewer Line Moratorium

Demonstration of Future Wastewater Treatment Capacities

NPDES Permit NC0023949

City of Goldsboro - Goldsboro WRF

Wayne County

#### Dear Permittee:

On September 7, 2021, the Division notified the City of Goldsboro of a pending imposition of sewer line moratorium against the City's Goldsboro WRF for exceeding 75% of its treatment capacity for calendar year 2020. Based on a review of your self-monitoring reports for calendar year 2021, the subject facility has exceeded the 80% threshold of its current treatment capacity and was placed under a moratorium per 15A NCAC 02T .0118. Subsequent information was submitted by Mr. Timothy M. Salmon with the City of Goldsboro on July 21, 2022, indicating that the City has been permitted to expand the facility's capacity upon receipt of an Authorization to Construct permit, and has made tremendous effort to remedying its wastewater and I&I issues through various projects.

Based on a review of the information submitted to the Division, the City of Goldsboro has met the requirements of 15A NCAC 02T .0118, "Demonstration of Future Wastewater Treatment Capacities". The Division hereby lifts the sewer line moratorium imposed against the City of Goldsboro – Goldsboro WRF for exceeding the 80% threshold of the current treatment capacity. Please note that future moratoriums may still be imposed for exceeding 90% threshold of the current treatment capacity or if the facility demonstrates it is unable to sufficiently treat the volume of wastewater entering the facility.

Thank you for your prompt attention to this matter. If you have any questions about this letter or discharge monitoring reports, please contact Siying Chen of my staff at 919-707-3619 or via e-mail at siying.chen@ncdenr.gov.

Sincerely,

DocuSigned by:

-8328B44CE9EB4A1...

Richard E. Rogers, Jr., Director Division of Water Resources

cc: NCDEQ Washington Regional Office NPDES Files [Laserfiche] Municipal Permitting Unit



### MINUTES OF THE MEETING OF THE GOLDSBORO CITY COUNCIL JULY 17, 2023

### **WORK SESSION**

The City Council of the City of Goldsboro, North Carolina, met in a Work Session in the Large Conference Room, City Hall Addition, 200 North Center Street, at 5:00 p.m. on July 17, 2023.

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

Roll Call.

Present: Mayor David Ham, Presiding

> Mayor Pro Tem Brandi Matthews Councilman Bill Broadaway Councilman Charles Gaylor, IV

Absent: Councilwoman Hiawatha Jones

Councilman Greg Batts

Also Present: Tim Salmon, City Manager

Ron Lawrence, City Attorney

Laura Getz, City Clerk

Matt Livingston, Assistant City Manager

Adoption of the Agenda. Mayor Ham requested Consent Agenda Item M, FY2023-2024 Annual Action Plan Recommendations be moved to Old Business, item c. Upon motion of Councilman Broadaway, seconded by Councilman Gaylor, and unanimously carried, Council adopted the amended agenda.

New Business work session Item c was conducted before Old Business.

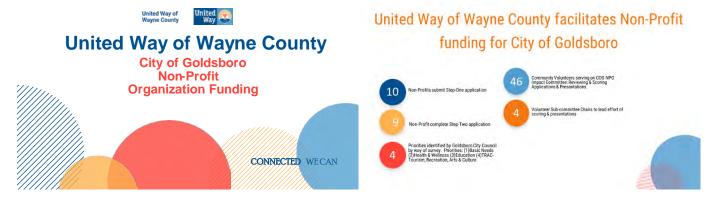
Industry Economic Development Update. Craig Foucht, Director of Business and Project Management at NC Global TransPark Economic Development Region shared North Carolina business statistics. He also shared the following information regarding three projects interested in Park East. The first was a 1.1-billion-dollar capital investment, 800 jobs, and Goldsboro was one of three communities that were asked to submit a specific property. The second was a 1.06-billion-dollar capital investment, 435 jobs, and we were one of only two sites that were asked to submit. We were unable to submit for these projects due to water and sewer capacity limitations. The third is a 2.95-billion-dollar capital investment, 3,650 jobs, and we were one of seven to submit but there has been no notification yet.

Mr. Foucht shared that we need a strategic plan to solve the wastewater issue if we want to attract large capital investment. Mr. Foucht discussed a recent meeting held to discuss regionalization for water and sewer in this area.

Councilman Broadaway asked about lobbying for wastewater. Mr. Foucht stated they are looking at hiring a federal lobbyist for infrastructure funding. Councilman Gaylor asked about the possibility of getting federal assistance with wastewater issues. Mr. Foucht discussed funding and grants for infrastructure. City Manager Salmon reemphasized that we have 14.2 million gallons per day in our wastewater treatment plant capacity and we are permitted up to 17.6. He shared a study was put in this year's budget to see what it would cost to expand the wastewater capacity to 17.6 or more.

### Old Business.

NPO Funding Recommended Allocation. Sherry Archibald, United Way Executive Director shared the following presentation:





Mrs. Archibald shared the following: We received 10 applications with Step 1. Nine of those applicants returned completing the 2nd phase of the process. The Notice of Funding Opportunity and application offered two categories: Benefit and Practiced Partners. Benefit Partner was an opportunity to less experienced non-profits with some guidance and support as well as stronger oversight, reporting and reimbursable model. We did not receive any applicants in as Benefit Partners. Following a survey to you to identify your priorities, we completed a 10-page Notice of Funding Opportunity, advertised and shared Council's priorities with all non-profits interested in applying. We opened the opportunity with a two-step application process and began recruiting volunteers to serve on the City of Goldsboro Impact Committee. After recruiting more than 40 volunteers to serve the City's interest, we divided them into four sub-committees representing your priority areas and facilitated two days of presentations. A panel of four sub-committee chairs convened to discuss the presentations and determine final recommendations. Those 4 Sub-committee chairs are Esteban Guzman, Hope Gay, Tara Humphries & Eddie Edwards. Upon your approval of the recommendations, UWWC will provide a request, along with all the required documentation to the Finance Director, to process the first of two payments to these non-profits doing great work in our community. I plan to bring this process back to you in February/March 2024 to evaluate and determine how or if we proceed in the next budget cycle and will have reporting to share with you in May.

Councilman Gaylor asked about the duplicate listing for Literacy Connections. Mrs. Archibald shared that Literacy Connections applied for funding for two of their programs. Mayor Ham thanked Mrs. Archibald and her team for the United Way's administration of the program.

Councilman Broadaway made a motion to approve the presented recommendations. The motion was seconded by Councilman Gaylor and unanimously approved.

**FY22-23 NPO Funding**. Tim Salmon, City Manager shared the following comments: A nonprofit organization that was appropriated funding by council last fiscal year but did not receive the funding due to audit requirements has requested to receive the funding this fiscal year once their audit is complete. Would the council be agreeable to that?

Mayor Ham shared the nonprofit organization being referred to is Rebuilding Broken Places. He also shared he has spoken with their CPA and the delay in submitting the documents was the on the part of the CPA, not Rebuilding Broken Places.

Council discussed the issue and concurred to proceed with funding Rebuilding Broken Places for FY 22-23 in the FY 23-24 budget once their audit has been submitted. A budget amendment will be brought to a future Council meeting for approval.

**FY2023-2024 Annual Action Plan Recommendations.** Felecia Williams, Community Relations and Development Director presented the following information which was provided to Council after being revised on July 14, 2023: On July 5, 2023, HUD notified the City of the disapproval of the FY23-24 Annual Action Plan and offered a remedy of corrective actions to be taken within 30 days of the official date of disapproval.

The corrective actions included:

- 25% HOME match/match waiver request must be included in the Expected Resources
- Description of publicly owned land
- Clarity on the type of housing to be funded for CHDO set-aside (rental/homeownership)
- Projects do not equal total amount of available funds (CDBG-\$211,962 under funded / HOME-\$40 over funded)
- Description of reasons for allocation priorities
- Description of process for funding with HOME funds
- Description of Recapture requirements

Staff made the following corrections and resubmitted the Annual Action Plan on July 14, 2023:

- Requested HOME match waiver, as Goldsboro meets HUD's criteria as a financially distressed city.
- Added further description of publicly owned land.
- Clarified that CHDO funds will be provided for rental and homeownership.
- Added the missing activity (Public Facilities & Improvements) and refunded activities so that all funds were appropriately allocated.
- Added further description of reasons for allocation priorities.
- Added further description of process for funding with HOME funds.
- Added further description of Recapture requirements.

There is no action needed from Council at this time.

### New Business.

City Fiscal Policy Guidelines and Strategic Plan Finance Metrics. Octavius Murphy, Assistant to the City Manager introduced Mitch Brigulio with Davenport (participated electronically) and Hayden Clark, East Carolina Fellow and presented the following information: The City Fiscal Policy Guidelines adopted April 19, 2010, and revised February 15, 2012, establish General Fund (GF) available fund balance and Utility Fund (UF) reserve targets that enable our local government to fund operations and maintenance and capital requirements when revenue is down and costs may be up due to national, state, and/or local state of emergency or other City specific reasons. The City currently does not have a bond rating policy which enables it to be a low-risk borrower when undertaking projects. None of these important guidelines are in the City Strategic Plan.

City staff and our Davenport financial consultants recommend the following revisions to the City Fiscal Policy Guidelines and Strategic Plan: GF "available" fund balance should be replaced with "unassigned" fund balance as depicted in Annual Comprehensive Financial Report with the target being "at least" 15%, vice 15%, to be more in line with other cities our size as recommended by the NC Local Government Commission (LGC). Utility Fund "reserves" should be replaced with "cash and investments" to properly qualify the necessary liquidity. Maintaining a "very strong" bond rating is crucial to the city's financial stability and growth.

It was recommended that Council accept the Fiscal Policy changes and Strategic Plan metrics stated below:

### **RESERVE POLICIES**

Unreserved, Undesignated Fund Balances will mean funds that remain available for appropriation by the City Council after all commitments for future expenditures, required reserves defined by State statutes, and previous Council designations have been calculated. The City will define these remaining amounts as "available fund balances."

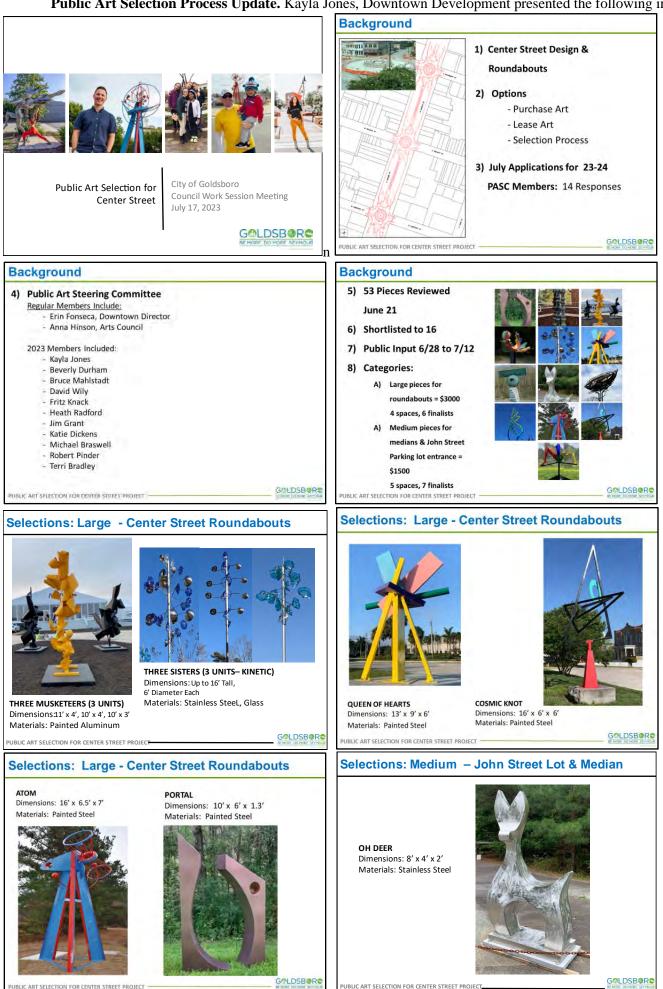
- 1. The City of Goldsboro will strive to maintain available unassigned fund balances in the General Fund at a level sufficient to meet its objectives. The City will target an available unassigned fund balance at the close of each fiscal year equal to at least 15% of General Fund operating Budget expenditures and transfers out; at no time shall the available unassigned fund balance fall below 10% of General Fund operating Budget-expenditures and transfers out without Council approval.
- 2. The City Council may, from time-to-time, appropriate fund balances that will reduce available unassigned fund balances below the 10% policy for the purposes of a declared fiscal emergency or other such global purpose as to protect the long-term fiscal security of the City of Goldsboro. In such circumstances, the Council will adopt a plan to restore the available unassigned fund balances to the policy level within 36 months from the date of the appropriation. If restoration cannot be accomplished within such time period without severe hardship to the City, then the Council will establish a different but appropriate time period.
- 3. The City has adopted a comprehensive strategy for the long-term stability and financial health of the <u>Combined Water and Sewer Utility</u> Fund that provides for annual increases in fund reserves to an established goal of. The City of Goldsboro will strive to maintain Utility Fund cash and investments at the close of each fiscal year equal to at least 50% of the <del>Water and Sewer Utility</del> Fund operating <del>budget expenditures</del>; at no time shall cash and investments fall below 30% of Utility Fund operating expenditures without Council approval.
- 4. The City Council may, from time-to-time, appropriate Utility Fund cash and investments below the 30% policy for the purposes of a declared fiscal emergency or other such global purpose as to protect the long-term fiscal security of the City of Goldsboro. In such circumstances, the Council will adopt a plan to restore cash and investments to the policy level within 36 months from the date of the appropriation. If restoration cannot be accomplished within such time period without severe hardship to the City, then the Council will establish a different but appropriate time period.

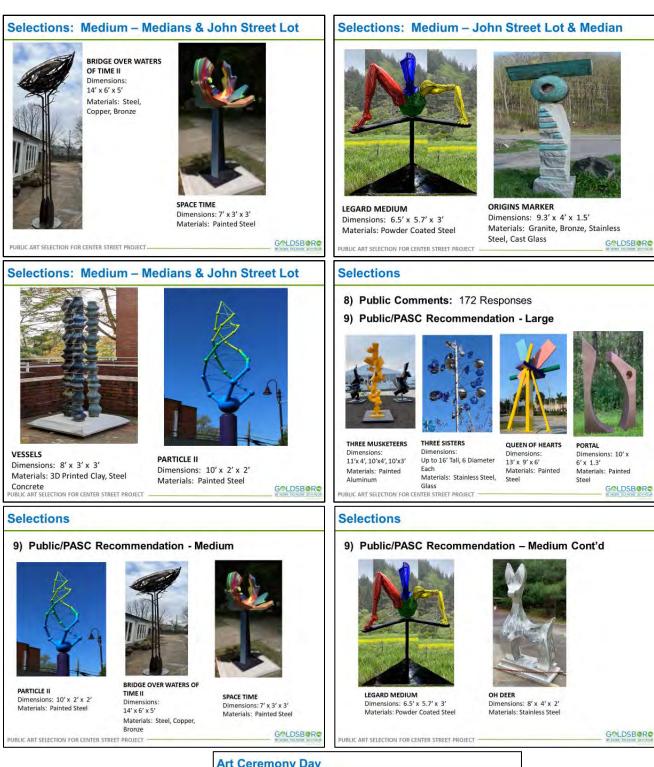
BOND RATING POLICY. The City will maintain a very strong/high bond rating to be considered a "low-risk" borrower when obtaining funding for projects. The City will target the Standard and Poor's AA+/Moody's Aa1 rating; at no time shall the rating drop below AA/Aa2 without Council notification. In such circumstances, the Council will adopt a plan to restore the bond rating to the policy level within 36 months from the date of the lower

or lost bond rating. If restoration cannot be accomplished within such time period without severe hardship to the City, then Council will establish a different but appropriate time period.

Councilman Gaylor made a motion to accept the Fiscal Policy Changes and Strategic Plan changes presented. The motion was seconded by Councilman Broadaway and unanimously carried.

Public Art Selection Process Update. Kayla Jones, Downtown Development presented the following information:







Mayor Ham shared comments about what art means for our downtown and thanked Council for funding the art in the budget. Council had no further comments.

City Manager Salmon and City Attorney Lawrence shared if Council had any concerns regarding items K-O-P and Q, the item would need to be removed from the agenda and placed on Items Requiring Individual Action since these ordinances would require a super-majority (all 4 members present).

**Consent Agenda Review.** Items K - R on the consent agenda were reviewed. Further discussion included the following:

Item K. Adoption of an Ordinance Amending Chapter 115: Alcoholic Beverage Permits, and approval of the Maintenance Plan implementing a Social District in the City of Goldsboro. The item was presented by Greg Mills, Downtown Development. Mayor Ham shared concerns regarding the boundaries of the social district. Mr. Mills explained

the existing boundaries. Mayor Pro Tem Matthews made a motion to amend the agenda by removing Item K until the next meeting. The motion was seconded by Councilman Gaylor and unanimously carried.

### **Closed Session.**

Upon motion of Councilman Gaylor, seconded by Councilman Broadaway and unanimously carried, Council went into Closed Session to discuss Litigation and Economic Development.

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

Mayor Ham recessed the meeting at 6:25 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 July 17, 2023.

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

Archbishop Anthony Slater with Tehillah Church Ministries provided the invocation. The Pledge of Allegiance followed.

Roll Call.

Present: Mayor David Ham, Presiding

Mayor Pro Tem Brandi Matthews Councilman Bill Broadaway Councilman Charles Gaylor, IV

Absent: Councilwoman Hiawatha Jones

Councilman Greg Batts

Also Present: Tim Salmon, City Manager

Ron Lawrence, City Attorney Laura Getz, City Clerk

Matt Livingston, Assistant City Manager

<u>Approval of Minutes.</u> Councilman Broadaway made a motion to approve the minutes of the Work Session and Regular Meeting of June 20, 2023 and the Minutes of the Special Meeting of July 6, 2023. The motion was seconded by Councilman Gaylor and unanimously carried.

### Presentations.

**Employee Performance Awards.** City Manager Salmon presented the following awards:

The Employee of the Quarter Award: Luke Miller. Officer Luke Miller put his training to use on June 6, 2023. He was flagged down by a mother whose 13-year-old daughter was having an anaphylactic reaction due to food allergies. The 13-year-old was not breathing on her own, giving the universal sign for choking or not being able to breathe by putting her hands around her neck. The mother had an EpiPen but did not know how to utilize it. Officer Miller took the EpiPen, correctly utilized it, providing the child with some relief to her allergic reaction.

Officer Miller called for EMS and kept an eye on the daughter. He also took the time to educate the mother on how to properly utilize the remaining EpiPen, in the event it would be needed in the future. EMS took several minutes to arrive on scene, and had Officer Miller not properly utilized the EpiPen, the outcome for the 13-year-old could have been worse.

Officer Miller's work ethic and accomplishments reflect well on himself and the City of Goldsboro.

The Supervisor of the Quarter Award: Joshua Shockley. As the Event Center Manager, Josh Shockley has exhibited professionalism, integrity, and customer-focus as we continue to work through and out of the pandemic. He continues to go above and beyond to serve the citizens of Goldsboro and many other guests that visit the Goldsboro Golf Course and Event Center.

Josh continues daily, weekly, and monthly to put in place protocols for the Event Center to run as smoothly as possible. He and his staff work together to take care of their patrons daily. The citizens and guests of Goldsboro are continuously relaying compliments regarding the service and professionalism they receive during their functions at the Event Center. The number of referrals and compliments continue to be a great asset to the success of the Event Center.

Josh has only been the Event Center Manager for a year, yet has accomplished a 67% increase in events over any year that the City of Goldsboro has owned the Event Center. For the month of January 2023, Josh brought in revenue in excess of

\$21,000 for the month; this is 72.5% more than any other month in the history of the City owning and operating the Event Center.

Josh's work ethic, professionalism, integrity, and customer-focus reflect well on himself and the City of Goldsboro.

**Annual National Night Out Proclamation.** Read by Mayor Ham: The Goldsboro City Council proclaimed Tuesday, August 1, 2023, as the ANNUAL NATIONAL NIGHT OUT in the City of Goldsboro, North Carolina, and called upon all citizens of the City of Goldsboro to join the National Association of Town Watch in supporting the "Annual National Night Out" on August 1, 2023.

Goldsboro/Wayne Purple Heart Proclamation. Read by Councilman Broadaway: The Goldsboro City Council and Wayne County Board of Commissioners honored the service and sacrifice of our nation's men and women in uniform wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans. Jointly, the Goldsboro City Council and the Wayne County Board of Commissioners commended the Board of Directors of the Goldsboro/Wayne Purple Heart Foundation for honoring Purple Heart recipients at its annual banquet on August 5, 2023, as a special tribute to those service members who have received the Purple Heart and the families of Purple Heart recipients who are deceased.

### Public Hearings.

Z-10-23 Meares Bluff Village (Residential 20 A to Residential 6 CZ) – North of US 70 on the east side of N NC 111 (Meares Bluff Subdivision). *Public Hearing continued to August 7, 2023.* The item was presented by Austin Brinkley, Assistant Planning Director.

ADDRESS: Pickens Dr. & N NC 111 PARCEL #: 3611048404 & 3601933033 OWNER/APPLICANT: CE2, LLC

The applicant is requesting a conditional rezoning from the Residential 20 Agriculture Zoning District to the Residential 6 (R-6) Conditional Zoning District. The purpose of the Residential 6 (R-6) Conditional Zoning District is to accommodate both single and multi-family residential uses and to prohibit all activities of a commercial nature.

Access: Pickens Dr. Area: 22.4 acres

Single-Family lots: 79 (3 phase construction)

Phase A - 35Phase B - 21Phase C - 23

### SURROUNDING ZONING:

North: Residential 20 Agriculture South: Residential 20 Agriculture East: Residential 20 Agriculture

West: Residential 16 & Residential 20 Agriculture

Existing Use: The properties are currently vacant.

Land Use Plan: The City's Land Use Plan locates these parcels within the Low-Density Residential designation.

Low-Density Residential: This designation is intended to locate in areas where development pressures are the least.

The Residential 6 (R-6) Conditional Zoning District is not identified as a corresponding district for the Low-Density Residential land use designation. The application states that in 2008, the developer purchased sewer capacity on the Stoney Creek Church force main in anticipation for future development.

This is a conditional rezoning proposal to establish a single-family residential planned unit development consisting of 79 single-family lots, this development is proposed to be built out in three separate phases. The adjacent uses are the Meares Bluff Subdivision and the Whispering Woods Subdivision. The parcels would have access off Pickens Dr. which is off of N NC 111. The development proposes to incorporate 25% open space.

TRC REVIEW: Staff has distributed this proposed conditional rezoning to several different departments as well as Seymour Johnson Air Force Base and NCDOT. There are no comments at this time, based off the concept design. If approved, this will require Site Plan submittal and will undergo TRC Review.

Staff is recommending approval of the conditional rezoning request based on the fact that this would aid in satisfying the growing demand for housing in the City of Goldsboro and would not be out of character with the surrounding area which is also residential in nature. The availability of water and sewer does support a higher density development which is allowed in the Residential 6 district.

The City of Goldsboro Planning Commission met on June 26, 2023, to review and make a recommendation regarding the rezoning request. Planning Commission voted 6 in favor 0 against.

Councilman Gaylor asked Mr. Brinkley to discuss the differences in R-20 and R-6 and what it would allow. Mr. Brinkley discussed the differences in the zoning.

Mayor Ham opened the Public Hearing. The following people spoke:

- 1. Daniel Brock, Mears Bluff resident, shared his comments (Exhibit A) and a map of Mears Bluff Plantation (Exhibit B) with the clerk. He spoke in opposition to the rezoning.
- 2. Kenneth Powell, Mears Bluff resident, spoke in opposition to the rezoning.
- 3. Mike Byrd, Mears Bluff resident, spoke in opposition to the rezoning.
- 4. Blain Crocker, Developer, spoke in favor of the rezoning.
- 5. Brian Daniels, Mears Bluff resident, spoke in opposition to the rezoning.
- 6. Tracy Haskins, Mears Bluff resident, spoke in opposition to the rezoning.
- 7. Mandy Murphy, Mears Bluff resident, spoke in opposition to the rezoning.
- 8. Janet Muscher, Mears Bluff resident, spoke in opposition to the rezoning.
- 9. Rick Nelson, Whispering Pines resident, spoke in opposition to the rezoning.
- 10. Wells Warner, Mears Bluff resident, spoke in opposition to the rezoning.
- 11. Tony Wooten, Mears Bluff resident, spoke in opposition to the rezoning.
- 12. Quinn Wright, Cottonwood Neighborhood resident, spoke in opposition to the rezoning.
- 13. David West, Mears Bluff resident, spoke in opposition to the rezoning.
- 14. Andrea Thomas, Mears Bluff resident, spoke in opposition to the rezoning.
- 15. Tony Gollotto, Mears Bluff resident, spoke in opposition to the rezoning.
- 16. Octavius Murphy, Mears Bluff resident, spoke regarding the rezoning.

No one else spoke and the Public Hearing was closed.

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.

Councilman Gaylor made a motion to continue the public hearing to the August 7 council meeting. The motion was seconded by Councilman Broadaway and unanimously carried.

SU-5-23 Cemetery – T-intersection of Herbert St. and S. John St. ext. *Public Hearing continued to August 21*, 2023. Kenny Talton, Planning Director presented the following:

ADDRESS: (TBD) PARCEL #: 2598792758

OWNER: Goldsby Memorial Gardens Inc.

APPLICANT: Timothy Goldsby

Mr. Talton stated the wording on the map, Ground Zero should just be Cemetery.

The applicant requests a Special Use Permit for the establishment of a private cemetery located in the General Industry (I-2) Zoning District. The General Industry Zoning district is established to accommodate the widest range of manufacturing, wholesale, and distribution uses.

Mr. Talton shared a copy of the zoning map and stated there is R-9 zoning to the East, to the South and General Industry to the West and North.

According to the City's Unified Development Code, a cemetery is a permitted use in the General Industry Zoning District only after obtaining a Special Use Permit from Goldsboro City Council. In addition, the following are approval criteria for the proposed use:

- 1. Chapels, mortuaries, mausoleums, administrative offices and maintenance buildings may be developed within the cemetery. Access to all buildings shall be from within the cemetery. The minimum setback for all structures, excluding gatehouses is one hundred feet from any exterior property line. Gatehouses are excluded from any minimum setback
- 2. The minimum setback for any grave or burial plot is fifty feet from any exterior property line, except that any grave or burial plot shall be allowed within three feet of a property line of an abutting parcel containing an existing cemetery.
- 3. Where a cemetery abuts a residentially developed or zoned property, it shall be screened in accordance with Section 6.3 (Landscaping, Screening, and Buffering Standards).

Zoning: General Industry (I-2)

Floodplain: 100-year

Existing Use: Vacant woodland.

Acres: 2.9

The City's Land Use Plan locates this parcel within the Industrial land use designation. The City of Goldsboro Comprehensive Land Use Plan emphasizes that the purpose of this sector is to establish and protect industrial areas for the use of prime industrial operations and for the distribution of products at wholesale. The General Industry (I-2) Zoning District is a corresponding district in the Industrial land use designation.

According to the applicant's submitted site plan, the proposed cemetery will consist of a total of 2,250 grave sites.

Hours of Operation/Days: 24 hours/7days a week

Employees: 1

TRC REVIEW: City Engineering was asked to review and provide comment since the location of the proposed cemetery was in the 100-year floodplain. In addition, the applicant was requested to provide additional information for how the impacts of potential flooding in a private cemetery could be mitigated.

Mr. Talton stated the following: During the TRC review, Planning and Engineering had concerns over the proposed use and its location being within the AE flood zone. The applicant has also been requested to provide additional information for how flood impacts can be addressed for this specific use.

If the Special Use Permit is approved, a full TRC review will be conducted, and site plan approval will be required in order to operate.

After being properly sworn in, Mr. Talton continued the presentation.

Mr. Talton stated the following: what you see here is the site plan for the proposed cemetery with South John Street being at the lower section of the slide and of course you see the 2,250 graves lots. Staff is recommending the following conditions in order to mitigate potential flood impacts for the use of the property. This condition has been recommended to do what has happened in previous flooding events. Each grave site as a condition would be required to have an engineer certification for the site certifying that coffins will not float, and other information deemed necessary by the Goldsboro Floodplain Administrator.

Mayor Ham stated the following: I am familiar with this area, I think we all are familiar with John Street and the flooding issues that happens along there. I've seen it flood, but your presentation mentions a requirement to certify that caskets will not float. I'm also familiar with floating caskets in our own cemetery. So, that's a concern that I have. I will speak for myself. There must be some methodology to having a non-floating casket. But I still think that we have to consider the location.

Mayor Ham opened the Public Hearing. The following person spoke after being properly sworn in:

1. Timothy Goldsby, applicant, stated the following: My name is Timothy Goldsby, I'm the one pitching the plan for this cemetery. I'm actually asking that this be continued until the next meeting. Planning did send me an email on the 5th and there are still some issues that I am getting the information for to present to you all. I would like to have it continued until the next meeting so I could have a little bit more information to give you all to satisfy some of the concerns. What I will say, I have been in this industry for over 10 years and I'm as well familiar with the caskets that did float down in Elmwood. I was actually working at a funeral home at the time we were part of the team that kind of worked with that as well and I've also been the general manager of Cleanse Excavations and we handle burials for years. Just on the surface now one of the things I will say is those vaults that did come up were surface burials, which has been outlawed. By North Carolina law, burials must be 18 inches below the surface. With my plan being where it is to you know kind of make people feel better and help to ensure that they don't float I plan to go 6 more inches to cover 24 inches below the surface as well as there will be no just casket burials it will be mandated that you have concrete vault so those are a few things that I have come up with already for that issue. I will ask that if you will allow me to come back at the next meeting and I will have more information for you.

Attorney Lawrence clarified the dates for Special Use hearings, which is the second meeting of the month.

Mayor Pro Tem Matthews made a motion to continue the public hearing to the August 21st council meeting. The motion was seconded by Councilman Gaylor and unanimously carried.

No one else spoke and the Public Hearing was closed.

SU-8-23 Special Event Venues (POE/No ABC)—Intersection of N. William St. and W. Patetown Rd. *Public Hearing Held and Findings Adopted*. After being properly sworn in, Kenny Talton, Planning Director presented the following:

ADDRESS: 103 W. Patetown Rd.

PARCEL #: 3600258551

PROPERTY OWNER: Lillie W. Taylor

APPLICANT: Jeffrey Rudolph

The applicant requests a Special Use Permit for the establishment of special event venues to include weddings, birthday parties, anniversaries, etc.

The proposed Place of Entertainment w/no ABC permit is located in the General Business Zoning District. The General Business Zoning District is established 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. There is no minimum lot size.

Mr. Talton showed a map of the proposed location. He stated the following: I apologize for the lateness of our maps, that need to be reflected that this is a commercial, general industry zoning district, not industrial.

According to the City's Unified Development Code, Places of Entertainment w/no ABC are permitted only after obtaining a Special Use Permit from Goldsboro City Council. In addition, the following are approval criteria for the proposed use:

- 1. Upon a finding that there has been an increase in the volume, intensity or frequency of the use or a use different than set forth in the special use permit, the reviewing authority after a public hearing may modify, suspend or revoke the special use permit.
- 2. Six copies of the floor plan, drawn to scale, shall be submitted indicating the proposed uses within the structure including the location and number of all games and amusements.
- 3. A satisfactory statement setting forth the method and frequency of litter collection and disposal shall be submitted with the site plan.

Frontage: 20 ft.

Zoning: General Business

Existing Use: The property currently consists of a commercial structure with individual tenant spaces occupied for business. The tenant space proposed for use as a special event venue was formerly occupied as a thrift store.

The City's Land Use Plan locates this parcel within the Commercial land use designation. The General Business Zoning District is a corresponding district for the Commercial land use designation. Mr. Talton stated the following: the Land Use recommendation designation is commercial. It is based off of proximately to existing major transportation corridors and commercial development.

Mr. Talton showed another map and stated the map is incorrect. It is showing industrial and should be commercial.

On June 20, 2023, Goldsboro City Council approved a rezoning (Z-7-23) for the entire property (Tax ID# 3600258551) from General Industry (I-2) to General Business (GB).

The proposed Place of Entertainment w/no ABC permit will provide a large assembly area, restrooms and storage area for customers of the business. Occupancy of the facility will be determined by Goldsboro's Chief Building Inspector in accordance with the North Carolina State Building Code.

Hours of Operation

• Saturdays: 10:00 AM – 11:00 PM

Employees: 1

Due to the nature of this proposal, TRC was not asked to review. If the Special Use Permit is approved, a building permit and final inspection will be required for the upfit of the existing tenant space to ensure that all life and safety codes have been satisfied before occupancy of the facility.

Mr. Talton shared an illustration of the proposed assembly area. He also stated the following: The property will use City trash service for collection. The concept is for a large assembly area serving as a flexible space for weddings, anniversaries, birthday parties, etc.

Mayor Ham opened the Public Hearing. No one spoke and the Public Hearing was closed.

After the Public Hearing was closed, City Council entered into deliberation and voted on each of the four findings in order to determine whether or not the Special Use Permit should be issued.

- 1. Councilman Gaylor made a motion that the use will not materially endanger the public health or safety. The motion was seconded by Mayor Pro Tem Matthews and unanimously carried.
- 2. Councilman Broadaway made a motion that the use will not substantially injure the beneficial use of adjoining or abutting property. The motion was seconded by Councilman Gaylor and unanimously carried.
- 3. Councilman Gaylor made a motion that the use will be in harmony with existing development and uses within the area in which it is located. The motion was seconded by Councilman Broadaway and unanimously carried.
- 4. Councilman Gaylor made a motion that the use will be in general conformity with the City of Goldsboro Comprehensive Land Use Plan. The motion was seconded by Councilman Broadaway and unanimously carried.

SU-10-23 Bar (POE with ABC) – East side of N. Center St. between E. Mulberry St. and E. Walnut St. *Public Hearing Held and Findings Adopted*. After being properly sworn in, Kenny Talton, Planning Director presented the following:

ADDRESS: 136 N. Center St. PARCEL #: 2599961157

PROPERTY OWNER: Frank Brian Foster

APPLICANT: Kyle Merritt

The applicant requests a Special Use Permit for the establishment of a bar in downtown Goldsboro.

The proposed Place of Entertainment with ABC permit is located in the Central Business Zoning District. The Central Business Zoning District is established to maintain and strengthen the concentration of commercial, service, residential and institutional uses that serve the entire community and region. The district encourages a mix of high intensity pedestrian-oriented uses compatibly designed and arranged around the existing compact core.

According to the City's Unified Development Code, Places of Entertainment w/ ABC are permitted only after obtaining a Special Use Permit from Goldsboro City Council. In addition, the following are approval criteria for the proposed use:

- 1. Within that area of the CBD bounded by the south side of Ash Street, the east side of George Street, the north side of Elm Street and the west side of William Street, there shall be no minimum separation distance from residentially zoned or developed property. A fifty-foot separation distance shall be required for freestanding churches and schools.
- 2. There shall be no more than two such establishments, with the exception of microbreweries, located per City block, defined as the length of street between two intersections.
- 3. In the CBD, there shall be no minimum separation distance between two such establishments.
- 4. Within that area of the CBD bounded by the south side of Ash Street, the east side of George Street, the north side of Elm Street and the west side of William Street there shall be no minimum off-street parking requirements.
- 5. Outdoor activities associated with a place of entertainment must specifically be approved as part of any associated review and approval process. At the time of review, the reviewing body may impose conditions on outdoor activities as necessary to protect the public health, safety and welfare.

Frontage: 22 ft

Zoning: Central Business District (CBD)

Existing Use: The space proposed for use as a bar was formerly occupied as a retail store.

Land Use Plan: The City's Land Use Plan locates this parcel within the Mixed-Use Downtown land use designation. The City of Goldsboro Comprehensive Land Use Plan identifies the following goals related to the Mixed-Use Downtown designation and desired development for the downtown Goldsboro area. The plan indicates that infill development is an action that is essential to the continued development of Goldsboro, this proposal qualifies as being infill development. The plan also identifies a goal as being to focus on improvement of the downtown Goldsboro area.

Mr. Talton shared a copy of the map and stated the property is in close proximity to City Hall.

According to the applicant's submitted floor plan, the proposed bar will consist of seven tables, a bar, seating for approximately 45 people, restrooms, and a storage area.

Occupancy of the facility will be determined by Goldsboro's Chief Building Inspector in accordance with the North Carolina State Building Code.

### Hours of Operation

• Wednesday-Saturday; 5:00 PM - 1:00 AM

Employees: 6

Due to the nature of this proposal, TRC was not asked to review.

If the Special Use Permit is approved, a building permit and final inspection will be required for the upfit of the existing tenant space to ensure that all life and safety codes have been satisfied before occupancy of the facility.

Mr. Talton shared a diagram of the proposed use and stated the following: the property will use city trash for collection. Seven tables of bar seating for approximately 45 people will be provided.

Mayor Ham opened the Public Hearing. No one spoke and the Public Hearing was closed.

After the Public Hearing was closed, City Council entered into deliberation and voted on each of the four findings in order to determine whether or not the Special Use Permit should be issued.

- 1. Councilman Gaylor made a motion that the use will not materially endanger the public health or safety. The motion was seconded by Councilman Broadaway and unanimously carried.
- 2. Councilman Broadaway made a motion that the use will not substantially injure the beneficial use of adjoining or abutting property. The motion was seconded by Councilman Gaylor and unanimously carried.
- 3. Mayor Pro Tem Matthews made a motion that the use will be in harmony with existing development and uses within the area in which it is located. The motion was seconded by Councilman Gaylor and unanimously carried.
- 4. Councilman Gaylor made a motion that the use will be in general conformity with the City of Goldsboro Comprehensive Land Use Plan. The motion was seconded by Councilman Broadaway and unanimously carried.

SU-11-23 Barber shop and Tattoo Parlor – North side of US 13N between Central Heights Rd. and Tommy's Rd. *Public Hearing Held and Findings Adopted*. After being properly sworn in, Kenny Talton, Planning Director presented the following:

ADDRESS: 2379-A US 13N. PARCEL #: 3620732392

PROPERTY OWNER: B.L. Rentals of Goldsboro, LLC.

APPLICANT: Raquel Quintanilla

Mr. Talton stated the following: The applicants request is to establish a tattoo parlor within an existing barbershop.

The applicant requests a Special Use Permit for the establishment of a Barber and Tattoo Parlor, located in the General Business Zoning District. The General Business Zoning District is established 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. There is no minimum lot size.

Mr. Talton shared the zoning map and stated the following: the zoning map is showing a mixture of R-12 Residential Manufacture non-conforming to the North. A large part of the property to the South of the proposed use is General Business.

According to the City's Unified Development Code, Tattoo Parlors are permitted only after obtaining a Special Use Permit from Goldsboro City Council.

Frontage: 80.8 ft

Zoning: General Business Existing Use: Barber shop only.

The City's Land Use Plan locates this parcel within the Medium-Density Residential land use designation. This land use was based on existing residential development patterns, constraints to development (i.e., floodplains, wetlands, etc.), and the location of infrastructure such as water, sewer, and the transportation network. Although the proposed use is inconsistent with the Medium-Density land use designation, the existing General Business Zoning District allows the use by right to serve the needs of the community and surrounding area.

Mr. Talton stated the following: the land use map is calling for Medium Density Residential. Due to the nature of the use, the full TRC was not required. If approved, the building permit shall be applied for and zoning compliance inspection shall take place prior to any use or occupancy as the barbershop is already in existence and this is just the addition of a tattoo use.

The proposed barber shop and tattoo parlor will provide two tattoo workstations, three barber chairs, a two-chair hair and hand washing workstation, lobby, restrooms, and an employee breakroom.

Hours of Operation

• Sunday – Saturday 10:00 AM – 7:00 PM

Employees: 4

Due to the nature of this proposal, the City TRC was not asked to review. If the Special Use Permit is approved, site plan approval will be required before the issuance of building permits.

Mayor Ham opened the Public Hearing. No one spoke and the Public Hearing was closed.

After the Public Hearing was closed, City Council entered into deliberation and voted on each of the four findings in order to determine whether or not the Special Use Permit should be issued.

- 1. Councilman Broadaway made a motion that the use will not materially endanger the public health or safety. The motion was seconded by Councilman Gaylor and unanimously carried.
- 2. Councilman Gaylor made a motion that the use will not substantially injure the beneficial use of adjoining or abutting property. The motion was seconded by Councilman Broadaway and unanimously carried.
- 3. Mayor Pro Tem Matthews made a motion that the use will be in harmony with existing development and uses within the area in which it is located. The motion was seconded by Councilman Gaylor and unanimously carried.
- 4. Councilman Broadaway made a motion that the use will be in general conformity with the City of Goldsboro Comprehensive Land Use Plan. The motion was seconded by Councilman Gaylor and unanimously carried.

SU-12-23 Vinegar Manufacturing (Storage of Flammable Liquids and Gases) – South side of W. Dewey St. between N. George St. and N. US 117 BYP. *Public Hearing Held and Findings Adopted*. After being properly sworn in, Kenny Talton, Planning Director presented the following:

ADDRESS: 200/204 W. Dewey St. PARCEL #: 3600022193/3600020213 PROPERTY OWNER: Bevell Leasing, LLC.

APPLICANT: North American Vinegar Co. c/o Kevin Merritt

The applicant requests a Special Use Permit for the storage of flammable liquids and gases to be in the General Industry (I-2) Zoning District. The General Industry Zoning District is established to accommodate the widest range of manufacturing, wholesale, and distribution uses.

Mr. Talton shared a map and stated the following: you see a picture of the property with North George Street to your West, 117 Bypass to the East. This district is established to accommodate the widest range of manufacturing wholesale and distribution uses. The zoning for property is General Industry.

According to the City's Unified Development Code, Storage of Flammable Liquids and Gases is permitted only after obtaining a Special Use Permit from Goldsboro City Council. In addition, the following are approval criteria for the proposed use:

- 1. The proposed facility shall conform to the requirements of the Fire Prevention Codes of the North Carolina State Building Code, National Board of Fire Underwriters and the latest edition of the "Flammable and Combustible Liquids Code, NFPA 30" of the National Fire Protection Association.
- 2. A dike that forms a basin equal to the capacity of the largest tank shall surround all tanks constructed above the ground level. All tanks shall be located at least twenty-five feet from any property line or in accordance with Section 6.3.9, whichever is greater.
- 3. A security fence at least eight feet in height and three strands of barbed or razor wire shall surround all facilities used for the storage and handling of flammable materials.
- 4. If there is a yard area between the fence and the rear and side property lines, the area not used for customer and employee parking shall be planted with grass and have landscaping composed of large trees spaced not more than forty feet apart and not less than one row of shrubs thirty inches in height, spaced so that they will form a continuous visual and opaque screen six feet in height within three growing seasons.
- 5. If there is no yard area between the fence and property line, the area within ten feet of the inside of the fence shall have landscaping composed of large trees spaced not more than forty feet apart and not less than one row of shrubs thirty inches in height, spaced so that they will form a continuous visual and opaque screen six feet in height within three growing seasons.
- 6. If the perimeter fence is greater than five hundred linear feet in length, the required planting is waived for the sections of the fence not adjacent to residentially zoned property or not visible from the public right-of-way.
- 7. The location, size and extent of tanks, pumps and other equipment, setbacks, screening and fencing may be modified as necessary to ensure public safety.

Frontage: Approx. 620 ft. (W. Dewey St.)

Zoning: General Industry (I-2)

Existing Use: The site was previously occupied by a power transformer manufacturing industry.

The City's Land Use Plan locates this parcel within the Industrial land use designation. The City of Goldsboro Comprehensive Land Use Plan emphasizes that the purpose of this sector is to establish and protect industrial areas for the use of prime industrial operations and for the distribution of products at wholesale. The General Industry (I-2) Zoning District is a corresponding district in the Industry land use designation.

According to the applicant's submitted site plan, eight (8) vinegar storage tanks, each 14 ft. in diameter and 50 ft. tall and four (4) alcohol storage tanks, each 12 ft. in diameter and 20 ft. tall will be located in the southeast corner of the property fronting James Street.

Hours of Operation

• 24/7; 365 days a year

Employees: 7 initially

TRC REVIEW: Due to the nature of this proposal, the City Technical Review Committee was not asked to review. If the Special Use Permit is approved, site plan approval will be required before the issuance of building permits.

Mr. Talton shared a map of the proposed use and stated the following: here is an illustration of the proposed storage tanks. You'll see four alcohol storage tanks on the far East of the property in the rear yard, 12 inches in diameter, 20 feet tall. Just to the West of those are eight vinegar storage tanks, 14 inches in diameter and 50 feet tall.

Mayor Ham opened the Public Hearing and the following people spoke:

- 1. John Smith stated the following after being properly sworn in: My name is John Smith, I am Program Manager at Balfour Beatty TPG, which is the business located right across the street from where the proposed vinegar manufacturing company is. I'm just here to represent the company tonight and we have 56 employees with an aggressive 5-year plan to probably get up to around 80 employees. I think we're just concerned about any risk that could be to the company or to the employees with the manufacturing of the vinegar or any byproducts that they may have. We're just here to express concern and see what the outcome would be, of what this company will bring to the environment here.
  - a. Mayor Ham stated the following: Mr. Talton, has this issue been considered potential hazardous waste, or not just waste, but hazardous for people working.
  - b. Mr. Talton stated the following: it wouldn't be considered hazardous waste but again, because of its special nature, storing of flammable liquids and gases, is before you tonight as a special use permit. We'll address those concerns at a full TRC meeting, if this site is approved. At this point in time, I don't have any evidence to submit that would support it being a danger to the public.
  - c. Councilman Broadaway asked if TRC would determine the danger level.
  - d. Mr. Talton stated, absolutely, if the special use permit is approved, the TRC will be conducted. Our Fire Marshal will be a part of that TRC review process as well as the building inspections team. They're going to make sure that the site is in full compliance with the State Building Code, Fire Code and any other federal codes that may be involved with this type of application.

Mr. Smith stated: I think some of the concerns that TPG has is we have large roll-up doors and we have a large facility with people that could potentially be exposed of any of the smells or things that could impact our workforce and potentially impact delays to delivery of product and things like that to our customers so we just want to make sure that's being addressed and that everything will be reviewed at that time.

2. Craig Foucht stated the following after being properly sworn in: I'm Craig Foucht, North Carolina Global Transpark, Economic Development Region. I've been working with American Vinegar Company since the onset of taking this particular job, trying to find them a facility to manufacture vinegar. There's three things in North Carolina that we know: pickles (Mount Olive, right here in Wayne County), hot sauce and North Carolina barbecue. They all require vinegar and there's no vinegar made in the State of North Carolina. This would be the only vinegar manufactured in the State of North Carolina and is a value-add company to the state of North Carolina and to Goldsboro. I will tell you that the client, as I have been working with him has been very conscious of any safety protocols. There are permits that are going to have to be put in place. He has already reached out to several state agencies as to containment that has to be put up for not just the alcohol but also the vinegar so there will be containment walls that are put up there and I'm here to speak to you guys to just tell you that I believe that this is a good fit for us. It's bringing capital investment into our city and into our county and it's providing jobs and for that I hope that you guys will consider that for special use and to let you know that this is just part of their due diligence on the building they haven't even signed this but if they don't get special use permit then they cannot move forward.

No one else spoke and the Public Hearing was closed.

After the Public Hearing was closed, City Council entered into deliberation and voted on each of the four findings in order to determine whether or not the Special Use Permit should be issued.

- 1. Councilman Broadaway made a motion that the use will not materially endanger the public health or safety. The motion was seconded by Mayor Pro Tem Matthews and unanimously carried.
- 2. Mayor Pro Tem Matthews made a motion that the use will not substantially injure the beneficial use of adjoining or abutting property. The motion was seconded by Councilman Gaylor.

Discussion included the following comments: Councilman Gaylor stated the following: Until TRC is completed, and we are not going to know any sort of air particulate. I've seen vinegar being manufactured, it's clean. I'm going to vote in favor, I am not against them but if the TRC happens after the fact, in a different situation. How would we know?

Mayor Pro Tem Matthews stated the following: Kenny, can you explain what TRC actually is and that process?

Mr. Talton stated the following: The TRC (Technical Review Committee) is composed of members of city staff and departments and other outside agencies such as the NC DOT, Seymour Johnson Air Force Base, the school board if applicable. We have an opportunity to present this item up for discussion to each member on that committee. Now of course, if it doesn't involve any school system or if it doesn't involve any jurisdiction of Seymour Johnson Air Force Base or involve any highway construction then we will reduce that list back to our departments here within the City of Goldsboro. The TRC is responsible for reviewing site plans for the City of Goldsboro and those sites again, construction permits cannot be issued until full site plan approval is being granted and again we vet each site plan with the committee to make sure that there are no concerns, that that there are no hazards, and if there's anything specific that needs to be addressed up front that we make sure everybody is aware of what those requirements may be in our ordinance or possibly outside the ordinance when it comes to building codes and things of that nature.

Councilman Gaylor stated the following: if there was something for example North Carolina Department of Environmental Quality. If there was a state issue that would be fully addressed with them.

Mr. Talton stated the following: It would have to be and most of the time, we have ordinance requirements that have to be fulfilled. In your packet, which also should be a part of the record, that submitted evidence, you'll see some requirements of the approval criteria for this type of proposed facility here in Goldsboro. It has to meet those ordinance requirements and a lot of times they'll refer back to either the US Code of Regulations, we will have that information available for us and again other references that we need to check to make sure that all codes and laws have been adhered to.

After discussion, the motion was unanimously carried.

- 3. Councilman Broadaway made a motion that the use will be in harmony with existing development and uses within the area in which it is located. The motion was seconded by Councilman Gaylor and unanimously carried.
- 4. Councilman Gaylor made a motion that the use will be in general conformity with the City of Goldsboro Comprehensive Land Use Plan. The motion was seconded by Councilman Broadaway and unanimously carried.

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

- 1. Phyllis Merritt-James shared concerns regarding NPO funding allocation recommendations for Rebuilding Broken Places.
- 2. Carl Martin shared concerns regarding the Hawthorne Trail item and requested that Council reconsider and hold another public hearing. Mr. Martin's comments are attached as Exhibit C.
- 3. Karl Landgren invited the public to a Liberty Seminar to be held this Saturday from 10-4.

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

Consent Agenda – Approved as Recommended. City Manager 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. Item K. Adoption of an Ordinance Amending Chapter 115: Alcoholic Beverage Permits of the City of Goldsboro's Code of Ordinances was removed from the agenda during the Consent Agenda Review. Item M. FY2023-2024 Annual Action Plan Recommendations was moved to Old Business item c during the Adoption of the Agenda. Councilman Broadaway moved the items on the Consent Agenda, Items L, N, O, P, Q and R be approved as recommended by the City Manager and staff. The motion was seconded by Councilman Gaylor and a roll call vote resulted in all members voting in favor of the motion.

The items on the Consent Agenda were as follows:

**Contract Award for Consulting Services – Grants Management Software.** The item was presented by Felecia Williams, Community Relations and Development Department Director.

The Community Relations & Development Department has sought community development grants management software services from qualified firms to provide equipment and services for end-to-end grants lifecycle support to enable city staff to successfully manage grantee activities (pre-award, post-award through grants close-out) across multiple grant categories. The City advertised and initiated an official Request for Proposals on May 4, 2023, accepting proposals until 2:00 pm, May 25, 2023. The City's Community Relations & Development Director, Information Technology Directors, and Procurement Manager facilitated a non-mandatory pre-proposal conference via Zoom on May 11, 2023 with 13 interested attendees.

The City received 4 proposals on or before May 25, 2023 from:

- Benevate, Inc. DBA Neighborly Software
- Autocene Government Solutions, Inc.

- · Geocko, Inc. DBA Forward
- Valsatech

The Proposal Evaluation Committee, consisting of Community Relations & Development Director, Information Technology Director, and Assistant Information Technology Director met to review and evaluate received proposals on June 21, 2023 and submitted scored evaluations to the Procurement Manager on June 22, 2023.

Pursuant to NC General Statute 143-135.9 "Best Value" Information Technology Procurements, Benevate, Inc. DBA Neighborly Software received the highest score.

It was recommended that Council adopt the following entitled Resolution authorizing the Mayor and City Clerk to execute a contract for a total amount of \$61,800 with Benevate, Inc. DBA Neighborly Software, for community development grants management software. Consent Agenda Approval. Broadaway/Gaylor (4 Ayes)

RESOLUTION NO. 2023-51 "RESOLUTION AWARDING AND AUTHORIZING THE EXECUTION OF A CONTRACT FOR COMMUNITY DEVELOPMENT GRANTS MANAGEMENT SOFTWARE"

**Distributions and Collections Division's Valve Truck Vendor Change.** *Approved.* The item was presented by Jamie Stanley, Deputy Public Works Director.

The valve truck is comprised of a truck chassis and valve maintenance service body. Both components were authorized to be purchased in the FY21 budget, but each has been repeatedly delayed due to the shortage of F-550 chassis available on government contract. The current purchase order for the chassis remains unfulfilled, and the vendor has no information on when the chassis can possibly be delivered. Our staff has identified an alternate vendor with definitive access to the chassis needed, and it is a 2024 model not a 2023. Due to inflation and the updated model year, this potential vehicle is \$6,583.30 in additional cost, but there are funds identified in the Distribution and Collections budget to offset the difference.

The lack of chassis has also delayed the manufacture and installation of the valve maintenance service body by E. H. Wachs. The FY21 funds allocated for this vehicle chassis are currently encumbered on PO P2101026, which we would like to cancel and issue a new PO to the alternate vendor with those same funds plus \$6,583.30 from the current Distribution and Collections budget without transferring funds from the Utility Fund balance or Capital Repair fund.

The Public Works Staff recommends Council votes to cancel the original purchase order for the valve truck chassis due to failure to delivered and approve the use of those FY21 funds for a new purchase order to a new vendor; and approve reallocating an additional \$6,5380.30 from funds already approved in the Distribution and Collections FY24 budget towards the valve truck chassis new purchase order. Consent Agenda Approval. Broadaway/Gaylor (4 Ayes)

Amending Chapter 32: Boards, Commissions and Departments, of the City of Goldsboro's Code of Ordinances. *Ordinance Adopted.* The item was presented by Laura Getz, City Clerk.

The City of Goldsboro recognizes the need to maintain correct descriptions of City departments and advisory boards. Sections of the City Code of Ordinances related to City Departments have not been revised since November 1974.

After a review of Chapter 32, several administrative changes are needed to include: moving the Engineering Department to its own section, moving the Code Enforcement Division from the Inspections Department to the Planning Department, removing Community Development from the Planning Department, changing the name of the Community Relations Department to the Community Relations and Development Department, and updating the duties of the Planning Commission.

It was recommended that Council adopt the following entitled Ordinance amending Chapter 32: Boards, Commissions and Departments, of the City of Goldsboro's Code of Ordinances. Consent Agenda Approval. Broadaway/Gaylor (4 Ayes)

ORDINANCE NO. 2023-44 "AN ORDINANCE AMENDING CHAPTER 32: BOARDS, COMMISSIONS AND DEPARTMENTS, OF THE CITY OF GOLDSBORO'S CODE OF ORDINANCES"

Amending Chapter 33: Police and Fire Departments, of the City of Goldsboro's Code of Ordinances. *Ordinance Adopted.* The item was presented by Laura Getz, City Clerk.

The City of Goldsboro recognizes the need to maintain correct descriptions of City departments. Parts of the Code of Ordinances sections related to the Police Department and Fire Department have not been updated since the 1970's.

After a review of Chapter 33, several administrative changes are needed to include: updating cross references, updating parts of the Code for the Police and Fire Departments and revising the Fireman's Relief Funds to correspond with NC General Statutes.

It was recommended that Council adopt the following entitled Ordinance amending Chapter 33: Police and Fire Departments, of the City of Goldsboro's Code of Ordinances. Consent Agenda Approval. Broadaway/Gaylor (4 Ayes)

ORDINANCE NO. 2023-45 "AN ORDINANCE AMENDING CHAPTER 33: POLICE AND FIRE DEPARTMENTS, OF THE CITY OF GOLDSBORO'S CODE OF ORDINANCES"

Amending Chapter 53: Water and Sewer Systems to include the adoption of System Development Fees. Ordinance Adopted. The item was presented by Matt Livingston, Assistant City Manager.

The North Carolina General Assembly enacted Session Law 2017-138 (HB 436), known as the "Public Water and Sewer System Development Fee Act" amending Chapter 162A of the General Statutes to add Article 8, titled System Development Fees. Per NCGS 161A-205, the City of Goldsboro contracted with Stantec Consulting Services Inc. to conduct a Water and Sewer System Development Fee Study. Per NCGS 162A-209, a properly noticed, Stantec analysis was published in a report made available for a 45-day public comment period which ended May 27, 2023; there were no public comments. At the Council meeting on June 20, 2023, Council held a public hearing and approved the proposed rates as presented.

System development fees are based on the costs of utility infrastructure including, but not limited to, water supply facilities, treatment facilities, effluent disposal facilities, and transmission mains. System development fees serve as the mechanism by which growth can "pay its own way" and minimize the extent to which existing customers must bear the cost of facilities that will be used to serve new customers. The SDF Act outlines three primary approaches to the calculation of system development fees: Buy-In, Incremental/Marginal Cost, and Combined Cost methods. The Buy-In method was determined to be the most appropriate for the City since it has existing infrastructure capacity and limited defined capacity for expansion in the City's capital improvement plan. Tables 3-1 and 3-2 of the report identify the recommended calculated water and sewer SDF schedules; an equivalent residential unit (ERU) would pay \$1,926 and \$3,032 respectively to buy-in to the existing utility system.

It was recommended that Council adopt the following entitled Ordinance amending Chapter 53: Water and Sewer Systems of the City of Goldsboro's Code of Ordinances to include the adoption of System Development Fees. Consent Agenda Approval. Broadaway/Gaylor (4 Ayes)

ORDINANCE NO. 2023-46 "AN ORDINANCE AMENDING CHAPTER 53: WATER AND SEWER SYSTEMS AND ADOPTING SYSTEM DEVELOPMENT FEES AS AUTHORIZED BY ARTICLE 8 OF CHAPTER 162A OF THE NORTH CAROLINA GENERAL STATUTES"

**Departmental Monthly Reports**. Accepted as Information. The various departmental reports for June 2023 were submitted for Council approval. It was recommended that Council accept the reports as information. Consent Agenda Approval. Broadaway/Gaylor (4 Ayes)

#### City Manager's Report.

City Manager Salmon shared the following data from the Travel and Tourism Department: The economic impact reports for the Wings over Wayne Air Show is estimated that 9.5 million was generated in visitor spending and also \$215,000 in local taxes. The Dillard Goldsboro Alumni and Friends that took place in May. Their economic impact is estimated to be \$600,000 with the local taxes of about \$16,000. Choice Neighborhoods had its kickoff party on July 8th from 4:00-9:00 PM downtown. He shared we would like to thank the people that put that together and everybody in attendance.

#### Mayor and Councilmembers' Comments.

Councilman Broadaway had no comments.

Mayor Pro Tem Matthews had no comments.

Councilman Gaylor had no comments.

Mayor Ham shared the following comments: Thank you Council, it has been a long session and we have covered some really important items and had great participation by the citizens of this city.

There being no further business, Mayor Ham adjourned the meeting at 9:22 p.m.

David Ham Mayor

Laura Getz City Clerk Concerned Residents of Meares Bluff Plantation (MBP) and neighboring community's petition of dissent for current rezoning request as proposed.

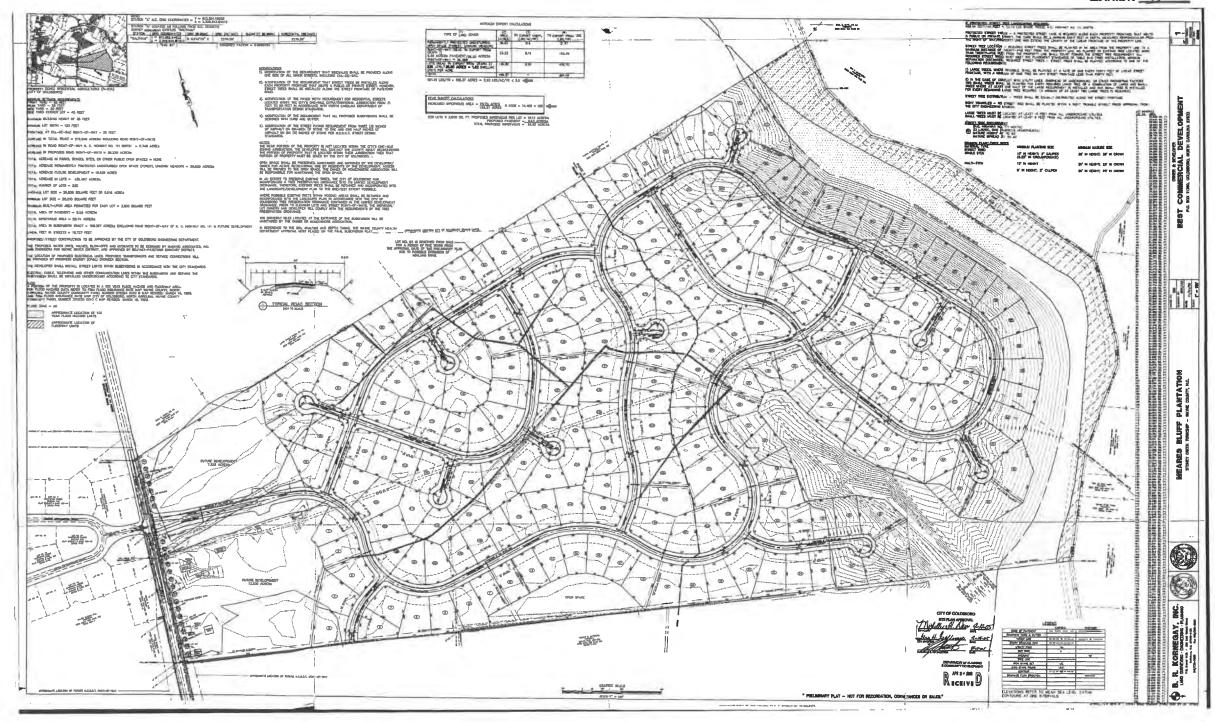
- 1. The proposed rezoning would bring an already tenuous traffic pattern at the entrance of the MBP and adjacent to Cottonwood drive (Whispering Woods) to an even greater hazardous environment to all vehicle traffic (recent head on collision at entrance blocked all traffic from entering or leaving the neighborhood)
- 2. Currently there is only one point of entrance and exit to the neighborhood, which currently has over 150 single-family residence and 240 home sites. The addition of 79 patio homes at the entrance of the neighborhood would greatly exacerbate the number of vehicles using only one entrance and exit. As one of the largest neighborhoods in Wayne County MBP is one; if not the only, with only one point of entrance and exit for a community of this size.
- 3. Without a secondary access for entrance or exit if there were an automobile accident (as occurred in 1/2023) EMS would not be able to access other residents in the neighborhood in cases of emergency.
- 4. Roads are already deteriorating at the front of the neighborhood with the current traffic volume (see pictures). The pace of road deterioration has outpaced the NC Department of Transportation's ability to adequately maintain at an appropriate level.
- 5. Currently exiting the neighborhood in the morning is a hazard due to school and work traffic. Within a two mile radius there is Tommy's Road Elementary, Wayne Preparatory Academy (K-12 requiring sheriff deputy's presence for traffic control in AM and PM), Wayne Christian School and Wayne Country Day School.
- 6. When the initial plans for this development were presented to the City of Goldsboro planning board in the mid 2000's there was no plan for a new K-12 charter school (Wayne Prep) nor did it take into the account the rapid growth of Wayne Christian School or Wayne Country Day School.

- 7. The current proposal was never presented to any homeowner who purchased property in this subdivision. While we were aware of future plans for development it was never presented in this current iteration with this significant increase in the number of home sites. It has been zoned as single family rural residential and that has been the expectation of the homeowners of this subdivision.
- 8. The proposed homes would not meet current covenant guidelines for this community. The proposed homes do not hold to the character, design or integrity of this neighborhood.
- 9. This current proposal would destroy the current natural landscape of the front entrance that was presented as a selling point to all homeowners when looking at property within the subdivision. The developer has made no effort to incorporate feedback or input from the homeowners who have dutifully purchased property from them and built homes. Homeowners' decisions were based on information provided by the developer to potential buyers. If this current proposal had been known most current homeowners would not have purchased property within this subdivision.

The city of Goldsboro sited on the original plan that in an effort to preserve existing trees, the city of Goldsboro has incorporated a tree preservation ordinance into its unified development ordinance; therefore existing trees shall be retained and incorporated into the landscape/development plan to the greatest extent possible.

This comes directly from the original site map; this current proposal makes no attempt to preserve the natural tree line / area at the front of the development.

10. The current proposal is for homes that would not be close to value of homes that have been built. There is grave concern over how such a densely populated patio home area would affect the value of single-family residence that homeowners' have worked hard to pay for. While this may seem trivial to the developer; this is most homeowner's largest investment.





#### 20230717 City Council Public Comments

At the June 20, 2023 Hawthorne Trails rezoning Public Hearing, I was surprised to see slides of information that was presented by the Planning Department and the representative for the developer, that had not been provided by the City of Goldsboro, to the public and to City Council, prior to the hearing.

I was outraged because, if I had seen and reviewed those slides before the hearing, the comments I made at hearing would have been different and more convincing.

After the hearing I was quite surprised when I contacted a majority of the council members, and they confirmed that they had not seen or reviewed the slides before the meeting. I therefore requested, received and reviewed several public record documents.

Based on information in the public records obtained, I believe

- The City Planning Department received slides of relevant information about the rezoning request on May 25, 2023, almost a month before the public hearing,
- The City Planning Department shared the slides they received of relevant information, with the Planning Commission before their June 12, 2023 unofficial meeting, when they voted to recommend the rezoning request,
- The City didn't share the slides they received of relevant information, with the public or with City Council prior to the June 20, 2023 council meeting.
- Information in the developer slides about their target buyers, and the traffic relief from NCDOT is misleading.

In view of the inactions on the part of the City, I think the City may have assisted the developer in getting the rezoning request approved by Council because,

- The developer is agreeing to correct the water pressure issue that was created when the two dead-end waterlines along Cuyler Best Road were not properly connected and,
- By approving the rezoning request, the City will be adding over \$440,000 annually in property tax revenue.

In view of the lack of transparency of the part of the City I am asking Council to reconsider the decision made to approve the rezoning request, and that the City hold another Public Hearing on this rezoning request, so that informed decisions can be made on the rezoning request by the public, and by City Council.

#### Exhibit Index

Exhibit A – Documentation on when the Planning Department received the developer's slide information.

Exhibit B – Planning Department slide of information not disclosed until their Public Hearing presentation.

Exhibit C – Copy of developer's slides that were not provided to the public or City Council until their Public Hearing presentation. Note the highlighted sections on pages 2, 3, 8, 10, 11 & 14.

#### Laura Getz

#### EXHIBIT A

From:

Austin Brinkley

Sent:

Wednesday, June 28, 2023 10:17 AM

To:

Laura Getz

Subject:

FW: Hawthorne Trail Planning Meeting

From: Rachael Smith <rachaelsmith@goldsboronc.gov>

Sent: Thursday, May 25, 2023 1:39 PM

To: Austin Brinkley <ABrinkley@goldsboronc.gov>
Subject: FW: Hawthorne Trail Planning Meeting

# Rachael Smith

Planning Administrative Assistant III City of Goldsboro P 919-580-4313 F 919-580-4291 www.goldsborone.gov

From: Scott Stone <sstone@american-ea.com>
Sent: Thursday, May 25, 2023 12:45 PM

To: Rachael Smith < rachaelsmith@goldsboronc.gov>

Cc: Michael Fleming <michaelfleming@trianglelandgrp.com>

Subject: RE: Hawthorne Trail Planning Meeting

#### CAUTION: External Email. Be careful when clicking links or opening attachments.

#### Rachel-

Below is a link to a Sharefile which has our PowerPoint presentation for tonight.

https://americanengineering.sharefile.com/d-sd292e816d196467a9a48b2b37516d9bd

Thanks,

Scott Stone

----Original Message----

From: Rachael Smith <rachaelsmith@goldsboronc.gov>

Sent: Thursday, May 25, 2023 9:38 AM

To: Scott Stone < sstone@american-ea.com>; Michael Fleming < michaelfleming@trianglelandgrp.com>

Cc: Austin Brinkley < ABrinkley@goldsboronc.gov > Subject: RE: Hawthorne Trail Planning Meeting

[ALERT: This is an External E-mail. Use caution when opening attachments or clicking links.]

Good Morning,

Can you send us the PowerPoint so we can place it in our presentation?

Rachael Smith
Planning
Administrative Assistant III
City of Goldsboro
P 919-580-4313
F 919-580-4291
www.goldsboronc.gov

----Original Message----

From: Scott Stone <sstone@american-ea.com>

Sent: Thursday, May 25, 2023 9:32 AM

To: Rachael Smith <rachaelsmith@goldsboronc.gov>; Michael Fleming

<michaelfleming@trianglelandgrp.com>

Subject: RE: Hawthorne Trail Planning Meeting

CAUTION: External Email. Be careful when clicking links or opening attachments.

#### Rachel-

I look forward to tonight's meeting. I will have a PowerPoint presentation. Please let me know if you need anything in advance or if I need to do anything to facilitate the presentation process.

#### Scott Stone

----Original Message----

From: Rachael Smith <rachaelsmith@goldsboronc.gov>

Sent: Thursday, May 25, 2023 9:04 AM

To: Michael Fleming <michaelfleming@trianglelandgrp.com>

Cc: Scott Stone <sstone@american-ea.com> Subject: RE: Hawthorne Trail Planning Meeting

[ALERT: This is an External E-mail. Use caution when opening attachments or clicking links.]

Meeting is still on track. Starts at 6 in City Council Chambers.

Rachael Smith
Planning
Administrative Assistant III
City of Goldsboro
P 919-580-4313
F 919-580-4291
www.goldsboronc.gov

----Original Message-----

From: Michael Fleming <michaelfleming@trianglelandgrp.com>

Sent: Thursday, May 25, 2023 8:50 AM

To: Rachael Smith <rachaelsmith@goldsboronc.gov>

Cc: Scott Stone <sstone@american-ea.com> Subject: Hawthorne Trail Planning Meeting CAUTION: External Email. Be careful when clicking links or opening attachments.

Good morning Rachel

Can you please confirm if the planning board is having their meeting tonight? Marc Best sent me an email showing this may be rescheduled. Can you please let me know at your earliest convenience as our engineer will be driving up from Charlotte and we would like to avoid his travel if the meeting is postponed. Thank you

Sent from my iPhone

[http://www.goldsboronc.gov/images/email/logosm.jpg]

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review by anyone at any time.

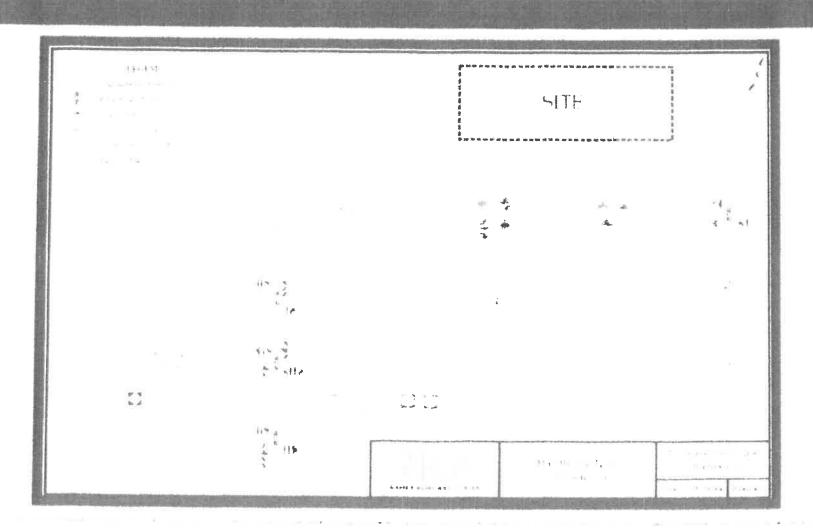
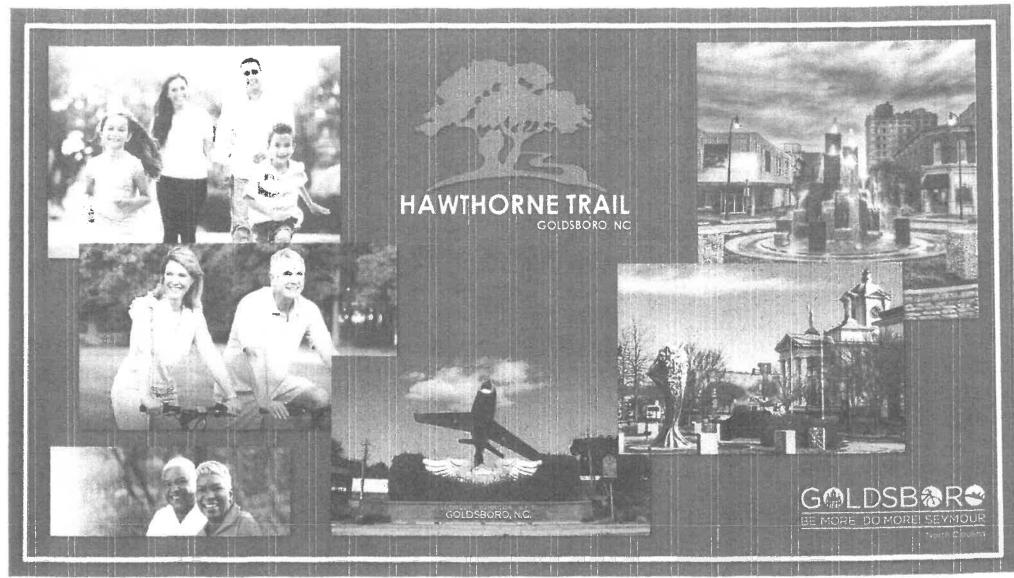
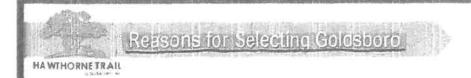


EXHIBIT C





# Desirability of Goldsboro for Investment

- Military Community Needed military housing.
- ✓ Central Location In between other bases (Ft. Bragg, Camp LeJeune ) and job centers (Raleigh, Fayetteville, Greenville, Global Transpark (Kinston).
- ✓ Desire for options for those who have had enough of Big City living and looking for the small city community.





# Help Golesiagro Support the Military Wissian

# Seymour Johnson Air Force Base | Goldsboro, NC

# Support the Military Mission

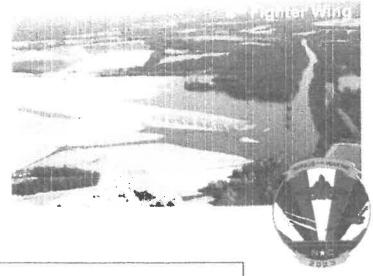
- Provide housing options & variety to military families
- Currently not enough supply of homes
- Potential partnership with Seymour Johnson to provide military housing
- Support families wanting to establish roots

### **Price Points Will Match Target Buyers**

Rank	Estimated	Basic Allowance for
Staff Sgt (E-5)	\$3,500	\$1,278
1st LT (O-2)	\$5,000	\$1,539

The target buyer is likely an E-5 or an O-2.

The family of an O-5 LTC will <u>not</u> be the only ones able to afford homes in this neighborhood.



View You	r 2023 Military	BAH Rate
Pay Grade		*
Location		
Dependents	ř.	
Your Basic Allowance for Housing	\$1,278 m	extrat media



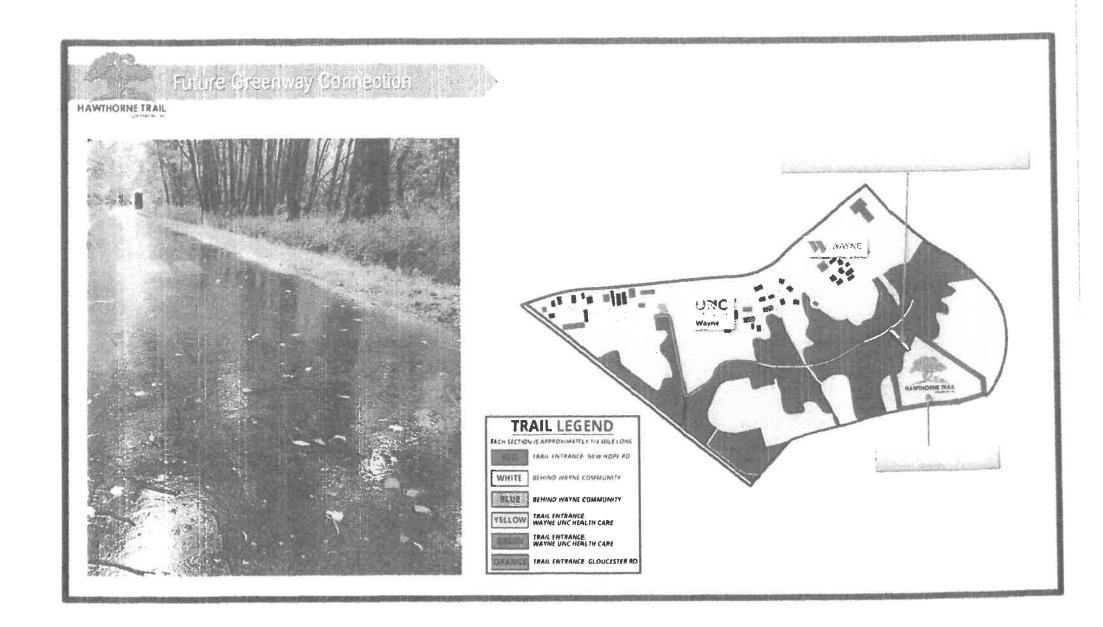
# Provide amenities and improvements for surrounding neighborhoods

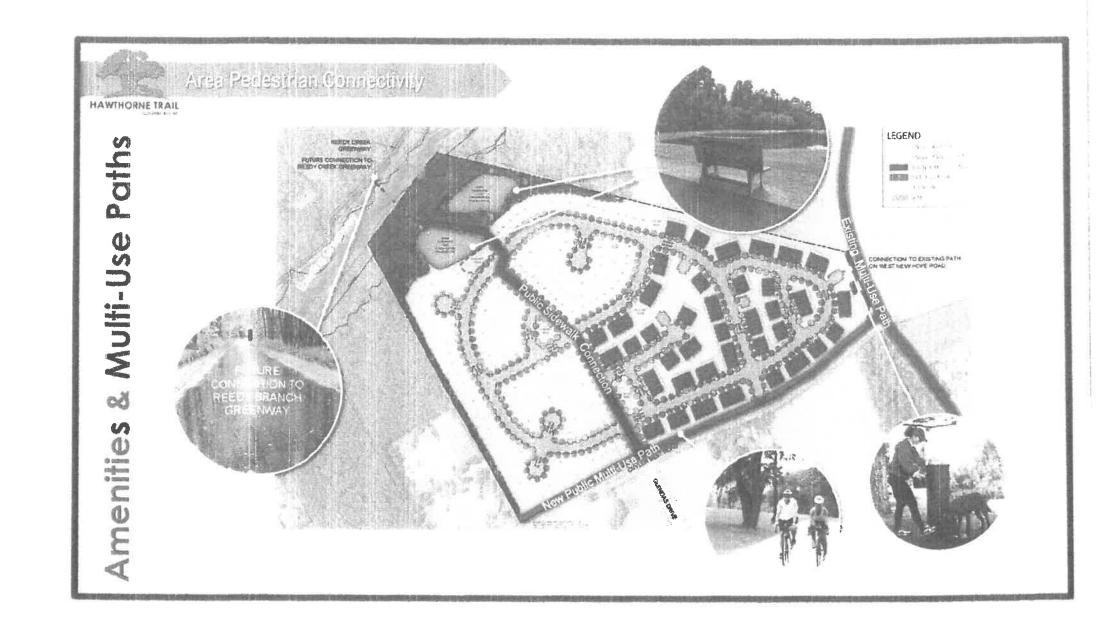
- Pedestrian Trails and Greenway Connection
- Expanding multi-use path along Cuyler Best
- Connects to existing path on West New Hope
- Provides added shade, water fountain, and benches along West New Hope
- **Trails around ponds** similar to hospital paths and Greenway connection.
- Connection to the Reedy Branch Greenway





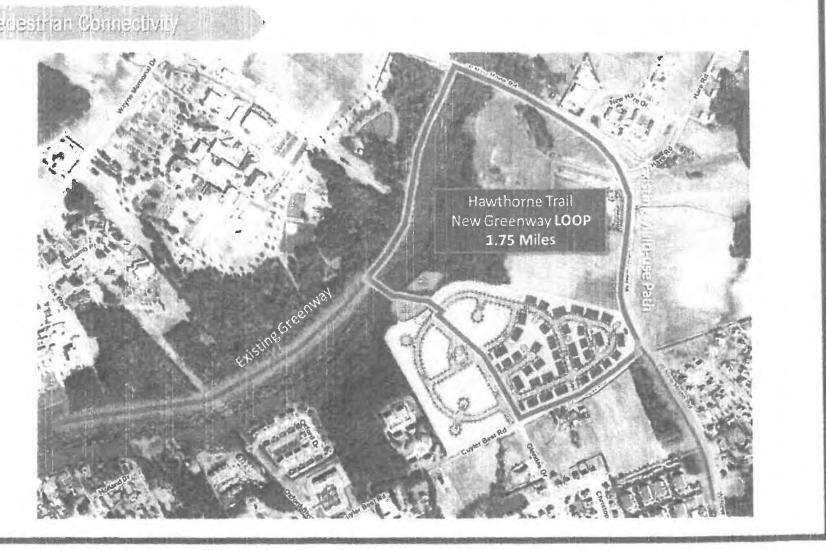






# Greenway Connection & New Trail Loop

HAWTHORNE TRAIL





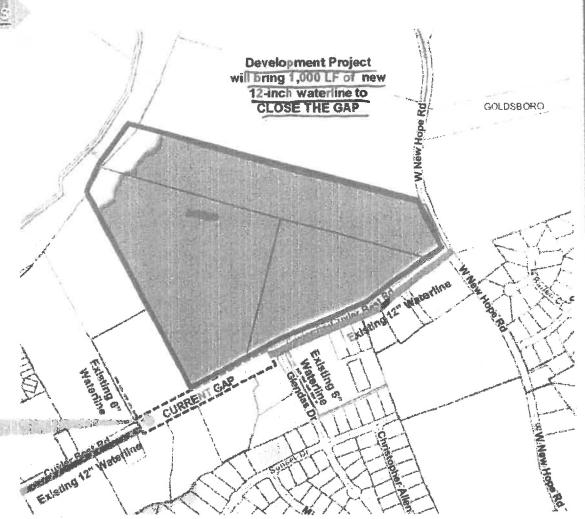
# Relief for Water Pressure Challenges

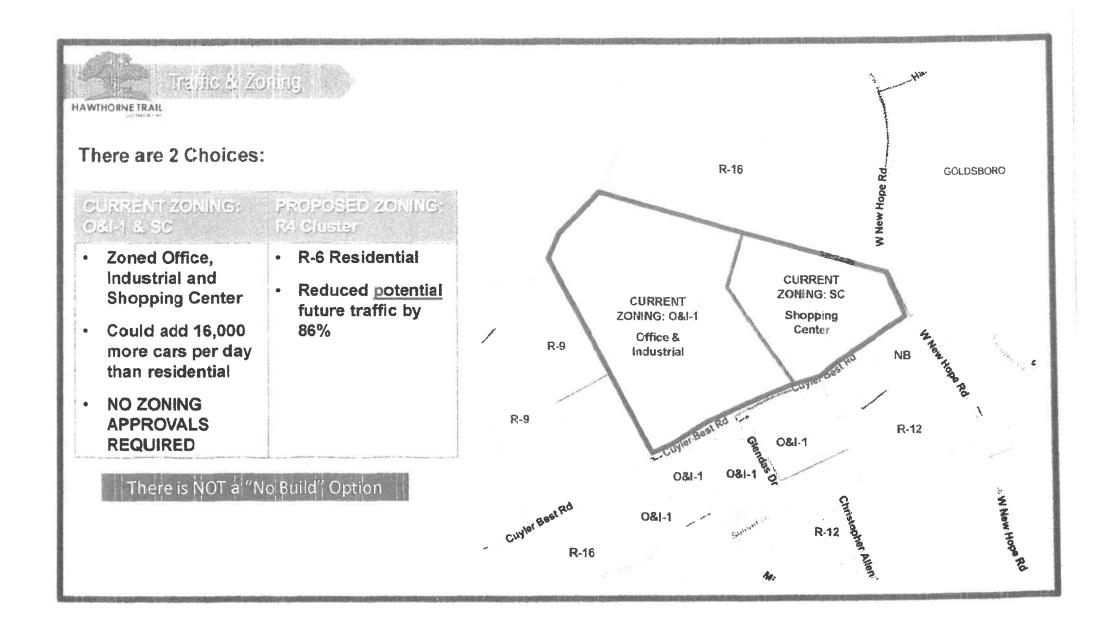
HAWTHORNE TRAIL

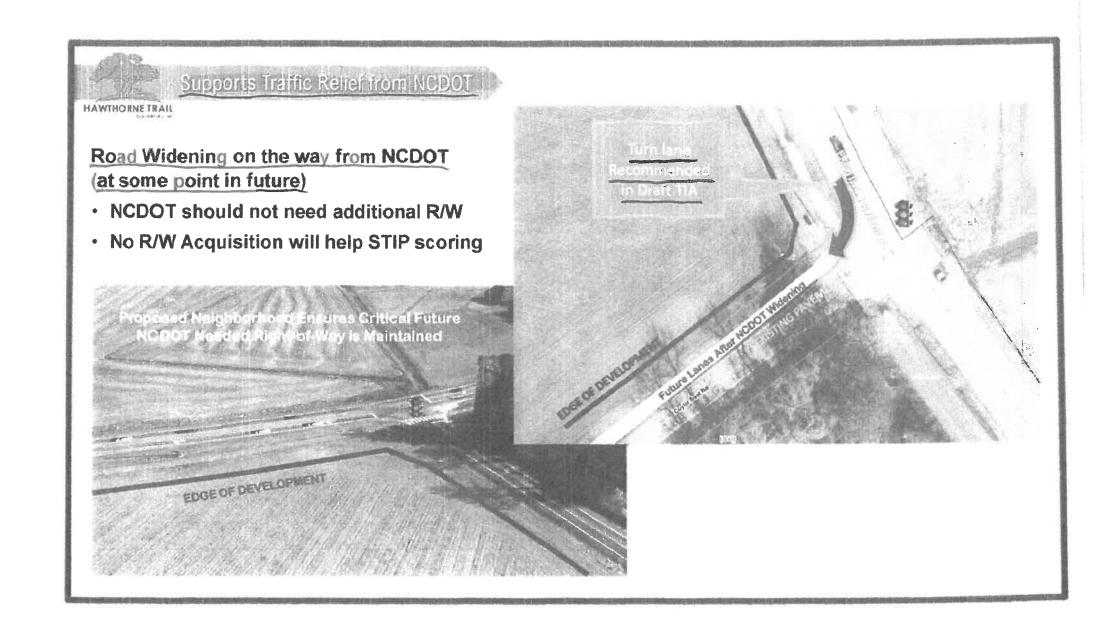
# Provide amenities and improvements for surrounding neighborhoods

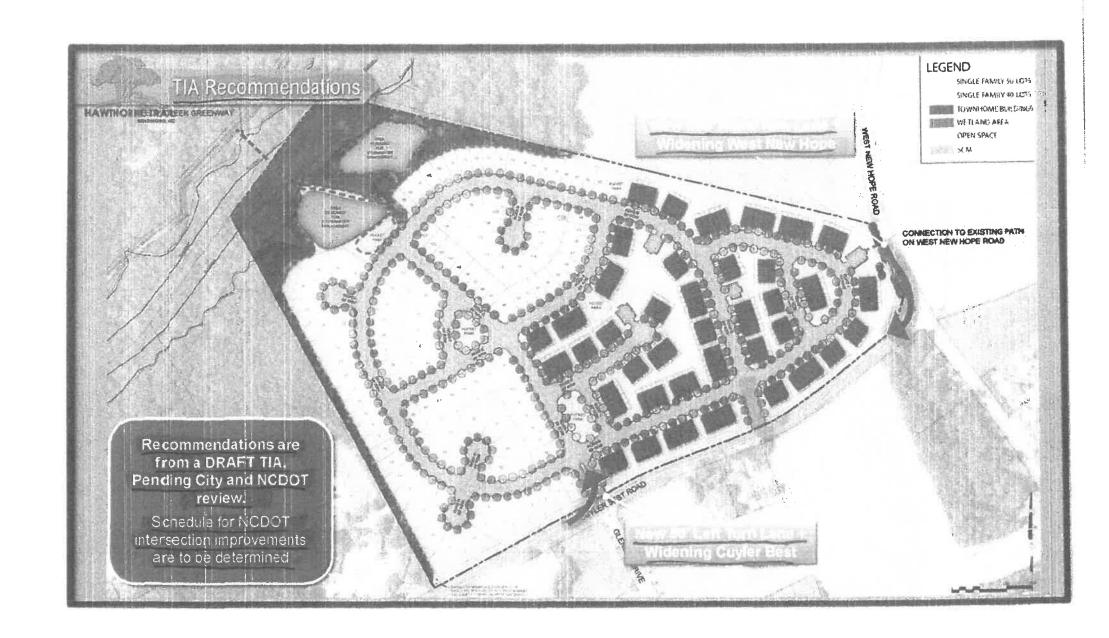
- · Can improve water pressure
- Collaboration with City to add new pipes to "Close the Gap."
- Project will add 1,000 L.F. of waterline along Cuyler Best Rd and create a loop system.
- Corrects current dead-ends in water system

Gap in Waterline Impacts Water Pressure





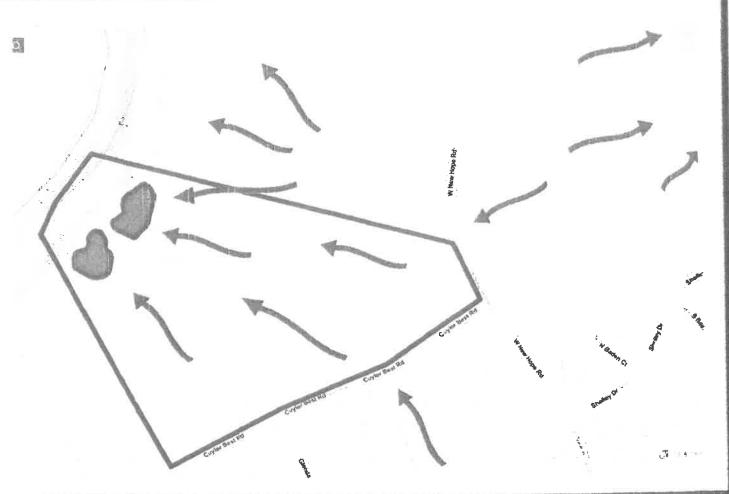


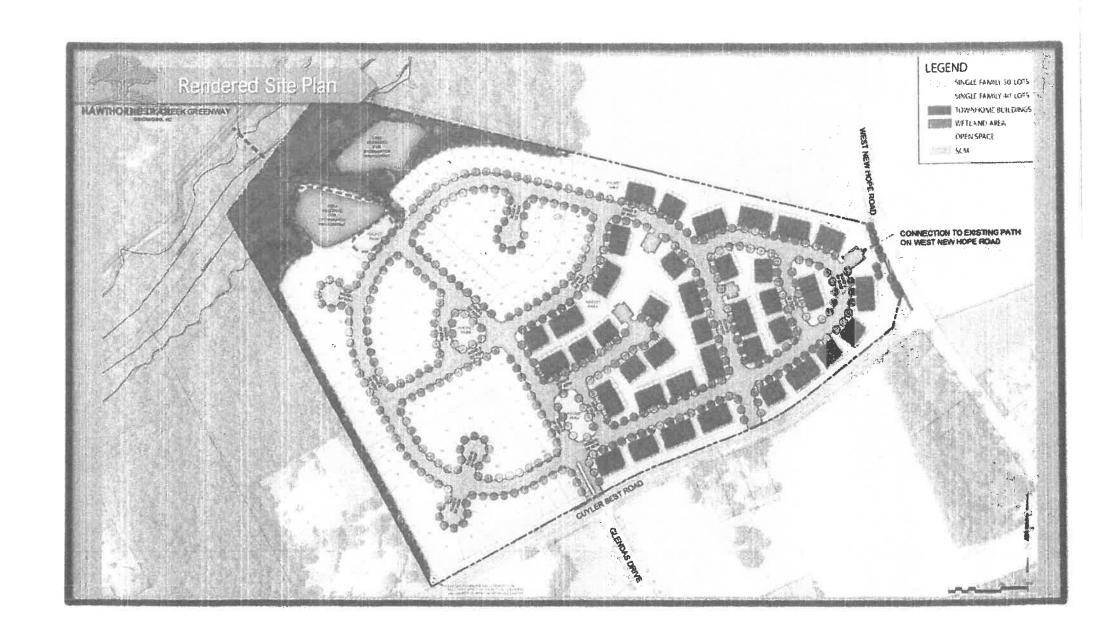




# Stormwater Flow

- The project will ensure stormwater flows towards the creek and away from existing neighborhoods.
- Could <u>help</u> current drainage challenges in area by pulling stormwater to the creek







**Property Value** 

**Annual City** 

Tax Revenue

# Financial Impact

CURRENT PROPOSED PROPERTY
\$1.24M \$61.0M
\$9,173 \$451,000

ADDI over worthing to Annually in revenue to the City of Goldsboro





# MINUTES OF THE MEETING OF THE GOLDSBORO CITY COUNCIL MAY 15, 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 5:30 p.m. on May 15, 2023.

Call to Order. Mayor Ham called the meeting to order at 5:30 p.m.

Roll Call.

Present: Mayor David Ham, Presiding

Councilwoman Hiawatha Jones Councilwoman Brandi Matthews Councilman Charles Gaylor, IV

Councilman Greg Batts

Absent: Mayor Pro Tem Taj Polack

Councilman Bill Broadaway

Also Present: Tim Salmon, City Manager

Ron Lawrence, City Attorney Laura Getz, City Clerk

Matt Livingston, Assistant City Manager

<u>Adoption of the Agenda</u>. Upon motion of Councilwoman Jones, seconded by Councilman Gaylor, and unanimously carried, Council adopted the agenda.

#### Old Business.

**United Way NPO Funding Process**. Sherry Archibald, United Way Executive Director, shared the requirements for NPOs to apply for funding for FY 23-24.

The Notice of Funding Opportunity document which was provided to Council was discussed with Council and is on the United Way's website along with the application. Mrs. Archibald shared the following: Step one opened last Wednesday and will be open until this Friday. Step 2 will be open next Tuesday. Step one looks at the criteria or the requirements that would be needed to apply for funding. Page eight of the Notice of Funding outlines the requirements for financials from nonprofits that are applying for funding (see below). Budgets under \$200,000 would be required to submit an audit, a CPA review or tax returns/internal financial statements. Budgets between \$200,000 -\$500,000 would be either an audit or a CPA review and then over \$500,000 would be an audit with a financial statement.

Agencies with budgets over \$500K must submit an audit from the previous year with a financial statement prepared by an Independent CPA. Agencies with budgets from \$200K-\$499K must submit an independent financial audit with management letter or a CPA review. Agencies with a budget of less than \$200K must submit an audit, a CPA review, or tax returns/internal financial statements. If an agency is required to have an audit by some other oversight group or is required by organization's Board of Directors, then the City of Goldsboro requires copy of sald audit.

Financial requirement for \$200k-\$499k is subject to change following City Council advisement May 15th.

Councilman Gaylor asked if the 990 or 990EZ would be sufficient for those organizations with budgets under \$200,000. Sherry Archibald, United Way Executive Director, confirmed that is true.

Councilwoman Matthews asked if those organizations that had received money last year had been notified that the application was open for this year. Sherry Archibald, United Way Executive Director confirmed that they had been notified, and the application was opened to the public.

There were no further comments or questions from Council.

**NPO Funding Amount Discussion.** Mayor Ham stated that one factor that may impact the NPO funding is that the GWTA is requesting an additional \$50,000 above what is normally allocated.

Council discussed the NPO funding.

Councilwoman Matthews made a motion to allocate \$100,000 to the United Way for NPO funding. The motion was seconded by Councilman Gaylor and unanimously carried.

#### New Business.

Wayne County NC Proposal for Detoxification/Inpatient Center. Dr. Corey Richardson, Dr. Ramesh Krishnaraj, and Jerry Hannah, ICGH Treatment Centers, presented the following:

#### Recovery .... **Not Treatment**



#### Mission Statement & Goal

To promote selfsufficiency and pro-social life choices through effective person-centered education, training, and treatment programs.

To empower persons suffering from behavioral health disorders to become as independent and self-reliant as possible by teaching them the skills they need to succeed in life.

#### STRUGGLING?

 It is our goal for persons struggling with behavioral health problems and their families to understand that substance use disorders, formerly known as addiction, as well as other behavioral health disorders, such as depression, anxiety, or PTSD, are treatable medical conditions, and that there is a path back to meaningful lives with the tools we provide in our prevention and treatment programs. This is most effective provided via evidence-based medical, pharmacy, toxicology and behavioral health and social interventions, which we offer to both insured and uninsured individuals of the communities we serve

#### Services Provided for Adults

- Comprehensive Clinical Assessment
- Individual and Family Counseling
   Outpatient Therapy
- EMDR
   Duel Diagnosis Groups
- Gender Specific Gray
- Intensive Outpatient Therapy (SAIOP)
- Intensive Outpatient Therapy (SAIOP)

  Substance Abuse Comprehensive Outpatient

  Therapy (SACOT)/Partial Hospitalization

  Free ICGH Transportation for Services

  Day One Recovery Transitional Housing:

  When Craiming

  Anxiety, Depression, Anger Management,
  Trauma Focused, and other MH Counselin

  DES Drug Education School 90-96

  Free Peer Support Services
- Free ICGH Transportation for Services

  Day One Recovery Transitional Housing:
  Federal, State, and County Funding, 44 beds

  Day One Recovery Permanent Housing:
  Hickory (HUD funded) 12 beds
- "Suboxone" Clinic (Medication Assisted Treatment and Medication Management)
- Same Day Service

  Referrals to Inpatient Treatment Fa

  Linking to Employment/Training &
- **Educational Resources**
- WRAP training.

#### Services Provided for Adolescents

- Comprehensive Clinical Assessment

- mity Prevention Services
- Prevention Screening
   Transportation
   In School and Community Prevent
   Individual and Family Counseling
- Substance Use Outpatient Therapy Mental Health Outpatient Therapy

- Memtar Realth Outpacent Inerapy
   Gender Specific Groups
   ADHD and Bohavoral Health (soues
   Underage Drinking Counseling
   Referrals to Inpatient Treatment Facilities

#### CHILD & ADOLESCENT TREATMENT

Depression Conduct Disorder (CD)

Obsessive-Compulsive Disorder (OCD)

Oppositional Defiant Disorder (ODD)

Attention-deficit/Hyperactivity disorder (ADI

Separation Anxiety

Substance Use Disorders (SUD) Post-traumatic Stress Disorder (PTSD)



Recovery Oriented Model is used with a core focus on modified 12-step facilitation for all substance use disorders, and incorporates other evidence-based methods (TF-CBT, MET, etc.) and specific interventions to improve the delivery of care – including addressing Dual Diagnosed persons, who also suffer from trauma or other behavioral health problems, physical medicine, SDOH, etc.

Those who present mental health services only are given the most appropriate model of care for their needs from a wide array of certified providers: EMDR, TF-CBT, etc.

#### What sets Integrated Care apart?

- ·Limited group size for group counseling allows for a more meaningful experience for the patient/client. Individual counseling at all levels of care.
- •Flexible counseling scheduling, including evening and weekend appointment options.
- •Close interaction between counselors, medical staff, certified lab tech, toxicologist, pharmacist, and the mutual-help communities to ensure a holistic approach to the patient's recovery
- •County, State, and Federal Funded transportation, housing, and medications available in certain programs for qualified applicants.

#### What sets Integrated Care apart?

- Our counselors have personal experience or close familial experience with the disease of addiction, and the 12-step process. Mandatory participation in the Community Recovery
- Communities.
  Acceptance of Medicare, Medicaid, private insurances, and availability of state/federal funding for those without coverage. IOP services available for those with private insurance.
- Care for all behavioral disorders with appropriate medication management, including MAT, as well as non-addictive treatment for depression, anxiety, PTSD, ADHD, etc. Not just treatment for addictive processes.

Clinicians

- LICENSED CLINICAL SOCIAL WORKERS (MH/SA)
- LICENSED CLINICAL ADDICTION SPECIALISTS (SA/DUAL Dx)
- CERTIFIED ALCOHOL AND DRUG COUNSELORS (SA/DUAL Dx)
- \* LICENSED MENTAL HEALTH COUNSELORS (MH/SA)
- PEER SUPPORT SPECIALISTS (MH/SA)

#### Medical

- · Physicians
- Family Nurse Practitioners
- Physician Assistants
- Medical Assistants

#### Providing care Every Day

Medication-Assisted Treatments and Medical Supervision for all Behavioral Health Services

- Provided by NCMB licensed providers, including physicians, nurse practitioners, and PAs.
- Walk-in and scheduled Services Monday thru Friday
- On-Call Coverage 24 hours a day
- Addressing Substance Use Disorders as well as other behavioral health issues, including Anxiety and Depression
- Detecting medical disorders and referring as needed for treatment

#### Pharmacy Services

- · Licensed Pharmacists
- Dispensing Medical Providers
- · On-Site Low-Cost Pharmacy
- Federal Funded Generic Suboxone for qualified uninsured patients
- · Easy, Confidential Pick-up of Medications at time of Office Visit
- Delivery of Medication to Partner Clinics

Grantfunded and Statefunded programs\*

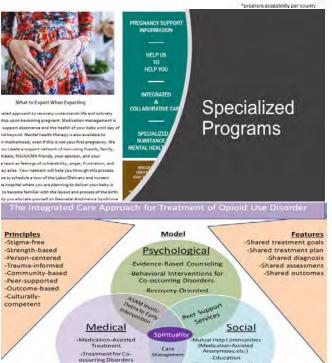
- Free Peer Support
- Free Provider Training
- · Free care for Opioid Use Disorder, including Suboxone®
- Free Recovery Housing
- · Free Transportation
- Free Referral Services
- Free Community Interventions
- Free OUD Addiction Treatment



#### Pregnancy Support Services

- We expedite induction of pregnant patients when they seek care. Psycho-education is offered in a compassionate and supportive manner to prepare the mother for the process of giving birth, and and the possible challenge of weaning in hospital due to medication-assisted-treatment during pregnancy. Due to the group-based nature of counseling at our clinic,
- pregnant women are able to easily forge healthy relationships with other women in the program.

  A nurse in recovery who delivered her child during the course of her care with ICGH helps other pregnant women in the program.











Council discussed the programs and services offered by the Treatment Centers, and their new location coming to Goldsboro. Mayor Ham invited the group to come back once they get started, to provide an update.

**City Manager's Recommended Budget**. City Manager Salmon stated that Councilmembers have been given the budget, and it will be online tonight. He asked when Council would like to have a meeting to be given the budget presentation. Mayor Ham stated that he had spoken to the absent Councilmembers and Friday, May 26th would be best for them. Council discussed the date. Councilwoman Matthews suggested 9:00 AM. Council concurred.

Mayor Ham stated that the Budget Presentation meeting would be held on Friday, May 26th at 9:00 AM in the Large Conference Room.

Councilman Gaylor asked about the Enterprise fund and asked that we look at the commercial and industrial rates, as well as the individual homeowner rates for water; he would prefer an increase that goes across the board. Councilwoman Jones agreed.

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

Item G. Amending Chapter 117: Pushcart and Mobile Food Unit Vendors, of The City of Goldsboro's Code of Ordinances. Councilwoman Matthews asked how this pertains to businesses with pushcarts that may wish to operate outside of their own business. Council discussed how such language should be added with the manager, assistant city manager and city clerk.

Councilman Gaylor made a motion to amend the agenda by striking Item G under the Consent Agenda items from the agenda of the day. The motion was seconded by Councilman Batts and unanimously carried. Staff will revise the ordinance and add it to an upcoming agenda.

Mayor Ham recessed the meeting at 6:28 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 May 15, 2023.

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

Councilwoman Jones provided the invocation. The Pledge of Allegiance followed.

#### Roll Call.

Present: Mayor David Ham, Presiding

Councilwoman Hiawatha Jones Councilwoman Brandi Matthews Councilman Charles Gaylor, IV

Councilman Greg Batts

Absent: Mayor Pro Tem Taj Polack

Councilman Bill Broadaway

Also Present: Tim Salmon, City Manager

Ron Lawrence, City Attorney Laura Getz, City Clerk

Matt Livingston, Assistant City Manager

Approval of Minutes. Councilwoman Jones requested a change to line 5 in her comments from pass cards to placard cards. Councilman Batts made a motion to approve the minutes of the Minutes of the Work Session and Regular Meeting of May 1, 2023 as amended. The motion was seconded by Councilman Gaylor and unanimously carried.

#### Presentations.

Employee Performance Awards. City Manager Salmon presented the following awards:

**The Employee of the Quarter Award: Tara Johnson.** Tara is always available to help everyone; from City of Goldsboro employees, no matter their job title, to the residents she talks to on a daily basis. Tara is very well-versed in all divisions of Public Works, and answers all types of questions, on a variety of topics. She is consistent every day, no matter the stress we are all under, and is an absolute asset to the City.

Tara has been with Public Works for over 10 years. She has always been the front-line person to speak to all customers, in person or on the phone; she is the main contact for all Public Works phone calls. Tara is well known by most vendors for Public Works and is always available to answer their wide variety of questions. She handles everyone in a friendly and tactful manner.

Tara goes above and beyond her expected job duties. She is the coordinator for all Public Works activities, including retirement parties, our annual Christmas party, and other fundraiser events. Tara always coordinates with other City employees that need to use the break room for City events, such as blood drives or classes for staff. While completing her work duties, she also attends online school (ECU) to complete her degree in business management, and is a great mom and spouse too!

Tara is a great friend to all that know her and is a very sincere and caring person. Tara's exceptional customer and employee service reflect well on herself and the City of Goldsboro.

The Supervisor of the Quarter Award: Rick Davis. Rick Davis responded to a cross contaminate issue with a caustic soda chemical delivery at the Water Treatment Plant (WTP) on Feb 6, 2023. Due to his quick thinking, he was able to save the City money, time, and frustration.

When the regular shipment of Sodium Hydroxide (caustic soda) was being pumped into the bulk tank, the hose became clogged. Rick inspected the problem and directed his staff to disassemble all the piping to the bulk tank and to flush out the system and bulk tank. Everything left in the chemical tank was sent to the WTP mud basins to isolate it from the rest of the plant, and avoid any contaminates from reaching the drinking water. The first flush produced evidence of tank contamination, so staff continued to flush the bulk tank until all contaminates had been removed.

Due to Rick's swift response and supervison, there was a limited estimated loss of \$200 of diluted caustic soda and approximately 5,000 gallons of water to flush the system. If this contaminated chemical would have been introduced into the distribution system a significant amount of damage to the system as well as a monetary loss could have occurred.

Rick's professionalism, integrity and customer focus helped stop a bad situation from becoming worse. Rick's outstanding efforts reflect well on himself and the City of Goldsboro.

**Dillard/Goldsboro Alumni & Friends, Inc Proclamation.** Read by Councilwoman Matthews: The Goldsboro City Council proclaimed their support for the DILLARD/GOLDSBORO ALUMNI & FRIENDS, INC. and their efforts to preserve the history and legacy of Dillard High School and Goldsboro High School. Council commended their commitment to providing educational opportunities for students in the community and recognize their contributions to the betterment of our city and urged all citizens to join in celebrating the Memorial Day Weekend 2023 and to support the Dillard/Goldsboro Alumni & Friends, Inc. in their endeavors to empower the next generation of leaders through education. Mayor Ham and Councilwoman Matthews presented the proclamation to Gary Packer and other DGAF members.

**GWTA Appreciation Month Proclamation.** Read by Councilwoman Jones: The Goldsboro City Council proclaimed May 2023 as GWTA APPRECIATION MONTH and further extends appreciation to the staff for providing safe, reliable, and affordable public transportation services to the citizens of the City of Goldsboro. Mayor Ham and Councilwoman Jones presented the proclamation to Don Willis, GWTA Director, and GWTA employees.

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

- 1. Phyllis Merritt James spoke about National Nurses Week, which was May 6-12, and asked Council to proclaim the 2nd week of May as National Nurses Week.
  - Councilwoman Jones made a motion to proclaim the 2nd week of May as National Nurses Week. The motion was seconded by Councilman Batts and unanimously carried.
- 2. Douglas Horne Jr. thanked the Council and city manager for assisting with a problem he had last year regarding DGAF during the Memorial Day Weekend.

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

Consent Agenda – Approved as Recommended. City Manager 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. Item G. Amending Chapter 117: Pushcart and Mobile Food Unit Vendors, of the City of Goldsboro's Code of Ordinances was removed from the Consent Agenda during the Consent Agenda Review. Councilman Gaylor moved the items on the Consent Agenda, Items E, F and H be approved as recommended by the City Manager and staff. The motion was seconded by Councilman Batts and a roll call vote resulted in all members voting in favor of the motion.

The items on the Consent Agenda were as follows:

**FY2023-2024 Annual Action Plan and Recommended Budget.** *Approved.* City Council action is needed to accept FY23-24 allocation of funds by the United States Department of Housing and Urban Development (HUD) from the Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Program. In addition, City Council must approve the FY23-24 Annual Action Plan and budget recommendations in preparation for HUD's submission deadline on May 15, 2023.

HUD has awarded \$361,561 in CDBG and \$293,636 in HOME funds to the City of Goldsboro for use to develop viable urban communities by providing decent housing, suitable living environment, and expanding economic opportunities, mainly for persons of low-to-moderate income. Additionally, the City will have available approximately \$949,357 in prior year CDBG funds, dating back to 2016, \$1,131,813 in prior year HOME funds, dating back to 2017 and \$294,923 in prior year CDBG-CV funds, dating back to 2020. The prior balances are as of May 4, 2023.

Community Relations Department staff have properly executed the City's Citizens Participation Plan by successfully noticing and facilitating one (1) public meeting, held on April 11, 2023 during the regular meeting of the Commission on Community Relations and Development, one (1) public hearing, held on May 1, 2023 during the regular meeting of the Goldsboro City Council, and provided a thirty-(30) day comment period of the draft plan from April 14, 2023 to May 13, 2023.

The 2023-2024 Annual Action Plan is the fourth year of implementing the Five-Year Consolidated Plan for 2020-2024. A summary of the 2023-2024 Annual Action Plan proposed activities and use of funds is included below. Accomplishments will be reported in the annual CAPER.

It was recommended that Council accept FY23-24 allocation of funds by HUD from the CDBG and HOME programs and;

- 1. Approve the FY23-24 Annual Action Plan and budget recommendations presented during City Council's Regular Meeting of May 15, 2023 in preparation for HUD's submission deadline on May 15, 2023; and
- 2. Authorize the Mayor and staff to execute and file the Annual Action Plan, along with the required Certifications, the SF-424, and Grant Agreements that are required to receive CDBG and HOME funding for and on behalf of the City of Goldsboro, and to make necessary changes to those documents where required by HUD. Consent Agenda Approval. Gaylor/Batts (5 Ayes)

Amending Chapter 98: Streets and Sidewalks, of the City of Goldsboro's Code of Ordinances. *Ordinance Adopted*. The City of Goldsboro recognizes the need to maintain correct descriptions of City policies. The section of the City Code of Ordinances related to Parades was last updated in November 2017.

After a review of Chapter 98, section 98.80 needs to be revised to reflect the updated parade and special event policy which was approved by City Council at their meeting on May 1, 2023.

It was recommended that Council adopt the following entitled Ordinance amending Chapter 98: Streets and Sidewalks, of the City of Goldsboro's Code of Ordinances. Consent Agenda Approval. Gaylor/Batts (5 Ayes)

ORDINANCE NO. 2023-26 "AN ORDINANCE AMENDING CHAPTER 98: STREETS AND SIDEWALKS, OF THE CITY OF GOLDSBORO'S CODE OF ORDINANCES"

**Departmental Monthly Reports**. *Accepted as Information*. The various departmental reports for April 2023 were submitted for Council approval. It was recommended that Council accept the reports as information. Consent Agenda Approval. Gaylor/Batts (5 Ayes)

#### City Manager's Report.

City Manager Salmon reminded everyone that the System Development Fee Study 45-day public comment period ends May 27th. He shared that the Air Show at Seymour Johnson Air Force Base is this weekend, that the Dillard Goldsboro Alumni and Friends parade and events are on Memorial Day Weekend, and that City offices will be closed that Monday.

#### **Ceremonial Documents.**

**Tourette Syndrome Awareness Month Proclamation.** Read by Councilwoman Jones: The Goldsboro City Council proclaimed May 15 - June 15, 2023 as TOURETTE SYNDROME AWARENESS MONTH and June 4, 2023 as "Tourette Syndrome Awareness Day" in the City of Goldsboro, as a special day to promote understanding, compassion, and acceptance for all of our fellow citizens who deserve and need our support to break the stigma that surrounds Tourette Syndrome.

Peace Officers Memorial Day (Police Officers Week) Proclamation. Read by Councilman Batts: The Goldsboro City Council proclaimed the week of May 14 through May 20, 2023 as Police Week, and May 15, 2023 as PEACE OFFICERS' MEMORIAL DAY in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and recognized and paid respect to the survivors of our fallen heroes. They further called upon all citizens of the City of Goldsboro, and all patriotic, civic, and educational organizations, to observe this time with appropriate ceremonies in which everyone may join in commemorating law enforcement officers, past and present, who by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their community, and in so doing have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

**Armed Forces Day Proclamation.** Read by Mayor Ham: The Goldsboro City Council proclaimed their support on May 20, 2023 for ARMED FORCES DAY and officially recognized the brave service and many sacrifices made by our

active-duty service members, those who served before them, and their family members. Furthermore, they recognized the volunteers and non-profit organizations and businesses who band together to demonstrate their appreciation.

**Building Safety Month Proclamation.** Read by Councilman Gaylor: The Goldsboro City Council proclaimed the month of May 2023 as BUILDING SAFETY MONTH and further extended appreciation to all safety and code officials and all those in the construction industry and encouraged all citizens to join as we participate in Building Safety Month activities.

#### Mayor and Councilmembers' Comments.

Councilman Batts had no comment.

Councilman Gaylor shared the following comments: It's a day late, but I don't think it is too late. A Happy Mother's Day to all those who are, were, wish they were, and hope to be one day, those mothers that are the cornerstone of our homes, our communities, and our families. Happy Mother's Day even a day late.

Councilwoman Matthews had no comment.

Councilwoman Jones shared the following comments: Congratulations to our young citizens that will be graduating from kindergarten, and middle school. Congratulations, it's been a hard year. I know the high school hasn't graduated yet, but congratulations to you too. I am looking forward to what you are going to become in this community. As we approach the holiday and there are going to be several activities and events, I ask that you be careful, be safe, be watchful and if you see something, say something.

Mayor Ham shared the following comments: Our manager mentioned the air show coming up this weekend and I wanted to add a couple of comments. This is a big event for Goldsboro and there are thousands of people that come here Saturday and Sunday and we put on our best face for those individuals. Seymour Johnson Air Force Base means so much to this city and to the people that live here. The families that come here with the airmen, and those that don't have families, who have family members visit them, come to Goldsboro and I hear so many good comments about Goldsboro. I was walking down the street the other day and there was this lady that had the trunk of her car raised and it looked like there was a lot of personal things in there. I said excuse me are you new to the city? She said, yeah, I'm moving here. I said good, let me welcome you to the city. We got into a conversation and her husband was sitting in the driver seat and she was looking for something. I said, can I help you and she said, well I'm looking for the water department, I want to turn my water on. I said well, it is just a half block down the street. She said, really, they told me it was out near LaGrange. I said where are you moving to and she said, LaGrange. I was trying to be helpful. I gave her the official welcome to the city and asked her to come back and do some shopping. I asked her where are you coming from, and she said, Iowa. I said why did you want to come here? She said she just wanted to get out of the snow and come down to a warmer climate. I gave her my card and told her if I could do anything for her to call me. This is a friendly town and we always try to work to make it more friendly.

From time to time, especially like tonight, you see us up here, we acknowledge appreciation to individuals and groups and professions and so forth. We do that on purpose, we do it to show our appreciation for the service that they rendered to individuals, to groups and to our city. We cannot overlook what these individuals and groups do to make Goldsboro a better place and I think I speak for all the members of this Council that when we have an opportunity to show our appreciation, we want to do it and we feel good about it. It's always appreciated. We also acknowledge a lot of special events like the Airshow, Armed Forces Day and Teachers Day. We do that because if we don't, the public has a tendency to forget about it. If you're not directly involved in one of those professions or of that event, you probably don't know about it or you don't take time to think about it, so it's our responsibility to not let that go unnoticed. It may sound a little repetitious and boring to some people, but I think it's incumbent upon us to keep ourselves appraised of what's going on and the public, so bear with us

There being no further business, Mayor Ham adjourned the meeting at 7:41 p.m.

David Ham Mayor

Laura Getz

City Clerk



THIS IS TO CERTIFY THAT

# THE EMPLOYEE OF THE YEAR AWARD

(Fiscal Year 2022-2023)

HAS BEEN AWARDED TO

#### OFFICER LUKE MILLER

FOR

#### OUTSTANDING ACHIEVEMENT

Officer Luke Miller put his training to use on June 6, 2023. He was flagged down by a mother whose 13-year-old daughter was having an anaphylactic reaction due to food allergies. The 13-year-old was not breathing on her own, giving the universal sign for choking or not being able to breathe by putting her hands around her neck. The mother had an EpiPen but did not know how to utilize it. Officer Miller took the EpiPen, correctly utilized it, providing the child with some relief to her allergic reaction.

Officer Miller called for EMS and kept an eye on the daughter. He also took the time to educate the mother on how to properly utilize the remaining EpiPen, in the event it would be needed in the future. EMS took several minutes to arrive on scene, and had Officer Miller not properly utilized the EpiPen, the outcome for the 13-year-old could have been worse.

Officer Miller's work ethic and accomplishments reflect well on himself and the City of Goldsboro.

AWARDED THIS DAY AUGUST 7, 2023

PATED

DAVID HAM

Mayor City of Goldsboro TIMOTHY SALMON

City Manager City of Goldsboro



THIS IS TO CERTIFY THAT

# THE SUPERVISOR OF THE YEAR AWARD

(Fiscal Year 2022-2023)

HAS BEEN AWARDED TO

#### JOSH SHOCKLEY

FOR

#### OUTSTANDING ACHIEVEMENT

As the Event Center Manager, Josh Shockley has exhibited professionalism, integrity, and customer-focus as we continue to work through and out of this pandemic. He continues to go above and beyond to serve the citizens of Goldsboro and many other guests that visit Goldsboro Golf Course and Event Center.

Josh continues daily, weekly, and monthly to put in place protocols for the Event Center to run as smoothly as possible. He and his staff work together to take care of their patrons daily. The citizens and guests of Goldsboro are continuously relaying compliments regarding the service and professionalism they receive during their functions at the Event Center. The number of referrals and compliments continue to be a great asset to the success of the Event Center.

Josh has only been the Event Center Manager for a year, yet has accomplished a 67% increase in events over any year that the City of Goldsboro has owned the Event Center. For the month of January 2023, Josh brought in revenue in excess of \$21,000 for the month; this is 72.5% more than any other month in the history of City owning and operating the Event Center.

Josh's work ethic, professionalism, integrity, and customer-focus reflect well on himself and the City of Goldsboro.

AWARDED THIS DAY AUGUST 7, 2023

DAVID HAM

Mayor City of Goldsboro TIMOTHY SALMON

City Manager City of Goldsboro

	$\mathbf{C}$	
ITEM		

#### CITY OF GOLDSBORO AGENDA MEMORANDUM August 7, 2023 COUNCIL MEETING

SUBJECT:

Recognize Susan Thornton., Senior Human Resources Consultant, for the Myers Johnson New Member Award presented at the Public Sector Human Resource Association's annual meeting on March 16, 2023.

BACKGROUND:

Since 1906, the Public Sector Human Resource Association has been a resource for comprehensive and timely HR industry news, jobs, policies, resources, education, and professional development opportunities.

The PSHRA has four distinguished awards that are given at their annual conference, among them is the Myers Johnson New Member Award. "The purpose of this award is to give appreciation and recognition to an individual for their meritorious contributions and energy as a new member of PSHRA. It is presented annually at the PSHRA Annual Conference. The recipient has graciously volunteered for a number of projects, is always eager to work for the good of the organization, willingly takes on tasks that others would prefer not to volunteer for and is generally able to work well under pressure."

DISCUSSION:

The City of Goldsboro was honored when Susan Thornton, Senior Human Resources Consultant. was the recipient of Myers Johnson New Member Award at the Marth 16<sup>th</sup> awards banquet. Ms. Thornton joined PSHRA in 2019 and was recognized for her many accomplishments with the chapter to include serving on the Achievement & Recognition, Social, Technology, and Conference Planning Committees. It is a distinction for the City to know that we have the best of the best in Human Resources professionals as judged by her peers. Ms. Thornton has been an invaluable asset to the City as we further our efforts to become a role model in the state of North Carolina for good governance.

RECOMMENDATION: No action required.

Date: 8/2/23

Bernadette Dove, Director of Human Resources

Date: 8/2/23

Timothy Salmon, City Manager



Office of the Mayor 200 North Center Street, 27534 **P** 919.580.4330

August 7, 2023

Mr. Justin Cates,

Let me commend you on the many accomplishments in your life. It is a wonderful thing that someone from our small City has been able to have not only a successful college career, but has progressed to play professional football.

I understand that you played varsity football at Goldsboro High School as a defensive lineman before becoming a College Football National Champion at North Carolina A&T State University. I also understand you are a two-time ALL-MEAC honor winner.

I wish to congratulate you on your career with the Edmonton Elks of the Canadian Football League, as well as your most recent position with the New Orleans Breakers of the USFL.

You are a prime example for other young men to look up to in making life choices; proof of why people should never give up on their dreams, no matter the setbacks they may face.

I wish you luck as you continue to thrive and pursue your dream of being drafted by the NFL. I look forward to watching your continued professional career with great interest!

Sincerely

David Ham Mayor

Item E

#### CITY OF GOLDSBORO AGENDA MEMORANDUM AUGUST 7, 2023 COUNCIL MEETING

Rezoning request withdrawn

SUBJECT:

**PUBLIC HEARING & FINAL ACTION** 

Z-10-23 Meares Bluff Village (Residential 20 A to Residential 6 CZ) – North of US 70 on the east side of N NC 111 (Meares Bluff

Subdivision)

ADDRESS: Pickens Dr. & N NC 111

PARCEL #: 3611048404 & 3601933033

OWNER/APPLICANT: CE2, LLC

BACKGROUND:

The applicant is requesting a conditional rezoning from the Residential 20 Agriculture Zoning District to the Residential 6 (R-6) Conditional Zoning District. The purpose of the Residential 6 (R-6) Conditional Zoning District is to accommodate both single and multi-family residential uses and to prohibit all activities of a

commercial nature.

Access: Pickens Dr.

Area: 22.4 acres

Single-Family lots: 79 (3 phase construction)

Phase A - 35

Phase B - 21

Phase C - 23

**SURROUNDING** 

ZONING:

North: Residential 20 Agriculture

South: Residential 20 Agriculture

East: Residential 20 Agriculture

West: Residential 16 & Residential 20 Agriculture

Existing Use: The properties are currently vacant.

<u>Land Use Plan</u>: The City's Land Use Plan locates these parcels within the Low-Density Residential designation.

Low-Density Residential: This designation is intended to locate in areas where development pressures are the least.

The Residential 6 (R-6) Conditional Zoning District is not identified as a corresponding district for the Low-Density Residential land use designation. The application states that in 2008, the developer purchased sewer capacity on the Stoney Creek Church force main in anticipation for future development.

DISCUSSION:

This is a conditional rezoning proposal to establish a single-family residential planned unit development consisting of 79 single-family lots, this development is proposed to be built out in three separate phases. The adjacent uses are the Meares Bluff Subdivision and the Whispering Woods Subdivision. The parcels would have access off Pickens Dr. which is off of N NC 111. The development proposes to incorporate 25% open space.

TRC REVIEW:

Staff has distributed this proposed conditional rezoning to several different departments as well as Seymour Johnson Air Force Base and NCDOT. There are no comments at this time, based off the concept design. If approved, this will require Site Plan submittal and will undergo TRC Review.

#### **STAFF**

RECOMMENDATION: Staff is recommending approval of the conditional rezoning request based on the fact that this would aid in satisfying the growing demand for housing in the City of Goldsboro and would not be out of character with the surrounding area which is also residential in nature. The availability of water and sewer does support a higher density development which is allowed in the Residential 6 district

#### **PLANNING** COMMISSION

RECOMMENDATION: The City of Goldsboro Planning Commission met on June 26,

2023, to review and make a recommendation regarding the rezoning request. Planning Commission voted 6 in favor 0

against.

REQUIRED ACTION: At the July 17, 2023 Council meeting, the Mayor closed the public hearing and Council continued the vote until August 7, 2023 Council meeting.

> On August 3, 2023, the applicant submitted a request for withdrawal of the rezoning application (Z-10-23).

Council shall vote to approve or deny the withdrawal request. If approved, no further action is required. If the withdrawal request is denied, 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:  $\frac{8/3}{23}$ 

Kenny Talton, Planning Director

Timothy Salmon, City Manager

#### CITY OF GOLDSBORO PLANNING COMMISSION Z-10-23 MEARES BLUFF VILLAGE 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 conditional rezoning to be inconsistent with the Low-Density Residential designation. The City of Goldsboro Planning Commission finds that the conditional rezoning request is reasonable and in best public interest due to the fact that the residential development of these properties would not be out of character with the overall residential nature of the surrounding area and that this development would aid in providing housing to the City of Goldsboro. The City of Goldsboro Planning Commission recommends approval to the City of Goldsboro City Council with the

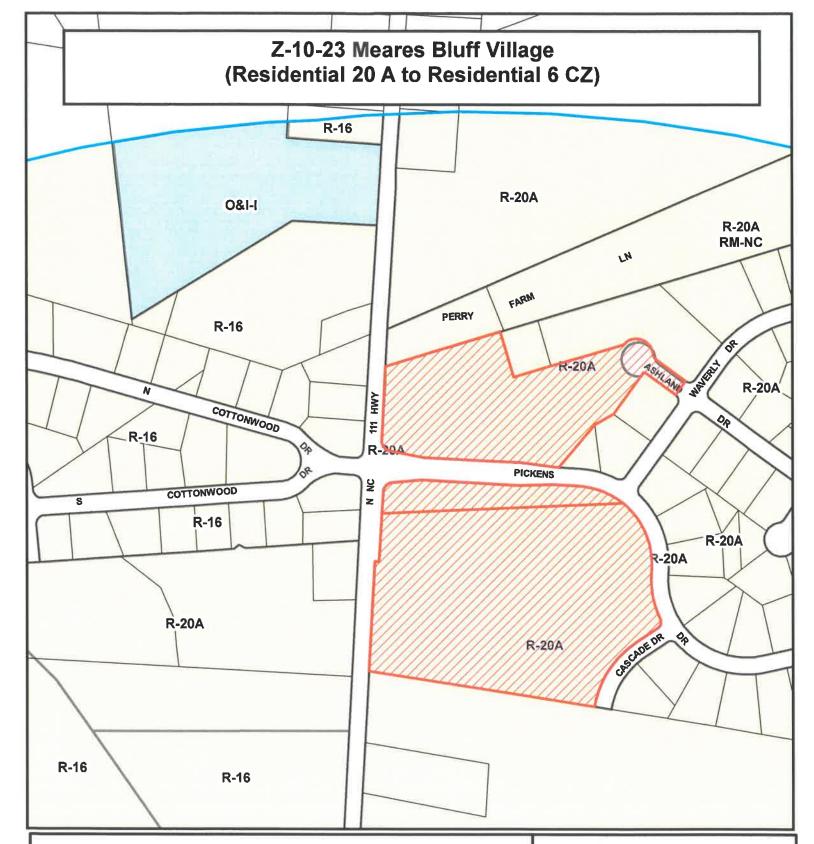
inclusion of the staff recommended conditions.
Voting Record for Recommendation:
Yes _ 6 No
<b>Inconsistency Statement:</b> The City of Goldsboro Planning Commission finds the proposed conditional rezoning to be inconsistent with the Low-Density Residential designation and finds that this conditional rezoning, if executed, would have a negative impact on the public. The City of Goldsboro Planning Commission deems this proposed conditional 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 conditional rezoning to be inconsistent with the land use plan.
Voting Record for Recommendation:
Yes No

To the City of Goldsboro Planning Department
It is my request Blain Crocker, member manager of
CE2,LLC to withdraw the rezoning application of the
property located at Pickens Drive and Hwy 111, North.

8-3-23

Blain Crocker

Member Manager, CE2,LLC



### **REZONING REQUEST:**

**CASE NO:** Z-10-23

PIN #:

APPLICANT: Meares Bluff Village

REQUEST: (Residential 20 A to Residential 6 CZ)

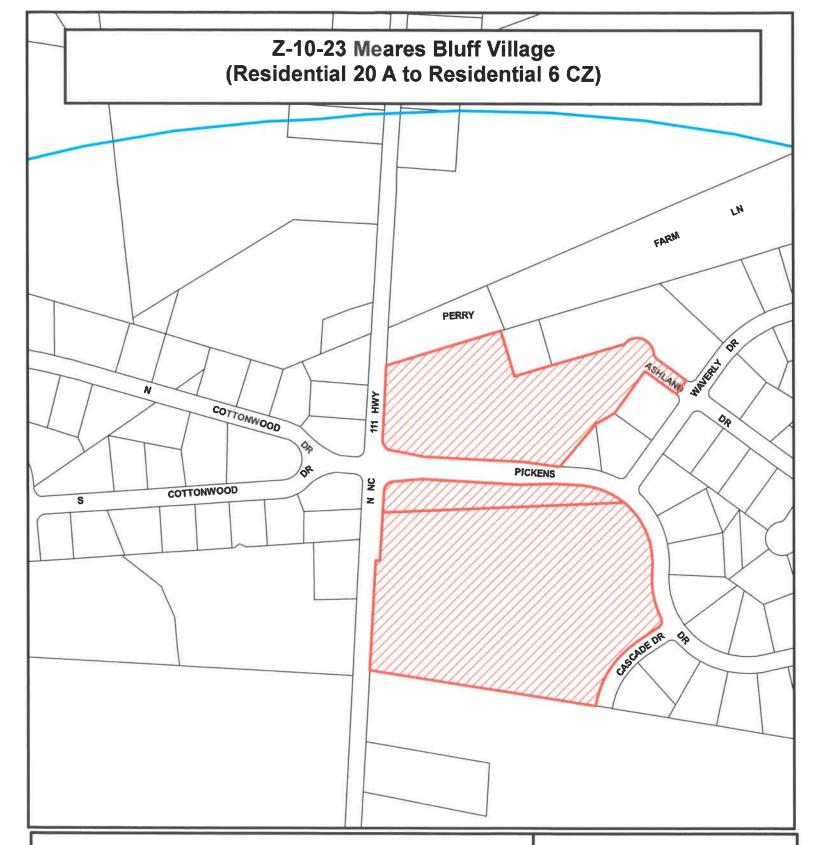
LOCATION: North of US 70 on the east side of N NC 111

(Meares Bluff Subdivision) 3611048404 & 3601933033

0 100 200 400 Feet







#### **REZONING REQUEST:**

**CASE NO:** Z-10-23

PIN #:

APPLICANT: Meares Bluff Village

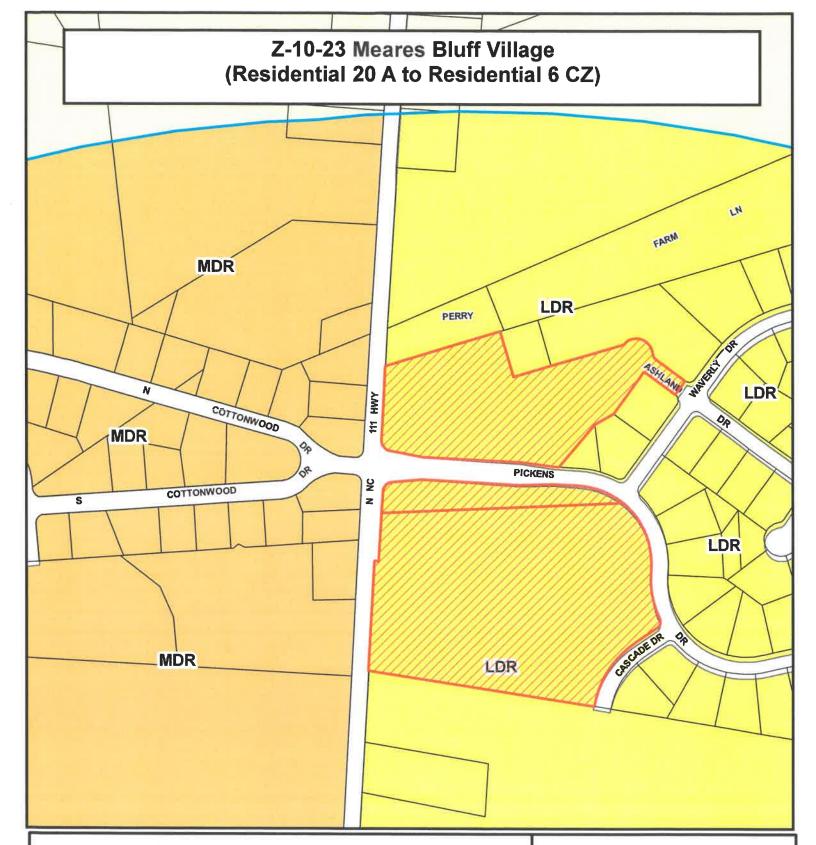
**REQUEST:** (Residential 20 A to Residential 6 CZ) **LOCATION:** North of US 70 on the east side of N NC 111

(Meares Bluff Subdivision) 3611048404 & 3601933033

0 100 200 400 Feet







#### **REZONING REQUEST:**

CASE NO:

Z-10-23

APPLICANT: REQUEST:

Meares Bluff Village

REQUEST:

(Residential 20 A to Residential 6 CZ)

LOCATION:

North of US 70 on the east side of N NC 111 (Meares Bluff Subdivision)

PIN #:

3611048404 & 3601933033





GALDSBARS
BE MORE DO MORE SEYMOUR

North Card

#### CITY OF GOLDSBORO AGENDA MEMORANDUM AUGUST 7, 2023 COUNCIL MEETING

SUBJECT:

Public Hearing to Consider an Economic Development Agreement with ALTA Foods LLC and Wayne County

with the trial code bee and wayne

BACKGROUND:

ALTA Foods LLC desires to install certain machinery and equipment and expand its existing facility located in Goldsboro. This represents a total non-depreciated investment of at least \$2,000,000 in personal and real property, and is proposed to create at least seventeen (17) new jobs at this facility on or before December 31, 2025, with incremental achievement goals starting December 31, 2023.

The Goldsboro City Council believes the location of new industries and the expansion of existing industries is vital to the economic health of Goldsboro and to the welfare of its citizens. The City Council wishes to encourage such development by means of offering incentives to recruit new industries and to aid in the expansion of existing industries. Such incentives are predicated on the notion of expanding Goldsboro's tax base and providing additional jobs for Goldsboro citizens that pay wages higher than the current prevailing average hourly wage in the particular industry.

DISCUSSION:

Pursuant to NC General Statue 158-7.1, a public hearing is being held on a proposal to provide economic incentives to ALTA Foods, LLC, totaling \$30,000 (\$14,700 by the City and \$15,300 by the County) over a 3-year period based on an incentive agreement with a \$2,000,000 personal and real property investment and the creation of at least 17 jobs.

RECOMMENDATION:

Following the public hearing and depending on comments received, staff recommends Council consider adopting a Resolution authorizing the Mayor and City Clerk to execute the attached economic development agreement with ALTA Foods, LLC.

Date: 8/2/23

Timothy Salmon, City Manager

# RESOLUTION 2023-52

# RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ECONOMIC DEVELOPMENT AGREEMENT WITH ALTA FOODS, LLC.

WHEREAS, the Goldsboro City Council believes that it is in the best interests of the citizens of Goldsboro to encourage and support economic development through the recruitment of new industries to the City, and the expansion of existing industries in the City; and

WHEREAS, ALTA Foods, LLC. desires to install certain machinery and equipment and expand its existing facility located in Goldsboro; and

WHEREAS, the City Council wishes to encourage such development by means of offering incentives to aid in such efforts totaling \$30,000 (\$14,700 by the City and \$15,300 by the County) over a 3-year period based on an incentive agreement with a \$2,000,000 personal and real property investment and the creation of at least 17 jobs; and

WHEREAS, the City Council has conducted a public hearing on this matter, as required by NCGS 158-7.1.

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

- The Goldsboro City Council hereby approves the Economic Development Agreement (attached hereto and incorporated herein by reference) between the City of Goldsboro, and ALTA Foods, LLC.
- The Mayor and the City Clerk are hereby authorized to sign all necessary documents on behalf of the City of Goldsboro in order to effectuate this transaction.

David Hama Mayor

This resolution shall be in full force and effect from and after this 7th day of August, 2023.

ATTEST:

Laura Getz, City Clerk

#### ECONOMIC DEVELOPMENT AGREEMENT

This AGREEMENT is executed this \_\_\_\_\_\_\_day of \_\_\_\_\_\_\_2023, by and between Company, ALTA Foods LLC, a limited liability company authorized to do business in the state of North Carolina, having a principal place of business at 105 Industry Ct, Goldsboro, NC, 27530 (hereinafter "ALTA Foods LLC"), and Wayne County a political subdivision of the State of North Carolina, having its principal place of business at 224 E. Walnut Street, Goldsboro NC 27530 (hereinafter the "County") and the City of Goldsboro a political subdivision of the State of North Carolina, having a principal place of business at 200 North Center Street, Goldsboro, NC 27530 (hereinafter the "City").

#### WITNESSETH:

WHEREAS, ALTA Foods LLC desires to install certain machinery and equipment and expand its existing facility located in Goldsboro, Wayne County, representing a total non-depreciated investment of at least \$2,000,000 in personal and real property, and to create at least seventeen (17) new jobs at this facility on or before December 31, 2025, with incremental achievement goals starting December 31, 2023; and

WHEREAS, ALTA Foods LLC shall incur certain costs for installation of these improvements; and

WHEREAS, the addition of these improvements will expand the County and City tax base through increased ad valorem tax value created as a consequence of capital investment in real property and machinery and equipment being brought into the County and City; and

WHEREAS, the County and City recognize that increased ad valorem tax revenues will be generated as a consequence of this business venture and investment, and that a grant by the County and the City would be an incentive for such investment by ALTA Foods LLC to assist the same pay a portion of the costs of the investment, and that such incentives be designated as an "Economic Development Grant" to ALTA Foods LLC in the amount of Thirty Thousand Dollars (30,000.00); and

WHEREAS, the parties hereto wish to reduce their understanding regarding the details of the Economic Development Grant and ALTA Foods LLC performance to this agreement;

NOW, THEREFORE, for the mutual considerations noted hereinafter, the sufficiency of which are hereby acknowledged, the parties do hereby contract and agree as follows:

#### I. Economic Development Incentives.

ALTA Foods LLC will incur costs in adding machinery and equipment as well as additional real property at their current facility and the County and City will realize economic benefits due to the expansion of the ad valorem tax base. As an incentive for ALTA Foods LLC to invest in machinery and equipment and real property at its existing site in accordance with NCGS 158-7.1, the County and City shall provide to ALTA Foods LLC the incentives set forth herein in accordance with the terms and conditions of this Agreement. The County and City shall provide an Economic Development Grant to ALTA Foods LLC with an estimated value of \$30,000.00, with such a grant to be made available to ALTA Foods LLC as set forth in Exhibit A.

- A. The County and City shall pay to ALTA Foods LLC in installments a total grant of \$30,000.00 as shown on, and in accordance with terms and conditions described in, <u>Exhibit A</u> to this Agreement (the "County and City Performance Grant");
- B. ALTA Foods LLC agrees that if it fails to create the number of Qualified Jobs set forth on Exhibit A and maintain the Qualified Jobs through December 31, 2031, the County and City may recapture certain sums paid pursuant to the County and City Performance Grant.

#### II. Representations.

The County and City represent and warrant that (a) they have the power and authority to bind themselves to the requirements of this Agreement and (b) this Agreement is executed under the authority granted to the County and City under North Carolina General Statutes 158-7.1, The Local Development Act of 1925, as amended.

#### III. <u>Miscellaneous Provisions.</u>

- A. <u>Independent Agreement.</u> This Agreement and the conditions hereof only relate to the provisions and grants from the County and City set forth herein and do not limit or affect other commitments made by the County and City, the State of North Carolina, or other entities.
- B. Governing Law. This Agreement has been drafted and shall be interpreted under the laws of the State of North Carolina. Exclusive venue for any dispute shall be the General Court of Justice in Wayne County, North Carolina. In the event any provision is found by a court of competent jurisdiction to be unenforceable or unconstitutional, all other provisions shall remain in full force and effect.
- C. <u>Binding Agreement</u>. The parties hereto acknowledge that this Agreement and the foregoing actions and grants each represent binding contractual agreements among the parties hereto and that ALTA Foods LLC is acting in reliance upon this Agreement and the provisions and grants provided herein in its decision as to whether it will expand its investment in Goldsboro/Wayne County, North Carolina.
- D. <u>Assignment</u>. This Agreement shall be assignable by ALTA Foods LLC to any entity that is controlled by, controls or under common control with ALTA Foods LLC or in the case of a sale of substantially all of the operating assets of the facility, this Agreement may be assigned to the purchaser of the facility so long as the purchaser complies with this Agreement.
- E. <u>Survival</u>. The contractual commitments provided for herein and made by the parties hereto shall be deemed to continue into the future, survive, and remain binding upon future elected officials fully permitted under applicable law.
- F. <u>Force Majeure</u>. ALTA Foods LLC shall not assume any responsibility for any event or failure to act that is due to any cause in whole or in part that is beyond ALTA Foods LLC control, even if advised of same, foreseeable or in contemplation of the parties, including without limitation force majeure, the public enemy, fire, flood, earthquake, hurricane, strike or labor disputes, boycott, the inability to obtain raw materials, labor or transportation, the loss of any public or private supplied utilities, the regulations issued by any government or any of its agencies, acts of God, or any other cause similar or dissimilar to the foregoing.

- G. <u>Entire Agreement</u>. This writing contains the entire agreement between the parties hereto and may be amended only by writing signed by all parties hereto.
- H. <u>Limitation</u>. No provision of this Agreement shall be construed or interpreted as creating a pledge of the faith and credit of the County or City within the meaning of any constitutional debt limitation. No provision of this Agreement shall be construed or interpreted neither as delegating governmental powers nor as a donation or a lending of the credit of the County or City within the meaning of the State Constitution. No provision of this Agreement shall be construed to pledge or to create a lien on any class or source of the County's or City's moneys, nor shall any provision of the Agreement restrict to any extent prohibited by law, any action or right of action on the part of any future County or City governing body. To the extent of any conflict between this paragraph and any other provisions of this Agreement, this paragraph shall take priority.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

WAYNE COUNTY	Attest:
Barbara Aycock, Chairman Wayne County Board of Commissioners	Carol Bowden, Clerk to the Board
This instrument has been preaudited in the man Control Act.	ner required by the Local Government Budget and Fiscal
В	Y: Allison Speight, Finance Director
CITY OF GOLDSBORO	Attest:
David Ham, Mayor City of Goldsboro	Laura Getz, Goldsboro City Clerk
This instrument has been preaudited in the man Control Act.	ner required by the Local Government Budget and Fiscal
В	Y:
	Catherine Gwynn, Finance Director

ALIA FOOUS LLC	Attest.
By:	
	Secretary
TV1	

ALTA Foods LLC

#### **EXHIBIT A**

A ttoct

#### **Performance Goals**

Year	Annual	Total	Non	Capital	County	County	City Grant	City Grant
	Job	Jobs in	s in Depreciated Investment		Grant	Grant	Annual	Payment
	Increase	County	Capital	Cumulative	Annual	Payment	New	Year
	(minimum)	and City	Investment	Totals	New /	Year	Increment	(Amount
		(minimum	Increase	(minimum)	Increment	(Amount	(maximum)	attributed to
		as of	(minimum)		(maximum)	attributed to		prior year
		12.31.23)				prior year		achievement)
						achievement)		
2023	7	79	\$2,000,000	\$2,000,000	\$5,100	\$ - 0-	\$4,900	\$-0-
2024	8	87	\$0	\$0	\$ 5,100	\$5,100	\$4,900	\$4,900
2025	2	89	\$0	\$0	\$ 5,100	\$5,100	\$4,900	\$4,900
2026	0	0	\$0	<b>\$</b> 0	0	\$ 5,100	\$0	\$4,900
2027	0	0	\$0	\$0	0			
2028			N/A	N/A	N/A			
Totals	17	89	\$2,000,000	\$2,000,000	\$15,300	\$15,300	\$14,700	14,700
			//					

#### **Calculation Methodology:**

ALTA Foods LLC performance against the job creation, job maintenance, and the capital investment goals shall be reviewed by the County and City after submission by ALTA Foods LLC before September of each year, beginning in CY 2024 for performance year 2023. The total amount of capital investment and job increases as of January 1<sup>st</sup> of that year shall be calculated; the total for each shall be expressed as a percentage of the respective total projected goal. The average of the two percentages shall be the achievement percentage of capital investment and job creation and the grant funds that shall be actually awarded in and for each calendar year based on that achievement, subject to the County and City Grant Annual New increment maximum and the following. Should the average percentage of the cumulative projected goal capital investment and job increase be less than 100% as of January 1<sup>st</sup> of any given year, the County and City shall accrue the amount of funds budgeted but unearned and such funds shall be paid out in the first year ALTA Foods LLC attains in a given year at least 100% of its cumulative projected goals, in

addition to paying the new increment amount of funds budgeted for that year. The payments by the County and City, should ALTA Foods LLC be current in all tax payments for that fiscal year and to the extent provided above that performance goals be met, shall be made by September 30<sup>th</sup> of each year beginning in 2024, for calendar year 203. This grant shall expire on December 31, 2026. For clarification, if ALTA Foods LLC does not submit performance data for a year before September of the normal review year, the funds budgeted will accrue and be reviewed by the County and City during the review year following ALTA Foods LLC submission, but not after December 31, 2026 (that is, when the grant expires).

#### Example of Calculation Methodology:

	$\boldsymbol{A}$	В	С	D	E
Year	Annual Job Increase Goal (minimum)	Total Jobs Increase Cumulative Goal	Total Jobs Increase Cumulative Attained (% = C/B)	Capital Investment Cumulative Totals Goal	Actual Investment Cumulative Totals (%=E/D)
2023	7	79	5(67%)	\$2,000,000	\$1,600,000 (81%)
2024	8	87	15(100%)	\$2,000,000	\$400,000 (100%)
2025	2	89	89(100%)	-0-	\$-0-
2026	0	0	0	-0-	\$-0-
2027	0	0	0	-0-	\$-0-
2028	N/A	N/A	N/A	N/A	N/A
Totals	17	89	89 (100%)	\$2,000,000	\$2,000,000(100%)

#### *Year 2024*

(For calendar year 2023)

Average % attained =  $(67\% [Jobs] + 81\% [Investment]) \div 2 = 74\%$ 

Amount due from County payable by September 30,  $2024 = .74 \times \$5,100 = \$3,774$ 

*Amount unearned and being accrued* \$5,100 - \$3,774 = \$1,326

Amount due from the City payable by September 30,  $2024 = .74 \times \$4,900 = \$3,626$ 

Amount unearned and being accrued \$4,900 - \$3626=\$1,274

#### *Year 2025*

(For calendar year 2024)

Average % attained =  $(100\% [Jobs] + 100\% [Investment]) \div 2 = 100\%$ 

Amount due from County payable by September 30,  $2025 = 1.00 \times \$5,100 = \$5,100$ 

2024 Accruals now earned and also due from County payable by September 30, 2025 = \$1,326

*Total due from County payable by September 30, 2025 = \$5,100 + \$1,326 = \$6,426* 

Amount due from City payable by September 30, 2025 = 1.00 x \$4,900 = \$4,900

2024 Accruals now earned and also due from City payable by

September 30, 2025 = \$1,274

*Total due from City payable by September 30, 2025 = \$4,900 + \$1,274 = \$6,174* 

#### *Year 2026*

(For calendar year 2025)

Average % attained =  $(100\% [Jobs] + 100\% [Investment]) \div 2 = 100\%$ 

Amount due from County payable by September 30,  $2025 = 1.00[cap] \times \$5,100 = \$5,100$ 

Amount due from City payable by September 30,  $2025 = 1.00[cap] \times \$4,900 = \$4,900$ 

#### **Definitions:**

"Capital Investment" shall be the ad valorem tax value of the property located in the County and City that is owned by ALTA Foods LLC its affiliates, or financing entities where ALTA Foods LLC or its affiliates maintain operational control of the property. Any disputes as to the calculation of Capital Investment shall be subject to mediation between senior executives of the applicable parties, or if such mediation is not successful by an action at law or in equity with venue being in a court of competent jurisdiction in Wayne County, North Carolina.

**"Budget"** unless otherwise agreed in this Agreement, the County and City shall approve a budget for the specific grant amount offered to ALTA Foods LLC by July 1<sup>st</sup> of each year that the respective grant is offered, for payment by the agreed-upon date.

No provision of this Agreement shall be construed or interpreted as creating a pledge of the faith and credit of the County or the City within the meaning of any constitutional debt limitation. No provision of this Agreement shall be construed or interpreted neither as delegating governmental powers nor as a donation or a lending of the credit of the County or the City within the meaning of the State Constitution. No provision of this Agreement shall be construed to pledge or to create a lien on any class or source of the County's or the City's moneys, nor shall any provision of the Agreement restrict to any extent prohibited by law, any action or right of action on the part of any future County or City's governing body. To the extent of any conflict between this paragraph and any other provisions of this Agreement, this paragraph shall take priority. The County and the City are governmental entities and the validity of this Agreement is based upon the availability of public funding under the authority of their respective statutory mandates. In the event that public funds are not available and not appropriated for the performance of their obligations under this Agreement, then this Agreement shall automatically expire without penalty to either the County or the City 30 days after written notice to ALTA Foods LLC of the non-appropriation of public funds.

#### CITY OF GOLDSBORO AGENDA MEMORANDUM AUGUST 7, 2023 COUNCIL MEETING

SUBJECT: Amending a Grant Project Fund Ordinance – 2010 Sewer Bonds (S1104)

BACKGROUND: Council adopted a grant project budget ordinance for the 2010 Sewer Bonds at

the May 17, 2010 council meeting in the amount of \$8,605,000 for various sewer system improvements. The fund has been amended several times over the years

to appropriate investment income on the unspent proceeds.

DISCUSSION: In FY21, the City had to repair the Seymour Johnson Air Force Base sewer

outfall and in order to utilize remaining 2010 bond proceeds the project was accounted for in Fund S1104. The original bond proceeds were recognized in the Utility Fund, so a transfer of funds was budgeted in FY21 in the Utility Fund and transferred to the 2010 Sewer Bonds project fund (S1104). This amendment recognizes the appropriation of revenues and expenses in the project fund. This

amendment will also close this project fund.

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RECOMMENDATION:

1. By motion, Council adopt the attached Grant Project Ordinance amendment for the 2010 Sewer Bonds Capital Project Fund (S1104).

Date: 7/30/2023

Catherine F. Gwynn, Finance Director

Date: 8/2/23

Timothy M. Salmon, City Manager

# ORDINANCE NO. 2023- 47

# AN ORDINANCE AMENDING THE 2010A SANITARY SEWER IMPROVEMENTS CAPITAL PROJECT FUND

WHEREAS, the City of Goldsboro established the 2010A Sanitary Sewer Improvements Capital Projects Fund on May 17, 2010 to administer the construction of sanitary sewer improvements funded by general obligation bonds in the amount of \$8,605,000 sold on April 6, 2010; and

WHEREAS, the fund was amended on June 21, 2010; June 20, 2011; June 18, 2012; June 17, 2013; June 16, 2014; June 15, 2015; June 27, 2016; June 5, 2017; June 4, 2018; and June 17, 2019 to appropriate investment income and additional construction expenditures;

WHEREAS, it is necessary to appropriate revenue for a transfer from the Utility Fund used to fund the Seymour Johnson Airforce Base sewer outfall; and

WHEREAS, it is necessary to make adjustments to expenditures for construction costs accounted for in the Utility Fund in prior years; and

WHEREAS, this will be offset with reductions of revenues accounted for in the Utility fund in prior years;

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

- 1. Decreasing revenue Investment Earnings in the amount of \$37,162.90.
- 2. Increasing the revenue Transfer from Utility fund in the amount of \$450,000.00.
- Increasing the expenditure line item Transfer to Utility Fund in the amount of \$25,618.11.
- 4. The project fund S1104 is hereby closed.

This Ordinance shall be in full force and effect from and after the 7th day of August, 2023.

Ham, Mayor

Attest:

Laura Getz, City Clerk

#### CITY OF GOLDSBORO AGENDA MEMORANDUM AUGUST 7, 2023 COUNCIL MEETING

SUBJECT:

Authorization of sale of substandard lots to adjacent property owner under Session Law 2004-94 (Senate Bill 1370) for 100 Whitfield Drive and S. Alabama Street (John H. Oliver, Jr.)

BACKGROUND:

Staff has received an offer to purchase on city-owned property deemed substandard lots. Council must either accept or reject the offer, and if accepted authorize City officials to execute instruments necessary to transfer ownership. (Session Law 2004-94 Senate Bill 1370)

DISCUSSION:

The following offer has been received:

100 Whitfield Drive

Offeror: John H. Oliver, Jr.

Offer: \$1.00

Bid Deposit: \$1.00

Parcel #: 46657 Pin #: 2599557808 Tax Value: \$3,110.00 Zoning: R-6

S. Alabama Avenue

Offeror: John H. Oliver, Jr.

Offer: \$1.00

Bid Deposit: \$1.00

Parcel #: 46648 Pin #: 2599556817 Tax Value: \$350.00 Zoning: R-6

These are both substandard lots as determined by the Planning department, therefore the minimum offer is \$1.00 per lot. If the offers are accepted by Council, the Planning Department will notify the adjacent property owner(s) to determine if there is an interest in the lot. If there is, procedures of SL 2004-94 will be followed. If not, City staff will execute documents necessary to transfer title to Mr. Oliver. The earnest money deposit of \$1.00 per lot has been received in the form of a money order.

RECOMMENDATION:

It is recommended that the City Council, by motion:

- 1. ACCEPT or REJECT offer on 100 Whitfield Drive and S. Alabama Street.
- 2. IF ACCEPTED, adopt attached resolution.

Date: 8/1/2023

Catherine F. Gwynn, Finance Director

Data: 8/7

Timothy M. Salmon, City Manager

# RESOLUTION NO. 2023- 53

# RESOLUTION AUTHORIZING SALE OF SURPLUS SUBSTANDARD REAL PROPERTY UNDER SESSION LAW 2004-94 SENATE BILL 1370

WHEREAS, the City of Goldsboro owns certain property, 100 Whitfield Drive (Pin #2599557808) and S. Alabama Avenue (Pin #2599556817); and

WHEREAS, North Carolina Session Law 2004-94 permits the city to sell substandard surplus lots owned by the City of Goldsboro to adjoining property owners; and

WHEREAS, the Planning Department has identified the contiguous property owners and have determined that the named lot to be a substandard parcel; and

WHEREAS, the City has received an offer to purchase the property described above, in the amount of \$2.00 (Two Dollars and no/100) for the lots submitted by John H. Oliver, Jr.; and

WHEREAS, Offeror has paid the required earnest money deposit of \$2.00 (Two 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 hereby declares the properties surplus.
- The City Council authorizes the sale of the property described above through North Carolina Session Law 2004-94.
- 3) The City Council authorizes the Planning Department to contact adjoining property owners to determine their interest in receiving the substandard lot. If there is interest from adjoining property owners to receive the lot, procedures outlined in North Carolina Session Law 2004-94 shall be followed.
- 4) If there is no additional interest by adjoining property owners, the City Council further authorizes and empowers City officials to execute the instruments necessary to convey the property to the Offeror.
- 5) The terms of the final sale are:
  - a) Buyer must pay with cash at the time of closing.
  - b) Earnest moneys received shall be applied to purchase price.
  - c) Buyer must pay closing costs.
- 6) The City reserves the right to withdraw the property from sale at any time before ownership is transferred and recorded.

David Ham, Mayor

This resolution shall be in full force and effect from and after this 7th day of August, 2023

Attested by:

Laura Getz, City Clerk

John H, Oliver, Jr. 102 Whitfield Drive Goldsboro NC 27530 919-344-7964

July 20, 2023

Octavius Murphy Assistant to the City Manager 200 North Center St Goldsboro, NC 27530

REF: Offer to Purchase Property

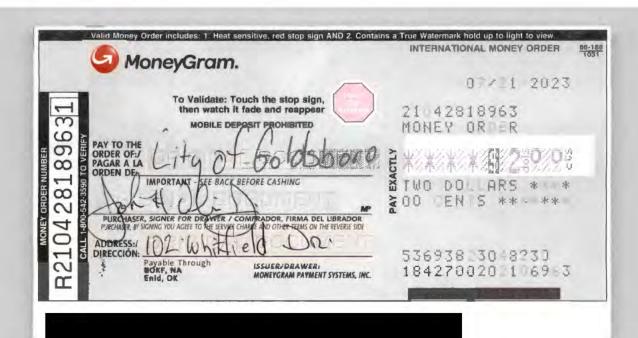
Mr. Murphy,

I am writing to express my interest in purchasing a parcel of land owned by the City of Goldsboro. The parcel of land is located at 100 Whitfield Drive and the tax ID number for the lot is 2599557808. This is a non-conforming and own the adjacent property located at 102 Whitfield. With 100 Whitfield being a non-conforming lot, I'm offering for the parcel of land is \$1.00 for the parcel.

Thank you in consideration in this matter and I look forward to hearing from you soon.

Sincerely

John H. Oliver, Jr.



John H. Oliver, Jr. 102 Whitfield Drive Goldsboro NC 27530 919-344-7964

July 20, 2023

Octavius Murphy Assistant to the City Manager 200 North Center St Goldsboro, NC 27530

REF: Offer to Purchase Property

Mr. Murphy,

I am writing to express my interest in purchasing a parcel of land owned by the City of Goldsboro. The tax ID number for the lot is 2599556817. This is a non-conforming and I own the adjacent property located at 102 Whitfield. Being this lot is non-conforming, I'm offering\$1.00 for the parcel of land.

Thank you in consideration in this matter and I look forward to hearing from you soon.

Sincerely

John H. Oliver, Jr







7/31/23, 2:45 PM Appraisal Card

WAYNE COUNTY 7/31/2023 2:45:12 PM CITY OF GOLDSBORO Return/Appeal Notes: Parcel: 2599557808 PLAT: / UNIQ ID 46657 WHITEIELD DR ID NO: 12000059005019 76121320 COUNTYWIDE ADVALOREM TAX (100), CITY - GOLDSBORO (100) CARD NO. 1 of 1 Reval Year: 2019 Tax Year: 2023 LT 90 WEST CENTRAL 0.0000 SRC= Appraised by 60 on 01601 BYPASS WEST TW-12 CI-01 FR-00 EX-5 AT-LAST ACTION 20170729 CONSTRUCTION DETAIL **DEPRECIATION CORRELATION OF VALUE** MARKET VALUE TOTAL POINT VALUE Eff. BASE BUILDING ADJUSTMENTS USE MOD IOUAL RATE EYE CREDENCE TO OTAL ADJUSTMENT 89 00 % G00D DEPR. BUILDING VALUE - CARD DEPR. OB/XF VALUE - CARD MARKET LAND VALUE - CARD FACTOR TYPE: MUNICIPAL BUILDING TOTAL QUALITY INDEX 3.110 TOTAL MARKET VALUE - CARD STYLE: 3,110 TOTAL APPRAISED VALUE - CARD TOTAL APPRAISED VALUE - PARCEI 3,110 3,110 TOTAL PRESENT USE VALUE - PARCEL TOTAL VALUE DEFERRED - PARCEL TOTAL TAXABLE VALUE - PARCEL \$ 3,110 BUILDING VALUE OBXF VALUE LAND VALUE 3,110 PRESENT USE VALUE DEFERRED VALUE TOTAL VALUE 3.110 PERMIT AMOUNT CODE DATE NOTE NUMBER ROUT: WTRSHD: SALES DATA OFF. RECORD DATE DEED INDICATE SALES BOOK PAGE MOYR PRICE TYPE 00742 0578 1 1969 WD UI HEATED AREA NOTES SUBAREA UNIT ORIG % ANN DEP OB/XF DEPR SIZE CODEQUALITY DESCRIPTION COUNT LTH WTH UNIT VALUE RPL GS TYPE TOTAL OB/XF VALUE FIREPLACE SUBAREA TOTALS BUILDING DIMENSIONS LAND INFORMATION HIGHEST FRON DEPTH LND COND AND NOTES
TAGE DEPTH / SIZE MOD FACT RF AC LC TO OT AND BEST LOCAL ROAD UNIT LAND UNT TOTAL **ADJUSTED** LAND OVERRIDE LAND UNIT PRICE VALUE VALUE USE CODE ZONING **TYPE** PRICE UNITS TYP ADJST NOTES 93 0.8300 2 3900 8900 R-6 50 1.0000 75.00 50.000 FF 0.830 62.25 3113 TOTAL MARKET LAND DATA 3.110 TOTAL PRESENT USE DATA

7/31/23, 3:11 PM Appraisal Card

WAYNE COU	YTY																	7,	/31/2023 3::	L1:28 PM
CITY OF GOL	DSBOF	20											Return	n/Appeal N	Notes:	Parce	l: 25995568:	L7		
S ALABAMA AV	/E																_AT: / UNIQ ID	46648		
76121320															ID N	O: 12000	059005015A			
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Item	I
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#### CITY OF GOLDSBORO AGENDA MEMORANDUM August 7, 2023 COUNCIL MEETING

SUBJECT: Operating Budget Amendment FY23-24

BACKGROUND: Council adopted the FY23-24 annual operating budget on June 20, 2023.

DISCUSSION: Public Works – Building & Grounds

The Public Works Building and Grounds division has been asked to handle the mowing of the enhancement areas previously managed by Planning. The original funding was moved from Planning to Parks and Recreation with the creation of the FY24 budget. Upon further analysis of the duties required, Ms. Felicia Brown, Parks and Recreation director determined that her department could not manage the enhancement areas outside of the Welcome Signs so the task was assigned to Public Works. In order to accomplish the additional work responsibilities, Mr. Rick Fletcher, Public Works Director requested an additional \$16,000 in part-time temporary labor for Buildings and Grounds. The additional appropriation will be funded with a reduction of part-time temporary labor in the Parks and Recreation department.

#### **Solid Waste**

At the June 20, 2023 council meeting, Mr. Rick Fletcher, Public Works Director, requested an appropriation of \$231,000 for the purchase of a new trash compactor for the transfer station to replace the existing compactor that is approximately 40 years old. Mr. Fletcher has received an estimate for the replacement of the compactor at approximately \$349,000. As discussed at the June 20<sup>th</sup> meeting, the remaining balance of \$119,000 to purchase the compactor must be appropriated in the FY24 budget. This will be funded with an appropriation of fund balance.

#### Transfers - General Fund

At the June 20, 2023 council meeting, an amendment to the Community Relations Special Revenue Fund (G1108) was presented to address some minor corrections needed to the fund. There was an allocation error made in June, 2020 when creating the fund and it was shorted \$1,720.60. I was not able to include that in the final budget amendment for FY23. I have included the transfer appropriation in the current budget, and it will be funded with an appropriation of investment income.

#### **Agency Support**

At the July 17, 2023 council meeting, Ms. Sherry Archibald, Executive Director of United Way of Wayne County, Inc., presented the FY24 non-profit funding recipients. The list was approved by Council as presented.

Agency	Approved Amount
4Day Movement	\$9,000.00
WAGES	\$11,000.00
Boys & Girls Club	\$9,000.00
Communities in Schools	\$13,500.00
Literacy Connections	\$5,000.00
Arts Council	\$6,000.00
Wayne County Museum	\$5,000.00
WISH	\$11,500.00
WATCH	\$15,000.00
Total	\$90,000.00

#### **Stormwater Fund**

In preparing the budget estimates for the debt service, I inadvertently made an error in coding a section of the new debt service to the General Fund when it should have been the Stormwater Fund. The debt service in Stormwater is short by \$78,391.00 and needs to be appropriated. This will be funded with a reduction of contingency.

#### **Purchase Order Rollover**

Included in the attached ordinance amending the annual operating budget for fiscal year 2024 are the appropriations necessary to re-establish encumbrances for the individual outstanding purchase orders as of June 30, 2023 that will be honored in the new fiscal year (FY24). Also provided is a purchase order rollover listing by fund and includes a brief description of the items/services. Departments must submit rollover requests in mid-July after submitting final invoices for June 30 to allow Finance a chance to clear out prior year bill payments. It was requested that rollover requests should be more than \$5,000. An analysis of fund balance appropriated is also attached.

Items/services on the list represent construction contracts or service contracts that require significant time to completion or implementation which extends beyond the boundaries of the annual operating budget year from July 1 through June 30.

Purchase orders for project funds are presented for informational purposes only and are not included in the attached ordinance as they are not annual operating type funds.

The Local Government Commission of the State Treasurer's Office recommends following the method of Reserve for Encumbrances that the City uses above. The other acceptable method offered requires the City to hold open the prior fiscal year to account for encumbrances. Although it is an acceptable method, the LGC does not recommend the use of this method.

#### Analysis of Appropriated Fund Balance (Operating Funds Only) General Fund

Adopted
\$ 1,500,000.00
\$ 1,500,000.00
\$ 2,063,324.43
119,000.00
\$ 2,182,324.43
\$ 3,682,324.43

#### **Stormwater Fund**

Date	Description	Adopted		
6/20/2023 O	rd 2023-43 FY23-24 Adopted Budget	\$	-	
C	urrent Year Appropriations	\$		
8/7/2023 F	Y22-23 Purchase Order Rollovers	\$	136,455.00	
P	roposed	\$	136,455.00	
C	urrent Year with Proposed	\$	136,455.00	

#### **Utility Fund**

Date	Description	Adopted	
6/20/2023 Ord 2023-43	FY23-24 Adopted Budget	\$ -	
Current Year	Appropriations	<u> </u>	
8/7/2023 FY22-23 Pure	chase Order Rollovers	\$ 2,911,751.35	
Proposed		\$ 2,911,751.35	
Current Year	with Proposed	\$ 2,911,751.35	
	Downtown MSD Fund		

Date	Description		Adopted		
6/20/2023 Ord 2023-4	3 FY23-24 Adopted Budget	\$	-		
Current Ye	ar Appropriations	\$			
8/7/2023 FY22-23 P	urchase Order Rollovers	_\$	9,531.51		
Proposed		\$	9,531.51		
Current Ye	ar with Proposed	\$	9,531.51		

### Analysis of Purchase Order Rollovers by Fund (FY23 to FY24)

General Fund	\$	2,063,324.43
Stormwater Fund		136,455.00
Utility Fund		2,911,751.35
Downtown MSD Fund	-	9,531.51
Total Operating Funds	\$ 5	5,121,062.29
Smeal Aerial Fire Truck	\$	1,117,653.00
Police Evidence & Fire Station Renovation		47,303.85
TIGER Streetscape		11,072.72
VUR MRF Feasibility Grant		67,974.00

<b>Total Project Funds</b>	\$ 1,665,322.08
Total All Fund Types	\$ 6,786,384.37

Stormwater Drainage Projects

RECOMMENDATION:

It is recommended that the City Council, by motion:

1. Adopt the attached ordinance to amend the FY23-24 Operating Budget for the General Fund, Stormwater Fund, Utility Fund and Downtown MSD Fund.

67,974.00

421,318.51

Date: 7/28/2023

Catherine F. Gwynn, Finance Director

Timothy M. Salmon, City Manager



#### **Purchase Order Rollover FY23 to FY24**

P.O. #	Fund	Vendor Name	For?	Date	Original Amount	Remaining Balance	Justification
110111	runu	Vollage Hallio	1011	Duto	Original 7 unounc	Balanco	
P2301167	0011	Developmental Associates, LLC	EQI Services, Training, Coaching, materials and printing for HR	21 May 22	22,116.00	22,116.00	Supervisors Training to be held Aug 1-
F2301107	0011	Developmental Associates, LLC	FAK# 2023-00066 Paramount Theatre Restoration	31-May-23	22,110.00	22,110.00	Work is scheduled for the repair of
P2301208	0011	T A Loving Company	of facade	22-Jun-23	30,651.43	30,651.43	the façade.
22204200	0044		FAK# 2023-00067 Goldsboro Event Center Pipe	22 / 22	45 700 00	45 720 02	Keep Open - PO created to fix
P2301209	0011	JD Service Now, Inc.	Relining project	22-Jun-23	45,728.92	45,728.92	plumbing issue at GEC
							Training planned for June, 2023 but
							Cityworks was unable to hold training.
P2301186	0011	Azteca Systems, Inc. (Cityworks)	Assorted Cityworks Software Modules - IT Dept	2-Jun-23	6,405.00	6,405.00	Training is planned for July, 2023.  Supply Chain issues with getting the
			Replace Two JCI controllers for fan coils BC-1 & BC-				Fan Coils for our older Controls
P2300919	0011	CMS CONROLS	4	16-Mar-23	5,768.77	5,768.77	
P2301177	0011	CDW-G	Cisco Duo Security Standard Multi-Factor Auth.  Part #: DUO-MFA	1-Jun-23	16,361.25	16 261 25	License renewal for software.  Awaiting invoice.
P2301177	0011	CDW-G	rait #. DOO-IVII A	1-Juli-25	10,301.23	10,301.23	On-going project that was unable to
							be completed by end of FY. Expect
22204404	0044	500.	ArcGIS Enterprise Consulting Support-DNS	2	45 000 05	45 000 05	completion by end of September,
P2301194	0011	ESRI	Updating	2-Jun-23	15,820.35	15,820.35	2023.
							The device was scheduled for delivery
							in June, but is missing a part. The part
							was on backorder and we are not paying for the unit until the final part
			FAK # 2023-00005 HP T2600DR DesignJet 36in				has arrived. Delivery is scheduled for
P2301204	0011	Systel Business Equipment Co., Inc	PostScript Printer	2-Jun-23	12,649.88	12,649.88	
							Telephone system material could not be delivered and implemented by the
							end of the FY. Orders have been
							placed and the project has started for
			5AK# 2022 00000 Mital Diagram Sustana Fauliana and				the backend setup. Once all material
P2301202	0011	ATCOM Business Technology	FAK# 2023-00009 Mitel Phone System Equipment for phone upgrade	2-Jun-23	266,515.42	266 515 42	is available we will begin the physical changes needed.
12301202	0011	THEONY Business recimology	io. phone approac	2 3411 23	200,313.42	200,313.42	Supply Chain Issues with getting the
							supplies for the door hardware
							needed to complete this project.  Work has started and will be
							completed when the parts arrive.
							Estimated completion by August,
P2301119	0011	Brady Integrated Security, Inc.	Access Control Installation on 2 Doors w/ Doorbell	22-May-23	14,560.70	14,560.70	2023.
							per Daryl - just received transmission
							this week , still needs to send back the
		l					core - should be paid within the next
P2301099	0011	Jasper Engine Exchange, Inc.	Transmission Rebuild for	15-May-23	6,808.52		couple of weeks.
P2300341	0011	Justin and Sons Transorts, LLC	REBUILD ENGINE FOR FIRE TRK F-566	30-Aug-22	12,810.00	12,810.00	Rebuild not complete, Roll PO.  Per Bill Peter - doors are on order -
							will contact his POC today to establish
P2301132	0011	Griffin Garage Doors	18x18 replacement rollup door (Garage)	23-May-23	19,935.56	19,935.56	install date.
							Por Pill Potor Funda annual in
							Per Bill Peter - Funds approved in FY21/22 budget - Truck on order with
P2300559	0011	Performance Automotive Group, Inc	2023 Ford F150 Super Cab 4x4 (W1E-101A)	9-Nov-22	42,200.93	42,200.93	possible November delivery.
			Highway Use Tax and registration fees for B&G				
P2301213	0011	City of Goldsboro	Taxes & Tags for F150 Deliver in FY24	22-Jun-23	1,983.81	1,983.81	Vehicles have not arrived. Roll PO Per Bill Peter - funds approved
							FY21/22 - poles are still on back order -
			25ft RD Tapered pole & Light - 14ft ALUM pole &				speciality item and are coming from
P2300759	0011	State Electric Supply Company	Light	31-Jan-23	13,028.88	13,028.88	
			PAY AND CLASSIFICATION STUDY - City of				Finance Dept Pay study, Per phone conv w/CFG 7/11/23 11:01am, Roll
P2201060	0011	The MAPS Group	Goldsboro	7-Jun-22	4,400.00	4,400.00	
							per Doug Henricksen - truck has been
D2200244	0011	Diadment Truck Center Inc	FAK# 2023-00018 2024 FORD F750 REGULAR CAB W/ GODWIN DUMP BODY	2 4~ 22	126 693 90	126 602 00	ordered - waiting on dump body to be
P2300241	IOOTI	Piedmont Truck Center, Inc.	VV/ JODANIIA DOINIE DODI	3-Aug-22	126,683.80	126,683.80	mstancu.



#### **Purchase Order Rollover FY23 to FY24**

P.O. #	Fund	Vendor Name	For?	Date	Original Amount	Remaining Balance	Justification
110111	, unu	Tondon Hamo	Highway Use Tax and registration fees for Streets	Duto	Ongmar/mount	Bularioo	
P2301213	0011	City of Goldsboro	Taxes & Tags for F700 Deliver in FY24	22-Jun-23	2,030.00	2,030.00	Vehicles have not arrived. Roll PO
			FB2022-002 EB-5707 Stoney Creek Greenway				Staff awaiting final pay app from FSC
P2300506	0011	FSC II, LLC	Project	19-Oct-22	316,217.00	52,830.56	II, LLC
							Scheduled for later this
P2301191	0011	Moye Fence Company, Inc.	Install fence at transfer station	2-Jun-23	5,020.45	5,020.45	month/completed by 1st week of Aug
			FAK# 2023-00065 Heil DuraPack Half Pack - 40				
P2301089	0011	Carolina Environmental Systems, Inc	Cuyd Garbage Truck	10-May-23	366,986.00	366,986.00	Awaiting assembly of Chassis
P2300346	0011	Piedmont Truck Center, Inc.	FAK# 2023-00023 2024 Ford F750 RegCab w/Extreme VAC LCT650	31-Aug-22	168,065.94	168 065 94	Awaiting hydraulic system to be installed before received
1 2300340	0011	reamont truck center, inc.	W/Extreme V/te Ecroso	31 Aug 22	100,003.54	100,003.54	mistanea Berore received
			Highway Use Tax and registration fees for				
P2301213	0011	City of Goldsboro	SolidWst Taxes & Tags for LeafTrk Deliver in FY24	22-Jun-23	2,030.00	2,030.00	Vehicles have not arrived. Roll PO
							Roll to cover purchase-after fund balance transfer of \$119K per budget
P2301211	0011	City of Goldsboro	FAK# 2023-00069 Transfer Station Compactor	22-Jun-23	231,000.00	231 000 00	amendment
. 2501211	0011	City or delasses	, , , , , , , , , , , , , , , , , , , ,	22 34 25	201,000.00	201,000.00	
			FAK# 2023-00068 Engine Replacement for Vehicle				Vehicle K1023 F550 Bucket Truck
P2301210	0011	Deacon Jones Ford Lincoln, Inc	K1023 F550 Bucket truck	22-Jun-23	26,136.67	26,136.67	currently in shop at Deacon Jones
							Honor Guard uniforms needed for new Honor Guard members.
P2301180	0011	Galls, LLC	Honor Guard Uniforms - Fire Dept	1-Jun-23	6,134.97	6,134.97	Anticipated arrival January 2024.
						· ·	
							Fire gloves and boots to adhere to
D2204474	0011	Newtonia Sina & Cafata Saninanant In	Size glaves and Doots	24 14 22	5 350 05	F 350.05	NFPA compliance standards.
P2301171	0011	Newton's Fire & Safety Equipment In	Fire gloves and Boots	31-May-23	5,359.95	5,359.95	Anticipated arrival September 2023.  Lighting and Striping of Battalion
							Chief Vehicle. Anticipated completion
P2300712	0011	Eastern Emergency Equipment, LLC	Lighting and Striping on new Tahoe	12-Jan-23	8,941.63	8,941.63	August 2023.
							Fire Hose and nozzles needed to
			FAK#2023-00026 Assorted Fire Hoses and				adhere to NFPA compliance standards. Anticipated arrival
P2301183	0011	Fire Connections, Inc.	Appliances - Fire Dept	2-Jun-23	18,009.47	18 009 47	December 2023.
12301103	0011	The connections, me.	Baffled Pyrotech CS Grenade- CTS 37/40mm CS	2 3411 23	10,003.47	10,005.47	December 2020.
P2301151	0011	Dana Safety Supply	Powder Barricade Penetrator	24-May-23	7,354.12	7,354.12	HOLD OPEN-INCOMPLETE
22204452	0044		Cofesiles d Assess 4254450 Tooking Coming Vents	2444 22	0.077.50	0.077.50	LIOLD ODEN INCOMPLETE
P2301152 P2300779	0011	Lawmen's Safety Supply, Incorporate  Dana Safety Supply	Safariland Armor 1351150 Tactical Carrier Vests 5231 CTS Triple Phaser CS Grenade - Police	24-May-23 8-Feb-23	8,977.58 16,682.37		HOLD OPEN-INCOMPLETE HOLD OPEN-INCOMPLETE
12300773	0011	Build Surety Supply	S2ST 010 THISPET HUSER OF GREHAUGE TO GRE	0 1 0 2 2 3	10,002.37	3,303.30	INCED OF ENVIRONMENTE
P2300432	0011	Hoffman Mechanical Solutions,Inc	FAK# 2023-00030 Boiler for Public Safety Complex	27-Sep-22	99,469.06	99,469.06	HOLD OPEN-INCOMPLETE
							23 MUSTANG & 22 INTERCEPTORS-
P2301196	0011	PCN Strategies, Inc.	Assorted camera and GPS upgrades for multiple Police vehicles	2-Jun-23	10.015.24	10.015.34	UP FIT AND EQUPMENT MAJ. LEARNARD HOLD OPEN
P2301190	0011	ren strategies, inc.	Folice vehicles	2-Juli-23	18,015.34	16,013.34	23 MUSTANG & 22 INTERCEPTORS-
			Assorted safety lights and console upgrades for				UP FIT AND EQUPMENT MAJ.
P2301198	0011	B&G Electronics and Communcations,	multiple Police vehicles	2-Jun-23	40,948.25	40,948.25	LEARNARD HOLD OPEN
							23 MUSTANG & 22 INTERCEPTORS-
P2301200	0011	Radio Communications Company	Assorted radios and related equipment for multiple Police vehicles	2-Jun-23	15,928.17	15 928 17	UP FIT AND EQUPMENT MAJ. LEARNARD HOLD OPEN
F2301200	0011	Radio Communications Company	multiple rollee verticles	2-Juli-23	13,928.17	13,928.17	ELANIVARD HOLD OF EN
							Keep Open - PO was one of two (2)
							created for tennis court repair; first
							vendor has completed their part of the project and this vendor is now
							able to complete their part as they
			FAK# 2023-00039 - Repaving Herman Park Tennis				had to wait for the first vendor to
P2301130	0011	RDU Paving, Inc	Courts electric cuts.	23-May-23	42,665.66	42,665.66	finish their scope of work
							Koon Onon Electric Calf Carte will
							Keep Open - Electric Golf Carts will not arrive before August; however,
			FAK# 2023-00062 E-Z Go RXV ELITE Lithium				Council approved the encumberance
P2300250	0011	E-Z-GO Division of Textron, Inc	Battery Golf Carts	1-Dec-22	267,481.49	267,481.49	of funds to lock in the purchase cost
			FAK# 2022 00070 2022 F! F2F0 T!				Per Doug Henricksen - this truck is
P2301212	0015	Alan Jay Fleet Sales	FAK# 2023-00070 2023 Ford F250 Truck with Utility Body	22-Jun-23	61,405.00	61 405 00	replacing Streets wrecked truck. (1146) This PO was keyed in June.
. 2301212	10010	, say i icce saics	1	22 Juli-23	01,703.00	01,703.00	it == 107



#### **Purchase Order Rollover FY23 to FY24**

P.O. #	Fund	Vendor Name	For?	Date	Original Amount	Remaining Balance	Justification
			Highway Use Tax and registration fees for StmWtr				
P2301213	0015	City of Goldsboro	Taxes & Tags for F350/F250 Deliver in FY24	22-Jun-23	1,834.00	1,834.00	Vehicles have not arrived. Roll PO
			FAK# 2023-00041 2023 Ford F350 Crew Cab 4x4				Per Doug Henricksen - truck has been ordered - waiting on utility body to be
P2300232	0015	Piedmont Truck Center, Inc.	Dual rear wheel pickup	1-Aug-22	71,186.00	71,186.00	1
			Uishaan Haa Taraadaa ishahii aa faa faa Shaalka				
P2301213	0015	City of Goldsboro	Highway Use Tax and registration fees for StmWtr Taxes & Tags for F350/F250 Deliver in FY24	22-Jun-23	2,030.00	2,030.00	Vehicles have not arrived. Roll PO
						,	Finance Dept Pay study, Per phone
P2201060	0061	The MAPS Group	PAY AND CLASSIFICATION STUDY - City of Goldsboro	7-Jun-22	4,400.00	4,400.00	conv w/CFG 7/11/23 11:01am, Roll
12201000	0001	The MALS Group	Columbia	7 Juli 22	4,400.00	4,400.00	Per Don McMullen - he recently
	0004		Hydrant Meters, Replace old hydrant meters that	20 5 1 22	6 057 00	6.057.00	talked with his POC, still waiting on
P2300829	0061	Ferguson Waterworks	do not work properly	20-Feb-23	6,857.99	6,857.99	hydrants
			Tokay-Navigator to TokaySQL Upgrade - Part #				In progress, estimated completed was June. Delayed by response from Publiq Software for integration. Estimated completion now
P2300625	0061	Aquatic Informatics Inc	TOKAY-SVS-UPGRD	9-Dec-22	14,555.37	14,555.37	September, 2023.
P2101026	0061	Deacon Jones Ford Lincoln, Inc	Ford F-550 4x4 192" Wheelbase Oxford White for D&C Valve Truck	28-Apr-21	62,953.00	62.953.00	Chasis for the valve truck body to be installed on once completed. Funds aproved in FY 21/22 budget, but delays in manufacturing the chasis prevented timely completion. Chasis Scheduled to be completed by December and will be sent to Ohio to have the valve truck body and support equipment installed. No additional funds were budgetted in FY23 budget to purchase.
12101020	0001	bedeon soiles Ford Elifeoni, inc	add raise state.	20 / (p) 21	02,333.00	02,333.00	1 125 baaget to paranase.
			Water Valve maintenance Body for D&C F-550				Funds aproved in FY 21/22 budget, but delays in manufacturing the chasis prevented timely completion. Chasis Scheduled to be completed by December and completed valve truck by Spring 2023. No additional funds were budgetted in FY23 budget to
P2101085	0061	EH Wachs Company	Truck	5-May-21	170,118.67	170,118.67	purchase.
P2300281	0061	Stantec Consulting Services Inc.	WTP/WRF Rate Study Analysis - Fiscal Year 2023 Flow Meter Replacement Project architectural &	12-Aug-22	20,710.03	4,508.53	Ongoing project
P2301125	0061	Black & Veatch International Compan	electrical drawings	23-May-23	12,000.00	12,000.00	Ongoing project
D2200522	0004	Cragani Paela Fauis	FAK# 2023-00044 Water Treatment Plant ATS	0.0 22	257.467.02	257,167.03	CID
P2300622	0061	Gregory Poole Equipment Company	Upgrade Flow Meter Replacement Project 16" & 20"	8-Dec-22	257,167.03	257,167.03	CIP
P2301127	0061	Carolina Technical Services	meters	23-May-23	28,126.07	13,048.64	One meter rec'd, waiting on last one
P2300621	0061	Gregory Poole Equipment Company	FAK# 2023-00046 Neuse River Pump Station ATS Upgrade	8-Dec-22	90,365.95	90,365.95	CIP
		and the second s			00,000.00	00,000.00	Maintenance service for the water
P2300430	0061	Litility Service Company Inc	Master Service Agreement - 4 City Water Tanks	26 Can 22	190 757 00	122 420 20	tanks. Contractor not finished with the workd for FY23
r 2300430	10001	Utility Service Company, Inc.	Iviaster Service Agreement - 4 City Water Taliks	26-Sep-22	489,757.00	122,439.28	LITE WUING IOI 1 123
P2101036	0061	Azteca Systems, Inc. (Cityworks)	Cityworks Implementation for Asset Management	14-Apr-21	64,103.38	22,547.13	Ongoing project
P2300281	0061	Stantec Consulting Services Inc.	WTP/WRF Rate Study Analysis - Fiscal Year 2023	12-Aug-22	20,710.03	4.508.53	Ongoing project
	0061	CITI, LLC	Radio Telemetry Upgrade Project - Phase III	8-Dec-22	316,387.79	316,387.79	
D2200770	0061	Charles P. Underwood Inc.	Repair damaged piping leading from the return activated sludge pit #3	2 Eab 22	26.070.20	26 070 20	Ongoing project
	0061	Charles R. Underwood Inc Aqua-Aerobic Systems, Inc.	Refurbish Sand Filter #2 at the WFR	3-Feb-23 8-Dec-22	36,970.30 201,701.99	201,701.99	1
P2300623		Gregory Poole Equipment Company	FAK# 2023-00052 Westbrook Pump Station Generator & ATS Upgrade	8-Dec-22	815,165.16	815,165.16	



#### **Purchase Order Rollover FY23 to FY24**

						Remaining	
P.O. #	Fund	Vendor Name	For?	Date	Original Amount	Balance	Justification
			FAK# 2023-00054 New Hope Bar Screen				CIP - delivery of barscreen week of
P2300660	0061	Laughlin-Sutton Construction Compan	Replacement Project	21-Dec-22	335,400.00	335,400.00	7/10/23
			FAK #2023-00056 Bulk Chemical Storage Tank				
P2300620	0061	Dellinger, Inc.	Upgrade	8-Dec-22	135,201.01	135,201.01	CIP
			Architectural/Electrical Engineering Design for Bay				
P2301084	0061	Turpentine Design	enclosure project	8-May-23	5,684.44	5,684.44	Ongoing project
			FAK #2023-00057 Computer Upgrade for agitator				Computer is at BDP but has not been
P2300762	0061	BDP Industries, Inc.	#1	31-Jan-23	28,917.51	28,917.51	delivered to Compost.
			Drum Assembly, Wide Bay Dual Drive 35.5" for				
P2301163	0061	BDP Industries, Inc.	compost agitator	30-May-23	80,308.03	80,308.03	Drum is on order
			FAK# 2023-00064 WSTRN STR 47XPRL-27X				
P2301065	0061	Piedmont Truck Center, Inc.	Tandem Axle Truck w/Dump Body	2-May-23	168,515.00	168,515.00	Truck is on order
			Highway Use Tax and registration fees for				
			PU/Compost Taxes & Tags Dump Truck Deliver				
P2301213	0061	City of Goldsboro	FY24	22-Jun-23	2,030.00	2,030.00	Vehicles have not arrived. Roll PO
							Supply chain issues impacting
P2201058	0070	CDW-G	Ruckus T310 Series Wireless Access Point	3-Jun-22	9,531.51	9,531.51	materials; no eta as of today
							New apparatus anticipated around
P2300159	F3111	Atlantic Coast Fire Truck	2023 Smeal Rear Mount 75' Aerial Truck	18-Jul-22	1,117,653.00	1,117,653.00	December 2023.
							Supply chain issues impacting
							materials; expected to be finished by
P2006286	G1106	Brady Integrated Security, Inc.	Proposal-Security System	1-Jul-19	33,085.81	20,968.62	end of Aug 2023
P2300846	G1106	CMS CONROLS	HVAC Repairs/Labor-Replace/Install Sensors	22-Feb-23	8,209.08	8.209.08	INCOMPLETE-IT
					,		WORK COMPLETED, WAITING ON
P2300979	G1106	Siemens Industry, Inc.	Rooftop Mounted Chiller Repairs - Police	29-Mar-23	18,126.15	18,126.15	
		,,	l l l l l l l l l l l l l l l l l l l		-, -		Phone Conv w/CFG 7/13/23 3:26pm.
P2100777	R1103	David E. Gall, Architect P.A.	Concourse Roof Addition-GWTA Transfer Center	22-Jan-21	42,055.06	11,072.72	
							On-going project (No payments made
							to date)(Partial payment made on 6-
P2201055	S1108	CDM Smith Inc	Eng. Services-Utility Merger/Regionalization Study	3-Jun-22	100,000.00	67,974.00	22-23)
							On-going project (Partial payment
			SW Infrastructure Inventory/Condition				made on 6-30-22)(Partial payment
P2200870	T2201	CDM Smith Inc	Assessment	31-Mar-22	1,567,900.00	413,591.85	made on 6-29-23)
	Ì						The account number for the Vine
							Street Project is: T2201-8487-77703.
							The budget was \$40,000.00. Delays in
							acquiring supplies pushed them into
P2200760	T2201	Super Cast Inc	18" HDPE pipe in 20 ft le	28-Feb-22	9,819.81	7,726.66	FY23.

#### ORDINANCE NO. 2023 - 48

#### AN ORDINANCE AMENDING THE BUDGET ORDINANCE OF THE CITY OF GOLDSBORO FOR THE 2023-24 FISCAL YEAR

WHEREAS, the City Council of the City of Goldsboro adopted the FY2023-24 Annual Operating Budget on June 20, 2023; and

WHEREAS, amendments may become necessary as circumstances arise, and it is necessary to amend the General Fund, Stormwater Fund, Utility Fund, and Downtown Municipal Service District Fund; and

WHEREAS, it is necessary to appropriate funds in the Public Works Buildings and Grounds division in the General Fund for expenses related to mowing of City enhancement areas, and this will be funded with a reduction of part-time salaries in the Parks and Recreation department; and

WHEREAS, it is necessary to appropriate funds in the Public Works Solid Waste division in the General Fund for the purchase and installation of a new compactor at the transfer station, and this will be funded with an appropriation of fund balance; and

WHEREAS, it is necessary to appropriate funds in Transfers in the General Fund for a transfer to the Community Relations Special Revenue Fund (G1108), and this will be funded with an appropriation of investment income; and

WHEREAS, it is necessary to appropriate funds in Agency Support in the General Fund to allocate appropriations for the council approved non-profit agencies for FY2023-24, , and this will be funded with a reduction of Agency Support – United Way; and

WHEREAS, it is necessary to appropriate funds in Debt Service in the Stormwater Fund to fund debt service payments due, and this will be funded with a reduction of contingency; and

WHEREAS, the City follows the preferred practice of the Local Government Commission (Division of the State Treasurer's Office) which recommends following the Reserve for Encumbrances method to honor prior year encumbrances; and

WHEREAS, it is necessary to appropriate funds for expenditures to provide for continuing contracts previously entered into in the prior fiscal year but not filled prior to June 30, 2023, and this will be funded with an appropriation of fund balance in each respective fund; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina, that the General Fund, Stormwater Fund, Utility Fund and Downtown Municipal Service District Fund be amended as follows:

GENERAL FUND	 Current	Amended	D	ifference
Human Resources (1016)		-		
FY23-24 Amended Adopted Budget 6/20/23	\$ 756,262.93	\$ 756,262.93	\$	
Fees & Dues	2,335.00	24,451.00		22,116.00
Total Expend Human Resources	\$ 758,597.93	\$ 780,713.93	\$	22,116.00
Paramount Theater (1018)				
FY23-24 Amended Adopted Budget 6/20/23	\$ 911,558.07	\$ 911,558.07	\$	
Furnace/Electric Air Conditioner	-	30,651.43		30,651.43
Total Expend Paramount Theater	\$ 911,558.07	\$ 942,209.50	\$	30,651.43
Goldsboro Events Center (1020)				
FY23-24 Amended Adopted Budget 6/20/23	\$ 218,699.63	\$ 218,699.63	\$	
Facility Updates-GEC		45,728.92		45,728.92
Total Expend Goldsboro Events Ctr.	\$ 218,699.63	\$ 264,428.55	\$	45,728.92

GENERAL FUND	-	Current	_	Amended	_1	Difference
Information Technology (1030) FY23-24 Amended Adopted Budget 6/20/23	\$	2,080,986.69	\$	2,080,986.69	\$	
Training Contract Services		41,100.00		47,505.00		6,405.00
Software License Fees		168,000,00 743,722,00		173,768.77 775,903.60		5,768.77 32,181.60
Technology Capital		145,122.00		12,649.88		12.649.88
Telephone System		Q.		266,515.42		266,515.42
otal Expend Information Tech.	\$	3,033,808.69	\$	3,357,329,36	\$	323,520.67
Public Works Administration (1111)						
FY23-24 Amended Adopted Budget 6/20/23 Security System	\$	629,025.94	\$	629,025.94 14,560.70	\$	14,560.70
Cotal Expend Public Works Admin.	\$	629,025.94	\$	643,586.64	\$	14,560.70
Garage (1114)						
FY23-24 Amended Adopted Budget 6/20/23	*\$	1,210,357.46	\$	1,210,357.46	\$	-
Garage Credits (1115)		(749,750.00)		(749,750.00)		Q. 7.85.
Automotive Parts		370,000.00		376,808.52		6,808.52
Outside Repairs		156,983.00		169,793.00		12,810.00
Cotal Expend Garage	\$	987,590.46	\$	1,007,208.98	\$	19,618.52
Building & Grounds (1133)		ANN MAR YE	m	100 700 70	m	
FY23-24 Amended Adopted Budget 6/20/23	\$	188,760.00	\$	188,760.00	\$	10 000 00
Salaries & Benefits		603,844.81		619,844.81		16,000.00
Building Maintenance		64,300.00		84,235.56 44,184.74		19,935,56 44,184.74
Pickup Truck Miscellaneous Equipment				13,028.88		13,028.88
otal Expend Building & Grounds	\$	856,904.81	\$	950,053.99	\$	93,149.18
Finance (2111)	r.	2 4 2 4 2 2 2 2 2		2 121 222 22	20	
FY23-24 Amended Adopted Budget 6/20/23	*\$	2,121,928.92	\$	2,121,928.92	\$	
Office Supply Credits Postage Credits		2		6		- 6
Procurement Card Clearing Contract Services		46,750.00		51,150.00		4,400.00
otal Expend Finance		2,168,678.92	8	2,173,078.92	\$	4,400.00
		2/100/010/0				
Street Maintenance (4134)	.0	902,004.63	\$	902,004.63	ø	
FY23-24 Amended Adopted Budget 6/20/23 Tandem Dump Truck	\$	902,004.63	•	128,713.80	Ф	128,713.80
otal Expend Street Maintenance	\$	902,004.63	\$	1,030,718.43	\$	128,713.80
Street Paving (4136)						
FY23-24 Amended Adopted Budget 6/20/23	\$	14.1	\$	8.5.15	\$	AND YOUR SEC
Paving Multi-use Areas				52,830.56		52,830.56
otal Expend Street Utilities	\$	3.1	\$	52,830.56	\$	52,830.56
Solid Waste (4143)						
FY23-24 Amended Adopted Budget 6/20/23	\$	4,068,298.86	\$	4,068,298.86	\$	
Supplies		11,000.00		16,020.45		5,020.45
Trash Truck		7		366,986.00		366,986.00
Leaf Vacuum Loader Transfer Trash Compactor		(H)		170,095,94 350,000.00		170,095.94 350,000.00
otal Expend Solid Waste	\$	4,079,298.86	\$	4,971,401.25	\$	892,102.39
Engineering (4172)						
FY23-24 Amended Adopted Budget 6/20/23	\$	1,405,475.33	\$	1,405,475.33	\$	
Bucket Truck				26,136.67		26,136.67
otal Expend Engineering	\$	1,405,475.33	\$	1,431,612.00	\$	26,136.67

		Current		Amended		Difference
GENERAL FUND Organizational Support (7310)	1	Current	-	Timenaca	7	Difference
	or or	272 120 00	•	373,129.00	\$	
FY23-24 Amended Adopted Budget 6/20/23	\$	373,129.00	\$		Φ	0.000.0
Agency Support-4Day Movement		-		9,000.00		9,000.0
Agency Support-Arts Council		-		6,000.00		6,000.0
Agency Support-Boys & Girls Club		7.5		9,000.00		9,000.0
Agency Support-CSS		24		13,500.00		13,500.0
Agency Support-Literacy Connection		-		10,000.00		10,000.0
Agency Support-WATCH		9		15,000.00		15,000.0
Agency Support-WISH		-		11,500.00		11,500.0
Agency Support-WAGES		.40		11,000.00		11,000.0
Agency Support-Wayne County Museum				5,000.00		5,000.0
Agency Support-United Way	\$	100,000.00		10,000.00		(90,000.0
Total ExpendAgency Support	\$	473,129.00	\$	473,129.00	\$	
Parks and Recreation (7460)						
FY23-24 Amended Adopted Budget 6/20/23	\$	864,253.00	\$	864,253.00	\$	
Salaries & Benefits	Φ	2,793,609.93	ф	2,777,609.93	.ep	(16,000.0
CONTRACTOR OF THE STOCK OF THE		2, 790,009,90				42,665.6
Tennis Court Restoration		-		42,665.66		42,000.0
Total Expend Parks and Recreation	\$	3,657,862.93	\$	3,684,528.59	\$	26,665.6
Golf Course (7461)						
FY23-24 Amended Adopted Budget 6/20/23	\$	725,691.77	S	725,691.77	8	
Golf Carts	*	-		267,481.49		267,481.4
Total Expend Golf Course	\$	725,691.77	\$	993,173.26	\$	267,481.4
Fire (5120)						
	or or	7,484,182.28	\$	7,484,182.28	\$	
FY23-24 Amended Adopted Budget 6/20/23	\$	39,050.00	Ф		φ	6.134.9
Uniforms				45,184.97 96,359.95		5,359.9
Protective Clothing		91,000.00				
Administrative Car		30,000,00		8,941.63		8,941.6
Fire Hose		52,725.00		70,734,47		18,009.4
Total Expend Fire	\$	7,666,957.28	\$	7,705,403.30	\$	38,446.0
Police (6121)						
FY23-24 Amended Adopted Budget 6/20/23	\$	10,877,302.85	\$	10,877,302.85	8	
Emergency Response Team	*	34,626.00	-	50,957.70	1	16,331.7
Supplies		130,000.00		135,509.90		5,509.9
		130,000.00		99,469.06		99,469.0
HVAC Police Car Upfits		194,184.00		269,075.76		74,891.7
	-				Ó	
Total Expend Police	\$	11,236,112.85	\$	11,432,315.27	\$	196,202.4
Transfers (8101)		VAR - 4 - 5 -		21242104		
FY23-24 Amended Adopted Budget 6/20/23	\$	397,000.00	\$	397,000.00	\$	
Transfer to Special Revenue Fund		1+4		1,720.60		1,720.6
		202 032 02	\$	398,720.60	\$	1,720.6
Total Expend Transfers	\$	397,000.00	-		_	
		9,514,215.10	\$	9,514,215.10	\$	
All Other Expenditures	\$ \$ \$	9,514,215.10	ij	9,514,215.10 51,806,657.23	\$	2,184,045.0
	\$		\$			2,184,045.0
All Other Expenditures	\$	9,514,215.10	\$		\$	2,184,045.0 Difference
All Other Expenditures Total Expenditures - General Fund	\$	9,514,215.10 49,622,612.20	\$	51,806,657.23	\$	
All Other Expenditures Total Expenditures - General Fund GENERAL FUND	\$	9,514,215.10 49,622,612.20	\$	51,806,657.23	\$	
All Other Expenditures Total Expenditures - General Fund  GENERAL FUND  Revenues Tax Revenues	\$	9,514,215.10 49,622,612.20 Current 19,335,688.00	\$ \$	51,806,657.23 Amended 19,335,688.00	\$	
All Other Expenditures Total Expenditures - General Fund  GENERAL FUND  Revenues  Tax Revenues  Licenses and Permits	\$	9,514,215.10 49,622,612.20 Current 19,335,688.00 422,350.00	\$ \$	51,806,657.23  Amended  19,335,688.00 422,350.00	\$	
All Other Expenditures Total Expenditures - General Fund  GENERAL FUND  Revenues  Tax Revenues  Licenses and Permits  Revenue from Other Agencies	\$	9,514,215.10 49,622,612.20 Current 19,335,688.00 422,350.00 16,395,317.00	\$ \$	51,806,657.23  Amended  19,335,688.00 422,350.00 16,395,317.00	\$	
All Other Expenditures Total Expenditures - General Fund  GENERAL FUND  Revenues  Tax Revenues  Licenses and Permits  Revenue from Other Agencies  Charges for Services	\$	9,514,215.10 49,622,612.20 Current 19,335,688.00 422,350.00 16,395,317.00 6,110,922.00	\$ \$	51,806,657.23  Amended  19,335,688.00	\$	Difference
All Other Expenditures Total Expenditures - General Fund  GENERAL FUND  Revenues  Tax Revenues  Licenses and Permits  Revenue from Other Agencies  Charges for Services  Capital Returns	\$	9,514,215.10 49,622,612.20 Current 19,335,688.00 422,350.00 16,395,317.00 6,110,922.00 2,118,221.20	\$ \$	51,806,657.23  Amended  19,335,688.00 422,350.00 16,395,317.00 6,110,922.00 2,119,941.80	\$	Difference
All Other Expenditures Total Expenditures - General Fund  GENERAL FUND  Revenues  Tax Revenues  Licenses and Permits  Revenue from Other Agencies  Charges for Services  Capital Returns  Miscellaneous Revenue	\$	9,514,215.10 49,622,612.20 Current 19,335,688.00 422,350.00 16,395,317.00 6,110,922.00 2,118,221.20 49,700.00	\$ \$	51,806,657.23  Amended  19,335,688.00 422,350.00 16,395,317.00 6,110,922.00 2,119,941.80 49,700.00	\$	Difference
All Other Expenditures Total Expenditures - General Fund  GENERAL FUND  Revenues  Tax Revenues  Licenses and Permits  Revenue from Other Agencies  Charges for Services  Capital Returns	\$	9,514,215.10 49,622,612.20 Current 19,335,688.00 422,350.00 16,395,317.00 6,110,922.00 2,118,221.20 49,700.00 3,690,414.00	\$ \$	51,806,657.23  Amended  19,335,688.00 422,350.00 16,395,317.00 6,110,922.00 2,119,941.80 49,700.00 3,690,414.00	\$	Difference
All Other Expenditures Total Expenditures - General Fund  GENERAL FUND  Revenues  Tax Revenues  Licenses and Permits  Revenue from Other Agencies  Charges for Services  Capital Returns  Miscellaneous Revenue	\$	9,514,215.10 49,622,612.20 Current 19,335,688.00 422,350.00 16,395,317.00 6,110,922.00 2,118,221.20 49,700.00	\$ \$	51,806,657.23  Amended  19,335,688.00 422,350.00 16,395,317.00 6,110,922.00 2,119,941.80 49,700.00	\$	2,184,045.0  Difference  1,720.6

STORMWATER FUND	Current			Amended	I	Difference
Stormwater Division (4137)						
FY23-24 Amended Adopted Budget 6/20/23 Crew Cab Truck with Utility Body Utility Vehicle	\$	1,342,341.32	\$	1,342,341.32 63,239.00 73,216.00	\$	63,239.00 73,216.00
Total Expend Stormwater	\$	1,342,341.32	\$	1,478,796.32	\$	136,455.00
Transfers (8101)						
FY23-24 Amended Adopted Budget 6/20/23 Contingency	\$	396,647.00 138,911.68	\$	396,647.00 60,520.68	\$	(78,391.00
Total Expend Transfers	\$	535,558.68	\$	457,167.68	\$	(78,391.00
Debt Service (8111)						
FY23-24 Amended Adopted Budget 6/20/23	\$	300.00	\$	300.00	\$	2
Lease Purchsae Payment	\$	56,000.00		134,391.00		78,391.00
Total Expend Debt Service	\$	56,300.00	\$	134,691.00	\$	78,391.00
Revenues						
Charges for Services	\$	1,684,200.00	\$	1,684,200.00	\$	140
Capital Returns		245,000.00		245,000.00		-
Miscellaneous Revenue		5,000.00		5,000.00		
Appropriated Fund Balance				136,455.00		136,455.00
Total Revenues - Stormwater Fund	\$	1,934,200.00	\$	2,070,655.00	\$	136,455.00

Total Revenues - Stormwater Fund	\$	1,934,200.00	\$	2,070,655.00	\$	136,455.00
UTILITY FUND		Current		Amended	ī	Difference
Billing, Meter & Inventory Services (4174)	-			4-14-15-14-15-15-1		
FY23-24 Amended Adopted Budget 6/20/23	\$	743,571.14	\$	743,571.14	\$	
Contract Services		150,000.00	at .	154,400.00		4,400.00
Total Expend Distrib. & Collections	\$	893,571.14	\$	897,971.14	\$	4,400.00
Distribution & Collections (4175)						
FY23-24 Amended Adopted Budget 6/20/23	\$	2,878,379.12	\$	2,878,379.12	\$	0.000
Water Meter & Boxes		100,000.00		106,857.99		6,857.99
Software License Fees		31,000.00		45,555.37		14,555.3
Utility Valve Truck		9		233,071.67		233,071.6
Total Expend Distrib. & Collections	\$	3,009,379.12	\$	3,263,864.15	\$	254,485.03
Water Treatment (4176)						
FY23-24 Amended Adopted Budget 6/20/23	\$	4,370,545.46	\$	4,370,545.46	\$	200
Consultant Fees		52,806.00		69,314.53		16,508.5
Miscellaneous Equipment		25,000.00		295,215.67		270,215.6
Neuse River Pump Station Automatic Transfer Switch		A Paris		90,365.95		90,365.9
Elevated Tank Asset Management		300,000.00		422,439.28		122,439.2
Total Expend Water Treatment	\$	4,748,351.46	\$	5,247,880.89	\$	499,529.43

UTILITY FUND		Current		Amended	ď	Difference
Water Reclamation (4177)						
FY23-24 Amended Adopted Budget 6/20/23	\$	3,377,335.26	\$	3,377,335.26	\$	- A
Consultant Fees		632,806.00		659,861.66		27,055.66
Machine Equipment Maintenance		709,392.00		1,062,750.09		353,358.09
Miscellaneous Equipment		10,474.00		212,175.99		201,701.99
Generator				815, 165.16		815,165.16
New Hope Lift Station Bar Screen		1.60		335,400.00		335,400.00
Hypo Day Tank		*		135,201.01		135,201.01
Total Expend Water Reclamation	\$	4,730,007.26	\$	6,597,889.17	\$	1,867,881.91
Compost (4179)						
FY23-24 Amended Adopted Budget 6/20/23	\$	805,110.53	\$	805,110.53	\$	
Consultant Fees		3,000.00		8,684.44		5,684.44
Agitator Rehabilitation		20		109,225.54		109,225.54
Tandem Dump Truck		17		170,545.00		170,545.00
Total Expend Compost	\$	808,110.53	\$	1,093,565.51	\$	285,454.98
All Other Expenditures	\$	9,220,573.49	\$	9,220,573.49	\$	
Total Expenditures - Utility Fund	\$	23,409,993.00	\$	26,321,744.35	\$	2,911,751.35
Revenues						
Revenue from Other Agences	\$	- William	\$			
Charges for Services		22,591,000.00		22,591,000.00		
Capital Returns		201,921.00		201,921.00		
Miscellaneous Revenue		517,072.00		517,072.00		
Shared Services & Transfers		100,000.00		100,000.00		
Fund Balance		-		2,911,751.35		2,911,751.35
Total Revenues - Utility Fund	\$	23,409,993.00	\$	26,321,744.35	\$	2,911,751.35
DOWNTOWN MSD FUND		Current		Amended		Difference
Downtown District (8350)	1	33327	_		-	
	gr.	100 600 00	æ	102,683.00	\$	
FY23-24 Amended Adopted Budget 6/20/23 Technology Lease Group	\$	102,683.00	D.	9,531.51	Φ	9,531.51
Total Expend Downtown District	\$	102,683.00	\$	102,683.00	\$	
Revenues						
Tax Revenues	\$	102,683.00	\$	102,683.00		
Capital Returns				100		
Appropriated Fund Balance		4		9,531.51		9,531.51
Total Revenues - Downtown MSD Fund	\$	102,683.00	\$	112,214.51	\$	9,531.51

This Ordinance shall be in full force and effect from and after this 7th day of August, 2023.

David Ham, Mayor

ATTEST:

Laura Getz, City Clerk

Item	J	
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#### CITY OF GOLDSBORO AGENDA MEMORANDUM August 7, 2023 COUNCIL MEETING

SUBJECT:

Operating Budget Amendment FY23-24 - Wayne County Chamber of Commerce

Allocation

BACKGROUND:

Council adopted the FY23-24 annual operating budget on June 20, 2023.

DISCUSSION:

**Agency Support** 

The adopted FY2023-24 budget included an allocation of \$20,00.00 for Agency Support-

Annual Allocation.

Due to the impact of S.B. 473 (Session Law 2021-191), this budget amendment is presented to allocate the \$20,000.00 to Agency Support – Wayne County Chamber of Commerce. The Mayor should be excused from voting since he is an ex-officio member of this board.

RECOMMENDATION:

It is recommended that the City Council, by motion:

1. Adopt the attached ordinance to amend the FY23-24 Operating Budget for the General Fund to allocate an appropriation to the Wayne County Chamber of

Commerce.

Date: 7/27/2023

Catherine F. Gwynn, Finance Director

Date:  $\theta/z/$ 

Timothy M. Salmon, City Manager

#### ORDINANCE NO. 2023 - 49

#### AN ORDINANCE AMENDING THE BUDGET ORDINANCE OF THE CITY OF GOLDSBORO FOR THE 2023-24 FISCAL YEAR

WHEREAS, the City Council of the City of Goldsboro adopted the FY2023-24 Annual Operating Budget on June 20, 2023; and

WHEREAS, amendments may become necessary as circumstances arise, and it is necessary to amend the General Fund; and

WHEREAS, it is necessary to appropriate funds in Agency Support in the General Fund for expenses related to contract services with the non-profit, Wayne County Chamber of Commerce, and this will be funded with a reduction of Agency Support Annual Allocation line item in the Agency Support department.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina, that the General Fund be amended as follows:

GENERAL FUND		Current		Amended	Difference	
Organizational Support (7310)  FY23-24 Amended Adopted Budget 6/20/23 Agency Support-Wayne County Chamber Commerce Agency Support-Annual Allocation	\$	453,129.00 20,000.00	\$	453,129.00 20,000.00	\$	20,000.00 (20,000.00)
Total ExpendAgency Support	\$	473,129.00	\$	473,129.00	\$	
All Other Expenditures	\$	51,333,528.23	\$	51,333,528.23	\$	
Total Expenditures - General Fund	\$	51,806,657.23	\$	51,806,657.23	\$	
GENERAL FUND		Current		Amended		Difference
Revenues		10 005 000 00	m	10 005 000 00		
Tax Revenues	\$	19,335,688.00	\$	19,335,688.00		
Licenses and Permits		422,350.00		422,350.00		
Revenue from Other Agencies		16,395,317.00		16,395,317.00		
Charges for Services		6,110,922.00		6,110,922.00		
Capital Returns		2,119,941.80		2,119,941.80		

49,700.00

3,690,414.00

3,682,324.43

51,806,657.23 \$

This Ordinance shall be in full force and effect from and after this 7th day of August, 2023.

ATTEST:

Laura Getz, City Clerk (

Miscellaneous Revenue

Appropriated Fund Balance

Total Revenues - General Fund

**Shared Services** 

Brandi Matthews, Mayor Pro Tem

49,700.00

3,690,414.00

3,682,324.43

51,806,657.23 \$

#### CITY OF GOLDSBORO AGENDA MEMORANDUM **AUGUST 7, 2023 COUNCIL MEETING**

SUBJECT:

Adoption of an Ordinance Amending Chapter 115: Alcoholic Beverage Permits, implementing a Social District in the City of Goldsboro.

BACKGROUND:

City Council was presented an update on Social District research and recommendation on June 20, 2023. The City of Goldsboro Downtown Development Office, in collaboration with several city departments, proposes Social District implementation based on the improved socio-economic impact for the city. On July 17, 2023, City of Goldsboro Downtown Development Office recommended adoption of Ordinance amending Chapter 115 to City Council. This recommendation was postponed.

In June 2022, House Bill 211 (HB 211), Social District/Common Area Clarifications, passed both the House and Senate with bi-partisan support and was subsequently signed into law by the Governor on July 7, 2022. Included was a provision allowing local governments to create social districts in North Carolina. Since that time 40+ municipalities have successfully implemented their Social Districts across NC. ABC Permitees and Downtown Merchants in Goldsboro overwhelmingly approve a Social District downtown.

DISCUSSION:

Concerns were raised on June 20, 2023, about pedestrian safety crossing Ash Street to John Street from the Firehouse business. The City Planning Department has contacted NCDOT to obtain information for installing a pedestrian crossing signal. An amended boundary option to exclude City Hall is also included for consideration.

RECOMMENDATION:

It is recommended that Council adopt the attached Ordinance amending Chapter 115: Alcoholic Beverage Permits in the City of Goldsboro's Code of Ordinance creating a Downtown Social District in the City's downtown area.

Date:  $\frac{7/31/2023}{2023}$ 

Gregory Mil's, Business and Property Development Specialist

Timothy Salmon, City Manager

#### ORDINANCE NO. 2023 - 50

## AN ORDINANCE AMENDING CHAPTER 115: ALCOHOLIC BEVERAGE PERMITS, OF THE CITY OF GOLDSBORO'S CODE OF ORDINANCES, AND CREATING THE DOWNTOWN GOLDSBORO SOCIAL DISTRICT

WHEREAS, N.C.G.S. 160A-205.4 authorizes local governments to create and designate one or more "social districts" under N.C.G.S § 18B-300.1 within their jurisdictions; and

WHEREAS, a "social district" under N.C.G.S § 18B-300.1 is "A defined outdoor area in which a person may consume alcoholic beverages sold by" businesses holding one or more permits issued by the Alcoholic Beverage Commission; and

WHEREAS, local business owners within the Downtown Goldsboro area have expressed interest in creating a social district within; and

WHEREAS, the City desires to limit its "social district" to a walkable geographic area in the downtown area where local bars and restaurants can sell alcoholic beverages to be consumed throughout the district, subject to certain rules and limitations; and

**WHEREAS**, the Goldsboro City Council hereby finds and declares that this ordinance is in the best interest of the public health, safety, and welfare.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Goldsboro, that Chapter 115, Section 115.02 of the Code of Ordinances, City of Goldsboro, North Carolina, is hereby created to read as follows:

#### Chapter 115

#### §115.02 DOWNTOWN GOLDSBORO SOCIAL DISTRICTS

Pursuant to the provisions of G.S. § 160A-205.4, one or more social districts may be created within the city. The city hereby creates and designates the following social district: Downtown Goldsboro Social District which is designated as shown on a map originally dated July 17, 2023; the map is available in the office of the City Clerk, and signage and/or markings shall be posted clearly delineating the boundaries of the Social District.

Staff are hereby directed to submit a detailed map of the Downtown Social District, including the days and hours during which the district is in operation to the North Carolina Alcoholic Beverage Commission.

#### General Requirements.

- a) Management: The Social District shall be created, designated, and managed in accordance with the requirements contained in N.C.G.S. §§ 160A-205.4 and NCGS 18B-300.1.
- b) Applicable Hours. The Downtown Social District shall be in effect between the hours of 10:00 a.m. and 10:00 p.m., Monday through Sunday, except that these hours and days may be extended in conjunction with an approved Special Event Permit when otherwise permitted under the law.
- c) Permit Required: Any business establishment located within or contiguous to the Social District that holds a valid ABC permit and desires to engage as a Social District participant must apply for and obtain a Social District permit from the Goldsboro Downtown Development Department. The establishment shall be responsible for operating its business in accordance with all City and State ordinances, laws, rules, and regulations governing Social District activities.
- d) Unified Signage Required: Businesses that do not have ABC permits but desire to participate in the Social District must display an official Participating Business sign in a visible location during the times when the social district is active. A customer may not bring an alcoholic beverage into a non-permittee business that does not display the uniform sign.
- e) Violation; Penalty: Any person who violates any provision of this Article, and any person who aids, abets, encourages, assists in, or contributes to such violation, is guilty of a Class 1 misdemeanor pursuant to N.C.G.S. § 18B-102(b) and may be subject to additional fines and administrative remedies including but not limited to suspension or revocation of the permittee's Social District Permit and/or state ABC permit. State law reference: NCGS § 18B-104.

#### Management and Maintenance Plan.

Staff are hereby directed to create a management and maintenance plan for the Downtown Social District that complies with the provisions of N.C.G.S. § 18B-300.1 and to post the plan and a rendering of the district boundaries on the City's website.

#### Severability.

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

This ordinance takes effect 60 days after adoption.

Adopted this 7<sup>th</sup> day of August, 2023.

Attested by:

aura Getz, City Clerk

## Goldsboro Social District Refresh

Greg Mills, Business & Property Development

August 7, 2023



## What is a Social District?

 A social district is a defined area in which a person may consume alcoholic beverages <u>from an official</u> <u>container sold by an approved ABC permittee</u> located <u>within defined social district boundaries</u> and <u>defined</u> <u>days and hours</u> of operation



## There are now over 40 Social Districts in NC

Albemarle - Asheboro - Cary (approved) - Charlotte - Southend & Plaza Midwood - Cornelius - expanded - Davidson - Durham (approved) Elon- Fayetteville- Franklinton- Garner-Greensboro x2- Greenville- Hickory- High Point- Huntersville-Kannapolis- Lake Norman- Laurinburg- Lenoir- Madison Manteo-Marion (approved)- Monroe- Newton- Norwood- Oxford-Mountain- Raleigh - expanded- Rutherfordton (approved)- Salisbury-Selma- Statesville- Sylva- Tarboro- Washington- Wendell- Whiteville-Wilson- Youngsville



## Why Social Districts

- The fastest growing downtown development program in the State
- Proven Economic driver for increased revenue for downtown businesses
- Attracts new events and new visitors
- Attracts more businesses to downtown
- Incentivizes retail establishments to stay open later
- Increases pedestrian activity and provides a variety of experiences
- Low implementation cost, low maintenance cost



## Who Can Sell Alcohol in a Social District?

Only ABC permitees holding approved <u>on-premises</u> ABC permits may sell alcohol to be consumed in a social district.

Special One-time ABC permits used for non-profit organization events at the HUB or Freedom Field are not legally approved to sell alcohol into the Social District.

This results in 3 options for events held inside the Social District such as the HUB or Freedom Field.

- 1. An event at that chooses to sell alcohol with a Special One-time ABC permit must be closed to the Social District. Therefore, events serving alcohol will operate as they have in the past no alcohol comes in and no alcohol goes out of the defined event space.
- 2. An event that <u>chooses NOT to sell alcohol at their event</u> may choose to be <u>open to the Social District</u> people with alcohol legally obtained from and acting in accordance with the Social District may attend
- 3. An event that <u>chooses NOT to sell alcohol at their event</u> may choose to be <u>closed to the Social District</u>, meaning no alcohol is allowed inside their event space

# Revised Social District Boundary and Hours

Proposed Area to include current ABC Permittees

**Center St from Ash to Spruce** 

James to John on: Mulberry, Walnut, Chestnut, Spruce

Space around City Hall buildings will be excluded

10am-10pm Monday through Sunday

Only on-premise ABC permittees can sell alcohol to the Social District

Mostly restaurants open at 10 am

Sunday 10am to accommodate Brunch Bill Goldsboro City Council approved the sale of alcohol at 10 am on Sunday in 2017



## **Most Common Question**

If my business is in the social district, but I do not want customers coming into the business with alcoholic beverages, do I have to allow it?

<u>No -</u> any business located in, or contiguous to, the designated social district has the option to participate, or not, in allowing customers with beverages to enter their premises- These window/door decals display preferences- Information also posted on the city Social District website







# Additional Rules for ABC Permittees to Sell Alcohol in the Social District

- Alcoholic beverages that are being sold to be consumed in a social district <u>can only be sold in an official container</u> that meets all the following requirements:
  - ✓ The container clearly displays the ABC permittee from which the alcoholic beverage was purchased
  - ✓ The container clearly displays a logo or some other mark that is unique to the social district in which it will be consumed
  - ✓ The container clearly displays the date the beverage was purchased
  - ✓ The container displays, in no less than 12-point font, the statement, "Drink Responsibly Be 21"
  - √ The container is not made of glass
  - ✓ The container cannot hold more than sixteen fluid ounces.





# What Requirements Do Customers Have to Follow Within a Social District?

- ✓ Any alcoholic beverages consumed in the social district outside of the approved ABC permitted business must be consumed from an official container
- ✓ A person can only possess and consume alcoholic beverages purchased from an approved ABC permittee located in the social district- A person cannot bring their own personal alcohol into the social district for consumption
- ✓ A person cannot pour their alcoholic beverage into any personal type of container



## City performed research & due diligence

- ✓ Key city departments held several meetings with various stakeholders to discuss pros and cons of implementing Social Districts including City management, Planning, Downtown Development and Goldsboro Police Department (GPD)-
- ✓ GPD reached out to several neighboring communities who already implemented Social Districts and found no major concerns resulting from implementation
- ✓ The City Attorney has reviewed the proposed ordinance and found no issues
- ✓ The majority of ABC permitted businesses support implementing a Social District

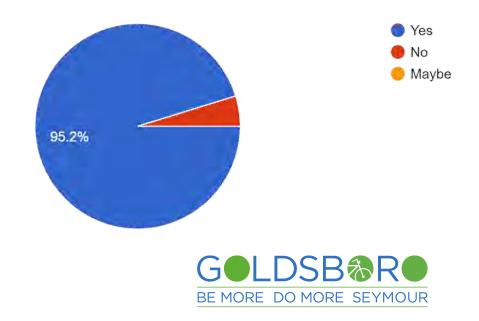


## City performed research & due diligence

• The majority (95%) of downtown merchants inside the Social District support implementing a Social District

Based on your new understanding, do you agree with establishing some form of Social District in Goldsboro this year?

21 responses



## Any questions??



