

MINUTES OF MEETING OF MAYOR AND CITY COUNCIL HELD  
JANUARY 22, 2019

**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 January 22, 2019 with attendance as follows:

Present: Mayor Chuck Allen, Presiding  
Mayor Pro Tem Bill Broadaway  
Councilmember Antonio Williams  
Councilmember Mark Stevens  
Councilmember Bevan Foster  
Councilmember David Ham  
Councilmember Gene Aycock  
Ron Lawrence, Attorney  
Randy Guthrie, Interim City Manager  
Melissa Corser, City Clerk  
LaToya Henry, Public Information Officer  
Octavius Murphy, Assistant to the City Manager  
Jennifer Collins, Planning Director  
Mike West, Police Chief  
Scott Williams, IT Director  
Felicia Brown, Interim P&R Director  
Mike Wagner, Deputy Public Works Director – Utilities  
Rick Fletcher, Public Works Director  
Joe Dixon, Fire Chief  
Julie Metz, DGDC Director  
Bernadette Dove, HR Director  
Sherry Archibald, Paramount Theatre & GEC Director  
Shycole Simpson-Carter, Community Relations Director  
Ken Conners, News Director-Curtis Media Group East  
Joey Pitchford, News Argus Reporter  
Keyon Carter, Citizen  
Lonnie Casey, Citizen  
Bobby Mathis, Citizen  
Della Mathis, Citizen  
Taj Pollack, Citizen  
Jay Bauer, Citizen  
Yvonnia Moore, Citizen  
Carl Martin, Citizen  
Ravonda Jacobs, Citizen (arrived at 5:25 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 Stevens, seconded by Councilmember Foster and unanimously carried Council added New Industry under New Business to the agenda.

Councilmember Foster stated Dillard track and the DGDC Stage Rental is not on the agenda under Old Business. Ms. Felicia Brown shared the track went out for bid today and she would report back once bids are received.

Mayor Allen shared information regarding the stage rental, it was included in your updates on Friday, but we can discuss it tonight.

Upon motion of Councilmember Foster, seconded by Councilmember Stevens and unanimously carried, Council added DGDC Stage Rental under Old Business.

Mayor Allen called for a vote, Council adopted the amended agenda.

**Council Committee Appointments.** Mayor Allen stated at Councilmember Williams request, we deferred action to see if the Gateway Board would take that back up. Our attorney spoke with the Gateway Attorney. Mayor Allen asked Mr. Lawrence if he had a report.

Mr. Lawrence read a letter from Attorney Borden Parker (a copy is on file in the Clerk's Office). Mr. Parker stated in his letter, "I do not believe that the issue will be presented to the Goldsboro Wayne Transportation Authority's Board. If asked, my advice would be that the Goldsboro Wayne Transportation Authority Board would not need to act."

Councilmember Williams asked for a copy of the letter. Councilmember Williams stated just to clear the record, I am not the angry black man. I am getting this from everywhere. I am very professional when I ask for things that are legally, any of us, any citizen is entitled to from the Freedom of Information Act. Councilmember Williams stated there has been a lot of disappointments when it comes to getting information that I am entitled to, that anyone is entitled to. He shared information regarding his request.

Mayor Pro Tem Broadaway stated he would like to make a motion. Councilmember Williams stated let me stop you, before you make a motion, out of respect with me being on that board for three years, I've given my time up to improve the GWTA, I am just asking for a statement from each councilmember as to why. I have done nothing but improve the GWTA.

Mayor Pro Tem Broadaway made a motion to assign Councilmember Ham to the DGDC Board of Directors and Councilmember Stevens be assigned to the GWTA Board of Directors. Councilmember Aycock seconded the motion.

Councilmember Williams stated Councilmember Ham is already on the DGDC Board; isn't that correct. Councilmember Ham stated that is incorrect. Councilmember Williams asked how long have you been off, Councilmember Ham stated 7 – 9 months. Ms. Metz stated right at a year. Councilmember Williams stated while on that board you voted for a lot of things that have occurred on that board and we had no knowledge you were on that board.

Discussion continued. Councilmember Williams stated I just want to make a couple of points. He shared information regarding Section 32.302 removal from board, GWTA Bylaws and GS 143, ex parte communications.

Mayor Allen called for a vote. Mayor Allen, Mayor Pro Tem Broadaway, Councilmembers Stevens, Aycock and Ham voted in favor of the motion. Councilmember Foster voted against the motion. Councilmember Williams did not vote. Due to not being excused from voting, the lack of a vote would count as an affirmative vote. Mayor Allen stated the motion passed 6:1.

**DGDC Stage Rental.** Councilmember Foster stated I reviewed the updates, I did not have time over the weekend. It says over the last eighteen months, they paid \$2100.

Mr. Guthrie shared the \$2166 was received by the city when the flatbed trailers that had previously served as a stage were recycled.

Councilmember Foster stated there was a motion made some time back to charge them and that has not been done. If they are separate from the city, regardless of that they do for the city, they are separate. If they are not being charged, then neither should anyone else. They should pay like anyone else.

Council discussed the role of the Downtown Development Office and the Downtown Goldsboro Development Corporation. Mayor Pro Tem Broadaway suggested staff provide a history of how the partnership with the City and Downtown Goldsboro Development Corporation was formed. Mr. Guthrie stated that would be a good Retreat topic.

Councilmember Foster stated he believed we also still need to discuss the Parks and Recreation Board and the Planning Commission. Mayor Allen stated we will be discussing that in February so that the boards can provide a recommendation. Discussion continued regarding diverse representation from all districts on the Planning Board. GWTA membership was also discussed.

Mayor Allen suggested for the Parks and Recreation Board and Planning Board, Council open back up the application process until February 1<sup>st</sup>. Council agreed.

**T.C. Coley Community Center Discussion.** Mayor Allen stated at our last TC Coley Community Center Meeting Councilmember Foster seemed to think we were running it differently than we did all our other boards. We actually voted Councilmember Foster to let this board operate differently and run the center. Today, I think we would agree the center is not being ran properly. What we probably should do is pull back to the city, maybe Parks and Recreation, to run for a year, build the board and let them get some education and background on the center.

Councilmember Foster shared concerns regarding items that should have been voted on by the board but had not been, rental rates and contracts.

Discussion included a contract for Ashford Boxing.

Councilmember Stevens made a motion I believe that for the best interest of the center is for the city to take back over, we work closely with the city council and T.C. Community Center Committee for one year and allow nonprofits to come in for no charge; reunions and parties come up with a rate. Councilmember Aycock seconded the motion.

Councilmember Ham stated he too shares Mr. Foster's concerns with the T.C Coley building. A couple of items specifically. We have had a tenant in there since August and one since September; neither one of which is under any agreement with the City; that presents a problem. Number two, no rents have been established for those two tenants. Those are my main concerns.

Councilmember Stevens stated I will add to my motion that Parks and Recreation comes and talks to the City Council, Parks and Recreation will come back with reasonable rates for tenants. Councilmember Aycock stated he would like to see a suggested fee schedule by the next Council meeting. Mayor Allen called for a vote. Mayor Allen, Mayor Pro Tem Broadaway, Councilmembers Stevens, Aycock and Ham voted in favor of the motion. Councilmembers Williams and Foster voted against the motion. Mayor Allen stated the motion passed 5:2.

**New Industry.** Councilmember Stevens shared concerns regarding employment opportunities in Wayne County with skilled labor, such as IT professions. He shared information regarding a new robotics plant in New Hanover County. Councilmember Stevens asked why are we getting passed up. He also shared concerns regarding the film industry. Councilmember Stevens stated we have to look at ourselves, we are spending x amount of money on this, but we need to spend x amount of money on recruiting new industries. We need to go beyond Wayne County Development Alliance. We have to go get these industries.

Councilmember Foster suggested Councilmember Stevens speak with the Development Alliance to see how we can work together.

Mayor Allen suggested we ask the Development Alliance to come to the Council's Retreat and do a presentation. Council agreed.

Councilmember Williams made a motion made a motion asking the city attorney investigate from 2015-2018 any items Councilmember Ham has voted on for DGDC that may or may not have been a conflict of interest. Councilmember Ham stated I have no problem with that. Councilmember Foster seconded the motion. Mayor Allen called for a vote. Council voted unanimously in favor of the motion.

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

**Item E. Professional Services Agreement – Flood Study for a Proposed No-Rise Certification for Stoney Creek Pedestrian Bridge.** Councilmember Williams asked when was the last time we had a flood study. Mr. Anderson replied the latest maps were done in June 2018. Councilmember Williams asked if we had one done then, why do we need another one. Mr. Anderson replied this is specifically for putting a structure in the flood way. Mr. Guthrie shared it's a FEMA requirement.

Additional discussion included an update on H.V. Brown Park and the park at Day Circle.

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 January 7, 2019 with attendance as follows:

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

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

Archbishop Anthony Slater with Tehillah Church Ministries provided the invocation. The Pledge to the Flag followed.

**Approval of Minutes.** Councilmember Aycock made a motion to approve the Minutes of the Work Session and Regular Meeting of December 17, 2018 as submitted. Mayor Pro Tem Broadaway seconded the motion. Mayor Allen, Mayor Pro Tem Broadaway, Councilmembers Stevens, Foster, Ham and Aycock voted in favor of the motion. Councilmember Williams voted against the motion. Mayor Allen stated the motion carried 6:1.

**Non-Contiguous Annexation Request – J. Isaac Gurley Farms, Inc. (Northeast corner of US 13 Hwy and Hood Swamp Road) 8.84 Acres. Public Hearing Held. Ordinance Adopted.** The City Council, at their meeting on December 3, 2018 scheduled a public hearing for the proposed annexation of the subject property. A public hearing notice was properly advertised stating the time, place and purpose of the meeting.

Pursuant to G. S. 160A-58.2, at the public hearing all persons owning property in the area proposed to be annexed, as well as the residents of the municipality, shall be given an opportunity to be heard on the proposed annexation.

If the Council determines that the proposed annexation meets all the requirements of G. S. 160A-58, it has the authority to adopt an annexation ordinance.

In addition to those requirements the City Council, adopted a policy which allows annexation of noncontiguous areas subject to a number of requirements. The requirements governing noncontiguous annexations are as follows:

- a. The area is located within one mile of the established city limit line;

- b. The City’s ability to contract for the provision of fire and police protection.
- c. In no instance shall a noncontiguous area have an adverse effect upon the City’s overall annexation plans.
- d. If an area is situated beyond one mile of the city limits, the City may consider annexation of that area so long as a public water supply is available or can be reasonably made available and the tract in question is 20 acres or more. If the tract in question is less than 20 acres, but is contiguous to another satellite annexation, the City will consider the smaller tract eligible for satellite annexation.

As indicated in the report, the area proposed for annexation meets all of the above items.

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

Upon motion of Mayor Pro Tem Broadaway, seconded by Councilmember Ham and unanimously carried adopt an Ordinance annexing the J. Isaac Gurley Property effective January 31, 2019.

**ORDINANCE NO. 2019-3 “AN ORDINANCE ANNEXING CERTAIN NONCONTIGUOUS REAL PROPERTY TO THE CITY OF GOLDSBORO, NORTH CAROLINA”**

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

- 1. Yvonnia Moore shared information regarding the DGDC Board and comments made by Betty Duncan on Facebook.  
  
Councilmember Williams read a letter by his landlord.
- 2. Rick Sessions spoke in favor of greenways.
- 3. Alvin Young shared he looked at some old city council meetings online. He urged Council to reconsider doing a forensic audit.
- 4. Ravonda Jacobs shared information regarding industry. She stated one of the issues we have to look at is the heart of our people. The City needs to work with the County Commissioners. Look at the economic standings and raise the bar of the standards of the companies coming to Wayne County.

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

**Consent Agenda - Approved as Recommended.** Interim City Manager, Randy Guthrie, 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 C, D, E and F be approved as recommended by the Interim City Manager and staff. The motion was seconded by Mayor Pro Tem Broadaway and a roll call vote resulted Mayor Allen, Mayor Pro Tem Broadaway, Councilmembers Stevens, Foster, Ham and Aycock voting in the affirmative. Councilmember Williams voted against the motion. Mayor Allen declared the Consent Agenda approved as recommended with 6:1 vote. The items on the Consent Agenda were as follows:

**Informal Bid Request #2018-005 – Curb & Gutter, Sidewalk and Asphalt Repairs. Resolution Adopted.** The City of Goldsboro has requested contracted

services to repair and replace curb & gutter, sidewalk and asphalt damage in several areas throughout the City. Damage was the result of uprooted trees during Hurricane Florence.

The contract was competitively bid, per FEMA requirements, and the subsequent cost will be reimbursed. The City opened bids on January 10, 2019 from five (5) responsive bidders. The bids were reviewed by the Public Works Department, checked for accuracy and dependability and found to be in order. The low bid was \$14,328 from Eastern Earthscapes & Construction. A bid tabulation is available. Funds will be utilized from the City's Storm Damage Line Item 11-7310-3599 to initially cover the cost.

It is recommended City Council adopt the following entitled Resolution authorizing the Mayor and City Clerk to enter into an agreement with Eastern Earthscapes & Construction in the amount of \$14,328. Consent Agenda Approval. Ham/Stevens (6 Ayes – 1 Nay)

**RESOLUTION NO. 2019-3 "RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN A CURB & GUTTER, SIDEWALK AND ASPHALT REPAIR CONTRACT TO REPAIR DAMAGES CAUSED BY HURRICANE FLORENCE"**

**Enhancement Funds Grant & Municipal Agreement between City of Goldsboro and the North Carolina Department of Transportation. Approved.** At the December 15, 2008 Goldsboro City Council Meeting, the 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 for the benefit of Goldsboro Union Station (GUS). This Agreement was executed by both parties May 15, 2009.

The Agreement was amended in June 2016 by NCDOT and Goldsboro City Council to adjust the scope and award extra grant funds. This amendment identified eligible expenses based on the new grant category and scope authorized by FHWA. There remains a FHWA grant balance of \$79,659.95. Since it is an 80% FHWA, 10% NCDOT and 10% City matching grant, there remains \$89,617.44 available.

GUS was built in 1909; is a National Register of Historic Places property; and, is considered to be one of North Carolina's most ambitiously designed stations. The two-story building is nearly 10,000 square feet and is situated on a 6.1 acre lot that encompasses two city blocks. GUS operated passenger services until 1968 and was later purchased by a private business that remained there until 2006. In 1999, NCDOT began a study to consider several passenger rail routes to connect Raleigh and Wilmington. A 2005 NCDOT report selected a route designed to go through Goldsboro as a favored design and noted GUS's importance to it.

NCDOT acquired GUS after it became available in 2006 and a partnership was formed with the City of Goldsboro to rehabilitate it and secure it for future passenger/commuter rail service. Prior to NCDOT conveying the property to the City in April 2009, NCDOT made multiple improvements to the building and site. A site feasibility needs study was conducted in 2008-09 to examine the possibilities of utilizing the building as an impetus for a multi-modal transportation facility. In 2009, an architectural firm was hired to begin the professional services associated with Phase 1 (GUS building and site) of the project. In December 2010, construction bid document drawings were completed. The plan had the building serve as an event center until passenger rail or commuter rail service was established. Simultaneously, a GWTA study was underway to determine the feasibility and cost effectiveness of a new transfer facility at the GUS property to begin developing the multi-modal facility complex concept. The study found both to be favorable and a 2011 conceptual design phase began utilizing FTA/Bus & Bus Facilities funds the City received in FY 2009. These conceptual plans progressed to construction plans and then construction which was completed in November 2015 due to the 2013 USDOT TIGER grant.

Due to the current unscheduled/unfunded status of commuter and intercity passenger rail service expansions, further rehabilitation of GUS has stalled. Furthermore, the need/demand for its original secondary use, an event center, was filled when the

Goldsboro Country Club became available and the Maxwell Center was constructed.

GUS is in need of investment in order to protect it for future generations and use. City and NCDOT staff believe it is time to explore alternative options that may introduce private sector involvement and investment or may fill current needs of another type because: 1) GUS is an architecturally and historically significant structure; 2) Its condition is deteriorating; 3) Without a planned use, it is difficult to attract outside funding; 4) It is not practical for the City to fund a complete rehabilitation and incur recurring maintenance and management expenses while it has no use; 5) There may be alternative, creative, adaptive reuse opportunities that will result in a productive use for the building; 6) And, depending on this use, there may be innovative financial tools, partnerships and revenue opportunities to make the project feasible and productive for Goldsboro. For these reasons, NCDOT and FHWA have agreed to allow us to utilize the remaining Enhancement Grant funds to hire a consultant to conduct an Adaptive Reuse & Feasibility Study. A Request for Proposals (RFP) document has been approved by the funding source representatives and includes a scope that entails the examination and recommendation of feasible adaptive reuse ideas supported by either local demand/interest or market analysis and a study of potential financing mechanisms, including private sector or grant based options. The services will involve: planning services; market analysis services; stakeholder and citizen interviews; a findings and recommendation report that identifies feasible projects and addresses uses and financial interests; and, cost estimates.

The City Council authorized city staff to include the necessary match funds in the City's 2016-17 Budget and has maintained our balance through the current 2018-19 Budget, therefore no new appropriation of match funds is necessary. Our remaining balance is equal to the required 10% match at \$9,957.49.

It was recommended Council authorize staff to release the Request for Proposals to solicit a consultant and apply our remaining FHWA Enhancement Grant Funds of \$9,957.49 to leverage a Goldsboro Union Station Adaptive Reuse Study, at a not-to-exceed cost of total grant funds available. Consent Agenda Approval. Ham/Stevens (6 Ayes – 1 Nay)

**Professional Services Agreement - Flood Study for a Proposed No-Rise Certification for Stoney Creek Pedestrian Bridge. Resolution Adopted.** The proposed pedestrian bridge will connect the two (2) greenways that run along Stoney Creek (located in the floodway) and along Reedy Branch.

The City of Goldsboro requested cost estimates from Rivers & Associates, Inc. of Greenville, NC for preparation of a flood study to determine if the proposed pedestrian bridge across Stoney Creek can be installed without any impacts to existing floodway. The scope of work includes a flood study for this project in a floodway. A hydraulic analysis will be provided and submitted to determine if the project will increase flood heights. The purpose of this analysis is so that the community's permit file must have a record of the results of this analysis, which can be in the form of a No-Rise Certification. The No-Rise Certification will be supported by technical data and signed by a registered professional engineer. The analysis does not guarantee that the No-Rise can be achieved.

Task/Fee Schedule Estimate:

Survey	\$ 2,800
Flood Study	\$ 12,000
Project Management	\$ 2,500
Total Estimate	\$ 17,300

We have reviewed the financing of this project with the Finance Director and determined that sufficient funds are available in the consultant fees line item for Parks & Recreation Department.

Staff recommended Council adopt the following entitled resolution authorizing the City Manager to execute a Professional Services Agreement with Rivers & Associates, Inc. in

the amount of \$17,300 for the flood study along the proposed Stoney Creek Pedestrian Bridge. Consent Agenda Approval. Ham/Stevens (6 Ayes – 1 Nay)

**RESOLUTION NO. 2019-4 “RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF GOLDSBORO AND RIVERS & ASSOCIATIES, INC. FOR THE FLOOD STUDY ALONG THE PROPOSED STONEY CREEK PEDESTRIAN BRIDGE”**

**Monthly Reports. Accepted as Information.** The various departmental reports for December, 2018 were submitted for the Council’s approval. It was recommended that Council accept the reports as information. Consent Agenda Approval. Ham/Stevens (6 Ayes – 1 Nay)

**End of Consent Agenda.**

**City Manager’s Report.** No report.

**Mayor and Councilmembers’ Reports and Recommendations.**

Councilmember Aycock stated I listened to an inspiring speech yesterday at the MLK Luncheon by Rep. H.M. “Mickey” Michaux. I really enjoyed his speech.

Councilmember Foster stated no comment.

Councilmember Ham stated I will amplify Councilmember Aycock’s comments about the MLK Luncheon and Rep. Michaux’s comments. I also want to express appreciation to Ms. Shycole Simpson-Carter, her staff and the volunteers who made it a success. They put in a lot of effort.

Councilmember Williams stated he attended Dillard Alumni Friends MLK event. He stated the guest speaker was Kenneth Spaulding, Politician and Attorney. Councilmember Williams shared there was so much love in that location.

Councilmember Stevens stated throughout these four years, I have seen many good things happen, bad things happen. I’ve seen new industry come, new shops open downtown. Councilmember Stevens spoke on the importance of welcoming new business and working together. We have to stop fighting with each other; agree to disagree.

Mayor Pro Tem Broadaway stated I would like to echo the comments regarding the MLK Luncheon. I would like to commend our Mayor’s Youth Council. It was refreshing to listen to someone who had a personal relationship with Dr. Martin Luther King. He shared he was moved.

Mayor Allen stated following everyone’s comments, I was at the MLK Luncheon yesterday and I also want to thank Community Affairs, the Mayor’s Youth Council, Ms. Johnson our host and I really think we were fortunate to have Rep. Michaux and his wife June. He spent 45 years in public service. We are appreciative of Dillard Alumni’s event as well. The Shriners will be in town this weekend. Thank you all for coming.

There being no further business, the meeting adjourned at 7:26 p.m.

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Chuck Allen  
Mayor

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Melissa Corser, MMC/NCCMC  
City Clerk