

MINUTES OF THE MEETING OF THE CITY COUNCIL HELD
APRIL 20, 2020

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 6:00 p.m. on April 20, 2020 with attendance as follows:

Present: Mayor Chuck Allen, Presiding
Mayor Pro Tem Bill Broadaway
Councilmember Antonio Williams
Councilmember Taj Polack
Councilmember Brandi Matthews
Councilmember David Ham
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 6:00 p.m.

Adoption of the Agenda. Councilmember Aycock made a motion to adopt the agenda. The motion was seconded by Councilmember Ham. Mr. Tim Salmon stated I would like to add a Resolution authorizing the application for the North Carolina Water Infrastructure Additional Supplemental Appropriations for Disaster Relief Act, 2019 to the agenda. Councilmember Aycock made a motion to include the addition of the proposed amendment, Mayor Pro Tem Broadaway seconded the motion and it carried unanimously. Mayor Allen called for a vote on Councilmember Aycock's motion to adopt the agenda which was seconded by Councilmember Ham. All members voted in favor of the motion.

Electronic Meeting Rules of Procedure. Councilmember Matthews stated as a Council we have encouraged our residents to stay home. The Governor issued a Stay at Home Executive Order, I think that as elected officials we should follow suit, if we can still effectively handle city business, which I think we can. We were insured by the city manager and IT Department that we can do, we can still have virtual meetings and be just as effective. So, that is something I really want the board to consider. It is safety for us as well, I mean we are supposed to be 6 feet apart and I don't think I am six feet from the councilmember to my right or left. I looked at the draft, I looked at the Rules of Procedure but I did not see anything about public comment. I think if we are going to have virtual meetings, we can go back to letting the public speak at both of our meetings.

Councilmember Polack stated I agree. The last vote I think we had, when it was stated or misrepresented by some that I, I can't speak on anyone else's behalf, but if my vote was a way to censure or take someone's freedom of speech, that was not the intent. You know I had stood on that side of the podium on many occasions, I think like she just stated, we are looking at it from a physical standpoint, as far as having as much physical interaction that we should have if there is a way to listen to the concerns of the community, we should have a way to do it virtually. I think the biggest way to solicit ideas is for one not to wait to the first or third Monday but to be a part of the community and being in your community. I've gotten a lot of calls, been outside in the community soliciting ideas of what we could do and the consensus is we should find a way to do it virtually and we should then be able to open it up to both meetings.

Councilmember Williams stated I have spoken with a lot of elected officials in other communities, they are using Zoom or Microsoft Teams and from what they explained to me with Zoom it is an upfront fee of \$1500 and its unlimited not only can it be used for our Council Meetings but say for instance if other Councilmembers want to have a town hall meeting there's basically 10 spaces available that would be licensed under our contract, where Mr. Mayor if you wanted to hold a town hall you could do that, other councilmembers could as well. Its 24 hours of support and its online virtual training too. I think it is a good idea.

Councilmember Aycock asked if we go to it, could we make it optional whether or not we attend the physical meeting or do it by virtual.

Mr. Salmon stated yes, you can come in if you like, or dial in. We would use Webex, we already have the software. We have department head meetings held virtually.

Councilmember Matthews stated my only concern is if you call in over the phone, there are some things you cannot vote on, where the physical body can, but you on the phone cannot. I do not think any of us would not want our vote to count but I also wanted us to consider the safety of each other. And also we are encouraging our residents to do something that we are not doing ourselves.

Mayor Allen stated I like to meet here. I like the interaction of talking to you and I don't get that as much on Zoom. I think we are on the downside of this and I think it would only be for 1, 2, or 3 meetings. It is the same thing with limiting the public speaking, what he said was, as long as there is an epidemic going on, we would do that and after that we would go back and look at it. We did not change it for a long period of time, the way I remember the motion.

Council discussed COVID-19.

Attorney Lawrence stated the draft in participation is in a "may" format. It would not require everybody to participate electronically, whoever wanted to be here physically could still be here. It allows you to participate electronically, if you wanted to.

Mayor Allen asked if someone does attend electronically can they vote.

Attorney Lawrence stated the way it is drafted is because of quasi-judicial matters, like the hearing you are going to have tonight, whether it is the School of Government or the AG's office, everyone feels like you need to have at least four people present, we have seven, so at least a majority present physically for a quorum when there is a quasi-judicial matter coming before you to be heard.

Councilmember Matthews stated I'm saying do the whole operation virtually. We made a really quick decision to eliminate our public comment and public hearings to once a month. We did that quick, even when we had safety precautions. I enjoy this too, nothing like being in the physical. I am not going to stay home and not let my one vote, one voice to be heard and counted. I do not think we should even consider if some can be here and some cannot.

Councilmember Ham stated I also like the presence of people, council people for interaction purposes. I would like to see us continue a council meeting at this site with a minimum of the quorum present. If someone feels like they do not want to be here, that could be there option. Myself, at this point in time, as far as pandemic is concerned, I prefer to meet here physically.

Councilmember Matthews stated with that being said, we need to make the proper adjustments in this room.

Discussion continued regarding the number of people in the room and the Governor Executive Order.

Councilmember Polack made a motion to adopt the Rules of Procedure for Electronic Meetings of Goldsboro City Council. Councilmember Williams seconded the motion. Mayor Allen, Councilmembers Williams, Polack, Matthews and Aycock voted in favor of the motion. Mayor Pro Tem Broadaway and Councilmember Ham voted against the motion. The motion carried 5:2.

NC League of Municipalities Voting Delegate. Mr. Tim Salmon shared during the CityVision Conference each year, cities elect a voting delegate to vote on the Board of Directors for the upcoming year.

The League's CityVision 2020 annual conference has been cancelled in response to the state's Coronavirus response. This year, the League will host a Virtual Summit on May 28, 2020.

During the CityVision Virtual Summit, League members can attend the annual business meeting where the new Board of Directors will be announced.

Council discussed. Council's consensus was to authorize the City Manager to be the voting delegate at the CityVision Virtual Summit to be held on May 28, 2020.

Resolution Authorizing the Application for The North Carolina Water Infrastructure Additional Supplemental Appropriations For Disaster Relief Act, 2019 (Asadra). Resolution Adopted. Mr. Mike Wagner, Public Utilities Director stated back in November 2019, we had about \$34 million of projects for sanitary sewer identified; one of those was replacing the force main at the Big Cherry pump station.

The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of a wastewater collection system project. The City of Goldsboro has need for and intends to construct an improvement to the sanitary sewer conveyance system that is comprised of the little cherry pump station, big cherry pump station and corresponding force main. On Feb. 12, 2020, the State Water Infrastructure Authority approved the priority rating system to be used for projects eligible for Additional Supplemental Appropriations for Disaster Relief Act funding and conditions for applying principal forgiveness to funded projects for the full amount of the loan up to \$3,000,000. The City of Goldsboro intends to request state loan and/or grant assistance for the project and accept or reject in compliance with the City of Goldsboro Grant Management Policy, June 6, 2014.

Mayor Allen asked what moves this project to the front.

Mr. Wagner stated that force main is already failing, there is I&I coming into the force main.

Councilmember Williams asked if there was someone within the city that could do the grant application.

Mr. Wagner stated this application is due on the 30th. The proposal from WithersRavenel is for \$5,000, I believe is money well spent, this is what they do.

Upon motion of Mayor Pro Tem Broadaway, seconded by Councilmember Polack and unanimously carried, Council adopted a resolution authorizing the application for the North Carolina Water Infrastructure Additional Supplemental appropriations for Disaster Relief Act, 2019.

RESOLUTION NO. 2020-27 "RESOLUTION AUTHORIZING THE APPLICATION FOR THE NORTH CAROLINA WATER INFRASTRUCTURE ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF ACT, 2019 (ASADRA)"

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

Mayor Allen asked that staff include discussion of the Summer Youth Employment Initiative on the work session agenda for the first meeting in May.

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 Large Conference Room, City Hall Annex, 200 North Center Street, at 7:00 p.m. on April 20, 2020 with attendance as follows:

Present: Mayor Chuck Allen, Presiding
Mayor Pro Tem Bill Broadaway
Councilmember Antonio Williams
Councilmember Taj Polack

Councilmember Brandi Matthews
Councilmember David Ham
Councilmember Gene Aycock

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

Councilmember Taj Polack provided the invocation. The Pledge of Allegiance followed.

Approval of Minutes. Upon motion of Mayor Pro Tem Broadaway, seconded by Councilmember Polack and unanimously carried, Council approved the Minutes of the Work Session and Regular Meeting of March 16, 2020 as submitted.

Non-contiguous Annexation Request – Renu-Life Extended, Inc. Located on the northeast side of Windsor Creek Parkway between Wilshire Way and Wayne Memorial Drive consisting of 3.0778 acres. Public Hearing Held. Ordinance Adopted. The City Council, at their meeting on March 2, 2020 scheduled a public hearing for April 20, 2020 for the proposed annexation of the subject property. A public hearing notice was properly advertised stating the time, date, 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.

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 Williams and unanimously carried, Council adopted the following entitled ordinance annexing the Renu Life Property effective April 30, 2020.

ORDINANCE NO. 2020-9 "AN ORDINANCE ANNEXING CERTAIN NONCONTIGUOUS REAL PROPERTY TO THE CITY OF GOLDSBORO, NORTH CAROLINA"

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 Williams moved the items on the Consent Agenda, Items C and D be approved as recommended by the City Manager and staff. The motion was seconded by Councilmember Polack and a roll call vote resulted in all members voting in favor of the motion. The items on the Consent Agenda were as follows:

Resolution to Suspend In-person Attendance of the Public to Formal Bid Openings during the State of Emergency due to the Coronavirus Pandemic (COVID-19). Resolution Adopted. North Carolina G.S. §143-129 "Procedure for letting of public contracts" requires formal bidding when there is an expenditure of public money more than \$500,000 for

construction or more than \$90,000 for equipment and supplies. Part of that procedure requires that the sealed bids be opened in public.

COVID-19 has caused unprecedented challenges for public entities to comply with statutory obligations.

Governor Cooper issued a State of Emergency to respond to the Coronavirus (COVID-19) on March 20, 2020. On March 27, 2020, Governor Cooper issued Executive Order 121 “Stay at Home Order and Strategic Directions for North Carolina in Response to Increasing COVID-19 Cases” which limits gatherings to no more than 10 people, and establishes exceptions for Essential Businesses and Operations which includes governmental operations.

The City currently has a formal bid, FB 2020-002 Wastewater System Improvements, set to open on April 21, 2020 at 2:00 p.m. Staff could not delay the opening due to certain milestones that must be met in order to comply with the grant requirements.

It is recommended the Council approve the following entitled resolution to suspend in-person public attendance to formal bid openings during the coronavirus pandemic, and to implement alternate procedures to ensure that the spirit of public bid opening remains intact. Consent Agenda Approval. Williams/Polack (7 Ayes)

RESOLUTION NO. 2020-28 “A RESOLUTION TO SUSPEND IN-PERSON PUBLIC ATTENDANCE TO FORMAL BID OPENINGS DURING THE CORONAVIRUS PANDEMIC”

Departmental Monthly Reports. Accepted as Information. The various departmental reports for March 2020 were submitted for the Council’s approval. It was recommended that Council accept the reports as information. Consent Agenda Approval. Williams/Polack (7 Ayes)

End of Consent Agenda.

City Manager’s Report. Mr. Tim Salmon thanked public servants for the continuing support of services being provided. He also reminded the public that if they are looking for updates on the Corona virus, you can go to our city website, the coronavirus tab will get you to many other sites as well whether it is the North Carolina Department of Health or the Center for Disease Control.

Mayor and Councilmembers’ Reports and Recommendations.

Councilmember Aycock stated no comment.

Councilmember Ham stated no comment.

Councilmember Matthews stated no comment.

Councilmember Polack stated I wanted to thank the work of the Salvation Army this past week by filling in for the schools food distribution. Want to thank all the restaurants, church volunteers that serve the community. I also want to thank those organizations that continue to serve. I want to acknowledge the new graduates of the Goldsboro Fire Department. I’m kinda biased to this. I think they have entered the best job they want to have as they sacrifice their lives to help others. I want to wish them the best of luck, thank you.

Mayor Pro Tem Broadaway stated I wanted to thank all the people over at Wayne Memorial Hospital, all the people working double shifts right now. Especially the people working on the 7th floor. Our city employees, all those people that are out there, you see them all the time. And also, all the volunteers, it’s amazing the number of people that are providing food all over this city and I would like to thank them. It’s a wonderful effort. I hope ever body will be safe. I was at the parking lot at Lowes this afternoon and I saw the parking lot was full and one person was wearing a mask. We’ve got to be better than that.

Councilmember Williams stated he wants to thank all the selfless people in our community that have cared about others. I read in the paper about this young lady, how she was putting meals together for the truckers and I appreciate what she's doing. I also want to thank Councilwoman Matthews for thinking about our downtown seniors with the support of Rebuilding Broken Places. We both delivered food today to the residents of Waynesborough House and I thank you, there are wonderful seniors there. I want us also to pray for our local prison here and the employees there. There is an outbreak there and we really should be concerned about them. Also, I pray that you and your families are safe and well too. I lost a family member a few days ago to COVID-19. She was a nurse, she was a chief transportation inspector and while doing that, she used those funds to put herself through nursing school. And while still being a nurse, she became a top realtor. On Easter morning, she lost her fight with COVID-19. But she was still nursing others until she was admitted in the hospital. She had faith and I am thankful for all that are recovering. Please take this pandemic seriously. God bless you, thank you.

Mayor Allen stated like everyone else, I want to thank all of our frontline employees at the health department, the hospital, our folks; our police, our fire, our public works, everybody is really coming to the forefront to try to help others and that's great. I want to thank our citizens, they have done a pretty good job at staying at home and working with us and I know they are getting tired if this. I am sure they are and hopefully we are on the downside of this. I don't know that but I can at least hope that. I just want to thank everybody. For anybody at home that hasn't filled out your census, now would be a great time to fill out your census.

There being no further business, the meeting adjourned at 7:10 p.m.

Chuck Allen
Mayor

Melissa Capps, MMC/NCCMC
City Clerk