

MINUTES OF THE MEETING OF THE CITY COUNCIL HELD  
FEBRUARY 1, 2021

**WORK SESSION**

The 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 February 1, 2021 with attendance as follows:

Present: Mayor Chuck Allen, Presiding  
Mayor Pro Tem David Ham  
Councilmember Bill Broadway  
Councilmember Taj Polack  
Councilmember Brandi Matthews  
Councilmember Gene Aycock  
Ron Lawrence, Attorney  
Tim Salmon, City Manager  
Melissa Capps, City Clerk

**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 Broadway, seconded by Councilmember Aycock and unanimously carried, Council adopted the agenda.

**District 1 Applicants Presentations.** Pursuant to the Procedures adopted by the City Council, each qualified applicant will be given up to ten (10) minutes to make a presentation on their qualifications for the office and their vision of Goldsboro.

Ms. Hiawatha Jones and Ms. Yvonne Moore each made a presentation to City Council. Following the presentation by each applicant, council was given the opportunity to ask questions.

At the February 15, 2021 City Council meeting, the City Council will decide if they have enough information to vote on the appointment by motion, second, and majority vote.

**Boards and Commissions Discussion.** Ms. Capps stated at the City Council meeting on November 16, 2020, council discussed the appointments to the Planning Commission. Staff recommended extending the term for Chris Boyette to keep an experienced member on the board for an additional term. Council decided to wait on recommending members until the Planning Commission had met to provide their recommendation for appointment. At the City Council meeting on December 7, 2020, the Clerk shared the Planning Commission had met and made a recommendation to reappoint Chris Boyette for a term of three years. When it was discussed originally, Councilmember Aycock had stated he was ok with an additional year. We would like to clarify if Council meant a one year or three year term.

Council discussed. Councilmember Aycock made a motion to extend Mr. Boyette's term for one year. The motion was seconded by Mayor Pro Tem Ham. Councilmember Matthews stated haven't we already done this and Mr. Salmon stated there was a question as to whether it was a one year or three year term, we are reconfirming. Councilmember Polack asked will this be revisited next year. Councilmember Aycock amended his motion to extend Mr. Boyette's term for only one year, be off the board for one year, then Mr. Boyette could reapply. Mayor Pro Tem Ham seconded the amended motion. Mayor Allen, Mayor Pro Tem Ham, Councilmembers Polack, Matthews and Aycock voted in favor of the motion. Councilmember Broadway voted against the motion. The motion passed 5:1.

The Tourism Council had a member to resign on Wednesday, January 27. You have the 2 current applications for the hotelier position in your folders. The Tourism board recommends the appointment of Tyrone Barrett. They felt that he would bring a great hotelier perspective to the board, as he is running the newest hotel in town and the hotel type is different than the mainstream hotels.

Councilmember Matthews asked when you say current what does that mean. Ms. Capps stated applications are kept on file for one year.

Council requested time to review applications and will discuss at the next meeting.

**Consent Agenda Review.** Item B. on the Consent Agenda was reviewed.

**Closed Session Held.** Upon motion of Mayor Pro Tem Ham, seconded by Councilmember Broadaway and unanimously carried, Council convened into Closed Session to discuss an economic development and personnel 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 City Council of the City of Goldsboro, North Carolina, met in regular session in the Large Conference Room, City Hall Addition, 200 North Center Street at 7:00 p.m. on February 1, 2021 with attendance as follows:

Present: Mayor Chuck Allen, Presiding  
Mayor Pro Tem David Ham  
Councilmember Bill Broadaway  
Councilmember Taj Polack  
Councilmember Brandi Matthews  
Councilmember Gene Aycock

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

Captain John Blevins, Jr. with the Salvation Army provided the invocation. The Pledge of Allegiance followed.

**Approval of Minutes.** Upon motion of Councilmember Broadaway, seconded by Councilmember Polack and unanimously carried, Council approved the Work Session and Regular Meeting Minutes of January 19, 2021.

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

Sylvia Barnes provided comments regarding the appointment to the vacant seat for District 1 and requested Council consider a change to their meeting time as it conflicts with the School Board meetings.

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. Councilmember Aycock moved the item on the Consent Agenda, Item B 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 favor of the motion. The item on the Consent Agenda was as follows:

**CU-10-20 Jayme S. Dearing – West side of N. Center Street between W. Oak Street and W. Ash Street. Approved.** The applicant is requesting a conditional use permit to operate an automobile repair, service and inspection facility in the CBD (Central Business District).

Frontage: 149 ft. (N. Center St.)  
Area: 25,165 sq. ft., or 0.57 acres  
Zoning: Central Business District w/ Historic District Overlay

Surrounding Zoning:

North: GB (General Business);  
South: CBD (Central Business District);  
East: CBD (Central Business District); and  
West: CBD (Central Business District); GB (General Business)

The existing building and lot was formerly operated as a used car business and service center known as J.D. Pike Motor Company. The site has been closed for more than six months and the owner is in the process of selling the property.

On February 3, 2020, City Council denied the property owner's request to rezone the property from CBD (Central Business District) to GB (General Business). The proposed zoning was inconsistent with the City's Comprehensive Land Use Plan, which recommended MU DT (Mixed-Use Downtown) development for the property.

Now, the applicant is proposing to operate an automobile repair, service and inspection facility upon subject property. According to the City's Unified Development Ordinance, the proposed use is permitted in the CBD (Central Business District) however; a conditional use permit is required and must be approved by City Council. The subject property is located on the north side of Ash Street therefore not located within the CBD (Central Business District) bounded by the south side of Ash Street, the east side of George Street, the north side of Chestnut Street and the west side of William Street where auto-oriented uses are not permitted.

Days/Hours of Operation: Monday-Friday 7:30 am – 5:00 pm  
No. of Employees: 5

An existing 24 ft. wide curb cut exists off N. Center Street and provides gated access to required customer/employee parking, automobile drop-off and pick-up service.

The existing building consists of approximately 10,120 sq. ft. of floor space consisting of offices, a service bay, storage/warehouse space and restrooms for customers and employees.

Since the site was developed prior to the adoption of the City's Unified Development Code, building setbacks do not comply with current regulations. A modification is required for the side-yard setback from 15 ft. to 0 ft. Also, a modification is required for the rear-yard setback from 20 ft. to 0 ft.

Parking for the site requires 1 parking space per working bay and 1 space per employee. A total of 6 striped parking spaces are required to include handicap accessible parking.

According to the City's Unified Development Code, auto repair facilities and all outdoor storage areas for vehicles other than customer parking shall be located to the rear of the property and screened from view by a six ft. opaque fence.

In addition, junked or inoperable motor vehicles shall not be parked in view of any road right-of-way or adjoining property for more than forty-eight hours. No vehicle that has been repaired and is awaiting removal, or that is awaiting repair, shall be stored or parked for more than 30 consecutive days. No vehicle shall be parked or stored as a source of parts and no vehicle shall be parked for the purpose of sale or lease/rent.

Staff is working with the applicant to ensure that the above-mentioned requirements have been completed prior to a certificate of occupancy being issued.

Due to existing site conditions consisting of paved surface areas, the applicant is requesting a variance of the City's landscape requirements.

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

The subject property is located within the City of Goldsboro's Historic District. Any exterior improvements to the property including signage shall comply with the Historic District guidelines before a building permit can be issued in the future.

The following modifications are being requested by the applicant:

1. Modification of the building side-yard setback from 15 ft. to 0 ft.
2. Modification of the building rear-yard setback from 20 ft. to 0 ft.
3. Modification of the City's landscape ordinance.

At the public hearing held on January 19, 2021, no one appeared to speak for or against this request.

The Planning Commission, at their meeting held on January 25, 2021, recommended approval for the operation of an automobile repair, service and inspection facility in the CBD (Central Business District) with no outdoor storage of vehicles with modifications.

It was recommended Council accept the recommendation of the Planning Commission and:

- (1) Adopt an Order approving the Conditional Use Permit for the operation of an automobile repair, service and inspection facility in the CBD (Central Business District) with no outdoor storage of vehicles to include the following modifications:
  - a) Modification of the building side-yard setback from 15 ft. to 0 ft.
  - b) Modification of the building rear-yard setback from 20 ft. to 0 ft.
  - c) Modification of the City's landscape ordinance. Consent Agenda Approval. Aycock/Broadaway (6 Ayes)

#### **End of Consent Agenda.**

**City Manager's Report.** Mr. Timothy Salmon stated the FY 18-19 audit is not yet complete; it has not been submitted to the NC Local Government Commission. The auditors are currently working with our Finance Department to work through some prior period adjustments. I've arranged for the auditors to update Council at the next Council Meeting on the 15<sup>th</sup>.

Mayor Allen stated you don't see it being done by then.

Mr. Salmon stated sir it is possible, I do not know, it depends on what they find as they continue to work, most if not all of it is prior year adjustments so things that happened before this audit year, they are clarifying. The County has asked municipalities and volunteer organizations to provide personnel to assist with future vaccinations. NC Governor EO 189 "Further Extension Of The Modified Stay At Home Order" will be in effect until 5:00pm Feb 28, 2021.

**Mayor and Councilmembers' Reports and Recommendations.** Councilmember Matthews read the following Proclamation.

**Black History Month Proclamation.** Mayor Allen proclaimed the month of February 2021 as *BLACK HISTORY MONTH* in the City of Goldsboro and encouraged all citizens to observe this month by participating and supporting all festivities celebrating the proud heritage of African Americans.

Councilmember Broadaway read the following Proclamation.

**Human Relations Month Proclamation.** Mayor Allen proclaimed February 2021 as *Human Relations Month* in the City of Goldsboro and called upon our community to observe this month to gain insight, to foster commitment, and to promote the call for "Unity, Harmony, and Action."

Councilmember Aycock stated no comment.

Councilmember Matthews stated I do want to thank the applicants for following through on the process to fill this District 1 seat. I heard the question posed by one of our councilmembers, they asked them what would they do to bring cohesiveness to the board, considering what we have seen over the past few years. But in my mind, the real question is,

what are we going to do to bring cohesiveness to the board. Because what I keep hearing is that there has been some type of change or it has gotten better but even with seats flipping people, the problems are still here. So David Ham, you in particular, I would be interested in what are you planning to do to bring some cohesiveness to the board or even acknowledge your participation in there not being cohesiveness. It really struck a chord with me and took me back to what I experienced personally when I was accused, along with another resident, of making some of the same claims, and posts on social media. Those things to this day have not been produced, and the person that accused me and this resident has not apologized. Those types of claims and accusations need to be taken very seriously. You need to be able to produce the evidence and if you cannot for any reason, I will assume that it is because you are being dishonest and you should apologize to Ms. Moore and to this community for doing what you did. I experienced the same thing from you David Ham, when I came before the board to use my three minutes to talk about some of my concerns, that I had with my leadership, you specifically. I received the same type of backlash, I received the same type of disrespect, and I received the same type of accusations coming from you directly. It is so sad that every time someone rises up in opposition, cause here we are saying, we do not all have to agree, but it seems like every time someone speaks in opposition of particular people on this board, this is the type of behavior that follows and there needs to be some accountability for that. I think that inclusion in your question was very disrespectful and inappropriate and I also find it very interesting that you failed to disclose the very same thing about another candidate. I can only assume that, that candidate's participation in divisiveness rhetoric and the same type of lingo that you accuse someone else of is because maybe you benefited from it then and you benefited from it now. But your behavior specifically Councilmember Ham is exactly why this board should not make the decision on who acquires that District 1 seat. It proves that this board cannot be unbiased in their decision making, so I am going to make one final plea, that we do what's right by the people of District 1 and allow their voice to be the determining factor in who represents them. As leaders we all claim to be, I suggest we start leading from the front, this type of behavior is outdated, I am tired of it, I am tired of being on the receiving end of it. I am tired of our residents having to see it. I'm tired of nothing being accomplished because we cannot seem to put our personal feelings aside, to come in this room and do the business of the people. I am not asking you to like me, but I am asking you to respect me, respect my position in this room, and on this council and in this community. And just as I ask that respect of myself, I ask that for all residents even the ones you may not particularly like because it takes a big person to come and stand in this room and do what those women did tonight and your behavior with one of them was inappropriate and disrespectful and it lacked leadership. Thank you.

Councilmember Polack stated I always like to end each meeting talking about safety. In the wake of the new strains of what we are seeing across the country, across the world, I think the reporting status of some of the agencies within the city as well as the county are being disingenuous about the reporting status to the community. I know for a fact that I have been in close proximity with three individuals who have had COVID and I did not receive a single call in reference to contact tracing. So I hope that is not a trend being set forth by the city. I most certainly hope countywide, this is something that is looked into. Sweeping this under the rug or trying to justify sporting events or kids in the classroom, this pandemic is bigger than that. I know everybody, some parents are getting frustrated with the kids at home, but that's not a reason to send them back in the classroom. Not only are statistics showing that these new cases are on the rise with youth, even with infants in some cases and I have an 18 month old granddaughter at home that I plan on going home to everyday as well as a 71 year old mother that I keep in the house to keep her safe. So at the least, I think contact tracing needs to be looked at more within the city because this thing is going to implode and get out of control. They are saying now that this new strain in a couple more months is going to make this old strain look like it was nothing. I think we need to be more on top of what we are doing, and be more honest about our reporting status. I think this is something that should not just be for the city but countywide. Thank you.

Councilmember Broadway stated I want to congratulate the County health department, when I took my wife and I and I think Councilmember Aycock was there, it was well organized, we got in there and out of there. I am seeing more people wearing masks and I think that is good. We are fighting it but we have a long way to go.

Mayor Pro Tem Ham stated I would like to commend those essential workers that make our lives bearable during this time. Essential workers are everyone from someone who goes to

the grocery store to serve the customers that come in to the people who work in the pharmacies, to our city employees and there is a fine line between essential and nonessential, sometimes I think we forget to look at who really is essential. It is a hard definition, there are a lot of people who are designated as nonessential who get up to go to work and they are to be commended.

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

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Chuck Allen  
Mayor

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Melissa Capps, MMC/NCCMC  
City Clerk