

**REVISED**  
**GOLDSBORO CITY COUNCIL**  
**REGULAR MEETING AGENDA**  
**MONDAY, OCTOBER 4, 2021**

*At least one of the city councilmembers plan to attend the meeting remotely. Citizens can view the meeting in person at City Hall or remotely using the link below. The meeting will be streamed live on the City's Facebook and YouTube pages at <https://www.goldsboronc.gov/mayor-of-goldsboro/city-council-minutes/>.*

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

**I. WORK SESSION-5:30 P.M. – COUNCIL CHAMBERS, 214 N. CENTER STREET**

**1. ROLL CALL**

**2. ADOPTION OF THE AGENDA**

**3. OLD BUSINESS**

**4. NEW BUSINESS**

- a. District 5 Applicants Presentations (Applicants will present in alphabetical order.)
- b. Goldsboro AIA Regional Grants Presentation (Engineering)
- c. 2022 Citizen's Academy Presentation (Assistant to the City Manager)

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

Invocation (Pastor Stanley Kelly – Fellowship Baptist Church)  
Pledge of Allegiance

**III. ROLL CALL**

**IV. APPROVAL OF MINUTES**

A. Minutes of the Work Session and Regular Meeting of September 20, 2021

**V. PRESENTATIONS**

**VI. PUBLIC COMMENT PERIOD**

**VII. CONSENT AGENDA ITEMS (\*Motion/Second--Roll Call)**

- B. SU-9-21 Christopher and Elondia Grant (120 E. Mulberry Street) – Subject property is located on the north side of E. Mulberry Street between Center Street and John Street (Planning)
- C. UDO-2-21 I&BP-1 Special Use Permit Addition - Unified Development Ordinance Amendments (Planning)

**VIII. ITEMS REQUIRING INDIVIDUAL ACTION (\*Motion/Second)**

**IX. CITY MANAGER'S REPORT**

**X. MAYOR AND COUNCILMEMBERS' REPORTS AND RECOMMENDATIONS**

D. Halloween Proclamation 2021

**XI. CLOSED SESSION**

**XII. ADJOURN**

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# 2022 CITIZEN'S ACADEMY

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Octavius Murphy, Assistant to the City Manager

Monday, October 4, 2021



# Purpose

The City of Goldsboro Citizen's Academy is an interactive and educational program designed to enlighten residents about the City's history and governmental process and to improve and enhance communication with residents. Participants will get a "behind-the-scenes" look at City services and the employees who provide those services every day.

# Goals

The program is designed to give participants knowledge of how City government works, how it impacts their daily lives and to create informed and knowledgeable ambassadors for the City who will be able to:

- Utilize the knowledge they gain in their everyday lives and interactions with neighbors and/or business associates and customers.
- Become an informed neighborhood leader with the ability to answer questions about City services and who to call.
- Utilize the knowledge gained to become more involved in the community; to prepare for an appointment to a City board or commission; or, to run for elected office.

# Attendance

A person must attend six out of the eight sessions: if the session is not completed he/she may return to make up the missed session during the next Citizen Academy.

# Graduation

Upon completion, the individual will receive a certificate and recognition at a Goldsboro City Council meeting.

# Application process

To be considered for the 2022 program, each participant must provide a completed application. Application Deadline is at 5pm on Friday, October 29, 2021. The steering committee will review all applications and make the final selection of participants for the 2022 Citizen's Academy. The class will consist of 80% City of Goldsboro residents and 20% Wayne County residents with a class size of 20 participants.

# Selection Process

- Districts – require equal representation – max. 3 per district.
- First to apply is considered first.
- Selection committee will review all applications to determine eligibility. The selection committee (7):
  - CoG staff (3)
  - Community (4)

# 2022 Schedule

- January 13 Introduction to City of Goldsboro Tim Salmon, City Manager
- January 20 Planning, Engineering and Inspection Department Heads
- January 27 Community Relations and Downtown Development Department Heads
- February 3 Parks & Recreation, Paramount Theatre & GEC and Travel and Tourism Department Heads

# 2022 Schedule continued...

- February 10 Human Resources, Finance and IT Department Heads
- February 17 Fire and Police Department Heads
- February 24 Public Works and Public Utilities Department Heads
- March 3 Graduation

# Evaluation

## THE CITIZEN'S ACADEMY EVALUATION

(Presenters/History of Goldsboro/Virtual Experience)

Place a check in each space that indicates your assessment of **Session 1**

	Excellent	Good	Average	Poor
<u>Content</u> : relevance, timeline				
<u>Presenter</u> : qualification, communication skills				
<u>Value</u> : applicability and usefulness of information				
<u>Participation</u> : opportunity for discussion, interaction and questions				
<u>Virtual experience</u> : suitability, interactive and convenience				

MINUTES OF THE MEETING OF THE GOLDSBORO CITY COUNCIL  
 SEPTEMBER 20, 2021

**WORK SESSION**

The City Council of the City of Goldsboro, North Carolina, met in a Work Session in the Council Chambers, City Hall, 214 North Center Street, at 5:00 p.m. on September 20, 2021.

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

**Roll Call.**

Present: Mayor David Ham, Presiding  
 Mayor Pro Tem Taj Polack  
 Councilmember Brandi Matthews  
 Councilmember Gene Aycock  
 Ron Lawrence, City Attorney  
 Tim Salmon, City Manager  
 Laura Getz, City Clerk

Absent: Councilmember Bill Broadway  
 Councilmember Hiawatha Jones

**Adoption of the Agenda.** Upon motion of Mayor Pro Tem Polack, seconded by Councilmember Aycock and unanimously carried, Council adopted the agenda.

**Old Business.**

**New Business.**

**Urgent Repair Program (URP19) Update.** Felecia Williams, Interim Community Relations Director presented the following information. The City received an Urgent Repair Grant from the North Carolina Housing Finance Agency in the amount of \$100,000.00 to make repairs up to \$10,000.00 for homeowners that qualify for assistance.

Pursuant to Section 143-129(a) of the General Statutes of North Carolina, informal bids were awarded to SBC Contracting, Inc. for repair work on the properties located below:

<b>Property Address</b>	<b>Cost To Repair</b>
506 Rollingwood Drive, Dudley	10,000.00
1313 Herring Street, Goldsboro	10,000.00
1105 Crawford Street, Goldsboro	8,850.00
2031 Azalea Drive, Goldsboro	8,120.00
435 E. Elm Street, Goldsboro	10,000.00
817 S. Franklin Street, Goldsboro	8,000.00
2731 New Hope Road, LaGrange	9,090.00
112 Edinborough Lane, Dudley	9,800.00
164 County Road, Mt. Olive	10,000.00
210 Herbert Street, Goldsboro	10,000.00
2015 Azalea Drive, Goldsboro	6,140.00
<b>Total</b>	<b>\$100,000.00</b>

After an unsatisfactory working relationship with SBC Contracting, Inc. and the City of Goldsboro, the NCHFA recommended terminating the remaining 6 contracts with SBC Contracting, Inc. It is important to note that one of the above named properties withdrew application to have work completed by NC ReBuild. The City of Goldsboro Finance Department advertised a new informal bid on July 9, 2021 and received one sealed bid from AWE-Home Repair & Construction for the remaining 6 properties. Pre-construction conferences were held with the remaining 6 homeowners, the contractor of AWE-Home Repair, and Community Relations Staff on Friday, August 20, 2021 at 9:30 am in the Large Conference Room. Presented to Council as information. No action is necessary at this time.

**Essential Single-Family Rehabilitation Loan Pool-Disaster Recovery (ESFRLP-DR) Update.** Felecia Williams, Interim Community Relations Director presented the following information. The City has been

awarded membership to the loan pool, from the North Carolina Housing Finance Agency (NCHFA), to assist with the rehabilitation of owner-occupied homes damaged by Hurricane Matthew and Tropical Storms Julia and Hermine.

The NCHFA has granted the City an extension of December 31, 2021 to have eligible homes under contract for the rehabilitation work. Initially, 14 applicants were approved, however, due to unforeseen circumstances, 4 homeowners received repairs from the City, 6 have received assistance through NC ReBuild and/or other agencies, 3 may still be eligible, and 1 homeowner recently passed away.

<b>Applicant</b>	<b>Status</b>
Applicant #1	NC ReBuild
Applicant #2	Repairs completed by other agency
Applicant #3	City of Goldsboro completed
Applicant #4	NC ReBuild
Applicant #5	Repairs completed by other agency
Applicant #6	Deceased/Initiated welfare check
Applicant #7	Repairs still needed
Applicant #8	Repairs still needed/Unable to contact
Applicant #9	City of Goldsboro completed
Applicant #10	NC ReBuild
Applicant #11	City of Goldsboro completed
Applicant #12	Repairs still needed
Applicant #13	City of Goldsboro completed
Applicant #14	NC ReBuild

Community Relations staff has launched a new application period, with applications made available to the public starting Monday, August 30th. The application deadline has been set for September 27th. All rehabilitation work must be under contract by December 31, 2021 and all rehabilitation work must be completed by June 30, 2022. Presented to Council as information. No action is necessary at this time.

**Consent Agenda Review.** Each item was reviewed. Council briefly discussed the following items:

1. Request to reclassify permanent part time (PPT) positions to full time (FT) positions in Finance
2. Resolution Approving a Memorandum of Agreement (MOA) Relating to the Settlement of Opioid Litigation

**Closed Session Held.** Upon motion of Mayor Pro Tem Polack, seconded by Councilmember Matthews and unanimously carried, Council convened into Closed Session to discuss a personnel and litigation matter.

Council came out of Closed Session.

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

## **CITY COUNCIL MEETING**

The City Council of the City of Goldsboro, North Carolina, met in regular session in Council Chambers, City Hall, 214 North Center Street, at 7:00 p.m. on September 20, 2021.

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 Taj Polack  
 Councilmember Bill Broadaway  
 Councilmember Brandi Matthews  
 Councilmember Gene Aycock

Absent: Councilmember Hiawatha Jones

**Presentations.** Mayor Ham proclaimed September 21, 2021, as MAYOR CHUCK ALLEN DAY in Goldsboro, North Carolina, in honor of his life, legacy and the great impact he made on the City of Goldsboro and the State of North Carolina. Mayor Allen’s family attended to receive the proclamation.

**Approval of Minutes.** Councilmember Broadaway made a motion to approve the minutes of the Work Session and Regular Meeting of September 7, 2021. The motion was seconded by Councilmember Aycock and unanimously carried.

**Public Hearings.**

**SU-9-21 Christopher and Elondia Grant (120 E. Mulberry Street) – Subject property is located on the north side of E. Mulberry Street between Center Street and John Street. Public Hearing Held.** The applicant is requesting a Special Use Permit to allow the operation of a Place of Entertainment (Hookah Lounge) with ABC permits.

Frontage: 25.68 ft.  
Depth: 90.00 ft.  
Area: 2,311 sq. ft.  
Zoning: Central Business District (CBD)

The applicant has proposed to up-fit an existing one-story concrete commercial building for the operation of a Hookah Lounge.

Since the site is located within the Historic District, any exterior improvements to the building will be required to receive a Certificate of Appropriateness from the Historic District Commission.

The property was previously occupied as a restaurant.

The applicant’s floor plan indicates 14 Hookah Tables that will accommodate up to 56 seats/occupants, a retail area and a bar area which accommodates for eight occupants. Restrooms, storage area and a Hookah prep area are also included within the proposed place of entertainment.

Days/hours of Operation: Monday – Friday  
6:00 p.m. – 12:00 a.m.  
Saturday – Sunday  
12:00pm – 12:00 a.m.  
Employees: 6

The Unified Development Ordinance specifies that required parking standards would not apply in the Central Business District within an area bounded by the south side of Ash Street, the east side George Street, the north side of Chestnut Street and the west side of William Street. Since the subject site is located within this area, no off-street parking is required.

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. If City Council were to approve the requested Place of Entertainment with ABC permits, no other place of entertainment would be permitted within this city block as one place of entertainment currently exist at 110 E. Mulberry Street, approved by City Council on August 3, 2020.

Mayor Ham opened the public hearing and the following people spoke:

1. Elondia Grant stated the following: Good evening council men and council women. First I would like to give condolences to the former mayors family as well as you all and the City of Goldsboro. Me and my brother and my cousin and I, are interested in opening a hookah lounge in downtown Goldsboro as was stated by the planning director. We are looking to solve a problem because at this moment Goldsboro doesn’t have a hookah lounge or something similar to that point in entertainment. So, our solution is to bring a lounge to Goldsboro that will target military members, young professionals and tourist. Why us? We are currently owned by a military veteran, Air Force, and another military veteran, Marine. Also, our lounge will be located in Goldsboro and will be open seven days a week. We will offer military discounts and will also have weekly and monthly events and specials. Our lounge will offer a various amount of hookahs, and various brands of wines and beers, including locally owned brands. And we will also offer a socializing area and an area for networking. Also, our forecasted sales as of right now are 125 hookahs per week which amounts to 500 hookahs per month. And we expect to grow our sales to 700

hookahs after the end of the first year. In addition, our forecasted beverage sales will be 250 beverages per week, 1,000 per month and we plan to grow to 1,400 beverage sales by the end of our first year. Now Justin will come before you and he will kind of talk about our target market and sales marketing.

2. Justin Thomas stated the following: Good evening Council members. So, our goal is to provide a welcoming, safe and fun environment for local young professionals to enjoy local wines, beers and premium tobacco. We want to emphasize there will be no marijuana, CBD or any such, no sales at our place of business. We plan on showing sports events, football games, basketball games, fights. We kinda wanted to have like a sports bar feel but no liquor, just beer and wine. We also want to host paint and sip events such as wine tasting, beer tastings and for people like me that don't like wine or beer, cider tastings. So, thank you.

Mayor Pro Tem Polack stated this was an awesome proposal and asked if they had a membership fee.

3. Justin Thomas stated the following: yes sir, we have actually been experimenting with that. Chris actually already owns a hookah lounge in Hampton, Virginia. So, we have actually been talking about that, maybe doing that. We are probably going to do it there first and see how it goes and probably push it our here if we get approved.

No one else spoke and the public hearing was closed. No action necessary. The Planning Commission will have a recommendation for the Council meeting on October 4, 2021.

**UDO-2-21 I&BP-1 Special Use Permit Addition – Unified Development Ordinance Amendments. Public Hearing Held.** The City of Goldsboro first adopted its Unified Development Ordinance (UDO) in 2005 and has amended it from time to time over the past 15 years. Most recently the City Council approved a major amendment to the Unified Development at their June 7, 2021 meeting to comply with the Chapter 160D NC General Assembly's regulations.

Currently, the proposed changes for consideration are "Minor Text Amendments" to Article 5 within the UDO under Sections 5.4, 5.5 and 5.5.4EE as follows:

- Section 5.4 Table of Permitted Uses;
- Section 5.5 Supplemental Use Regulations;
- Subsection 5.5.4M Community Sensitive Heavy Industrial Uses; and
- Subsection 5.5.4EE Storage or Treatment of Hazardous/Chemical Material.

Proposed changes are to reflect the addition of Chemical products manufacturing/processing and Storage or treatment of hazardous materials or chemicals uses as a special use within the Industrial and Business Park (I&BP-1) zoning district.

A Notice of Public Hearing listing all the Sections of the UDO under consideration for amendment was advertised for two consecutive weeks in the newspaper and posted on the City's website for review.

Minor changes, which are included for possible amendment include:

1. Amending Section 5.4 Table of Permitted Uses by allowing both Chemical products manufacturing/processing and Storage or treatment of hazardous materials or chemical uses as a special use in the Industrial and Business Park (I&BP-1) zoning district;
2. Amending Section 5.5 Supplemental Use Regulations by adding to Subsections 5.5.4M and 5.5.4EE, Industrial and Business Park (I&BP) zoning district, as a permitted district for the use of Community Sensitive Heavy Industrial Uses (5.5.4M) and Storage or Treatment of Hazardous/Chemical Materials (5.5.4EE).

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

No action necessary. The Planning Commission will have a recommendation for the Council's meeting on October 4, 2021.

**Public Hearing – 2020-2021 (CAPER). Public Hearing Held.** To allow residents the opportunity to comment on the City of Goldsboro's 2020-2021 Consolidated Annual Performance and Evaluation Report (CAPER) for Entitlement Grantees receiving Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) funds.

For the program year beginning July 1, 2020 and ending June 30, 2021, the City of Goldsboro received \$351,069 in CDBG funds and \$237,022 in HOME funds from the United States Department of Housing and Urban Development (HUD) for fiscal year 2020-2021. The City was also awarded \$206,554 in CDBG-CV funds for COVID-19 pandemic relief.

The City is required to report annually on the performance of HUD entitlement funds. The CAPER reports on accomplishments and discusses necessary actions to improve performance, based on the approved 2020-2021 Annual Action Plan (AAP) and approved 2020-2024 Consolidated Plan (ConPlan).

A fifteen (15) day comment period began on September 15, 2021 and will end on September 29, 2021. A public hearing must be held during this public comment period. An advertisement was published in the Goldsboro News Argus on September 14, 2021, relative to the holding of a public hearing and a fifteen-day review. A draft of the 2020-2021 CAPER has been prepared and made available at public access sites including the City of Goldsboro Department of Community Affairs; the Office of the City Clerk in the New City Hall Annex, 200 North Center Street; Wayne County Public Library at 1001 East Ash Street; the Housing Authority of the City of Goldsboro at 1729 Edgerton Street; and on the City's website at [www.goldsboronc.gov](http://www.goldsboronc.gov). The CAPER will be submitted to HUD September 30, 2021. The final 2020-2021 CAPER will include all public comments received during the public comment period of September 14 to September 29, including any comments related to the draft CAPER that are received during the September 20, 2021 City Council meeting.

Felecia Williams, Interim Community Relations Director spoke concerning the public hearing. Lea Henry with Two Rivers Development, LLC presented the following:

### **CAPER Public Hearing**

#### **Purpose of the CAPER**

The City of Goldsboro, as an entitlement city, is required to produce a Consolidated Annual Performance and Evaluation Report (CAPER) annually. The purposes of the CAPER are to:

- Report to HUD and the public on the activities and accomplishments of HUD funded programs during the previous Program Year, which is the same as the City's fiscal year of July 1, 2020, to June 30, 2021.
- Report to HUD and the public the amount of HUD funds spent during the previous program years.
- Explain why goals from the Annual Action Plan were not achieved.
- Detail what steps are or will be taken to ensure that goals will be met in the future.

#### **CDBG and HOME**

The following HUD funds were programmed during the 2020 to 2021 Program Year:

- Community Development Block Grant (CDBG)
  - These funds support community development, economic development, development or renovation of community facilities, affordable housing, and many other activities that support economic activity and quality of life in the community.
  - HOME Investment Partnership (HOME)
  - These funds support the production or renovation of affordable housing and facilitate home ownership for low to moderate income households
  - Community Development Block Grant – Coronavirus (CDBG-CV)
  - These funds support activities that address or improve economic and quality of life challenges created by the COVID-19 pandemic

#### **Impact of COVID-19 Pandemic**

The COVID19 Pandemic impacted community development activities and accomplishments in a number of ways:

- Operations for the City were modified to allow for some remote work for staff, virtual public meetings, and decreased public access to City facilities
- Partners stopped or modified their plans, impacting when and how the City could invest funds in their activities
- Community needs changed and staff pivoted to provide immediate needs for PPE, information, and support for public health-related activities

**FY 2020-2021 Expenditures**

Source of Funds	Amount Available FY20-21	Amount Expended FY20-21
Community Development Block Grant (CDBG)	\$351,137	\$226,387
HOME Investment Partnerships (HOME)	\$237,076	\$96,127
Community Development Block Grant–COVID (CDBG-CV)	\$206,554	\$3,889
Urgent Repair	\$100,000	\$34,790

**Program Accomplishments for FY 2020-2021**

- (1) Administration
  - Completed Analysis of Impediments and Annual Action Plan in a timely manner
- (2) Urgent Repair
  - Made critical repairs to four homes owned by low-income residents
- (3) Homebuyer Assistance
  - Provided down payment assistance to two low/mod income households
- (4) Affordable Housing Development
  - Continued working with developer on proposed 80 unit development
- (5) Equity & Affirmatively Furthering Fair Housing
  - Investigated eleven housing complaints from residents
- (6) Public Facilities
  - Continued financial support for WA Foster Community Center

To Comment on the CAPER until September 29, 2021; Call the City: (919) 580-4359; Send an email to: [FDWilliams@goldsboronc.gov](mailto:FDWilliams@goldsboronc.gov): Subject Line - Written Comments for 2020-2021 CAPER; Send a letter to: Goldsboro Commission on Community Relations and Development Attn: 2020-2021 CAPER Written Comments PO Drawer A, Goldsboro, NC 27533. The Draft FY20-21 CAPER is available for review and comment until September 29, 2021 at: <http://www.goldsboronc.gov/cdbg-home-plans-and-reports>.

Council discussed the allocation of funds with Ms. Henry.

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

- 1. Phyllis Merritt-James, 503 Cardinal Drive shared comments regarding the allocation of funds and facilitating the needs in the community.

No one else spoke and the public hearing was closed.

It was recommended that Council accept the recommendation of staff to direct the staff to incorporate any comments received during the Public Hearing and the public comment period in the final 2020-2021 CAPER, and authorize the staff to submit the final CAPER along with public comments and any City response to these comments, after the required comment period has ended and on or before the required submission date of September 30, 2021.

Mayor Pro Tem Polack made a motion to incorporate comments from the public hearing, any written public comments and authorize the final submission of the report by September 30. The motion was seconded by Councilmember Broadway and unanimously carried.

**Public Comment Period.** Mayor Ham opened the public comment period and the following person spoke:

- 1. Jennifer Kuykendall, Wayne County Public Library shared information concerning a Special Events Permit for an upcoming event at Willowdale Cemetery on October 30, 2021.

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

**Consent Agenda - Approved as Recommended.** Mayor Ham 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. Mayor Pro Tem Polack moved the items on the Consent Agenda, Items E-I be approved as recommended by the City Manager and staff. The motion was seconded by Councilmember Broadway and a roll call vote resulted in all members voting in favor of the motion.

The items on the Consent Agenda were as follows:

**Request to reclassify permanent part time (PPT) positions to full time (FT) positions in Finance. Resolution Adopted.** Council authorized 4 PPT positions with the FY22 budget to serve in the Finance Department in the critical operational areas of Payroll, Accounts Receivable, Accounts Payable and Administrative to help hedge against interruptions of these critical services, to provide needed backup to these functions, and to address understaffing issues.

We are requesting the Council's approval to reclassify these positions to full time. We had the 4 positions filled, and due to unforeseen circumstances, we lost 2 of the PPT employees. We have struggled to find qualified candidates due to the very difficult labor market where the demand is far exceeding the supply of candidates. It is critical to the City's financial operations to find qualified candidates that will stay once they are trained. Unfortunately, we are once again back in a position that an extended employee absence will cause back logs to attend to whatever area has the emergency.

With the current vacancies and the average hiring time being 2 to 3 months, we would hope to fill the vacant positions in December. The lapsed salaries and benefits will cover the majority of the salaries for the remainder of FY2022. The four positions will average approximately \$37,000 for the full time salary, and the current part time budget averages \$29,000. The net difference to go to full time for all 4 positions is \$32,000 in gross salaries, with an estimated \$19,000 in benefits. The total additional cost for a full year would be approximately \$51,000, but as stated I believe there are enough lapsed salaries to cover the additional cost for FY2021-22. Your support of the Finance staff is greatly needed and appreciated.

It was recommended that Council approve the following entitled resolution to reclassify the four permanent part time employees to full time in the Finance Department for the FY2021-22 Adopted budget. Consent Agenda Approval. Polack/Broadway (5 Ayes)

*RESOLUTION NO. 2021-69 "A RESOLUTION TO AUTHORIZE THE RECLASSIFICATION OF FOUR PERMANENT PART TIME EMPLOYEES (PPT) TO FULL TIME EMPLOYEE (FTE) TO THE FISCAL YEAR 2021-22 AUTHORIZED POSITIONS TO SUPPORT THE FINANCE DEPARTMENT"*

**Resolution Approving a Memorandum of Agreement (MOA) Relating to the Settlement of Opioid Litigation. Resolution Adopted.** As of 2019, the opioid epidemic had taken the lives of more than 16,500 North Carolinians, torn families apart, and ravaged communities from the mountains to the coast.

Seventy-six counties and eight municipalities have filed lawsuits in federal court to hold accountable several companies involved in manufacturing, marketing, promoting, and distributing prescription opioid drugs.

Local governments and the state are hopeful that a National Settlement Agreement with the companies involved in national opioid litigation may be forthcoming, along with additional potential proceeds from a related bankruptcy resolution.

The proposed North Carolina Memorandum of Agreement (NC MOA) governs how North Carolina would use its share of opioid settlement funds and includes a high level of transparency and accountability.

Under the NC MOA, all opioid settlement funds would be directed as follows: 15% to the state; 80% to local governments, including all 100 counties plus 17 municipalities; an additional 5% percent into an incentive fund for any county (and any municipality in that county receiving settlement funds) in which the county itself and every municipality with at least 30,000 residents (based on 2019 population totals) in the county signs the NC MOA

For North Carolina to receive the maximum payout under any potential national opioid settlements it is important that all 100 counties, and all large and medium-sized municipalities sign onto the NC MOA and those national settlement agreements.

The NC MOA is designed to maximize the share of opioid settlement funds received in the state to help abate the harm caused by opioids and ensure the resources reach communities as quickly, effectively, and directly as possible.

Residents of all municipalities in North Carolina – including those that receive settlement funds and those that do not stand to benefit from county programs and services supported with opioid settlement funds.

It is advantageous to all North Carolinians for all local governments to sign onto the MOA and demonstrate solidarity in response to the opioid epidemic.

It was recommended that Council approve the following entitled resolution approving the Memorandum of Agreement (MOA) between the state of North Carolina and local governments on proceeds relating to the settlement of opioid litigation. Consent Agenda Approval. Polack/Broadaway (5 Ayes)

*RESOLUTION 2021-70 “A RESOLUTION BY THE CITY OF GOLDSBORO APPROVING THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE STATE OF NORTH CAROLINA AND LOCAL GOVERNMENTS ON PROCEEDS RELATING TO THE SETTLEMENT OF OPIOID LITIGATION”*

**Resolution Approving the Execution of an Agreement for Construction Costs Associated with the Realignment of an Access Drive at the Maxwell Center. Resolution Adopted.** The City of Goldsboro owns property at the corner of Wayne Memorial Drive and New Hope Road adjoining the Maxwell Center, which is owned and operated by the County of Wayne. The City of Goldsboro has continued to support the County of Wayne’s desire to have a hotel adjacent to the Maxwell Center, which has the potential to attract large events and conferences to the Center. The County of Wayne has recently secured a Hotelier and the City of Goldsboro agreed to deed approximately 3.15 acres (excluding easements) of land for the development of a 4-story hotel at their meeting held April 19, 2021.

Benton & Associates prepared a survey for the County of Wayne subdividing the City property into three lots. Lot 1 is for the future development of the hotel with Lots 2 and 3, consisting of approximately 1.40 acres each, for future restaurant developments.

BPR Goldsboro, LLC, has proposed a conceptual site plan and has agreed to the construction of a 4-story hotel consisting of 110 guestrooms. Upon review of the conceptual site plan, the City of Goldsboro Planning and Engineering staff recommended the access drive/entry off Wayne Memorial Drive to the Maxwell Center be re-aligned to improve access to and from the sites.

City staff prepared a conceptual re-alignment plan of the access drive and a preliminary cost estimate for \$96,635 for construction.

The City of Goldsboro agreed to participate in a cost share with the County of Wayne of up to \$50,000 for the construction costs associated with the realignment of the access drive. BPR Goldsboro, LLC, agreed to be responsible for the construction of the realignment as part of the hotel construction. The engineer preparing the site plans for the hotel will incorporate the plans of the re-alignment into their final site plans and invoice the City of Goldsboro and County of Wayne separately for reimbursement of construction costs.

It was recommended that Council approve the following entitled resolution accepting and authorizing the execution of an agreement between the County of Wayne, City of Goldsboro, and BPR Goldsboro, LLC for the construction costs, up to \$50,000, associated with realignment of an access drive at the Maxwell Center. Consent Agenda Approval. Polack/Broadaway (5 Ayes)

*RESOLUTION NO. 2021-71 “RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN COUNTY OF WAYNE, CITY OF GOLDSBORO, AND BPR GOLDSBORO, LLC FOR THE CONSTRUCTION COSTS ASSOCIATED WITH REALIGNMENT OF ACCESS DRIVE AT THE MAXWELL CENTER”*

**Advisory Boards and Commission Appointments. Resolutions Adopted.** There are currently several vacancies on Advisory Boards and Commissions. Citizen involvement is vital to the performance of City government. It is necessary that additional appointments be made in an effort to fill these vacancies.

Recommendations for appointments were requested from the respective Boards and Commissions. Applications were also solicited from the public at large.

The City Council met during the Work Session on September 7, 2021, to review vacancies and applications received to fill the current vacancies.

It is also customary for the City of Goldsboro to express its appreciation by Resolution to those members whose terms have expired, who have moved or resigned.

It was recommended that Council adopt the following entitled resolutions appointing members to various Advisory Boards and Commissions in the City of Goldsboro and commending those individuals whose terms have expired, who have moved or resigned. Consent Agenda Approval. Polack/Broadaway (5 Ayes)

*RESOLUTION NO. 2021-72 "RESOLUTION APPOINTING MEMBERS TO ADVISORY BOARDS AND COMMISSIONS"*

*RESOLUTION NO. 2021-73 "RESOLUTION COMMENDING INDIVIDUALS WHO HAVE SERVED ON VARIOUS ADVISORY BOARDS AND COMMISSIONS OF THE CITY OF GOLDSBORO AND DIRECTING THE MAYOR ON BEHALF OF THE CITY COUNCIL TO PRESENT THE INDIVIDUALS WITH A CERTIFICATE OF APPRECIATION"*

**Departmental Monthly Reports. Accepted as Information.** The various departmental reports for August 2021 were submitted for Council's approval. It was recommended that Council accept the reports as information. Consent Agenda Approval. Polack/Broadaway (5 Ayes)

**End of Consent Agenda.**

**City Manager's Report.** Tim Salmon shared comments concerning the North Carolina Freedom Fest, District 5 applicants and the passing of Mayor Chuck Allen.

**Mayor and Councilmembers' Reports and Recommendation.**

Councilmember Aycock shared comments concerning the loss of Mayor Chuck Allen.

Councilmember Matthews had no comments.

Mayor Pro Tem Polack shared concerns regarding Covid. He also extended prayers to the Allen family.

Councilmember Broadaway shared comments concerning the loss of Mayor Chuck Allen. He also thanked those that helped put on the Freedom Fest.

Mayor Ham shared comments concerning the Freedom Fest and thanked the many people that helped to make the event a success. He also shared comments concerning the loss of Mayor Chuck Allen.

The meeting adjourned at 7:53 p.m.

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David Ham  
Mayor

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Laura Getz, MMC/NCCMC  
City Clerk

**CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
OCTOBER 4, 2021 COUNCIL MEETING**

**SUBJECT:** SU-9-21 Christopher and Elondia Grant (120 E. Mulberry Street) – Subject property is located on the north side of E. Mulberry Street between Center Street and John Street.

**BACKGROUND:** The applicant is requesting a Special Use Permit to allow the operation of a Place of Entertainment (Hookah Lounge) with ABC permits.

Frontage: 25.68 ft.  
Depth: 90.00 ft.  
Area: 2,311 sq. ft.

Zoning: Central Business District (CBD)

The applicant has proposed to up-fit an existing one-story concrete commercial building for the operation of a Hookah Lounge.

Since the site is located within the Historic District, any exterior improvements to the building will be required to receive a Certificate of Appropriateness from the Historic District Commission.

The property was previously occupied as a restaurant.

**DISCUSSION:** The applicant's floor plan indicates 14 Hookah Tables that will accommodate up to 56 seats/occupants, a retail area and a bar area which accommodates for eight occupants. Restrooms, storage area and a Hookah prep area are also included within the proposed place of entertainment.

Days/hours of Operation: Monday – Friday  
6:00 p.m. – 12:00 a.m.  
Saturday – Sunday  
12:00pm – 12:00 a.m.

Employees: 6

The Unified Development Ordinance specifies that required parking standards would not apply in the Central Business District within an area bounded by the south side of Ash Street, the east side George Street, the north side of Chestnut Street and the west side of William Street. Since the subject site is located within this area, no off-street parking is required.

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. If City Council were to approve the requested Place of Entertainment with ABC permits, no other place of entertainment would be permitted within this city block as one place of entertainment currently exist at 110 E. Mulberry Street, approved by City Council on August 3, 2020.

At the public hearing held September 20, 2021, the applicants spoke in favor of the request. In addition, Justin Thomas was present to speak in favor of the request. No one was present to speak in opposition to the request.

The Planning Commission at their meeting held September 27, 2021 recommended denial without prejudice the Special Use Permit for the operation of a place of entertainment (Hookah Lounge) with ABC Permits as the request does not meet requirements of NCGS 130A-496 (b)(2) regarding "free standing" structures.

**RECOMMENDATION:** By motion, accept the recommendation of the Planning Commission and

1. Adopt an Order **denying** the Special Use Permit #SU-9-21 for the operation of a place of entertainment (Hookah Lounge) with ABC Permits due to the fact that the request does not meet requirements of NCGS 130A-496 (b)(2) regarding "free standing" structures, and;
2. If the Special Use Permit #SU-9-21 were issued, the development could materially endanger the public health or welfare; or
3. If the Special Use Permit #SU-9-21 were issued, the development could substantially injure the beneficial use of adjoining or abutting property.

Date: 9/29/21

  
\_\_\_\_\_  
Interim Planning Director

Date: 9/29/21

  
\_\_\_\_\_  
City Manager

**CITY OF GOLDSBORO  
ORDER DENYING A SPECIAL USE PERMIT**

The City Council of the City of Goldsboro, North Carolina, having held a public hearing on **September 20, 2021** to consider the following Special Use Permit application number:

**SU-9-21 Christopher and Elondia Grant (120 E. Mulberry Street)** – south side of Mulberry Street between Center Street and John Streets

To allow the operation of a Place of Entertainment (Hookah Lounge) with ABC permits within the Historic and Central Business District (CBD) zoning districts. The Goldsboro City Council, having heard all the evidence and arguments presented and reports from City Officials, and having received recommendation for denial from the Goldsboro Planning Commission pertaining to said application, makes the following findings of fact.

**FINDINGS OF FACT**

The City Council finds that there are certain uses that exist which may be constructed, continued and/or expanded if they meet certain mitigating conditions specific to their design and/or operation. Such conditions ensure compatibility among uses and building types so that different uses may be located in proximity to one another without adverse effects to either.

Even if the permit-issuing body finds that the application complies with all the other provision of the City's Unified Development Ordinance, it may still deny the permit if it concludes that the development will not comply with one or more requirements of the Unified Development Code, or, based upon information submitted at the hearing that, if completed as proposed, the development:

- a. Will materially endanger the public health or welfare; or
- b. Will substantially injure the beneficial use of adjoining or abutting property; or
- c. Will not be in harmony with existing development and uses within the area in which it is located; or
- d. Will not be in general conformity with the Comprehensive Plan, Thoroughfare Plan or other plan officially adopted by the Council.

Based upon the foregoing **FINDINGS OF FACT**, the City Council makes the **CONCLUSION** that the proposed use **DOES NOT** satisfy the general conditions imposed on the Council in its deliberations for issuing a Special Use Permit under Section 1.2 Authorizations and Section 2.4.10 Special Use Permits of the City of Goldsboro Zoning Ordinance based on the following:

1. The request for a Special Use Permit does not meet requirements of NCGS 130A-496(b)(2) regarding “free standing” structures; and
2. If the Special Use Permit were issued, the development could materially endanger the public health or welfare; and
3. If the Special Use Permit were issued, the development could substantially injure the beneficial use of adjoining or abutting properties.

Upon motion made by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_, the Council denied the applicant's request for a Special Use Permit to allow the operation of a Place of Entertainment (Hookah Lounge) with ABC permits within the Central Business District (CBD) zoning district.

Therefore, because the City Council concludes that all of the general conditions precedent to the issuance of a SPECIAL USE PERMIT have **NOT BEEN** satisfied,

IT IS ORDERED that the application for the issuance of a SPECIAL USE PERMIT be **DENIED.**

Thus ordered this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
David Ham, Mayor

\_\_\_\_\_  
Ronald T. Lawrence, City Attorney

**CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
OCTOBER 4, 2021 COUNCIL MEETING**

**SUBJECT:** UDO-2-21 I&BP-1 Special Use Permit Addition - Unified Development Ordinance Amendments

**BACKGROUND:** The City of Goldsboro first adopted its Unified Development Ordinance (UDO) in 2005 and has amended it from time to time over the past 15 years. Most recently the City Council approved a major amendment to the Unified Development at their June 7, 2021 meeting to comply with the Chapter 160D NC General Assembly's regulations.

Currently, the proposed changes for consideration are "Minor Text Amendments" to Article 5 within the UDO under Sections 5.4, 5.5, 5.5.4M and 5.5.4EE as follows:

- **Section 5.4** Table of Permitted Uses;
- **Section 5.5** Supplemental Use Regulations;
- **Subsection 5.5.4M** Community Sensitive Heavy Industrial Uses; and
- **Subsection 5.5.4EE** Storage or Treatment of Hazardous/Chemical Material.

Proposed changes are to reflect the addition of Chemical products manufacturing/processing and Storage or treatment of hazardous materials or chemicals uses as a special use within the Industrial and Business Park (I&BP-1) zoning district.

**DISCUSSION:** A Notice of Public Hearing listing all the Sections of the UDO under consideration for amendment was advertised for two consecutive weeks in the newspaper and posted on the City's website for review.

Minor changes, which are included for possible amendment include:

1. Amending Section 5.4 Table of Permitted Uses by allowing both Chemical products manufacturing/processing and Storage or treatment of hazardous materials or chemical uses as a special use in the Industrial and Business Park (I&BP-1) zoning district;

2. Amending Section 5.5 Supplemental Use Regulations by adding to Subsections 5.5.4M and 5.5.4EE, Industrial and Business Park (I&BP) zoning district, as a permitted district for the use of Community Sensitive Heavy Industrial Uses (5.5.4M) and Storage or Treatment of Hazardous/Chemical Materials (5.5.4EE).

At the public hearing held September 20, 2021, no one spoke in favor or in opposition to the request.

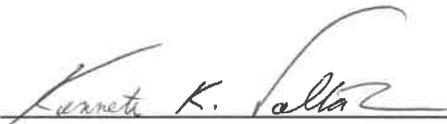
The Planning Commission at their meeting held September 27, 2021 recommended approval of the City of Goldsboro's Unified Development Ordinance (UDO) to reflect the minor text amendments to Article 5, Sections 5.4, 5.5, 5.5.4M and 5.5.4EE

**RECOMMENDATION:**

By motion, accept the recommendation of the Planning Commission and

1. Adopt an Ordinance amending the City of Goldsboro's Unified Development Ordinance (UDO) to reflect the minor text amendments to Article 5, Sections 5.4, 5.5, 5.5.4M and 5.5.4EE.

Date: 9/29/21

  
\_\_\_\_\_  
Interim Planning Director

Date: 9/29/21

  
\_\_\_\_\_  
City Manager

**ORDINANCE NO. 2021 -**

**AN ORDINANCE AMENDING ARTICLE 5, SECTIONS 5.4, 5.5, 5.5.4M AND 5.5.4EE RELATIVE TO I&BP-1 ZONING DISTRICT PERMITTED USES AND SUPPLEMENTAL REGULATIONS IN THE UNIFIED DEVELOPMENT ORDINANCE FOR THE CITY OF GOLDSBORO, NORTH CAROLINA, AND ITS EXTRATERRITORIAL JURISDICTION**

WHEREAS, after notice duly given according to law, a public hearing was held before the City Council and the Planning Commission at a regular meeting held in the City Hall on **Monday, September 20, 2021** at 7:00 p.m.; and

WHEREAS, the purpose of the public hearing was to consider the proposed changes to Article 5, Sections 5.4, 5.5, 5.5.4M and 5.5.4EE in the Unified Development Ordinance (UDO) for the City of Goldsboro and its Extraterritorial Jurisdiction to reflect the addition of Chemical products manufacturing/processing and Storage or treatment of hazardous materials or chemicals uses as a special use within the Industrial and Business Park (I&BP-1) zoning district; and

WHEREAS, after completion of said public hearing and receipt of the recommendation of the Planning Commission, the City Council of the City of Goldsboro deems it advisable and for the best interest of the City and those residing within its planning jurisdiction that the above Article of the Unified Development Ordinance be amended; and

WHEREAS, the City Council further deems it advisable and for the best interest of the City and those residing within its zoning jurisdiction that Unified Development Ordinance amendments for the City of Goldsboro, North Carolina, and its Extraterritorial Jurisdiction be adopted.

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

1. That the following Article and Sections within the City of Goldsboro, North Carolina, Unified Development Ordinance be amended to reflect minor text amendments to as follows:
  - **Section 5.4** Table of Permitted Uses;
  - **Section 5.5** Supplemental Use Regulations;
  - **Subsection 5.5.4M** Community Sensitive Heavy Industrial Uses; and
  - **Subsection 5.5.4EE** Storage or Treatment of Hazardous/Chemical Material.
2. That this Ordinance shall become effective from and after its adoption on the below indicated date.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor

Attested by:

\_\_\_\_\_  
City Clerk

**SAFETY FIRST ON HALLOWEEN  
 PROCLAMATION**

200 North Center Street, 27530  
 P 919.580.4362

**WHEREAS**, It is the desire and responsibility of the City Council to promote the safety and welfare of the citizens of the City of Goldsboro; and

**WHEREAS**, The City Council is concerned that our young citizens participate in the traditional Halloween Trick or Treat activities in a safe and orderly manner; and

**WHEREAS**, The City Council feels that the best method for promoting a safe and orderly Halloween is through a Proclamation from the Mayor setting forth guidelines for these activities.

**NOW, THEREFORE**, I, David Ham, Mayor of the City of Goldsboro, North Carolina, do hereby proclaim:

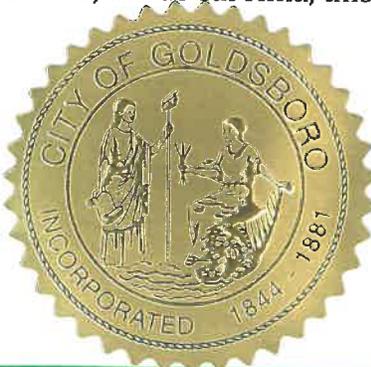
**SAFETY FIRST ON HALLOWEEN**

and encourage all citizens of Goldsboro promote and observe the following safety guidelines:

- Parents are asked to supervise the Halloween Trick or Treat activities of their children and to insure that Trick or Treat activities are limited to children under the age of 16 years.
- Trick or Treat hours will be observed from 6:00 p.m. to 8:00 p.m. on Sunday, October 31, 2021.
- Residents who wish to participate in Trick or Treat are asked to leave a porch light, or other outdoor light, on during these hours.
- Parents are asked to explain to children that homes with no outdoor light are not participating in Trick or Treat and that these homes should be passed up during these activities.
- It is also recommended for the safety of our children that parental supervision be extended to include insistence that children do not consume any "treats" until closely examined by their parents. Parents should follow the rule "if in doubt - throw it out" where evidence of tampering with packaging or surfaces of consumable product exists.

These guidelines are set forth in the hope that all citizens of Goldsboro will enjoy a happy, safe, and orderly Halloween.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Goldsboro, North Carolina, this 4th day of October, 2021.



*David Ham*  
 David Ham  
 Mayor