

MINUTES OF MEETING OF MAYOR AND CITY COUNCIL HELD
DECEMBER 4, 2017

WORK SESSION

The Mayor and Council of the City of Goldsboro, North Carolina, met in a Work Session in the Large Conference Room, City Hall Addition, 200 North Center Street, at 5:00 p.m. on December 4, 2017 with attendance as follows:

Present: Mayor Chuck Allen, Presiding
Mayor Pro Tem David Ham
Councilmember Antonio Williams
Councilmember Bill Broadaway
Councilmember Mark Stevens
Councilmember Bevan Foster
Councilmember Gene Aycock
Jim Womble, Attorney
Scott Stevens, City Manager
Melissa Corser, City Clerk
Randy Guthrie, Assistant City Manager
Octavius Murphy, Assistant to the City Manager
Jimmy Rowe, Planning Director
Jennifer Collins, Assistant Planning Director
Kaye Scott, Finance Director
Rick Fletcher, Public Works Director
Mike West, Police Chief
Bernadette Carter-Dove, HR Director
James Farfour, Interim Fire Chief
Rosie Wagner, CALEA Manager
Scott Barnard, Parks and Recreation Director
Felicia Brown, Assistant P&R Director
Shycole Simpson-Carter, Community Relations Director
Marty Anderson, City Engineer
Scott Williams, IT Director
Mike Wagner, Deputy Public Works Director – Public Utilities
Ken Conners, News Director-Curtis Media Group East
Shirley Edwards, Citizen
Carl Martin, Citizen
Lonnie Casey, Citizen
Bobby Mathis, Citizen
Della Mathis, Citizen
Rochelle Moore, News Argus Reporter
Charles Wright, Citizen (arrived at 5:49 p.m.)
Yvonnia Moore, Citizen (arrived 5:49 p.m.)
Sylvia Barnes, Citizen (arrived at 6:25 p.m.)

Call to Order. The meeting was called to order by Mayor Allen at 5:00 p.m.

Adoption of the Agenda. Upon motion of Councilmember Broadaway, seconded by Councilmember Ham and unanimously carried, Council adopted the agenda.

Invocation. The invocation was provided by Councilmember Broadaway.

Boards and Commissions. Ms. Melissa Corser stated at the last work session, staff presented revisions to the boards and commissions ordinance including a draft ordinance, general rules of procedures and conflict of interest policy for consideration. Some of the items mentioned by Council included:

- A diverse representation of the City of Goldsboro
- Mayor Allen asked staff to consider combining Community Affairs Commission and Advisory Commission on Community Development
- Mayor Allen asked staff to consider eliminating the Appearance Commission

- Council discussed recording Planning and Historic District Committee Meetings
 - It was also suggested following the rules for calling a special meeting (chairman or two members of board) be used to cancel a meeting as well (General Rules of Order for B&C)
- Mr. Carl Martin has requested to speak at the 7:00 Council Meeting on Boards and Commissions.

Mayor Allen asked if Ms. Corser had received any feedback. Ms. Corser stated she had not. Councilmember Foster requested additional time to review the information. Council agreed to continue discussions in two weeks.

Dirt Street Construction. Mr. Marty Anderson provided the following update on dirt streets.

FY 2016-2017

Total Dirt Street Miles = 4.87

Total miles of dirt streets recommended for surfacing:

- High Priority = 0.72 miles
- Medium Priority = 0.37 miles
- Low Priority = 2.40 miles

Total miles of dirt streets recommended for closing = 1.38 miles

FY 2017-2018

Total Dirt Street Miles = 3.51

Total miles of dirt streets under construction for surfacing = 0.46 miles (high priority)

Total miles of dirt streets closed or will be closed in FY2017-2018 = 0.90 miles

Total miles of dirt streets not closed due to land locking, opposition, etc... = 0.48 miles

FY 2018-2019

Total Dirt Street Miles = 3.51 remaining

Total miles of dirt streets remaining to be surfaced:

- High Priority = 0.26 miles
- Medium Priority = 0.37 miles
- Low Priority = 2.40 miles

Total miles of dirt streets to be closed = 0 miles

Total miles of dirt streets unable to be closed = 0.48 miles

Mr. Anderson noted Bain Street would be moved down to low priority, as it is a short segment of gravel street that crosses the railroad; he has heard they are talking about closing those streets.

Council reviewed the listing of dirt streets and discussed which streets they would like to pave in 2018-19. Staff shared right-of-ways could be difficult for Chestnut Street. Council agreed they would like Chestnut Street from S. Slocumb to S. Leslie Street and Oak Hill Drive from Green Drive to N. Berkeley Drive paved. Staff will prepare preliminary estimate.

Mayor Pro Tem Ham asked staff to add Tampa Place.

Mr. Stevens shared staff is working on the pavement condition survey.

Stormwater Utility – Commercial Declining Block Fee. Mr. Rick Fletcher reviewed the following information:

Stormwater Utility Fee Policies (DRAFT)

- Credits
 - Eligibility
 - Application and approval
 - Expiration
- Exemptions

- Caps
- Appeals
- Adjustments
- Incentives
- Billing
 - Rate Structure ERU Calculation
 - Aggregation
- Data Maintenance

Mr. Fletcher reviewed Stormwater Utility Commercial Cost Projections. Stormwater rates and a declining block was proposed. Council discussed. Councilmember Foster shared concerns with the declining block as proposed and suggested a rate tier of \$4.50 for Tier 1, \$3.75 for Tier 2, \$3.00 for Tier 3 and \$2.50 for Tier 4.

Councilmember Aycock asked if businesses with stormwater retention ponds get a discount and Mr. Fletcher stated a 10% discount would be provided if it is functioning properly.

Mayor Allen asked staff to update the declining block spreadsheet and email with the updates for council to review. Council to continue discussion at the next work session.

Charter Amendment – “Powers and Duties.” Ms. Rosie Wagner shared the city’s charter limits the territorial jurisdiction of law enforcement officers when in immediate and continuous flight to “within Wayne County” which conflicts with North Carolina General Statute 15A-402 which does not limit the territorial jurisdiction of law enforcement officers. The City Attorney has advised that state statute would supersede the city’s charter. Staff recommended amending the charter which may require a local act and remove “within Wayne County.” Council discussed and agreed staff could proceed.

Work Session Live Broadcast. Mr. Scott Williams reviewed costs with Council to install equipment needed to broadcast the work session. Council authorized staff to proceed with getting equipment needed to broadcast the work session on Facebook Live.

City Attorney. Mayor Allen stated Mr. Womble has shared he would like to slow down and would be resigning his post as City Attorney at the end of the year. Mr. Ron Lawrence who is a part of the same firm has expressed interest to serve as the city attorney.

Councilmember Williams stated there is no contract in place and he would like to give someone else an opportunity if interested and suggested a requests for proposals process. Councilmember Foster agreed.

Council discussed options such as requesting proposals and the advantages and disadvantages of an in-house attorney. Councilmember Foster asked if Council could get salaries from other municipalities who have an attorney in-house to compare with costs of having a contracted attorney.

Mr. Stevens stated I’m sure it is debated by lots of Council and I’m sure there is research on pro’s and con’s. I think short-term, you could enter into a contract with the current firm and have an out clause. If you wanted to go through a process to solicit requests for proposals from firms this would allow you to not be crunched for time.

Councilmember Broadway complimented Mr. Womble and the firm Everett, Womble & Lawrence.

Consent Agenda Review. All items on the Consent Agenda were reviewed. Additional discussion included the following:

Item D. Contract Award for Union Station Fence Installation Project Informal Bid No. 2017-11. Mayor Allen stated there is already a fence. Council discussed the type of fencing in place and the type it would be replaced with. Mayor

Allen asked if Council would remove the item from the Consent Agenda and place it under Items Requiring Individual Action. Upon motion of Councilmember Stevens, seconded by Councilmember Broadaway and unanimously carried, Council moved Item D. Contract Award for Union Station Fence Installation Project Informal Bid No. 2017-11 to Items Requiring Individual Action.

Item I. Ordinance Amendment – “Business Regulations.” Ms. Rosie Wagner reviewed an amended item removing references to cabs. Upon motion of Councilmember Broadaway, seconded by Councilmember Williams and unanimously carried, Council adopted the amended item to be included in the consent agenda.

Closed Session Held. Upon motion of Councilmember Williams, seconded by Councilmember Aycock and unanimously carried, Council convened into Closed Session to discuss property acquisition matters.

Council came out of Closed Session.

There being no further business, the work session adjourned at 6:57 p.m.

CITY COUNCIL MEETING

The Mayor and Council of the City of Goldsboro, North Carolina, met in regular session in Council Chambers, City Hall, 214 North Center Street, at 7:00 p.m. on December 4, 2017 with attendance as follows:

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

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

Councilmember Williams provided the invocation. The Pledge to the Flag followed.

Approval of Minutes. Upon motion of Councilmember Aycock, seconded by Councilmember Williams, Council approved the Minutes of the Work Session and Regular Meeting of August 21, 2017 as submitted.

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

1. Carl Martin spoke about Boards and Commissions. A copy of the handout he provided is on file in the Clerk’s Office.
2. Charles Wright also spoke about Boards and Commissions.
3. Josh Lancaster spoke on lights and expansion of the skate park.

Mayor Allen encouraged Mr. Lancaster to share with Parks and Recreation what they would like to see in the skate park.

Consent Agenda - Approved as Recommended. City Manager, Scott A. Stevens, presented the Consent Agenda. All items were considered to be routine and could be enacted simultaneously with one motion and a roll call vote. If a Councilmember so requested, any item(s) could be removed from the Consent Agenda and discussed and considered separately. In that event, the remaining item(s) on the Consent Agenda would be acted on with one motion and roll call vote. Mr. Stevens reminded Council Item D. Contract Award for Union Station Fence Installation Project Informal Bid No. 2017-11 was moved to Items Requiring Individual Action during the

work session. Councilmember Williams moved the items on the Consent Agenda, Items B, C, E, F, G, H, I, J, K, L, M, N, O, P, and Q be approved as recommended by the City Manager and staff. The motion was seconded by Councilmember Aycock and a roll call vote resulted in all members voting in the affirmative. Mayor Allen declared the Consent Agenda approved as recommended. The items on the Consent Agenda were as follows:

Wayne Memorial Greenway Construction Change Order. Resolution

Adopted. At the November 20, 2017 meeting, Council awarded the paving of the Wayne Memorial Greenway Trail to Barnhill Construction. The construction consists of paving 5805' of 8' asphalt of the greenway and will tie the New Hope Greenway to Wayne Memorial Hospital.

Barnhill Construction has submitted a change order that will continue the greenway paralleling Stoney Creek behind Wayne Memorial Hospital to Gloucester Road, thus completing that segment of the greenway. An additional 3875' of 8' asphalt would be necessary at a cost of \$71,106.

In addition, a stone base would have to be installed by city forces with a material cost of \$8,000.

By completing this segment of the greenway, it would only leave two non at-grade crossings, Hwy. 70 and Royall to complete Stoney Creek Greenway from New Hope Road to Slocumb Street.

RTP Grant funds of \$32,136 can be applied towards this change order. City funds of \$48,136 are currently available within the Parks and Recreation budget, but may require an appropriation of fund balance later in the year.

Staff recommended Council adopt the following entitled Resolution authorizing the Mayor and City Clerk to execute a change order with Barnhill Construction for the additional paving at a cost of \$71,106. Consent Agenda Approval. Williams/Aycock (7 Ayes)

RESOLUTION NO. 2017-83 "RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE CHANGE ORDER WITH BARNHILL CONSTRUCTION"

Rejection of Bids – John Street Parking Lot Charging Station Informal Bid No. 2017-6. Bid Rejected. At the City Council meeting held on January 17, 2017 the City Council, by motion, accepted a \$10,000 grant award from Duke Energy and authorized the City Manager to sign a reimbursement agreement for installation of a Plug-In Electric Vehicle Charging Station in the John Street Parking Lot.

On Thursday, August 10, 2107, one (1) sealed bid was received for John Street Parking Lot Charging Station. The proposed work consists of installing a dual port charging station in the John Street Parking Lot.

Barnacle Construction, Inc. of Goldsboro, NC submitted the sole bid for John Street Parking Lot Charging Station for a total cost of \$28,700.

Staff requested Duke Energy provide additional funding due to the bid coming in above funding. Duke Energy responded that additional funds were not available.

Staff recommended Council reject the bid submitted on August 10, 2017 due to the cost exceeding grant funding. Consent Agenda Approval. Williams/Aycock (7 Ayes)

Approve Compost Bag Pricing. Approved. Since January 2017, the City of Goldsboro has charged its wholesale buyers \$2.00 per thirty-pound bag of compost for a typical order of one hundred bags.

During the City Council Work Session on November 20, 2017, discussion to offer individual bags of compost for sale ensued. Compost wholesale bulk buyers pricing was

to remain the same at \$2.00 per 30-lb. bag (minimum order of 100 bags) in order to offset the costs of having the bags readily available for individual/retail customers at the Compost Facility. Staff recommends the pricing for individual 30-lb. bags of compost should be \$4.00 per bag.

It was recommended Council approve a new price of \$4.00 per thirty-pound bag of compost effective December 4, 2017 for individual/retail compost bags. Consent Agenda Approval. Williams/Aycock (7 Ayes)

Ordinance Amendment – “Administrative Code.” Ordinance Adopted. City of Goldsboro Code of Ordinances Title III Chapter 33. Police and Fire Departments. contains regulations which set out the responsibilities of the Police and Fire Departments.

Several ordinances have antiquated language regarding the Police Department, including organizational components and services provided. City Ordinance does not accurately reflect the current administration of the Police Department.

The mission stated in Section 33.01 of the current City Ordinance outlines the responsibilities of the Police Department, not the mission. The term “mission”, within the city ordinance, limits the ability of the Police Department to properly state the purpose and focus of the Department as it applies to current police practices and collaboration with the community.

The police services listed in Section 33.02 and 33.06 include the function of Animal Control. At this time the Police Department does not provide this function. Eliminating this function from the City Ordinance would not preclude the addition of the function to the Police Department at some future time, as it is not necessary to list each function in City Ordinance in order to perform said function.

Sections 33.03 and 33.04 of the Administrative Code describes the following Divisions within the Police Department: Uniform enforcement, Investigations, and Support services. Current administration reflects modern operational practices, including the following: Police Chief, Operations, Investigations, Support Services, and Professional Standards.

Based on the above, staff feels it necessary to update the language of the City Ordinance to reflect the current services, divisions, and administration of the Police Department. The amendment would provide current Police Department services in regards to the “Administrative Code”.

Staff recommended Council adopt the following entitled Ordinance amending the “Administration Code” as indicated above. Consent Agenda Approval. Williams/Aycock (7 Ayes)

ORDINANCE NO. 2017 – 58 “AN ORDINANCE AMENDING CHAPTER 33 ENTITLED "POLICE AND FIRE DEPARTMENTS" OF THE CODE OF ORDINANCES OF THE CITY OF GOLDSBORO, NORTH CAROLINA”

Ordinance Amendment – “General Regulations.” Ordinance Adopted. City of Goldsboro Code of Ordinances Title IX Chapter 91. Animals. contains rules and regulations regarding animals within the City.

Sec. 91.21 Animal Control Officer. requires the creation and operation of the position of Animal Control Officer (s) and designates the position within the Police Department.

Sec. 91.22 Rabies. specifies the duties of the Animal Control Officer (s) and/or Chief of Police in reference to animals infected with rabies.

Currently, the Police Department does not provide this service; however, the procedures outlined in this Chapter do not allow for an outside agency to provide the position of Animal Control Officer and enforce the provisions of this Chapter.

Based on the above, staff feels it necessary to update the language to include a provision for an outside agency to provide Animal Control services within the City, when such a position is not filled within the Police Department.

The amendment would provide updated language and practices regarding the services of the Animal Control Officer as outlined in “General Regulations”.

Staff recommended Council adopt the following entitled Ordinance amending “General Regulations” as indicated above. Consent Agenda Approval. Williams/Aycock (7 Ayes)

ORDINANCE NO. 2017 – 59 “AN ORDINANCE AMENDING CHAPTER 91 ENTITLED "ANIMALS" OF THE CODE OF ORDINANCES OF THE CITY OF GOLDSBORO, NORTH CAROLINA”

Ordinance Amendment – “Traffic Code.” Ordinance Adopted. City of Goldsboro Code of Ordinances Title VII Chapter 73. Bicycles. contains rules and regulations regarding the operation of bicycles.

Sec. 73.01 Obedience to Traffic Regulations; Control of Bicycle when Entering Intersection. requires those operating bicycles to obey the rules of the road. While in the performance of their duties, members of the Police Department who operate a bicycle may need to deviate from the rules in order to provide effective police services.

Sec. 73.02 Registration. requires a certificate of registration for all bicycles to include a metallic registration plate and permanent register maintained by the Police Department. Additionally, the Section prohibits the sale or transfer of a bicycle without re-registering and prohibits the alteration or destruction of the registration plates. This procedure within the Traffic Code is no longer applicable to the operation or sale of bicycles.

Based on the above, staff feels it necessary to update the language to include a provision for members of the Police Department who operate bicycles in the performance of their duties. Additionally, staff feels it necessary to eliminate the requirement for bicycle registration as this is no longer protocol.

The amendment would provide updated language and practices regarding the operation of bicycles as outlined in the “Traffic Code”.

Staff recommended Council adopt the following entitled Ordinance amending the “Traffic Code” as indicated above. Consent Agenda Approval. Williams/Aycock (7 Ayes)

ORDINANCE NO. 2017 – 60 “AN ORDINANCE AMENDING CHAPTER 73 ENTITLED "BICYCLES" OF THE CODE OF ORDINANCES OF THE CITY OF GOLDSBORO, NORTH CAROLINA”

Ordinance Amendment – “Business Regulations.” Ordinance Adopted. City of Goldsboro Code of Ordinances Title XI Chapter 110. Licensing Provisions. contains regulations regarding business licenses.

Section 110.22 Itinerant Peddlers, Salespersons, and the Like. outlines a registration requirement with the Police Department to include a photograph and the collection of fingerprints. The Police Department does not provide this service as it is no longer a registration requirement.

Based on the above, staff feels it necessary to update the language of the City Ordinance to reflect the current requirements regarding Itinerant Peddlers, Salespersons, and the Like as well as to update the services of the Police Department.

The amendment would provide current Police Department services in regards to “Business Regulations.”

Staff recommended Council adopt the following entitled Ordinance amending “Business Regulations” as indicated above. Consent Agenda Approval. Williams/Aycock (7 Ayes)

ORDINANCE NO. 2017 – 61 “AN ORDINANCE AMENDING CHAPTER 110 ENTITLED "LICENSING PROVISIONS" OF THE CODE OF ORDINANCES OF THE CITY OF GOLDSBORO, NORTH CAROLINA”

Z-10-17 J. Isaac Gurley Farms, Inc. – Northeast corner of US Highway 13 North and Hood Swamp Road. Ordinance Adopted. Applicant requests a zoning change from R-20A Residential to General Business Conditional District with site plan approval required separately.

Frontage: 760 ft. (on US Highway 13 North)
1,060 ft. (on Hood Swamp Road)
Area: 8.84 Acres (approx.)

Surrounding Zoning: North: R-20A Residential and RM-9
South: R-20A Residential
East: O&I-1 and R-20A Residential
West: R-20A Residential

The property is currently vacant.

Site and landscape plans have been submitted for a convenience store on a portion of the property at the corner of US 13 and Hood Swamp Road. If the property is rezoned, any future development proposed would require complete plan approval.

Surrounding properties are primarily vacant farmland along with a number of single-family and nonconforming mobile homes across both US 13 and Hood Swamp Road.

Two other lots near the intersection of US 13 and Hood Swamp Road were zoned General Business at the time the City’s extraterritorial jurisdiction was extended in this area. An existing convenience store and gas station on the west side of US 13 North was satellite annexed to the City on June 30, 1999.

The City’s adopted Land Use Plan designates this property for a combination of Mixed Use 2, Mixed Use and low-density residential development. Mixed use designation would include commercial-type uses that may impact lower-density residential uses. They are typically located at major intersections.

City water and sewer are not available to serve the subject property. The property is not located in a Special Flood Hazard Area.

The applicant has submitted a petition for noncontiguous annexation of the property.

The submitted site plan indicates that the property will be divided into six lots with the dedication of a new street bisecting the property and running from US 13 North to Hood Swamp Road. This road would have a right-of-way width of 65 ft. and a paved width of 45 ft.

- Lot 1: 2.81 Acres (Proposed Convenience Store)
- Lot 2: 1.74 Acres
- Lot 3: 0.98 Acres (Septic Repair Area)
- Lot 4: 1.18 Acres
- Lot 5: 1.56 Acres
- Lot 6: 0.57 Acres (Stormwater Area)

The developer will be required to submit preliminary and final subdivision plats in order to allow for the division of the land.

A 4,900 sq. ft. commercial building is proposed with a 30 ft. by 135 ft. fuel canopy. The building would be oriented facing US 13 North.

The applicant is working with NCDOT regarding future road improvements to US Highway 13 and the potential realignment of Hood Swamp Road. If Hood Swamp Road is realigned, direct driveway access for all proposed lots may result.

Landscaping as a vehicular surface buffer is proposed adjacent to the paved area. Combinations of Willow Oak trees, Crape Myrtles, Redbuds, Hawthorns and Holly shrubs are proposed. A total of 26 street trees (Willow Oaks) are proposed along the street frontages and there are four end aisles to be planted with low-growing shrubs within the parking area.

A refuse container is shown at the rear of the building which will be properly screened in accordance with City requirements.

All HVAC units will be properly screened from view and the developer will pay a fee in lieu of sidewalk installation.

At the public hearing held on November 20, 2017, no one appeared to speak either for or against the request.

The Planning Commission, at their meeting on November 27, 2017, recommended approval of the change of zone request and the site and landscape plans submitted for the convenience store.

Staff recommended Council accept the recommendation of the Planning Commission and:

1. Adopt an Ordinance changing the zoning for the property from R-20A Residential to General Business Conditional District with development plan approval required separately. The zoning change would be consistent with the City's adopted Comprehensive Land Use Plan which recommends a combination of Mixed Use 2, Mixed Use and low-density residential uses; and
2. Approve the submitted site and landscape plans for the proposed convenience store development at the corner of US Highway 13 North and Hood Swamp Road. Consent Agenda Approval. Williams/Aycock (7 Ayes)

ORDINANCE NO. 2017 – 62 “AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF GOLDSBORO, NORTH CAROLINA CODE OF ORDINANCES”

CU-17-17 Nicky Parrish–West side of North Berkeley Boulevard between Royall Avenue and US 70 East. Approved. The applicant requests a Conditional Use Permit to allow the operation of a tattoo parlor.

The site is located within an existing commercial strip mall known as Berkeley Junction Shopping Center. The property is zoned GB (General Business). A tattoo parlor is a permitted use within this district only after the issuance of a Conditional Use Permit approved by City Council.

Frontage: 40 ft.

Depth: 82 ft.

Zone: General Business

The submitted site plan indicates one existing 3,280 sq. ft. commercial tenant space proposed for use as a tattoo parlor consisting of a reception area, two tattoo stations, a body-piercing station and a restroom.

Hours of Operation: 12:00 Noon to 8:00 p. m.
(Monday-Saturday)

Employees: 2

Berkeley Junction Shopping Center is accessed by two existing 35 ft. wide curb cuts along North Berkeley Boulevard.

Sufficient parking spaces exist for customers of the proposed use and the shopping center.

The property is not located within a Special Flood Hazard area.

At the public hearing held on November 20, 2017, no one appeared to speak either for or against the request.

The Planning Commission, at their meeting held on November 27, 2017, recommended approval of the Conditional Use Permit and submitted site plan.

Staff recommended Council accept the recommendation of the Planning Commission and:

1. Adopt an Order approving a Conditional Use Permit to allow the operation of a tattoo parlor; and
2. Approve the submitted site plan as submitted. Consent Agenda Approval. Williams/Aycock (7 Ayes)

CU-18-17 Jose Morquecho – East side of South Berkeley Boulevard between Ash Street and Elm Street. Approved. The applicant requests a Conditional Use Permit to allow the operation of a tattoo parlor.

Frontage: 82 ft.
Depth: 255 ft.
Area: 0.48 Acres
Zoning: General Business

The site is located within a strip commercial center which contains eight individual units. The unit that will be occupied by the applicant contains 1,750 sq. ft. (25 ft. by 70 ft.).

There are a total of 50 parking spaces (including two handicapped spaces) on the site. Based on the existing uses within the building, approximately 50 spaces will be required to serve the entire commercial structure.

Hours of Operation: Noon to 7:00 p. m.
No. of Employees: 3-4

The applicant indicates that he provides tattoo services by appointment only and caters to professionals, including servicemen from the Base.

The site is accessed by one two-way curb cut from Berkeley Boulevard. Since the building on the lot is existing and only one unit is to be leased for the proposed tattoo parlor, the applicant will not be required to retrofit the site to meet current requirements as they relate to landscaping.

At the public hearing held on November 20, 2017, the applicant appeared in favor of the request. No one appeared in opposition.

The Planning Commission, at their meeting on November 27, 2017, recommended approval of the Conditional Use Permit and site plan detailing the operation.

Staff recommended Council accept the recommendation of the Planning Commission and:

1. Adopt an Order approving a Conditional Use Permit to allow the operation of a tattoo parlor; and

2. Approve the submitted site plan. Consent Agenda Approval.
Williams/Aycock (7 Ayes)

Site and Landscape Plans – James Bridgers Property. Approved. The property is located on the southwest corner of West Spruce Street and South James Street.

Site and landscape plans were previously approved for this property with a number of modifications in 2014. The developer did not implement the plans within one year and reapproval is now necessary.

There is an existing 3,623 sq. ft. two-story brick building on the property and the applicant proposes utilizing the first floor for office space and the second floor for three existing apartments which are currently vacant.

Frontage:	59.5 ft. (on South James Street) 155 ft. (on West Spruce Street)
Area:	13,801 sq. ft., or 0.317 acres
Zoning:	Central Business District

The submitted site plan indicates 14 paved parking spaces including one handicapped-accessible space at the rear of the building. Based on the uses within the structure, a total of 15 parking spaces will be required for the site. A modification of the parking requirement is necessary.

Access to the site will be provided through one existing curb cut on West Spruce Street.

The offices within the building will operate from 8:00 a. m. to 5:00 p. m, Monday through Friday and a total of three employees are anticipated.

Curbside trash collection is to be provided by the City.

A Type C (20 ft. wide) landscape buffer is required along the southern and western sides of the property adjacent to the proposed parking area. The applicant proposes to construct a 6-ft. privacy fence to allow a reduction in the minimum buffer width from 20 ft. to 10 ft.

The existing building extends to both the northern and southern property lines and, therefore, a modification of the side yard setback on both sides will be required from 15 ft. to zero ft.

Due to the building extending to the property line on the north side and to existing sidewalks on the east side, the applicant has requested a modification of the landscape installation requirements, including the buffer requirement, for a one-year period.

The developer has requested that the parking area remain unpaved for a one-year period. At time of paving, the site will be subject to stormwater calculations and will have to be graded in accordance with City standards. Landscaping would have to be installed at time of paving.

Due to limitations on the size of the lot and the fact that the building is existing, staff recommends approval of the plans with the requested modifications as follows:

1. Modification of parking requirement from 15 spaces to 14 spaces;
2. Modification of paving requirement for a one-year period.
3. Modification to allow installation of 6 ft. privacy fencing in order to reduce the buffer width from 20 ft. to 10 ft. along the southern and western sides of the property;
4. Modification of side yard setback for the existing building from 15 ft. to 0 ft.; and
5. Modification of landscape requirements for a one-year period.

The Planning Commission, at their meeting on November 27, 2017, recommended reapproval of the site and landscape plans with the enumerated modifications.

Staff recommended Council accept the recommendation of the Planning Commission and reapprove the site and landscape plans with the following modifications:

1. Modification of parking requirement from 15 spaces to 14 spaces;
2. Modification of paving requirement for a one-year period.
3. Modification to allow installation of 6 ft. privacy fencing in order to reduce the buffer width from 20 ft. to 10 ft. along the southern and western sides of the property;
4. Modification of side yard setback for the existing building from 15 ft. to 0 ft.; and
5. Modification of landscape requirements for a one-year period. Consent Agenda Approval. Williams/Aycock (7 Ayes)

Sign Modification - Atlantic and Southern Equipment. Approved. The property is located on the east side of US 117 between South George Street and Arrington Bridge Road, west of CSX Railroad.

Frontage: 307 ft.
Depth: 609.11 ft.
Area: 186,996 sq. ft. or 4.29 acres
Zoning: I-2 General Industry

The business was formerly operated as Carolina Tractors. On November 2, 2015, City Council approved site and landscape plans for Atlantic and Southern Equipment to continue to operate as a retail establishment for the sale and service of agricultural equipment with a modification to allow the northernmost driveway and display/storage areas to remain unpaved.

The applicant has made significant improvements to the property. A total of 6,689 sq. ft. of floor space within the main building was completely renovated to include a retail sales area, a new conference room, additional office spaces, a training room and bathroom facilities for employees and customers of the business.

In addition, a 7,254 sq. ft. metal storage building was completely renovated for use as an equipment service center to include new offices and bathrooms for employees of the facility.

Parking and landscaping improvements have recently been completed.

The applicant recently submitted plans for new signage. The applicant proposes the removal of two existing freestanding signs along US 117 as well as existing wall signage on the front building elevation of the main building.

A new freestanding sign would advertise the Atlantic and Southern Equipment, LLC. logo along with the trademarks for five suppliers. The size of the sign would be 144 sq. ft. The height of the sign would be 18 ft. tall. The I-2 zoning district would limit this freestanding sign to an area of 80 sq. ft. and a height of 25 ft. A modification of the freestanding sign size has been requested.

Three new signs have been proposed for the front building elevation facing US 117 for a total of 107.5 sq. ft.

Total allowable sign area for the property is 165.75 sq. ft. The total signage proposed on the site (251.5 sq. ft.) will exceed this amount which will require a modification from 165.75 sq. ft. to 251.5 sq. ft.

The applicant contends that the proposed signage for the site would be in keeping with the character of other properties along US 117. In addition, he has indicated that individual suppliers require a certain amount of advertising space for specific brand names.

At their meeting held on November 27, 2017, the Planning Commission recommended approval of the sign modification as requested.

Staff recommended Council accept the recommendation of the Planning Commission and approve the sign modification to increase the total allowable signage for the site from 165.75 sq. ft. to 251.5 sq. ft. and to allow the freestanding sign area to be increased from 80 sq. ft. to 144 sq. ft. Consent Agenda Approval. Williams/Aycock (7 Ayes)

Revision to Site Plan - Larry J. Davis (El's Place). Approved. The property is located on the north side of US 70 West between Hargrove Street and Jordan Boulevard.

On November 3, 2014, Council approved a Conditional Use Permit to allow the operation of a car dealership for high-end, high-performance autos including the accessory uses of restoration, service and repair.

Included with the approval were modifications of buffers and the freestanding sign height and area.

Area: 1.15 Acres
Zoning: General Business

Since initial approval, the applicant expanded his restoration, service and repair operation into an adjacent building immediately to the east of the main service area. Four additional parking spaces (including one handicapped space) was added to allow for the increased service area.

The developer now plans to add a 50 ft. by 60 ft. metal sided commercial building at the rear of the existing main building which will allow for service and repair of larger vehicles such as firetrucks.

He contends that no additional parking spaces will be necessary as a result of this new structure since there will be no additional employees and the building will be utilized as support of the existing business.

At their meeting held on November 27, 2017, the Planning Commission recommended approval of the site plan revision as submitted.

Staff recommended Council accept the recommendation of the Planning Commission and approve the revised site plan as submitted. Consent Agenda Approval. Williams/Aycock (7 Ayes)

Site and Landscape Plan – Wood-Mac, LLC (Used Car Lot). Approved. The property is located on the northeast corner of North Berkeley Boulevard and East New Hope Road.

Frontage: 300 ft. (Berkeley Boulevard)
398 ft. (East New Hope Road)
Area: 1.297 Acres
Zoning: General Business Conditional District

On November 4, 2013, the City Council approved a rezoning request for this property from O&I-1 to General Business Conditional District. At that time, no use for the property was proposed. As a Conditional District zone, a site plan for any use, including those which would normally require a Conditional Use Permit, would have to be approved by the City Council prior to development.

On June 2, 2014, site and landscape plans were approved for a used car lot which featured:

1. Parking
 - a. Display Vehicles: 16

- b. Customers: 5
- c. Employees: 2
- 2. Method of Delivery: Car Carrier or driven to site;
- 3. Hours of Operation
 - 10:00 a. m. to 6:00 p. m. (Monday thru Friday)
 - 10:00 a. m. to 3:00 p. m. (Saturday)

The owner of the property has currently listed the entire site for sale and will continue to do so until the property is sold.

Originally, the site was served by three curb cuts, however, the southernmost driveway on Berkeley Boulevard was closed. Appropriate landscape screening was installed in conjunction with the used car lot.

Approval of the used car lot included a modification of the street tree and vehicular surface buffer to allow existing plant material to serve in these capacities. In addition, a modification of the sidewalks and fee in lieu requirement for both street frontages was approved.

The previously-approved car lot has been closed for more than six months and, therefore, reapproval of development plans are necessary if a used car lot wishes to occupy the site.

The current developer wishes to operate utilizing the same site and landscape plan which was previously approved.

The Planning Commission, at their meeting on November 27, 2017, recommended approval of the site and landscape plans as submitted with the previously-approved modifications.

Staff recommended Council accept the recommendation of the Planning Commission and approve the site and landscape plans with the following previously-approved modifications:

- 1. Modification of street tree and vehicular surface buffer requirement to allow existing plant material to serve in those capacities; and
- 2. Modification of sidewalks and payment of fee in lieu of sidewalk installation. Consent Agenda Approval. Williams/Aycock (7 Ayes)

Site and Landscape Plan – Fire-Police Departments Additions. Approved.

The property is located within the block bounded by Center Street, Chestnut Street, John Street and Spruce Street.

The existing building was constructed and occupied in 1977. Since then, the only major revisions to the development have been the addition of the parking areas.

Area: 4.16 Acres
 Zoning: Central Business District

The property is just outside the Historic District boundary.

Three individual additions to the existing structure are proposed which will total 6,661 sq. ft. as follows:

Office at Fire Command Building
 Office/Conference Room for Fire
 Evidence Storage Room and Offices

A total of 1.76 acres is to be disturbed and stormwater calculations have been approved by the City Engineering Department.

The public entrance to the complex will be moved from the John Street side of the Center Street side. Parking for employees will continue to be accessed from John Street.

A new parking layout on the Chestnut Street side of the property has been designed to allow for better flow. Two existing driveways will continue to provide ingress and egress off of Chestnut Street.

A total of 34 new trees and 292 shrubs are proposed to be placed within the newly-designated parking areas in end aisles and along the street frontages.

New additions constructed will match the existing structure in materials and scale. A contrasting color band in reddish-brown will be included to incorporate brickwork used in the Center Street streetscape.

The Planning Commission, at their meeting on November 27, 2017, recommended approval of the site, landscape and building elevation plans as submitted.

Staff recommended Council accept the recommendation of the Planning Commission and approve the site, landscape and building elevation plans for the Fire-Police Complex additions. Consent Agenda Approval. Williams/Aycock (7 Ayes)

End of Consent Agenda.

Historic Properties Donation. Approved. The County of Wayne owned properties addressed as 200 E. Walnut Street, 204 E. Walnut Street, 206 E. Walnut Street and 106 S. John Street that they completely vacated in 2016. These historic buildings have not had adequate reinvestment in them for some time and are thus in need of significant repairs and investment to achieve reuse of the buildings.

After City-County discussions regarding County's plans for the buildings, the County opted to donate the properties to the City to relinquish their ownership as they had no interest in their utilization and reinvestment for County use. The properties were donated in November 2016.

The City had the four properties appraised in November 2017 and as of November 22 received the final appraisal report that estimated the "As-Is" market value in fee simple of the land and improvements to be a negative fifty thousand dollars (-\$50,000) due to the condition of the properties, estimated demolition costs, as well as the restrictive covenants the City would place on the properties to protect the historic integrity of the properties.

The City is in receipt of a letter (attached) from the Downtown Goldsboro Development Corporation (DGDC) president requesting that the properties be donated to their organization to allow their involvement in saving these valuable properties.

The DGDC has partnered with the City to save historic buildings downtown in the past. In 2008, the City and DGDC partnered to accept donation of properties within the 200 block of N. John Street. Each of these properties has been rehabilitated, or is currently under rehabilitation, through new ownership.

North Carolina General Statute 160A-266(b) allows local municipalities to donate historic properties for historic preservation purposes to non-profit organizations whose goal is to preserve historic properties. This is one of the core values of the DGDC and the Goldsboro Main Street program.

Per the letter, the DGDC is requesting the donation of these four properties stating: "We have found over the years that investors are more willing to work with a non-profit organization whose mission it is to save historic properties for economic development purposes than working through a government system. In addition, our organization would consign historic restrictive covenants on each of the properties acting in the best interest for downtown. As a non-profit organization we can consider capacity, timelines, uses and other factors in an offer and we believe this to be in the best interest of downtown and the City. We are asking the City to donate these properties to the DGDC so that we may work with the City to secure their restoration and reuse."

The DGDC has asked for the following:

- 1) That the City maintains the insurance on the buildings for a period of six months from the time of the donations or agrees to reimburse the DGDC for their cost to insure the properties, whichever is agreeable to the City.
- 2) That if the DGDC is not able to dispose of the properties to a private investor within six months of the donation that is willing to: follow the Department of Interior Standards for Historic Rehabilitation, provide historic preservation easements to the City, invest substantially to utilize the first and second floors of the buildings, and result in a mixed-use development project consisting of both commercial and residential spaces, than the City agrees to: reassess the needs of the building, particularly the roof at 200 E. Walnut Street, incur the cost to replace the roof or other major needs to save the buildings, and that these expenses will not befall the DGDC.
- 3) That the City will donate the properties with Historic Preservation Covenants attached to the deeds of trust for the properties and the DGDC will assure that future owner(s) will be expected to provide historic easements of the properties to the City prior to rehabilitation to secure their protection and purpose for downtown and the public good.
- 4) If, in case the DGDC is not successful at selling the properties for restoration and reuse within six months of the date of the deed, the properties will be transferred back to the City for ownership to make the roof investments and then attempt to sell the properties for the invested cost unless, at that time, the City and DGDC come to an alternative approach that they can mutually agree upon.

Councilmember Broadaway made a motion Council accept the Downtown Development staff's recommendation to permit the City Attorney to proceed as requested to result in a donation of these properties to the Downtown Goldsboro Development Corporation with the purpose to secure an investor for the properties' restoration and reuse consistent to the aforementioned terms. Councilmember Stevens seconded the motion. Mayor Allen, Mayor Pro Tem Ham, Councilmembers Broadaway, Stevens and Aycock voted in favor of the motion. Councilmembers Williams and Foster voted against the motion. Mayor Allen stated the motion passed with a 5:2 vote.

Contract Award for Union Station Fence Installation Project Informal Bid No. 2017-11. Denied. At the December 15, 2008 City Council Meeting, the Goldsboro City Council authorized a Municipal Agreement between the City and the North Carolina Department of Transportation (NCDOT) for the use of Federal Highway Administration (FHWA) Enhancement Fund grant monies. This Agreement was executed by both parties May 15, 2009.

The Agreement established the funding parameters, scope of work, timeline and other criteria for use of the Enhancement Grant, administered by NCDOT for the benefit of Union Station and the development of the Goldsboro Multi-Modal Transportation Facility. The Scope of Work included a complete rehabilitation of Union Station and construction of the streetscape work that was part of the original construction plans approved in 2011 for the project. The funds outlined in the Agreement were utilized one-hundred percent.

At the June 27, 2017 Council Meeting, the City Council authorized the Mayor to execute a revision to this Agreement through a Supplement that would: 1) Change our funding category from "Rehabilitation and operation of historic transportation buildings, structures, or facilities" to "Provision of facilities for pedestrians and bicycles, historic preservation and landscaping and other scenic beautification", 2) Alter the Scope of Work to allow the City compliance and, 3) Utilize additional available funds to complete several portions of the project that the TIGER V grant did not fund that are eligible within the revised Scope.

The Grant Agreement specifies that funding eligible projects will be shared as such: FHWA 80%, NCDOT 10% and City of Goldsboro 10%.

Eligible expenses included: light pole banners, facility wayfinding signage, Union Station sump pump repairs/replacement, top paving for the Union Station driveway and installation of additional fencing to the rear of Union Station, as planned.

To date, we have completed all of these eligible projects but one, the installation of additional fencing to the rear of Union Station.

On November 20, 2017 three (3) sealed bids were received for the Union Station Fence Installation Project for the City of Goldsboro. The bid specifies that the fence design will mimic that which already exists in other areas of the property, will be 72 inches in height, run approximately 1,000 linear feet and will also include the removal of the existing chain link fence.

Dudley's Fence Company of LaGrange, NC submitted the lowest, responsible bid at a total cost of \$31,075 or approximately \$31/square foot.

The bids received for this project are tabulated as follows:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
Dudley's Fence Company LaGrange, NC	\$31,075.00
Baxley Corporation, LLC Raleigh, NC	\$67,550.00
Eastern Earthscapes & Construction, LLC Stantonsburg, NC	\$78,420.50

The City's 10% required match will result in a cost of \$3,107.50 upon award and implementation of this final project and will close out the scope of this Grant Agreement. The bid for this project has been reviewed by the Engineering Department, checked for accuracy, and found to be in order. The City Finance Director secured our local match for this project within the current fiscal budget.

Councilmember Williams made a motion to adopt a resolution authorizing the Mayor and City Clerk to execute a contract with Dudley's Fence Company of LaGrange, NC in the amount of \$31,075 for Union Station Fence Installation Project which will complete the scope and close-out the City of Goldsboro/NCDOT/FHWA Enhancement Grant. Councilmember Foster seconded the motion. Councilmember Williams and Foster voted in favor of the motion. Mayor Allen, Mayor Pro Tem Ham, Councilmembers Broadaway, Stevens and Aycock voted against the motion. Mayor Allen stated the motion failed with a 2:5 vote.

City Manager's Report. Mr. Stevens thanked Chief Whaley who retired at the end of November with 35 years of service. He also thanked Mr. Jimmy Rowe, Planning Director who will be retiring at the end of December with 38 years of service.

City Attorney's Report. No report.

Mayor and Councilmembers' Reports and Recommendations.

Councilmember Williams stated he would like our citizens to reach out to the City Manager, the City Council, and Community Affairs, because we need summer jobs for these kids; 60 jobs is not adequate. We had over 300 kids come out last year. If we want to stop this violence we need to take these kids, create some jobs and let them be around mentors. I am going to continue to talk about it. You have to put pressure on us. I am tired of all these funerals and you should be too.

Councilmember Broadaway thanked the Chamber of Commerce for a great job on the Christmas Parade. I could not believe how many people were there on a cold, rainy day.

Councilmember Stevens expressed condolences to Mr. Jack Thomas' family. He stated he would also like to echo the comments of Councilmember Williams regarding

the Summer Youth Employment Initiative. Enough is enough with the young people dying, let's work with MPI, Mr. Harvey and other organizations for transitional housing and help people move forward. He encouraged everyone to work together.

Councilmember Ham echoed the comments of Councilmember Broadaway on the Christmas Parade. I've noticed each year the parade gets bigger and people are coming out even in adverse conditions. We also had a number of volunteers who helped make it successful including our Police Department. I commend all those who came out, those who participated and the volunteers.

Councilmember Foster stated he would like to make a motion that the Mayor is only able to vote to break a tie. He stated under current management, we have a city manager, council and staff; in most cities mayors do not vote unless it is a tie breaker. I feel like right now his influence is too much, we have talked about this and he has said sometimes he wished he didn't have to vote. I think he will agree because that is what he told me.

Mayor Allen stated no, I said it would be easier on me if I didn't have to vote.

Councilmember Williams seconded the motion.

Council discussed what current ordinance states. Mr. Womble stated we would need to research, if it is a part of the Charter, it may require a local act. Councilmember Aycock stated he would vote against the motion as he felt the city attorney needed to have time to review.

Councilmember Foster amended his motion to delay for two weeks to allow time for the city attorney to research and discuss at the work session. Councilmember Williams seconded the motion. Mayor Pro Tem Ham, Councilmembers Williams, Foster and Aycock voted in favor of the motion. Mayor Allen, Councilmembers Broadaway and Stevens voted against the motion. Mayor Allen stated the motion passed 4:3.

Councilmember Aycock stated no comment.

Mayor Allen stated we did have a great Christmas parade, the Chamber put a lot of effort into the parade; the Police and Fire Department and the Base had volunteers. We had some really good participants and citizen turnout. He encouraged everyone to come out to the State of the Community on December 12, 2017 at 4:00 pm at the Goldsboro Event Center. He encouraged everyone to shop local for the Christmas season and to reach out to those in need.

There being no further business, the meeting adjourned at 7:43 p.m.

Chuck Allen
Mayor

Melissa Corser, MMC/NCCMC
City Clerk