

MINUTES OF MEETING OF MAYOR AND CITY COUNCIL HELD  
JUNE 4, 2018

**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 June 4, 2018 with attendance as follows:

Present: Mayor Chuck Allen, Presiding  
Mayor Pro Tem David Ham  
Councilmember Bill Broadaway  
Councilmember Mark Stevens  
Councilmember Bevan Foster  
Councilmember Gene Aycock  
Ron Lawrence, Attorney  
Scott Stevens, City Manager  
Melissa Corser, City Clerk  
Randy Guthrie, Assistant City Manager  
Octavius Murphy, Assistant to the City Manager  
Jennifer Collins, Interim Planning Director  
Kaye Scott, Finance Director  
Kim Dawson, Assistant Finance Director  
Mike West, Police Chief  
Rick Fletcher, Public Works Director  
Chad Edge, Deputy Public Works Director – Operations  
Bernadette Carter-Dove, HR Director  
Mike Wagner, Deputy Public Works Director – Utilities  
Scott Williams, IT Director  
James Farfour, Interim Fire Chief  
Shycole Simpson-Carter, Community Relations Director  
Allen Anderson, Chief Building Inspector  
Marty Anderson, City Engineer  
Craig Foucht, Wayne Community College  
Joey Pitchford, Goldsboro News-Argus  
Ken Conners, News Director-Curtis Media Group East  
Taj Pollack, Citizen  
Bobby Mathis, Citizen  
Della Mathis, Citizen  
Shirley Edwards, Citizen (arrived at 5:02 p.m.)  
Lonnie Casey, Citizen (arrived at 5:20 p.m.)

Absent: Councilmember Antonio Williams

**Call to Order.** The meeting was called to order by Mayor Allen at 5:00 p.m. Mayor Allen shared Councilmember Williams was unable to attend due to a death in the family.

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

**Cemetery Discussion.** Mr. Chad Edge presented the following information:  
Elmwood Cemetery

- Consists of 236 acres
- Currently all available plots are sold out
- Rear portion is challenged with unmarked or undocumented graves
- Subject to flooding during significant storm events (i.e. Hurricane Matthew)
- Front portion undeveloped and reserved for expansion

Elmwood Cemetery Expansion

- Current proposal shown creates 1841 grave plots

- Hurricane Matthew victims buried within Phase 1
- Areas of concern:
  - Drainage of some proposed plots
  - Internal traffic flow
  - Removal of existing trees and shrubs
  - Function and appearance of cemetery grounds
  - Providing strong and fond memories for the users and guests
- A Master Plan would address these concerns and give a unified direction for implementation

#### Elmwood Cemetery Expansion Considerations

- Hire consultant to create/refine conceptual master plan to maximize cemetery use (~\$5-15,000)
- Currently have \$5000 budgeted to survey and record proposed Phase 1
- Sales of lots at our current rate (\$750/space) potentially could generate in excess of \$1.3M for the full expansion

#### Willowdale Cemetery

- Consists of 37 acres
- Currently all available plots are sold out
- Expansion is planned to the west towards John Street
- “Friends of Willowdale” contracted out with LKC Engineering and Landscape Architecture out of Aberdeen, NC for a conceptual master plan.
- Council accepted and adopted conceptual Master Plan April 2016

#### Willowdale Cemetery Expansion

- Incorporates traditional burial along with options for alternative types of burials (Above ground plots, columbarium niches or scatter gardens).
- Conceptual plan provides a gathering place, dedicated parking, and connectivity to existing cemetery.
- Would add approximately 17 acres
- Total proposed plots over 6,000 plots at full build out
- City owns most of the property for full expansion. Four parcels remain to be acquired.

#### Willowdale Cemetery Expansion Considerations

- Phase 1 consists of ~1650 lots and ~90 columbarium niches
- Create site plan/construction plans
- Continue to pursue acquiring parcel
- Explore options to construct Phase 1 without parcel
- With refined plan and good cost estimate move forward with implementation and selling grave sites
- Selling lots at current pricing (\$750/grave), Phase 1 has potential to generate ~\$1.9 M

#### Expansion Discussion

##### Opportunities

- Provides a service to residents
- Continue family heritage of burial in one location
- Sales of lots and burial fees generate new funds
- Master plans can provide new services such as Above Ground Plots, Columbarium Niches or Scatter Gardens
- Opportunity to provide gathering places, dedicated parking, and connectivity to existing cemetery

##### Obstacles

- Up front cost to design and construct expansion
- Acquisition of additional parcels at Willowdale
- Additional Staff will be required for maintenance and burials due to increased acreage and increase number of burials expected

- Perpetual liability as maintenance of cemeteries will eventually offset and overtake any funds generated
- Possible increase in plot and service fees to cover expenses

Single Grave Plot Price Comparison

- Municipalities
  - Goldsboro \$750/\$1500\*
  - Mt. Olive \$800-\$900
  - Wilson \$540-\$1250
  - Kinston \$625-\$935
  - Rocky Mount \$900
  - Greenville \$550/\$750\*
- Privately Owned/Operated
  - Evergreen Cemetery \$995-\$1250
  - Wayne Memorial Cemetery \$2075-\$3600

Mr. Edge also provided a service price comparison between local municipalities including Mt. Olive, Wilson, Kinston, Rocky Mount and Greenville.

Council discussed flooding concerns, piping for drainage and current staff capacity. Mayor Allen stated he would like to see if we expanded the cemetery if current staffing could handle or if additional staffing would be needed. Mr. Edge stated he felt they were at capacity. Mr. Stevens stated if Council were to say go, they would not anticipate needing additional staffing today, but as time and as the cemetery developed Council would likely have to look at adding an additional mower or contracting out.

Councilmember Foster expressed concerns regarding costs and perpetual maintenance.

Mayor Allen recommended Council think about the information presented, talk with citizens and bring back at a future meeting for additional discussion.

**Councilmember Foster – Responsible Demolition in Goldsboro.**

Councilmember Foster stated he had heard the current contractor who handles demolitions had been fined by the state for illegal dumping. He stated he had not been able to verify it and kind of hated to speak on it, but if it they were fined, we need to be responsible and look at other contractors. Councilmember Foster stated it is hearsay and he has a call into the state to try to verify.

Mayor Allen asked if we were just going to put it on hold, table it until he comes back. Councilmember Foster stated yes.

**Sidewalk Discussion.** Ms. Jennifer Collins presented the following information:

MPO Sidewalk Priorities – SPOT 5.0

- Herman Street – Construct sidewalk both sides from Royall Ave to Beech St.
- Berkeley Blvd – Construct sidewalk on east side from Ash St. to Elm St.
- Spence Ave – Construct sidewalk both sides from 70 to Ash St.
- Elm Street – Construct sidewalk both sides from Slocumb to Berkeley Blvd.

Ms. Collins reviewed the Goldsboro MPO Bicycle Plan.

Recent Completed Projects

- Widening of Berkeley Blvd from Royall Ave to New Hope Road included sidewalk @ 70/30 cost share with NCDOT.
- Wayne Memorial Drive – from Royall Ave to Church – \$127,927.00 Bid Amount – Fee-in-lieu Account - Agreement with NCDOT \$50,000 at completion

Near Term Widening Projects

70/30 Cost Share w/ NCDOT

- William Street widening from 70 to Fedelon Trail – 70/30 cost share with NCDOT - \$117,440 with 30% (\$35,232) provided by City
- East Ash Street Extension widening from Berkeley Blvd to 70 to include sidewalk

- Wayne Memorial Drive widening from New Hope Rd to 70 Bypass to include sidewalk

#### Sidewalk Need Examples

##### Cost Estimates

- Grantham Street from George St to Franklin Bakery
  - 830 LF = 461 SY @ \$32.00/SY
  - \$14,755.56
- Wayne Memorial Drive from Church to Hwy 70
  - 1,000 LF = 555.56 SY @ \$32.00/SY
  - \$17,777.78
- Spence Ave from Royall Ave to Mall Road
  - 2,295 LF = 1,275 SY @ \$32.00/SY
  - \$40,800.00

Council discussed various locations in need of sidewalks. Council also discussed the fee in lieu of sidewalks, waiving the fee in lieu versus the need to collect the fee in lieu of sidewalks. Council asked staff to bring maps and sidewalk needs to discuss at the next meeting.

**Recycling Discussion.** Mr. Chad Edge presented the following information:

##### Recycling in Goldsboro

- Began Recycling Program in early 90's
- Started as curb side sorting and collection with recyclables sent to various Material Recovery Facilities (MRF) including Wayne Opportunity
- 2012 began comingling recyclables and carried recyclables to Kemp, a local MRF
- ~2014 Kemp closed business and recyclables were then carried to Pratt Industries of Fayetteville, NC with no tipping fee
- 2015-2017 average of 1139 Tons per year
- \$36,000/ year in landfill tipping fees avoided thru recycling

Mr. Edge shared information on how the world's largest buyer of recycled materials, China, declared last summer that it would no longer import mixed paper and many types of plastic starting Jan. 1. China's policies have created a glut of materials that has depressed prices everywhere. Many people recycle because they see it as a simple way to help the environment by reducing waste and saving energy. For local governments (and taxpayers), recycling is cheaper than paying to bury trash and helps extend the life of landfills that are difficult and expensive to replace. But recycling only works when there is someone willing to buy the materials people put in their bins. The marketplace for recyclables wants material with little to no contamination. Contamination increases the processing costs due to increase manpower to pick out the non-desirables by hand and then dispose of the residue at landfills.

##### What we collect

Accepted Recyclable items:

- Cardboard moving and shipping boxes only
- Paper i.e. newspaper, shredded paper, junk mailers
- Steel cans i.e. soup and vegetable cans
- Aluminum beverage cans
- Plastics i.e. detergent bottles, milk jugs
- Glass: clear, brown and green only

Unaccepted recyclable items:

- Plastic bags i.e. grocery bags, black trash bags, white kitchen bags
- Pizza boxes
- Food boxes/food cartons
- Detergent boxes
- Styrofoam
- Garbage
- Food waste

- Plastic containers that held chemicals or motor oil

#### Current Effects on Goldsboro

- Recyclables were carried to a Materials Recovery Facility in Fayetteville with no tipping fee
- As of last week several loads of recyclables were refused due to contamination
- Due to load refusal have two loads waiting to be sent away
- Price to accept loads with Glass quoted at \$40-\$60/ Ton, upwards of \$100+/ Ton if it has garbage
- A single load may be 10-17 Tons
- Looking at large increase in tipping fees from \$0 to potential \$60K per year for recyclables

#### What are others doing?

- Fremont- Waste Industries-Wilson
- Lagrange- Waste Industries- Deep Run
- Kinston- Waste Industries- Deep Run
- Clinton- Pratt Industries
- Greenville- Eastern Carolina Vocational Center
- Wayne County- Wayne Opportunities
- Tipping fees vary depending on market forces and of Materials Recovery Facility and its ability to move unwanted products with higher penalties to offset negative materials
- NCDEQ Local Government Assistance recommends keeping recycle program in tack
- Some MRF may offer to buy recyclables but material collected is restrictive and must be clean

#### Recommendations

- Continue Recycle program as currently; keep glass, plastics etc.
- Focus on reducing contamination to prevent rejected loads; Obtain assistance from NCDEQ
- Obtain assistance from NCDEQ to better communicate with public and enforce existing rules
- Shop for lower tipping fees; currently recommend Sonoco of Raleigh \$~40/ Ton

Council discussed the costs of recycling. Council agreed to eliminate recycling of glass at this time. Council asked staff to prepare a better brochure to help educate citizens on what is and is not acceptable for recycling. Mayor Allen asked staff to see if Wayne Opportunity Center would be interested in any of the recycling.

**GWTA Appointment.** Mr. Stevens stated current appointees to the GWTA Board are Councilmember Williams, Shycole Simpson-Carter and Bob Waller. The appointments are one year terms, July – June. Council will discuss at the next meeting.

**Consent Agenda Review.** Each item on the Consent Agenda was reviewed. Additional discussion included the following:

**Item J. Zoning Amendment – Multi-Family Development.** Councilmember Aycock had a question regarding restrictive covenants within a subdivision. Mr. Stevens stated he thought the homeowner’s association would be the one to enforce restrictive covenants.

**Item L. Site and Landscape and Building Elevation Plans – Dollar General.** Mayor Allen asked if an easement would be available for connection of the greenway. Ms. Collins stated Dollar General has stated they would be willing to grant an easement for interconnection to the greenway.

Councilmember Foster shared over the past week he has been in touch with the School of Government regarding cities being able to provide funding to schools. New state legislation was approved in the budget, cities may contribute funding to schools. Mayor Allen suggested Councilmember Foster research and make a recommendation to Council.

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

### **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 June 4, 2018 with attendance as follows:

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

Absent: Councilmember Antonio Williams

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

Pastor Andy Stovall with Bridge Church provided the invocation. The Pledge to the Flag followed.

Mayor Allen shared Councilmember Williams is out due to a death in the family.

**Approval of the Minutes.** Upon motion of Councilmember Aycock, seconded by Councilmember Stevens and unanimously carried, Council approved the Minutes of the Work Session and Regular Meeting of April 16, 2018 as submitted.

**Public Comment Period.** Mayor Allen opened the public comment period. No one spoke and the public comment period was closed.

**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. Councilmember Aycock moved the items on the Consent Agenda, Items B, C, D, E, F, G, H, I, J, K and L be approved as recommended by the City Manager and staff. The motion was seconded by Councilmember Broadaway 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:

**Water/Sewer Rates, Late Fee and Service Penalty. Resolution Adopted.** The City of Goldsboro's current water and sanitary sewer rate structure was adopted effective January 1, 1987, after a comprehensive study was performed by Arthur Young and Associates. The staff annually evaluates the City's utility functions to determine if the operations are self-supporting. This procedure compares the total anticipated revenues to be received from the City's water and sanitary sewer operations against the projected expenditures. An analysis of the proposed budget for the fiscal year revealed that the water and sanitary sewer rates remain uniform.

The recommended Fiscal Year 2018-19 Budget does not provide for an increase in the water and sanitary sewer rates. The water and sanitary sewer rate for industrial bulk usage for users with 200,000 cubic feet (150,000,000 gallons) or over per year is recommended to remain at the current rate. It is also proposed that the minimum charge

based upon meter size and the double outside rates for water and sewer volume continue. It is recommended that these rates be effective with the first utility billing after July 1, 2018.

The Late Fee charged on utility accounts past due and the Service Penalty, implemented in July 1991 to recover the cost of providing additional services for utility customers with two bills past due, will remain the same for Fiscal Year 2018-19. It is recommended that the water reconnection fee of \$10.00 remain the same and be charged before water service is restored to the customer who was disconnected due to nonpayment.

Staff recommended Council adopt the following entitled Resolution establishing the Water and Sewer Rate Schedule, retaining the Late Fee and the Service Penalty and establishing the reconnection fee effective with the July 1, 2018 billing. Consent Agenda Approval. Aycock/Broadaway (6 Ayes)

**RESOLUTION NO. 2018–29 “RESOLUTION AMENDING THE WATER RATE AND SANITARY SEWER RATE, THE MONTHLY MINIMUM CHARGE, THE LATE FEE AND UTILITY SERVICE PENALTY FOR THE CITY OF GOLDSBORO”**

**Amend Capital Projects Fund Ordinances. Ordinance Adopted.** The voters of the City of Goldsboro authorized the issuance of bonds and loans where capital projects were established. Investment earnings and sales tax refunds must be realized in these capital funds.

There have been additional revenues generated from investment proceeds in all Capital Project Funds. The Capital Projects Ordinances for Sanitary Sewer Improvements, Street Bonds, Recreation Bonds and AMI/Vehicles Loan should be amended to represent the exact balance of revenues and expenditures.

Staff recommended Council adopt the following entitled Ordinance amending the Capital Projects Fund Improvements as follows:

1. Sewer Bond Improvements \$13,692
2. Street Bond Improvements \$16,889
3. Recreation Bond Improvements \$23,355
4. AMI/Vehicle Project \$58,507

Consent Agenda Approval. Aycock/Broadaway (6 Ayes)

**ORDINANCE NO. 2018 – 26 “AN ORDINANCE AMENDING THE CAPITAL PROJECT FUND IMPROVEMENTS”**

**St. Mark Church Youth Field Day-- Temporary Street Closing Request. Approved.** St. Mark Church is requesting permission to close a portion of certain City streets on Saturday, June 16, 2018 from 12:30 p.m. to 4:30 p.m. in order to hold their Youth Field Day event, which will begin at 12:30 p.m.

The event is scheduled to be held on Mulberry Street at Alabama and 117 Bypass Service Road.

The Police, Fire and Public Works offices have been notified of this request.

Staff recommends approval of this request subject to the following conditions:

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

Staff recommended Council grant a street closing on Mulberry Street at Alabama and 117 Bypass Service Road on June 16, 2018 from 12:30 p.m. to 4:30 p.m. in order that the St.

Mark Church can hold Youth Field Day, subject to the above conditions. Consent Agenda Approval. Aycock/Broadaway (6 Ayes)

**Traffic Control Matters – Ordinance Establishing a “No Parking” Zone between the Entrance and Exit Drives of the GWTA Transfer Station on West Mulberry Street. Ordinance Adopted.** The City recently received a request for a “No Parking” zone between the entrance and exit drives of the GWTA Transfer Station on West Mulberry Street due to a sight distance problem for driving large buses out of the transfer station onto West Mulberry Street.

The Traffic Advisory Commission has reviewed this request and recommended establishing a “No Parking” zone between the entrance and exit drives of the GWTA Transfer Station on West Mulberry Street.

Staff recommended Council adopt the following entitled Ordinance establishing a “No Parking” zone between the entrance and exit drives of the GWTA Transfer Station on West Mulberry Street. Consent Agenda Approval. Aycock/Broadaway (6 Ayes)

ORDINANCE NO. 2018 -27 “AN ORDINANCE ESTABLISHING NO PARKING ZONE FOR A SECTION OF STREET WITHIN THE CITY OF GOLDSBORO, NORTH CAROLINA

**Z-7-18 Elsie G. Ryals –North side of Vann Street between Nannie Ryals Street and Vann Street Terminus. Ordinance Adopted.** The applicant requests a zoning change from R-6 Residential to RM-9 Residential Mobile Home.

Frontage: 50.29 ft.  
Depth: 138.55 ft.  
Area: 0.16 Acres

Surrounding Zoning: North: R-6 Residential  
South: R-6 Residential  
East: R-6 Residential  
West: R-6 Residential

There is one manufactured (mobile) home located on the property at the present time.

The applicant requests the rezoning in order to allow the existing mobile home to remain on the lot.

The City’s adopted Land Use Plan recommends the property for high-density residential development. The request to RM-9 would comply with this recommendation.

City water and sanitary sewer lines are available to serve the property. The property is not located within a Flood Hazard Area.

In the aftermath of Hurricane Matthew, the applicant received a mobile unit for temporary relocation while repairs to an adjoining dwelling were made. The dwelling has not been completely rehabilitated and the applicant now plans to purchase the mobile unit and leave it in its existing space in order to continue occupying it.

At the public hearing held on May 21, 2018, one person representing the applicant spoke in favor of the request. No one appeared in opposition.

The Planning Commission, at their meeting held on May 29, 2018, recommended approval of the zoning change from R-6 to RM-9 Residential Mobile Home.

Staff recommended Council accept the recommendation of the Planning Commission and adopt an Ordinance changing the zoning for the property from R-6 Residential to RM-9 Residential Mobile Home. The rezoning to RM=9 Residential is consistent with the City’s adopted Comprehensive Land Use Plan which recommends high-density residential development. Consent Agenda Approval. Aycock/Broadaway (6 Ayes)

ORDINANCE NO. 2018-28 “AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF GOLDSBORO, NORTH CAROLINA CODE OF ORDINANCES”

**Z-8-18 County of Wayne - East side of Clingman Street between Fourth Street and Corporate Drive. Ordinance Adopted.** Applicant requests a zoning change from R-9 Residential, I-2 Industrial Conditional District and Office and Institutional-1 to Office and Institutional-2. Site plan approval in conjunction with the rezoning has also been requested.

Frontage: 944 ft. (approx.)  
Depth: 1,219 ft. (average)  
Area: 1.52 acres (approx.)

Surrounding Zoning: North: Office and Institutional-1 Institutional-2 CD (City)  
South: Residential-9 (City)  
East: Residential-9 (City)  
West: R-20 Residential (City)

The property is owned by Wayne County. Currently, a portion of the property that fronts Clingman Street is occupied by the Wayne County Animal Adoption and Education Center.

Site and landscape plans have been submitted for an emergency call center located south of the existing animal shelter and directly across the street from the City of Goldsboro Centralized Maintenance Facility.

The City’s Land Use Plan recommends Office and Institutional and Medium Density Residential for the proposed site.

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

The proposed emergency call center will be configured within that area of the property that is vacant, wooded and bounded by portions of Clingman Street, Fourth Street, Dakota Avenue, Fifth Street and Humphrey Street.

A 24 ft. wide asphalt drive from Clingman Street will provide access to a visitor’s parking lot and a private parking lot.

The submitted site plan indicates a one-story, 11,900 sq. ft. building of masonry construction.

An 8 ft. tall, black vinyl-coated chain link fence will enclose the building and the private employee parking lot. 5 ft. wide concrete sidewalks will provide pedestrian access from the parking lots to the facility. Authorized access for entry into the building will be required.

One parking space is required per 300 sq. ft. of the principal building’s gross floor area. The visitor’s parking lot will contain 11 parking spaces to include 2 handicap accessible parking spaces. In addition, the private employee parking lot will consist of 31 parking spaces to include 2 handicap accessible parking spaces. A total 42 spaces have been provided and 40 spaces are required.

The submitted landscape plan indicates that the existing woodlands will be used to satisfy landscape buffer yard requirements for the site. In addition, the applicant intends to supplement additional plantings consisting of Yellowwoods, Purple Leaf Plums, Kwanzan Cherries and Shumard Oaks to serve as parking lot trees. Japanese Privets, Summersweet Clethras, October Magic Camellias, Summer Hydrangeas and Glossy Abelias will serve as pedestrian walkway and foundation plantings.

A refuse container is shown adjacent to the visitor's parking lot which will be properly screened in accordance with City standards.

Sidewalks are not shown on the submitted site plan. According to the City's Unified Development Code, sidewalks are required or the applicant will be required to pay a fee in lieu of sidewalk construction at a rate of \$15.00 per lineal foot of frontage along a public street.

At the public hearing held on May 21, 2018, no one appeared to speak either for or against this request.

The Planning Commission, at their meeting on May 29, 2018, recommended approval of the zoning change as requested.

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

1. Adopt an Ordinance changing the zoning for the property from R-9 Residential, I-2 Industrial Conditional District and Office & Institutional-1 to Office & Institutional-2.

The rezoning to O&I-2 would be consistent with the City's adopted Comprehensive Land Use Plan which partially recommends Office and Institutional zoning for the property.

2. Approve the submitted site, landscape and building elevation plans subject to installation of sidewalks or payment of a fee in lieu of sidewalk construction at a rate of \$15 per linear foot of frontage along Clingman Street totaling \$7,950. Consent Agenda Approval. Aycock/Broadway (6 Ayes)

ORDINANCE NO. 2018-29 "AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF GOLDSBORO, NORTH CAROLINA CODE OF ORDINANCES"

**CU-2-18 Lane Solar Farm II – South of Old Smithfield Road between Gin Road and NC 581 South. Approved.** Applicant requests a Conditional Use Permit to allow the development and operation of a solar farm facility.

The property is zoned R-20A Residential. Solar farm operations are a permitted use within this district only after the issuance of a Conditional Use Permit approved by City Council.

Council approved the development of a 23-acre solar facility on the north side of Old Smithfield Road in 2017

Lot Area:

Solar Facility Area: 1,306,800 sq. ft. or + 30 acres

Frontage: Approx. 1620 ft.

Existing Use: The property is currently vacant farmland.

The City's Comprehensive Land Use Plan designates this property for Medium-Density Residential Development.

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

The submitted site plan indicates a private 20 ft. wide gated access and gravel drive extending from Old Smithfield Road 225 ft. south to a 3-point turnaround located at the front of the site.

The solar panels will be installed within an area to be surrounded by a 6 ft. high chain-link with barbed wire. In addition, vinyl privacy slats will be installed within the fencing along the front and both sides of the solar facility.

A Type C, 20 ft. wide landscape buffer has been proposed surrounding the entire solar farm just outside the six-ft. tall chain link fence.

At the public hearing held on May 21, 2018, two people representing the applicant spoke in favor of the request. No one appeared in opposition.

The Planning Commission, at their meeting held on May 29, 2018, recommended approval of the Conditional Use Permit and the submitted site and landscape plans.

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

1. Adopt an Order approving the Conditional Use Permit to allow the development and operation of a solar farm facility; and
2. Approve the site and landscape plans as submitted. Consent Agenda Approval. Aycock/Broadaway (6 Ayes)

**CU-3-18 SWR Properties, LLC - North side of Patetown Road between Industry Court and North William Street. Approved.** Applicant requests a Conditional Use Permit to allow the construction and operation of a concrete business.

Frontage: 730.75 ft. (Patetown Road)  
750.83 ft. (Industry Court)  
Area: 11.9 acres  
Zone: I-2 General Industry

A concrete business is permitted within the I-2 zoning district after the issuance of a Conditional Use Permit approved by City Council.

The site was formerly occupied by Americal Corporation and was purchased by the applicant in 2004.

This request was initially denied by Council on March 19, 2018. The applicant has now reapplied as the development plans for the site have been substantially revised to include additional paved area.

The site is occupied by a 52,000 sq. ft. masonry block, brick and metal commercial building divided into individual tenant spaces for lease. Uses within the building include a restaurant, nail spa, electrical supply and hardware company.

The applicant now proposes to locate a concrete plant directly behind the main commercial building.

Number of employees: 11  
Hours of Operation: 7:30 a.m. - 5:30 p.m.  
(Monday-Saturday)

While there is existing access to the site through two curb cuts on Patetown Road, the applicant proposes that the main access to the concrete business will be provided through a 20 ft. wide asphalt driveway to the site off Industry Court.

Parking is based on 1 space per 2 employees and 1 space for each vehicle stored on site. Sufficient paved parking exists at the rear of the building for employees of the concrete business as well as the 3 vehicles that are anticipated to be stored on the site.

Site is subject to stormwater and drainage regulations as required by the City Engineering Department.

The submitted site plan shows a proposed 14 ft. by 14 ft. office building located adjacent to a 62.94 ft. tall concrete silo, belt conveyor and batch hopper for transporting aggregates for cement production.

The proposal meets the City's Unified Development Code requirement to provide a setback distance of 150% of the height of the proposed 50 ft. tall silo.

An existing 6 ft. tall chain-link fence with barbed wire encloses the site. Applicant will install privacy slats within the existing fence to meet this requirement.

Street trees are shown along both Patetown Road and Industry Court. Additional landscaping is shown along the western property line and Industry Court.

The City's UDO requires that a concrete plant may not be located less than 1,000 ft. from residentially zoned or developed property. Residentially-zoned property exists immediately to the southeast across Patetown Road, as well as to the north and west. A modification of the 1,000 ft. requirement will be necessary.

At the public hearing held on May 21, 2018, one person spoke in opposition to the request and the applicant spoke in favor of the request.

The Planning Commission at their meeting on May 29, 2018 recommended approval of the Conditional Use Permit and site and landscape plans with the requested modification of the distance from residential property from 1,000 ft. to zero (0) ft.

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

1. Adopt an Order approving the Conditional Use Permit to allow the construction and operation of a concrete business; and
2. Approve the site and landscape plans detailing the operation with a modification of the required 1,000 ft. distance requirement from residentially zoned or developed property. Consent Agenda Approval. Aycock/Broadaway (6 Ayes)

**Zoning Ordinance Amendment – Multi-Family Development. Ordinance Adopted.** Council requested that staff prepare an amendment to the Unified Development Ordinance as it relates to conversion of existing single-family dwellings into multi-family units.

There have been a number of instances where a single-family dwelling in a single-family neighborhood is proposed to be converted into multi-family units. In most cases, this would not be compatible with existing single-family development.

Staff has prepared an amendment which would require that all new multi-family construction or conversion to multi-family in excess of three or more units obtain a Conditional Use Permit within the R-12, R-9 and R-6 Residential zones, the Office-Residence zone and the Central Business District.

Council already reviews multi-family developments where the site contains one acre or more. In addition, conversion of single-family units to three or more within the CBD already requires site and landscape plan review and approval.

The proposed amendment will support existing requirements while additionally protecting single-family neighborhoods from incompatible development.

A Notice of Public Hearing for this amendment was advertised in the newspaper for two consecutive weeks prior to the public hearing in accordance with State law.

At the public hearing held on May 21, 2018, no one appeared to speak either for or against this amendment.

The Planning Commission, at their meeting held on May 29, 2018, recommended approval of the proposed amendment.

Staff recommended Council accept the recommendation of the Planning Commission and adopt the proposed Zoning Ordinance amendment concerning multi-family development. Consent Agenda Approval. Aycock/Broadaway (6 Ayes)

ORDINANCE NO. 2018 – 30 “AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF GOLDSBORO, NORTH CAROLINA”

**Site and Landscape and Building Elevation Plans – BoJangle’s Restaurant.**

**Approved.** The property is located on the northwest corner of Wayne Memorial Drive and Tommy’s Road. The site, which is zoned Highway Business, is part of a larger tract.

The site is currently vacant and was annexed to the City on June 30, 2017.

Frontage: 380 ft. (on Wayne Memorial Drive)  
376 ft. (on Tommy’s Road)  
Depth: 421 ft. (Average)  
Area: 2.38 Acres  
Zoning: Highway Business (HB)

The submitted site plan indicates a 4,083 sq. ft. brick building and a parking lot containing 72 parking spaces (includes 3 handicapped spaces and 4 tractor trailer spaces). A total of 43 spaces are required based on one space per 3 seats plus one space per employee.

Property will have two points of access, one from Tommy’s Road and one from Wayne Memorial Drive. NCDOT is currently reviewing the plans and driveway permits are subject to NCDOT approval. Future Wayne Memorial Drive right-of-way has been reserved for the future widening of Wayne Memorial Drive to a 4-lane divided facility.

The developer will extend sewer to serve the property and no building permits will be issued until stormwater calculations have been submitted and approved by the City’s Engineering Department.

The submitted landscape plan shows the installation of street trees along Tommy’s Road and Wayne Memorial Drive. Street trees have also been provided along the internal access roads. Street trees will consist of a combination of Red Oaks and Willow Oaks.

Vehicular Surface Area Plantings are being installed and will consist of a variety of large and small shrubs, along with additional Willow Oaks, within the parking lot islands.

The developer will be required to pay a fee in lieu of sidewalk installation in the amount of \$11,340.00.

The proposed dumpster location will be properly screened as required by the City’s Unified Development Ordinance.

Elevations have been submitted and the building will be constructed of brick with metal awnings. Staff will work with the applicant to ensure any roof top mounted units are properly screened from public view.

At their meeting held on May 29, 2018, the Planning Commission recommended 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 BoJangle’s Restaurant as submitted. Consent Agenda Approval. Aycock/Broadaway (6 Ayes)

**Site and Landscape and Building Elevation Plans - Dollar General.**

**Approved.** The property is located on the north side of East Ash Street between Ridgewood Drive and Durant Street.

Front: 208.03 ft.  
Depth: 376.45 ft.  
Area: 57,336 sq. ft. or 1.31 acres  
Zoning: General Business

The site was previously operated as a nightclub known as Cameron's Clubhouse. Applicant intends to demolish the existing facility, remove existing asphalt and build a new Dollar General store that will meet current development standards.

The submitted site plan indicates a newly constructed single-story, 9,100 sq. ft. building to be used for retail sales.

A side yard setback of 15 ft. is required on the western side of the building, however, due to size limitations, applicant has requested a modification of this setback from 15 ft. to 5 ft.

Staff is working with the applicant to ensure building design standards are compliant with City regulations. Roof-top mechanical equipment will be required to be screened from off-site views.

AccOne 36 ft. wide paved curb cut is shown along Ash Street. NCDOT has been contacted by staff to review the site. Additional roadway improvements may be required.

Parking is required at one space per 250 sq. ft. of gross floor area or 36 total spaces. A total of 37 spaces are proposed including 15 parking spaces at the front of the site, 12 spaces along the eastern side of the building and 10 spaces at the rear. Two handicap accessible parking spaces have been included. Vehicular surface areas will be paved, striped and provided with wheel stops.

A 15 ft. wide by 30 ft. long elevated loading dock will be provided at the rear of the facility for deliveries to the store.

Interconnectivity will be required on the west side of the property near the front of the site. Stoney Creek on the east will prevent interconnectivity in that location.

City sidewalks are required along the frontage of the proposed development. The submitted site plan shows approximately 80 linear ft. of sidewalk to be installed along East Ash Street.

Pedestrian access is shown from the parking lot into the principal building using handicap accessible ramps and walkways. A 6 ft. wide concrete sidewalk surrounds the building.

Two commercial refuse containers will be located within corrals at the rear of the facility and will be appropriately screened from off-site views.

According to City Engineering, the site is located within Special Flood Hazard Areas known as the 500- year floodplain, 100-year floodplain and the Floodway. Current effective Flood Insurance Rate Map (FIRM) allows for development on the property. Applicant will be required to submit a Floodplain Development Permit application for approval.

City Engineering will require approval of stormwater calculations and drainage plans before building permits are issued.

Four street trees are required for the frontage along Ash Street. Although the rear of the lot technically fronts on the dedication of Peachtree Street (which is not open or improved), another five street trees will be required at the rear. Applicant has requested a modification of all street trees due to overhead utilities, sidewalk installation and

stormwater drainage piping. A total of 23 shrubs (Carissa and Little Red Hollies) along the street yard of East Ash Street are proposed.

A Type A, 10 ft. wide buffer yard is required along the eastern property line. The applicant is requesting a modification of this requirement since the eastern property line is adjacent to an existing concrete apron located beside Stoney Creek.

A Type A, 10 ft. wide buffer yard is required along the western property line adjacent to the new building. The applicant is requesting a modification of this requirement since utilities are proposed within this area. A total of 14 large shrubs (Red Hollies) are proposed adjacent to the front parking lot.

A portion of the western property line is adjacent to property that is zoned for residential use but is undeveloped. A Type C, 20 ft. wide buffer is required, however the applicant has requested a modification of this requirement since drainage improvements are proposed within this area. Staff will work with the applicant to ensure required plantings are located where practical and necessary for meeting the intent of the City's landscape ordinance.

At their meeting held on May 29, 2018, the Planning Commission recommended approval of the site, landscape and building elevation plans with the following modifications:

1. Side yard building setback from 15 ft. to 5 ft. along the western property line;
2. Street tree requirement along both Ash and Peachtree Streets;
3. Type A, 10 ft. wide buffer yard for a distance of approximately 170 ft. along the western property line; and
4. Type C, 20 ft. wide buffer yard approximately 190 ft. along the western property line.

The Commission requested that low-growing plant material be installed near the front of the site within parking lot aisles due to the street tree modification along Ash Street.

Staff recommended Council accept the recommendation of the Planning Commission and approve the submitted development plans subject to installation of low-growing plant material being installed at the front of the site with the following modifications.

1. Side yard building setback from 15 ft. to 5 ft. along the western property line;
2. Street tree requirement along both Ash and Peachtree Streets;
3. Type A, 10 ft. wide buffer yard for a distance of approximately 170 ft. along the western property line; and
4. Type C, 20 ft. wide buffer yard approximately 190 ft. along the western property line. Consent Agenda Approval. Aycok/Broadway (6 Ayes)

**End of Consent Agenda.**

**Budget Ordinance for Fiscal Year 2018-19. Ordinance Adopted.** A Budget Ordinance must be adopted each year in order to implement the provisions of a new budget for the upcoming Fiscal Year. In specific, the Budget Ordinance establishes the tax rate and dictates in which fund delinquent taxes shall be placed upon their collection. It also establishes special taxes which may be levied during a fiscal year, such as the Special Downtown Municipal District Tax. The intention of a city to issue licenses upon businesses, trades and professions is also described within the contents of this document.

The major emphasis of a Budget Ordinance is to identify by fund the estimated revenues a municipality anticipates to collect during a fiscal year and to delineate by fund, department, and activity how these monies shall be appropriated. The Budget Ordinance may also describe any special authorizations granted to the Budget Officer.

Passage of the Budget Ordinance is an annual occurrence. No budget for the fiscal year can be implemented without the formal adoption of the provisions of this document. The Budget Ordinance reflects the decisions made by the City Council during its budget reviews and discussion. The Budget Ordinance assures compliance with all pertinent State Fiscal laws. It must show an exact balance between revenues and expenditures. If circumstances do not warrant the adoption of this document by the prescribed date, an interim budget must be approved by the governing body. The specific authorizations granted the Budget Officer are the same as were delegated in Fiscal Year 2017-18 that relate to the reallocation of departmental appropriations, interdepartmental transfers, and inter-fund loans and transfers. Also, the finance director and assistant finance director are authorized to sign all pre-audit certifications for budgetary appropriations as required by G.S. 159-28.

Council met with staff on several occasions to discuss the FY 2018-19 recommended budget. During those sessions, Council discussed not increasing the tax rate, utility, stormwater and refuse fees.

Breakdown of Recommended Budget by Fund:

1.	General Fund	\$40,926,257
2.	Stormwater Fund	1,504,000
3.	Utility Fund	18,013,088
4.	Community Development Fund	233,964
5.	Downtown Develop. Fund	72,470
6.	Occupancy Tax Fund	<u>1,051,733</u>
	Total	\$61,801,512

Councilmember Broadaway made a motion to adopt the following entitled Budget Ordinance for the Fiscal Year 2018-19. Mayor Pro Tem Ham seconded the motion. Mayor Allen, Mayor Pro Tem Ham, Councilmember Broadaway, Stevens and Aycock voted in favor of the motion. Councilmember Foster voted against the motion. Mayor Allen stated the motion passed 5:1.

ORDINANCE NO. 2018 – 31 “BUDGET ORDINANCE FOR THE 2018-19 FISCAL YEAR”

Mayor Allen thanked Ms. Kaye Scott and the departments for getting us to where we are today. Thank you.

**City Manager’s Report.** No Report.

**Mayor and Councilmembers’ Reports and Recommendations.** No reports.

There being no further business, the meeting adjourned at 7:06 p.m.

---

Chuck Allen  
Mayor

---

Melissa Corser, MMC/NCCMC  
City Clerk