

MINUTES OF THE MEETING OF THE CITY COUNCIL HELD
MARCH 2, 2020

WORK SESSION

The Mayor and City Council of the City of Goldsboro, North Carolina, met in a Work Session in the Large Conference Room, City Hall Addition, 200 North Center Street, at 5:00 p.m. on March 2, 2020 with attendance as follows:

Present:

Mayor Chuck Allen, Presiding
Mayor Pro Tem Bill Broadaway
Councilmember Antonio Williams
Councilmember Brandi Matthews
Councilmember David Ham
Councilmember Gene Aycock
Ron Lawrence, Attorney
Tim Salmon, City Manager
Laura Getz, Deputy City Clerk
Octavius Murphy, Assistant to the City Manager
Jennifer Collins, Planning Director
Scott Williams, IT Director
Felicia Brown, Interim P&R Director
Mike Wagner, Public Utilities Director
Rick Fletcher, Public Works Director
Joseph Dixon, Fire Chief
Erin Fonseca, Interim Director
Scott Satterfield, Business & Property Development Specialist
Catherine Gwynn, Finance Director
Shycole Simpson-Carter, Community Relations Director
Adam Twiss, Paramount Theatre & Event Center Director
Bernadette Dove, Human Resources Director
LeAnn Rabun,
Keyon Carter, Citizen
Lonnie Casey, Citizen
Bobby Mathis, Citizen
Della Mathis, Citizen
Carl Martin, Citizen
D.R. Halliday, Citizen
Levone Covington, Citizen
Yvonna Moore, Citizen
Patricia Polack, Citizen
Kelvin Stallings, Citizen
Sylvia Barnes, Citizen
Sharon Matthews, Citizen
Alicia Pierce, Citizen (arrived at 5:15 p.m.)

Absent: Councilmember Taj Polack

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

Adoption of the Agenda. Mayor Pro Tem Broadaway made a motion to adopt the agenda. Councilmember Aycock requested to amend the agenda to remove Item a: Summer Youth Employment Program Discussion from the work session, seconded by Councilmember Williams. City Manager Tim Salmon requested adding an amendment to the TC Coley Lease to the agenda. Mayor Allen made a motion to add the lease, Councilmember Williams seconded the motion and unanimously carried, Council approved the agenda as amended.

TC Coley Lease Agreement. Tim Salmon shared a request from Steve Ashford to add the location of the office space with window that looks into gymnasium and open storage area in gymnasium to the existing lease that Council approved on February 3, 2020. Council unanimously approved the revision.

Consent Agenda Review. Each item on the Consent Agenda was reviewed.

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

Council came out of Closed Session.

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

CITY COUNCIL MEETING

The Mayor and 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 March 2, 2020 with attendance as follows:

Present: Mayor Chuck Allen, Presiding
Mayor Pro Tem Bill Broadway
Councilmember Antonio Williams
Councilmember Brandi Matthews
Councilmember David Ham
Councilmember Gene Aycock

Absent: Councilmember Taj Polack

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

Apostle Walter Barbour with Victory Faith Church provided the invocation. The Pledge of Allegiance followed.

Approval of Minutes. Councilmember Aycock made a motion to approve the Minutes of the Work Session and Regular Meeting of January 21, 2020 and the Minutes of the Work Session and Regular Meeting of February 3, 2020 as submitted. Mayor Allen, Mayor Pro Tem Broadway, Councilmembers Ham and Aycock voted in favor of the motion. Councilmembers Williams and Matthews voted against the motion. The motion passed 4:2.

U.S. Census Bureau Presentation (Allisa Shepard, Partnership Specialist). Ms. Shepard shared information and a presentation on the U.S. Census. The goal of Census 2020 is to count everyone once, only once and in the right place. EVERYONE COUNTS!

Mayor Allen shared that he would like her to speak to our Public Information Officer about sharing the information on Facebook and social media. Ms. Shepard shared they have a working group to spread the message. Councilmember Williams asked about the requirements for a job with the census.

Public Hearing to Consider an Incentive Grant Agreement with Atlantic Casualty Insurance Company and Wayne County. Resolution Adopted. Atlantic Casualty Insurance Company desires to construct a new facility, install certain machinery and equipment and up fit its existing facility located in Goldsboro. The City Council of Goldsboro believes that the location of new industries and the expansion of existing industries is vital to the economic health of Goldsboro and to the welfare of its citizens. The City Council wishes to encourage such development by means of offering incentives to recruit new industries and to aid in expansion of existing industries. Such incentives are predicated on the notion of expanding Goldsboro's tax base and providing additional jobs for Goldsboro citizens that pay wages higher than the current prevailing average hourly wage in the particular industry.

The company is expected to create at least 83 new jobs at this facility on or before December 31, 2025.

Pursuant to NC General Statute 158-7.1, a public hearing is being held on a proposal to provide economic incentives to Atlantic Casualty Insurance Company totaling \$440,000 over an eleven-

year period based on an incentive agreement with an \$11,830,000 capital investment and the creation of at least 83 jobs.

Following the public hearing and depending on comments received, staff recommends Council consider adopting a Resolution authorizing the Mayor and City Clerk to execute the economic grant agreement with Atlantic Casualty Insurance Company.

Mayor Allen opened the Public Hearing and no one spoke.

Councilmember Ham made a motion to recommend the adoption of the resolution to approve. The motion was unanimously carried.

At the meeting on March 16, 2020, City Attorney Ron Lawrence informed Council that seconds were needed for the motions at the March 2, 2020 meeting. Councilmember Aycock made a motion to ratify the votes at the last meeting, the motion was seconded by Councilmember Williams and unanimously approved.

RESOLUTION 2020-13 “AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ECONOMIC GRANT AGREEMENT WITH ATLANTIC CASUALTY INSURANCE COMPANY”

Public Comment Period. Mayor Allen opened the public comment period. The following person spoke:

- Sharon Matthews shared concerns about negative comments on Facebook made by Team Goldsboro.

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

Consent Agenda - Approved as Recommended. City Manager, Timothy Salmon, presented the Consent Agenda. All items were considered to be routine and could be enacted simultaneously with one motion and a roll call vote. If a Councilmember so requested, any item(s) could be removed from the Consent Agenda and discussed and considered separately. In that event, the remaining item(s) on the Consent Agenda would be acted on with one motion and roll call vote. Mr. Salmon recommended Items, E, F, G, H, I, J, K, L, M and N be approved as recommended by the City Manager and staff. The motion was made by Gene Aycock. A roll call vote resulted in all members voting in favor of the motion. The motion was not seconded at this meeting. *At the meeting on March 16, 2020, City Attorney Ron Lawrence informed Council that seconds were needed for the motions at the March 2, 2020 meeting. Councilmember Aycock made a motion to ratify the votes at the last meeting, the motion was seconded by Councilmember Williams and unanimously approved. The items on the Consent Agenda were as follows:

Change Order No. 1 – 2019 Wastewater Collection System Rehabilitation & Storm Sewer Improvements Project Formal Bid No. 2019-007. Resolution Adopted. On October 7, 2019, the City Council awarded a contract to Herring-Rivenbark for \$886,590 for the 2019 Wastewater Collection System Rehabilitation and Storm Sewer Improvements Project.

Staff requested the contractor, Herring-Rivenbark, provide costs for additional work to remove and replace a deteriorated 8-inch sanitary sewer line located within the City’s 20 ft. utility easement behind properties in the 100 block of North Georgia Avenue between West Walnut Street and West Mulberry Street. Herring-Rivenbark submitted an estimated cost of \$56,000.

This additional work will require the contract completion time to be extended by 30 days. The amended contract completion date for the remaining rehabilitation work is June 16, 2020.

Staff recommends issuing a change order to the current contract with Herring-Rivenbark for the 2019 Wastewater Collection Rehabilitation Project. We have reviewed this change order with the Finance Director and determined that funds are available from the \$961,307 Gold Leaf Foundation Grant funds reimbursement. The amended contract amount is \$942,590.

Staff recommends Council adopt a resolution authorizing the City Manager to execute a change order for \$56,000 with Herring-Rivenbark. Consent Agenda Approval. Motion made by Councilmember Aycock to approve. (6 Ayes) *Votes ratified on March 16, 2020 (Aycock/Williams-7 Ayes)

RESOLUTION 2020-14 “AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER WITH HERRING-RIVENBARK FOR 2019 WASTEWATER COLLECTION SYSTEM REHABILITATION & STORM SEWER IMPROVEMENTS PROJECT – FB #2019-007”

McKim & Creed, Inc. Engineering Services Agreement for Phase IV Sewer Collection System Rehabilitation – Contract Addendum No. 2. Resolution Adopted. The City of Goldsboro entered into an engineering agreement with McKim and Creed on July 17, 2017 for Phase IV of the phased sewer rehab program to complete rehabilitation design, bid, and award assistance.

The Phase IV Sanitary Sewer Rehabilitation Project is currently under construction. The City of Goldsboro has requested additional sanitary sewer mains, laterals, and manholes within the existing collection basins that were previously not called for rehabilitation or replacement be evaluated and replaced or rehabilitated as needed. Preliminary evaluation and recommended replacement or rehabilitation methods will be conducted by the Contractor. The scope of services included in Addendum No. 2 extends limited construction phase and post-construction services, in addition to conducting an easement survey and performing additional permitting negotiations during the original construction period, as detailed below:

Task/Fee Schedule:

Additional Limited Construction	
Administration Services	\$ 34,100
Additional Limited Post-Construction Services	\$ 4,900
Easement Surveying and Mapping	\$ 9,200
Additional Engineering, Permitting, and Construction Services	\$ <u>11,300</u>
Task Total	\$ 59,500

We have reviewed the financing of this project with the Finance Director and determined that sufficient funds are available in Clean Water Management Trust Fund Loan Proceeds.

Staff recommends Council adopt a resolution authorizing the City Manager to execute Contract Addendum No. 2 with McKim and Creed, Inc. in the amount of \$59,500. Consent Agenda Approval. Motion made by Councilmember Aycock to approve. (6 Ayes) *Votes ratified on March 16, 2020 (Aycock/Williams-7 Ayes)

RESOLUTION 2020-15 “RESOLUTION AUTHORIZING EXECUTION OF CONTRACT ADDENDUM NO. 2 FOR PROFESSIONAL ENGINEERING SERVICES AGREEMENT BETWEEN THE CITY OF GOLDSBORO AND MCKIM & CREED, INC. FOR PHASE IV SEWER COLLECTION SYSTEM REHABILITATION”

Rebuild NC Buyout Program – Goldsboro Cooperative Agreement. Approved. Approval and authorization to execute Rebuild NC Buyout Program Cooperative Agreement between the City of Goldsboro and North Carolina Office of Recovery and Resiliency (NCORR).

Local floodplains are meant to flood during heavy rains. This is a natural occurrence to slowing down water to reduce damage caused by raging rivers. Floodplains also filter storm water pollutants by temporarily storing flood water. However, many communities including Goldsboro, have developments within the floodplain.

Mitigation activity where vulnerable properties within the floodplain are purchased, demolished, and the resultant parcels have a deed restriction put in place that limits future development — is one of the most cost-effective ways to reduce long-term flood damage and create many other community benefits. North Carolina Office of Recovery and Resiliency (NCORR) has been allocated \$25 million from Hurricane Matthew by U.S. Department of Housing and Urban

Development (HUD) to focus on buyout zones in counties, such as Wayne County, that are designated as Hurricane Matthew's most impacted and distressed communities.

NCORR has expressed an interest in utilizing these federal funds provided by HUD through its' Rebuild NC Buyout Program to purchase properties that are prone to repeated flooding from hurricanes and other rain events within two zones in the southern and western areas of the City. No local funds will be required of the City. The City will be required through execution of a cooperative agreement to expressly commit to accept ownership of the properties bought by the program and the responsibility for ongoing maintenance costs for any purchased properties.

ReBuild NC Buyout Program is completely voluntary for eligible property owners to participate in and purchased properties will be demolished and cleared, and permanently maintained as green spaces. The buyout awards will be based on the pre-storm fair market value of an applicant's property minus any duplication of benefits, and additional incentives are available to eligible applicants who relocate to an area of lesser flood risk within their county or another area within North Carolina.

Staff recommends Council approve the Rebuild NC Buyout Program Cooperative Agreement between the City of Goldsboro and North Carolina Office of Recovery and Resiliency (NCORR) and authorizing the City Manager and City Clerk to execute said Agreement on behalf of the City. Consent Agenda Approval. Motion made by Councilmember Aycock to approve. (6 Ayes)
**Votes ratified on March 16, 2020 (Aycock/ Williams-7 Ayes)*

Z-1-20 Discount Tire of Goldsboro – East side of N. Berkeley Boulevard between Langston Drive and Ridgecrest Drive. Ordinance Approved. The applicant requests to amend the existing General Business Conditional District (GBCD) zoning district for the operation of a tire retail center in conjunction with auto repair and service.

The requested zoning is associated with three private individual lots described as follows:

- Lot 1: 700 N. Berkeley Boulevard
 - Frontage: 100 ft. (N. Berkeley Boulevard)
 - 185 ft. (Langston Drive)
 - Area: 18,241 sq. ft., or 0.41 acres
- Lot 2: 702 N. Berkeley Boulevard
 - Frontage: 100 ft. (N. Berkeley Boulevard)
 - Area: 18,692 sq. ft., or 0.42 acres
- Lot 3: 704 N. Berkeley Boulevard
 - Frontage: 100 ft. (N. Berkeley Boulevard)
 - Area: 18,640 sq. ft., or 0.42 acres

Surrounding Zoning:

- North: Shopping Center (SC);
- South: Residential (R-16);
- East: Office and Institutional (O&I-CD); and
- West: Office and Institutional (O&I-CD)

Existing Use: Each lot is occupied by an existing single-family dwelling.

As previously stated, the applicant is requesting a zoning change to amend the existing General Business Conditional District (GBCD) zoning district for the operation of a tire retail center in conjunction with auto repair and service.

On March 6, 2017, Council approved a rezoning for the subject properties, from O&I-1 (Office and Institutional) and R-16 (Residential) to GBCD (General Business Conditional District). At that time, the use for the property allowed for the construction of a "multi-tenant commercial center" with separate approval required for site development plans. Development of the property never commenced.

On May 7, 2018, Council denied a rezoning to allow the addition of a car wash operation as an allowable use within the General Business Conditional District zone.

Now, in addition to the request for a zoning amendment, the applicant has submitted a site plan that indicates the recombination of all three private lots into one lot for commercial development. Building and Lot: The submitted site plan shows a proposed 8,192 sq. ft. oriented to face Berkeley Boulevard with full driveway access from Langston Drive and a right-end, right-out only from N. Berkeley Boulevard. Approval of the Berkeley Boulevard access will be required from NCDOT. Driveway permits must be obtained prior to construction.

Hours of operation are being proposed as Monday thru Friday 8:00 a.m. to 5:00 p.m. and Saturdays from 8:00 a.m. to 5:00 p.m. 15 employees are expected to be associated with the operation on a daily basis.

The proposed 3-bay tire retail, auto and service center requires 1 space per working bay, plus 1 space per employee and 1 space per 200 sq. ft. of retail area. A total of 40 parking spaces have been provided and only 25 are required.

A loading space for the delivery of goods has been provided along the northern exterior wall of the facility measuring 18 ft. wide by 60 ft. in length. Applicant has been informed that in no case shall a loading space be arranged or located in any way so that it is necessary to use the public right of way for maneuvering space for any purpose that may restrict the free movement of vehicles or persons in such right of way.

Interconnectivity has not been shown on the site plan. The applicant is requesting a modification of this requirement due to existing site conditions and limited parking provisions in the adjacent property north of the subject property and located at the corner of N. Berkeley and Ridgecrest Drive.

The submitted site plan indicates a 10 ft. Type A Landscape buffer along the northern property line. A 20 ft. Type C buffer is required along the eastern property line adjacent to residentially developed property.

Street trees will be required along Langston Drive and N. Berkeley Boulevard. Vehicular surface buffers will be required.

City staff is working with applicant to ensure that landscape plantings are approved in accordance with the City's landscape ordinance.

Sidewalks will be required along N. Berkeley Boulevard and Langston Drive. Five (5) ft. wide interior sidewalks have been provided from the parking lot to the building entrances through handicap accessible walkways and ramps.

A commercial lighting plan will be required in accordance with the City's commercial lighting code since the proposed development is located adjacent to residentially developed property.

Proposed building elevations have been submitted. The exterior of the structure will consist of an anodized aluminum storefront, split-faced CMUs, brick-veneer, EIFS (stucco), metal copings and steel doors. Staff is working with applicant to ensure that roof top appliances and HVAC equipment are properly screened from off-site views.

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

Grading and drainage plans have not been submitted. City Engineering will require grading and drainage plans to be compliant with City regulations before construction permits are issued.

A dual commercial garbage dumpster has been shown adjacent to the southeast corner of the property. The coral will be built to City standards and properly screened from public view.

The City's Comprehensive Land Use Plan recommends commercial development for the properties.

As previously stated, a modification of interconnectivity is requested due to existing site conditions and limited parking provisions in the adjacent property located north of the subject property at the corner of N. Berkeley and Ridgecrest Drive.

At the public hearing held on February 18, 2020, two people came forward to speak in favor and no one spoke against the request.

The Planning Commission, at their meeting held on February 24, 2020, recommended approval of the amended change of zone request from General Business Conditional District (GB CD) to General Business Conditional District (GB CD) to allow the operation of a tire retail center in conjunction with auto repair and service.

Staff recommends Council accept the recommendation of the Planning Commission and

1. Finding the request consistent with the City's adopted Comprehensive Land Use Plan and;
2. Adopt an Ordinance changing the zoning for the property from General Business Conditional District (GB CD) to allow the operation of a tire retail center in conjunction with auto repair and service.
3. Grant a modification of interconnectivity due to existing site conditions and limited parking provisions in the adjacent property located north of the subject property at the corner of N. Berkeley and Ridgecrest Drive. Consent Agenda Approval. Motion made by Councilmember Aycock to approve. (6 Ayes) **Votes ratified on March 16, 2020 (Aycock/Williams-7 Ayes)*

ORDINANCE NO. 2020-5 "AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF GOLDSBORO, NORTH CAROLINA CODE OF ORDINANCES"

S-1-20 Wayne Dental Center (Amendment of Preliminary Subdivision Plat and Site Plan Modification S-5-85). Approved. The property is located on the southeast corner of Wayne Memorial Drive and Lockhaven Drive. Subject property is identified as building and lot #7 of the Wayne Dental Center.

On February 20, 1989, Wayne Dental Center converted the existing medical office complex into a condominium office development (PUD) where each individual unit was sold for use as offices.

The following modifications were approved by City Council:

1. Modification of the minimum 5 acre lot area requirement to 2.28 acres
2. Modification of the minimum open space requirement from 2 acres to 0.467 acres
3. Modification of the exterior sidewalk requirement along Lockhaven Dr.

In 2018, applicant obtained a commercial building permit for interior renovations to the existing owner-occupied dental office facility. In addition, City Council approved a building setback modification from 25 ft. to 20 ft. for the construction of a 122 sq. ft. enclosed exterior staircase addition to be located at the rear of the facility.

Applicant intended to provide access to a proposed second floor attic to office renovation totaling 350 sq. ft. However, the exterior staircase addition and upstairs renovation never commenced.

The applicant states that the proposed outside staircase for access to the second floor is not practical or cost effective. In addition, applicant believes that the additional office space would be more advantageous on the first floor for accessibility and office efficiency.

Now, the applicant has decided that in lieu of the 20 ft. building setback modification originally requested and approved by Council in 2018, an additional 5 ft. is needed for a proposed first floor 488 sq. ft. building addition to the rear of her dental office facility.

According to the City's Planned Unit Development (PUD) Design Standards, a minimum distance of 25 ft. shall extend around the entire PUD development. The applicant's proposed building addition would be approximately 15 ft. from the southern property line. A building setback modification from 25 ft. to 15 ft. is necessary.

No changes to parking or landscaping are required for the building addition.

The Planning Commission, at their meeting held on February 24, 2020, recommended approval of the amendment of the Preliminary Subdivision Plat and Site Plan Modification S-5-85 with a building setback modification from 25 feet to 15 feet for a building addition.

It was recommended, Council accept the recommendation of the Planning Commission and approve the Amendment of the Preliminary Subdivision Plat with the following modification:

1. Modification of the building setback from 25 feet to 15 feet. Consent Agenda Approval. Motion made by Councilmember Aycock to approve. (6 Ayes) *Votes ratified on March 16, 2020 (Aycock/ Williams-7 Ayes)

S-2-20 Lanetree Townhomes (PUD) – Preliminary Subdivision Plat (S-11-99). The property is located on the west side Salem Church Road between Buck Swamp Road and the Little River. Approved. A preliminary subdivision plat, landscape plan and covenants were approved for this Planned Unit Development with a modification of the City's curb and gutter and sidewalk requirement on May 5, 2003.

The City's Unified Development Ordinance states that preliminary plat approval will remain valid for a two-year period from the date of approval. As a result, the applicant has submitted a revised preliminary plat which reflects new changes implemented by the owner.

Previous Preliminary Plat
Total Area: 59.556 acres
Totals Lots: 77
Zoning: Residential (R-12) and WSP

In an effort to enhance the sale of lots within this subdivision, several larger lots have been created along Masters' Way which has reduced the total number of lots within this subdivision from 77 to 73.

Current Preliminary Plat
Total Area: 59.556 acres
Totals Lots: 73
Zoning: Residential (R-12) and WSP

All streets within this subdivision (Titleist Drive, Palmer Drive, Masters Way and Duval Drive) have been constructed and are privately maintained by the owner. In addition, all water and sewer lines necessary to serve this subdivision have been installed and accepted by the City.

The subject property is located in a Watershed Protection area. As such, the maximum built-upon area is 14.27%.

The majority of the lots within the subdivision are located within the 100-year flood hazard area according to the City's 2018 flood maps. However, on December 2, 2005 a request was approved per FEMA for lots 21 through 77 removing them from the special flood hazard area which is still effective today.

Final subdivision plats have been approved and recorded for the following sections of Lanetree Townhomes;

Section One: Lots 10 - 20
Section Two: Lots 21 – 33
Section Three: Lots 34 – 39
Section Four: Lot 47

No final subdivision plats have been approved for the remaining lots within Lanetree Townhomes.

The applicant is requesting a modification of curb and gutter and sidewalk requirements for the revised PUD (Planned Unit Development).

The Planning Commission, at their meeting held on February 24, 2020, recommended approval of the 31-lot preliminary subdivision plat with a modification of the curb and gutter sidewalk requirements.

It was recommended, Council accept the recommendation of the Planning Commission and approve the 31-Lot Preliminary Subdivision Plat with the following modification:

- Modification of the curb, gutter and sidewalk installation. Consent Agenda Approval. Motion made by Councilmember Aycock to approve. (6 Ayes) **Votes ratified on March 16, 2020 (Aycock/ Williams-7 Ayes)*

SITE-1-20-Chick-Fil-A (Site Improvements, Building Addition and Parking Modification). Approved. Subject property is located on the north side of Berkeley Boulevard between Parkway Drive and Hill Drive Circle.

1201 N. Berkeley Boulevard
Frontage: 175 ft.
Depth: + 214.5 ft.
Area: 42,583 sq. ft. or 0.97 acres
Zoning: Shopping Center (SC)

The property is currently occupied by a Chick-Fil-A fast-food restaurant. Site plan approval was granted by City Council in July of 2005.

The applicant is proposing to construct a building addition at the rear of the existing restaurant for a cooler and storage space. In addition, the applicant is proposing to delete a total of 12 parking spaces in order to construct two (2) new drive thru aisles, two (2) new menu-order boards and two (2) new canopies for customers of the business.

The submitted site plan indicates an existing single-story, 4,272 sq. ft. building of metal-framed construction with a proposed building addition of 394 sq. ft., two (2) drive-through aisles, two (2) menu-order boards and two (2) canopies totaling 1,836 sq. ft.

A 24ft. x 54 ft. canopy addition is proposed over two drive-thru aisles and providing cover for 12 vehicles; another 60ft. x 9ft. canopy addition is proposed over the pick-up window providing cover for 4 vehicles. A total stacking layout has been identified on the submitted site plan for 25 vehicles.

Hours of Operation: Monday-Saturday 6am-10pm
Employees: 18

The site is served by two existing 24 ft. wide curb cuts from a private access drive off N. Berkeley Boulevard leading to the rear of the Berkeley Commons Shopping Center. Parking: As previously stated, the site plan was initially approved by City Council in 2005. A total of 53 parking spaces were provided and required based on 1 space per 3 seats plus 1 space per employee.

Now, the applicant has proposed the deletion of 12 vehicle spaces from the existing parking lot in order to construct two (2) new drive thru aisles to provide for increased customer drive-thru services, improved traffic circulation and pedestrian safety. 7 spaces will be deleted along the western side of the existing facility, 2 will be deleted alongside the access drive adjacent to the commercial dumpsters and 2 will be deleted from the southeast corner of the parking lot. A modification from 52 to 40 parking spaces will be required.

The owner has provided City staff with a copy of an existing shared parking agreement between owners of the Berkeley Commons Shopping Center and Chick-Fil-A restaurant executed in July of 2005. According to the agreement, 30 parking spaces have been dedicated and identified for

employees of the Chick-Fil-A restaurant within designated areas of the shopping center parking lot.

No other changes to the site are proposed or required.

The applicant is requesting a modification of the City parking requirement of 1 parking space per 3 seats plus 1 space per employee. (Modification from 52 to 40 parking spaces)

The Planning Commission, at their meeting held on February 24, 2020, recommended approval of the Site and Landscaping Plan with modification of the City parking requirement of 1 parking space per 3 seats plus 1 space per employee. (Modification from 52 to 40 parking spaces)

Staff recommends Council accept the recommendation of the Planning Commission and approve the Site and Landscape Plan with the following modification:

1. Modification of the City parking requirement from 52 parking spaces to 40 parking spaces. Consent Agenda Approval. Motion made by Councilmember Aycock to approve. (6 Ayes) *Votes ratified on March 16, 2020 (Aycock/ Williams-7 Ayes)

SITE-3-20 Site and Landscape Plan – Randy Gray (Retail Sales). 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 and December 4, 2017, City Council approved conditional use permits for the operation of two used car sales establishments. In conjunction with these permits, separate site and landscape plans were also approved.

Approval for both used car lots 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 by Council.

The owner of the property is in the process of selling the entire site 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 and appropriate landscaping was installed.

Now, the applicant wishes to operate a gift shop specializing in the sale of hemp products and utilize the same site and landscape plan, previously approved for the two used car lots.

Parking for retail sales, small non-durable goods, is based on 1 space per 250 sq. ft. of gross floor space of the facility. 6 spaces are required. 21 parking spaces have been provided to include 1 handicap accessible parking space.

According to the City's current UDO, the proposed development is not an intensification of use and the location is not recommended for sidewalks in accordance with the City's Recommended Pedestrian Facilities plan. As such, sidewalks are not required.

No other changes to the parking or landscaping are proposed.

The Planning Commission, at their meeting held on February 24, 2020, recommended approval of the Site and Landscape plan with the previously approved modification.

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

1. Modification of street tree and vehicular surface buffer requirement to allow existing plant material to serve in those capacities. Consent Agenda Approval. Motion made by Councilmember Aycock to approve. (6 Ayes) **Votes ratified on March 16, 2020 (Aycock/ Williams-7 Ayes)*

Setting Public Hearing Non-contiguous Annexation Request – Renu Life Extended, Inc. (Located on the northeast side of Windsor Creek Parkway between Wilshire Way and Wayne Memorial Drive) approximately 4.52 Acres. Public Hearing Scheduled. The City Council, at their meeting on February 17, 2020, requested that the City Clerk examine the subject annexation petition for sufficiency. The City Clerk has completed the examination and has determined that the petition is sufficient. Sufficiency indicates that property is described accurately within 1:10,000 feet and that all property owners have signed the petition.

Pursuant to G. S. 160A-58.2, Council shall fix a date for public hearing on the annexation if the petition is considered sufficient by the City Clerk.

The attached Notice of Public Hearing would schedule April 20, 2020 as the date for the public hearing. A report prepared by the Planning Department, in conjunction with other City departments, will be submitted to the Council on that date.

Staff recommends Council schedule a public hearing for the proposed annexation of Renu Life Extended, Inc. property for April 20, 2020. Consent Agenda Approval. Motion made by Councilmember Aycock to approve. (6 Ayes) **Votes ratified on March 16, 2020 (Aycock/ Williams-7 Ayes)*

Agreement between the City of Goldsboro and the North Carolina Department of Transportation for Construction of Sidewalks. Resolution Adopted. The North Carolina Department of Transportation has plans to make certain street and highway constructions and improvements within the City under Project U-5724 which is the realignment of Central Heights Road at Berkeley Boulevard. The project will align Central Heights Road with Royall Avenue at Berkeley Boulevard by relocating Central Heights Road from south of the railroad to north of the railroad.

The project will include the extension of Fallin Boulevard at Berkeley Boulevard to Central Heights Road and the realignment and extension of Oak Forest Road over Norfolk Southern Railroad to Central Heights Road. The project will also include the widening of Oak Forest Road to Gateway Drive.

At the request of the City and in accordance with the NCDOT's Pedestrian Policy Guidelines, NCDOT shall include provisions in its construction contract for the construction of sidewalk betterment on or along the following areas:

- The north side of Royall Ave from North Park Drive to Berkeley Boulevard;
- The north side of Central Heights Road from Berkeley Boulevard to Fallin Boulevard;
- Both sides of Fallin Boulevard from Berkeley Boulevard to Central Heights Road; and
- Both sides of Oak Forest Road from Central Heights Road to Gateway Drive.

NCDOT is responsible for preparation of plans, environmental permits, acquiring of right-of-way and construction of the sidewalks. The City is responsible for any relocation and adjustment of City-owned utilities in conflict with the project and upon completion of the project, the City will assume all maintenance responsibilities for the sidewalk betterments and maintenance responsibilities for Fallin Boulevard.

The City shall participate in the Betterment costs of the project at a cost share of 30% and the NCDOT shall participate in 70% of the actual cost of the sidewalk betterments. The estimated cost of the sidewalk is \$229,250 and the estimated cost to the City is \$68,775.

Sidewalk: 6,630 SY @ \$34.58 SY
Cost Share: 30%

Total Cost: \$68,775

Upon completion of the Project, NCDOT will invoice the City for their share of the actual costs of the Betterments. The project let date is estimated for June 26, 2020 with a completion date in FY 2023. Funds will be appropriated during FY 2023 budget.

Staff recommends Council adopt the attached Resolution authorizing the Mayor and City Clerk to execute an Agreement with the North Carolina Department of Transportation for construction of sidewalks and maintenance of Fallin Boulevard within the City under Project U-5724 which is the realignment of Central Heights Road at Berkeley Boulevard. Consent Agenda Approval. Motion made by Councilmember Aycock to approve. (6 Ayes) **Votes ratified on March 16, 2020 (Aycock/ Williams-7 Ayes)*

RESOLUTION NO. 2020-16 “AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF SIDEWALKS AND MAINTENANCE OF FALLIN BOULEVARD WITHIN THE CITY UNDER PROJECT U-5724 REALIGNMENT OF CENTRAL HEIGHTS ROAD AT BERKELEY BOULEVARD”

City Manager’s Report. Mr. Timothy Salmon shared the Council Retreat is on Facebook and YouTube. He thanked the UNC School of Government, the Cities of Durham and Chapel Hill for their presentations along with the city department heads and directors.

Mayor Allen thanked city staff for putting the retreat together.

Mayor and Councilmembers’ Reports and Recommendations. Mayor Allen and Mayor Pro Tem Broadaway read the following Proclamations:

Proclamation - Developmental Disability Awareness Month. Mayor Allen proclaimed March 2020 Developmental Disabilities Awareness Month and galvanize efforts that will lead our communities and policy makers to create real system changes so people with developmental disabilities will enjoy equitable, inclusive lives.

Proclamation – North Carolina 811 Safe Digging Month. Mayor Allen proclaimed the month of April 2020 North Carolina 811 Safe Digging Month and encourages all excavators and homeowners to contact 8-1-1 either by dialing 8-1-1 or contacting NC811 via the webpage of NC811.org at least three working days prior to digging in order to “Know What’s Below,” avoid injury, protect the environment, prevent millions of dollars in damages and to remind excavators that three working days’ notice is the law, for safe digging is no accident, and that more information may be obtained by visiting www.nc811.org.

Councilmember Aycock stated no comment.

Councilmember Ham stated no comment.

Councilmember Matthews stated she wanted to encourage everybody to go vote tomorrow. Tomorrow is a big day for a lot of reasons. I want to speak to some situations that have been happening. It truly saddens me to see so many people talk about unifying and becoming one unified front as in Goldsboro and it seems those people only want to unify with those people who think like them, act like them, maybe even share some of the same religious background and beliefs and in most cases only those people that look like them. It is so limiting when we do that because our differences is what makes all of us so special and Goldsboro is made up of so many different pieces that are unheard and are unseen. Unity, diversity and inclusion is long overdue in our area. I also encourage people to come from behind your computer screens, your cell phones and maybe even your falsified identities and be open to have conversations with people who are different than you. Or, do we continue to just hate, do we continue to roll our eyes and make assumptions, and falsify pictures or rally up groups or teams that gang up on each other. Do we continue to dislike it and in some cases just simply hate one another. Or are you willing to do your part and do what it takes to create the Goldsboro we all say that we want. That shoe fits all of us. Are you truly willing to do your part? Are you truly willing to be a part of that solution? And to those that stand by and say nothing and do nothing, we need you. There is a level of accountability that is lacking because people will not speak up

and speak out and against all the injustices against everyone not just those of a certain group or a certain person. I have said it a thousand times and I will say it a thousand times over, we all matter, we all play a part here. This is our Goldsboro. I sit here proudly as an elected official and as a citizen of Goldsboro saying, I will continue to do my part. Will you? Thank you for being here, go vote.

Mayor Pro Tem Broadaway stated no comment.

Councilmember Williams stated he wanted to follow up on the city manager and talk about the retreat. We discussed summer youth employment which is vital for the kids here to keep them out of trouble. We also discussed Rails to Trails. Rails to Trails is happening all over the United States, where they have taken areas that have been abandoned with railroad tracks and they are turning them into greenways and to small parks. North End has a whole lot of them on Center Street and I've been advocating for several years that we try to do something on that side of town. We discussed that and it is in the hands of our council at this point. I pray that we go forward. It will help those communities, it will help property values and it will draw people in those neighborhoods that wouldn't normally go those neighborhoods. We also got into the topic of citizens first amendment rights. I am glad that we had attorney there that stated no we cannot do anything to infringe upon citizens public comment period. That would have been something that would seriously damage this community. I am glad that we didn't go in that direction. Also, I was pleased as I go around Goldsboro that we have more bus shelters. That is something we definitely need for people that don't have cars. We are seeing more of those going up in the neighborhood and I am proud to see that. HV Brown Park, I am starting to see the construction of the bathrooms and shelters. I am really pleased to see some progress happening here. Go out and vote. I don't want to forget Brother Rasheed, he is here, he is an individual that doesn't like trash, he leaves his information here. Please put your trash in receptacles for Mr. Rasheed. I think that our mayor loves cleanliness too so what I propose is we get more trash receptacles around Goldsboro. That would help tremendously and maybe some employment. We could get more kids involved. Some people don't think our children should be picking up trash but when I was a kid, I did whatever I could to make a dollar legally. Let's try to get the summer youth working this year, let's get more receptacles, more bus shelters. Let's get our community where we can communicate a lot better on the tough topics like Ms. Brandi Matthews stated. There's some tough topics when you're talking about racism. God bless and goodnight. Thank you.

Mayor Allen thanked everyone for coming.

There being no further business, the meeting adjourned at 7:28 p.m.

Chuck Allen
Mayor

Laura Getz, CMC/NCCMC
Deputy City Clerk