

MINUTES OF THE MEETING OF THE CITY COUNCIL HELD
MAY 3, 2021

WORK SESSION

The City Council of the City of Goldsboro, North Carolina, met in a Work Session in the Council Chambers, City Hall, 214 North Center Street, at 5:30 p.m. on May 3, 2021 with attendance as follows:

Present:

Mayor Pro Tem David Ham, Presiding
Councilmember Hiawatha Jones
Councilmember Bill Broadaway
Councilmember Taj Polack
Councilmember Brandi Matthews
Councilmember Gene Aycock
Ron Lawrence, City Attorney
Tim Salmon, City Manager
Melissa Capps, City Clerk

Absent: Mayor Chuck Allen

Call to Order. Mayor Pro Tem Ham called the meeting to order at 5:33 p.m.

Adoption of the Agenda. Mayor Pro Tem Ham stated he would like to add Item I. Military Appreciation Month Proclamation to the agenda. Upon motion of Councilmember Broadaway, seconded by Councilmember Polack and unanimously carried, Council adopted the agenda.

Tiffany Gardens Phase II Rezoning Discussion. Mayor Pro Tem Ham provided background information regarding Tiffany Gardens. At the April 5th meeting, the Council denied the motion to approve the rezoning. There are two things I think Council should be aware of, on April 1, 2019, Council approved the rezoning for Tiffany Gardens Phase I. On March 16, 2020 Council approved a loan for HOME Funds of \$500,000 to the developer for an interest rate of 2%. Those two items were not spoken to at the April Meeting.

Council discussed.

Mayor Pro Tem Ham made a motion to bring back Tiffany Gardens Phase II rezoning based upon section 2.6.10 of the code for a rehearing on June 21st. The motion was seconded by Councilmember Broadaway. Mayor Pro Tem Ham, Councilmembers Jones, Broadaway, Matthews and Aycock voted in favor of the motion. Councilmember Polack did not vote, however, pursuant to NCGS G.S. 160A-75, Councilmember Polack's vote would be considered an affirmative vote. The motion passed 6:0.

Public Comment Period Discussion. Mayor Pro Tem Ham reviewed recent changes to the Public Comment Period Policy. Councilmember Jones provided a draft public comment period policy. Council discussed. Councilmember Matthews expressed concerns regarding signing up to speak and #6 – refraining from personal attacks as that could be a matter of perspective. Discussion continued.

Upon motion of Councilmember Aycock, seconded by Councilmember Jones and unanimously carried, Council deleted item #5 and added “unless otherwise authorized by presiding officer” to item # 3.

Unified Development Ordinance (UDO) Update. Ms. Jennifer Collins presented the following information:

NCGS Chapter 160D

- State legislature updated the statewide zoning enabling legislation

- This is a mandatory update for all counties, towns, and cities
- Chapter 160D consolidates and clarifies local land use regulation
- State deadline for compliance is 07/01/2021

Project Schedule

- Chapter 160D Council Update: March 1, 2021
- First Draft (internal): Early April
- Final Draft (public review): Early May
- Planning Board Review: May 24, 2021
- Council Review/Adoption: June 7, 2021

Decision Types for Development Review

- Administrative – An objective decision in the regulation or enforcement of development regulations. *Includes most permits and administrative decisions.*
 - All Site Plans regardless size and no more than 20% modification in parking and landscaping requirements.
 - All Subdivisions/Plats
- Legislative – A general policy decision to adopt, amend, or repeal a law or ordinance.
 - Conditional and Conventional Rezoning and Ordinance Amendments.
 - Conditional Rezoning with conceptual master plan
- Quasi-judicial – A subjective, discretionary decision based on evidence presented regarding a specific application of a development regulation. *Includes legal-style hearings where decisions are based on expert testimony.*
 - Conditional Use Permits are now called Special Use Permits – Tiered with minor BOA approval and major Council approval.
 - Variances/Modifications in excess of 20% Board of Adjustment review/approval.

Additional Updates

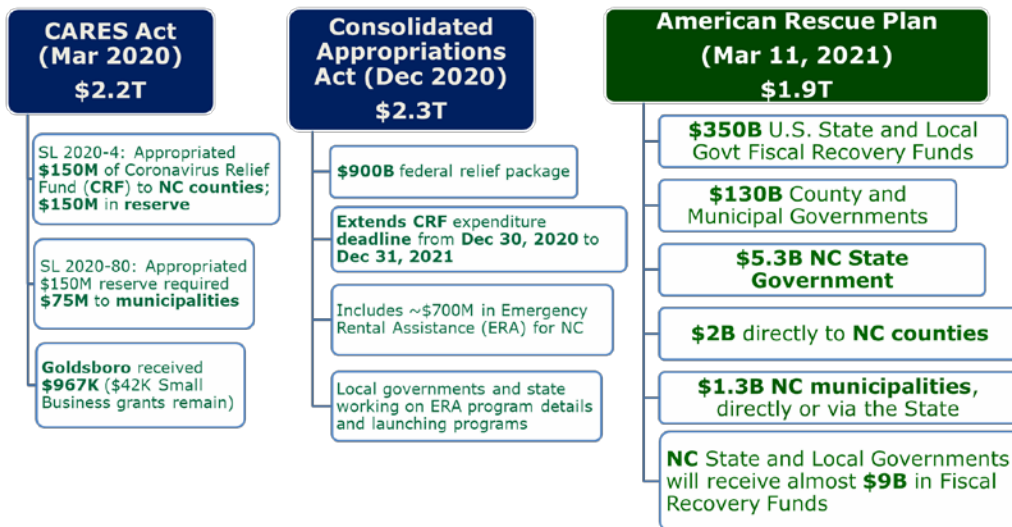
- Permitted Uses Table
- Supplemental Regulations
- Parking Standards
- Definitions

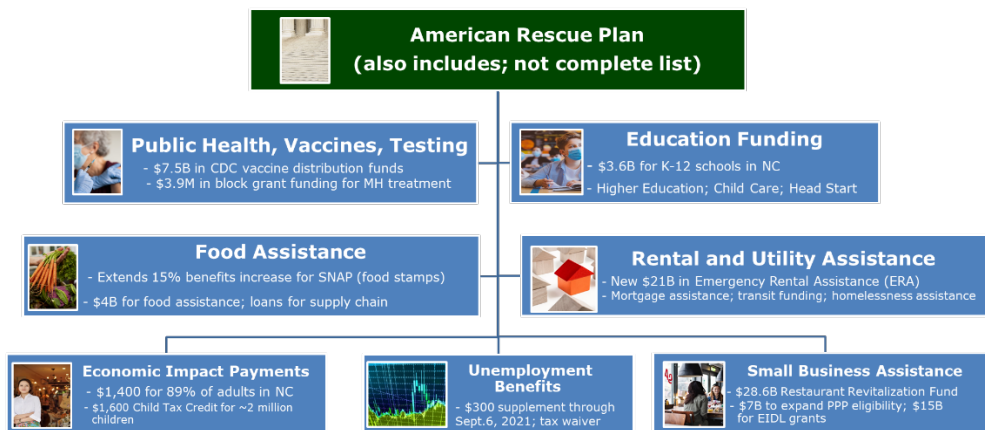
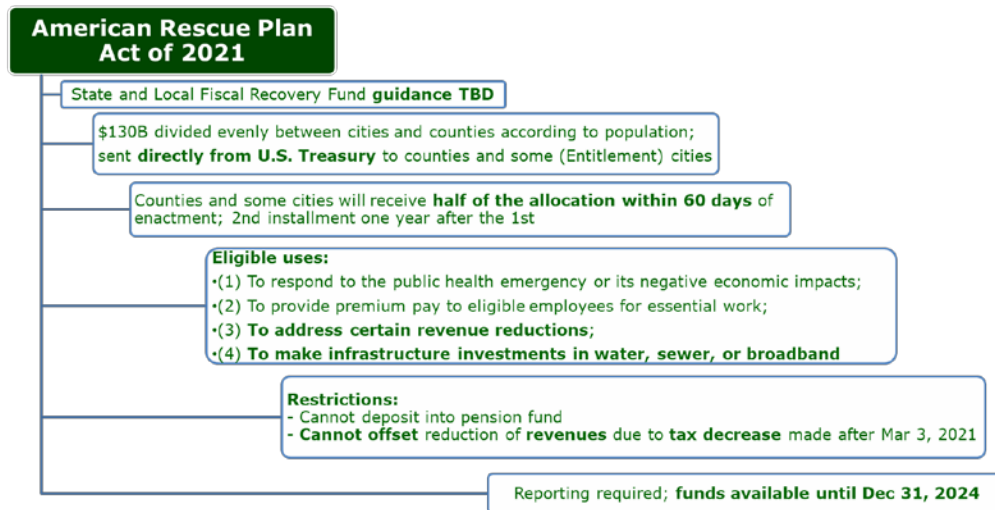
UDO Draft Available for Review

- City’s Website – www.goldsboronc.gov
- Hard copy - Planning Department

American Rescue Plan. Mr. Timothy Salmon shared the following information:

Federal Coronavirus Relief





Local Government ARP Funding

- Wayne County \$23.9M
- City of Goldsboro \$8.7M
 - \$4.375M by May 11, 2021; remaining \$4.375M one year later
- Proposed City Funding Priorities
 - Stabilize Budgets (FY22-24)
 - FY20-21 General Fund reduced -\$970K due to expected lost revenue as a result of COVID-19
 - Restore cuts of ~25 – 50% in operations and maintenance
 - Purchase critical (must have) and essential (should have) equipment
 - Strategic Infrastructure Investment
 - Begin to address estimated \$230+M identified Public Utility CIP requirements over next 10 years
 - Last rate increase only addressed operating costs; may reduce recommended rate increase FY21-22
 - Develop Regional Partnerships
 - Work w/ NC State (LGC, DEQ DWI) government and local public utility owners (Eureka, Pikeville, Fremont, Genoa, Mt. Olive) to address Capital Improvement Plan (CIP) shortfalls

City Water and Sewer Priorities

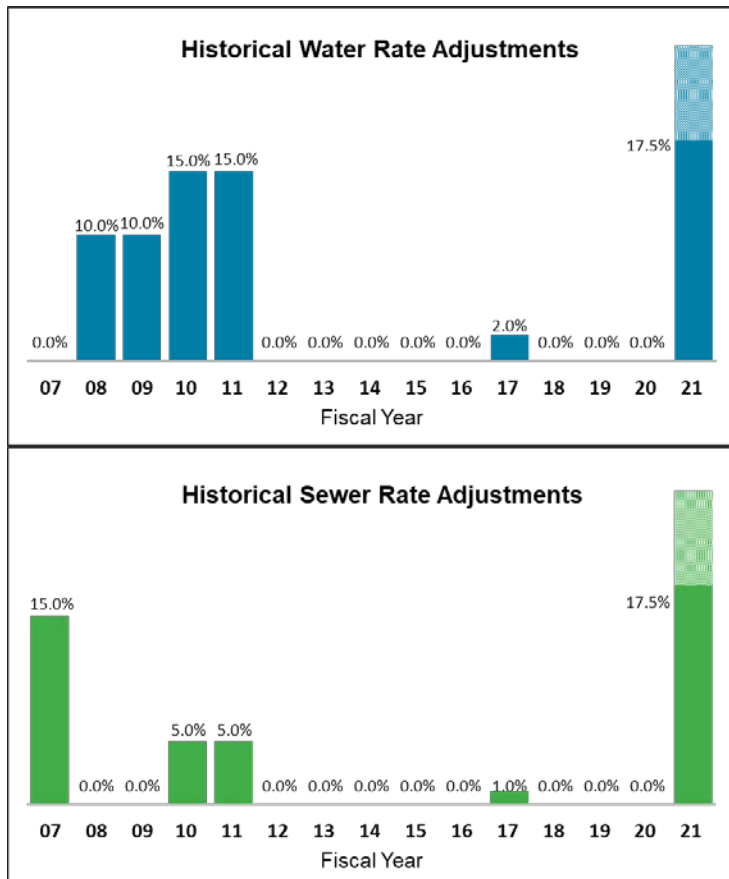
- #1: Phase III Sewer Rehabilitation & Replacement (\$5.2M)
 - Rehabilitation of existing sanitary sewer lines in the northern part of City
 - Mitigates I&I to prevent WRF exceeding flow capacity (Jan, Feb, & Mar 2021 – 120%); enables future growth
- #2: 2019 Water System Improvements (\$3M)
 - Replace undersized water mains ~28,000 LF 2-inch galvanized with 6-inch water mains throughout City.
 - NC DEQ DWI 2% loan pending Council approval (post FY19-20 audit)
- #3: Move Little/Big Cherry Sewer Pump Stations out of flood plane (\$3M)
 - DWI ASADRA 0% loan pending Council approval (post FY19-20 audit); reduces I&I

- Other projects of significance
 - Replace U.V. Disinfection System at the WRF (\$1.1M); >20 years old, chemical disinfection est ~\$60K/mo
 - Replace Pump Station Barscreens at 117, Little Cherry, New Hope, Pecan, and Westbrook (\$225K each)
 - Replace Westbrook Pump Station Generator (\$500K); 25-years old
 - New radios at 40-telemetry locations (\$250K); current radios are obsolete
 - Improve US Hwy 117 Pump Station (\$14.3M); out of capacity, enables economic growth N and W of the City

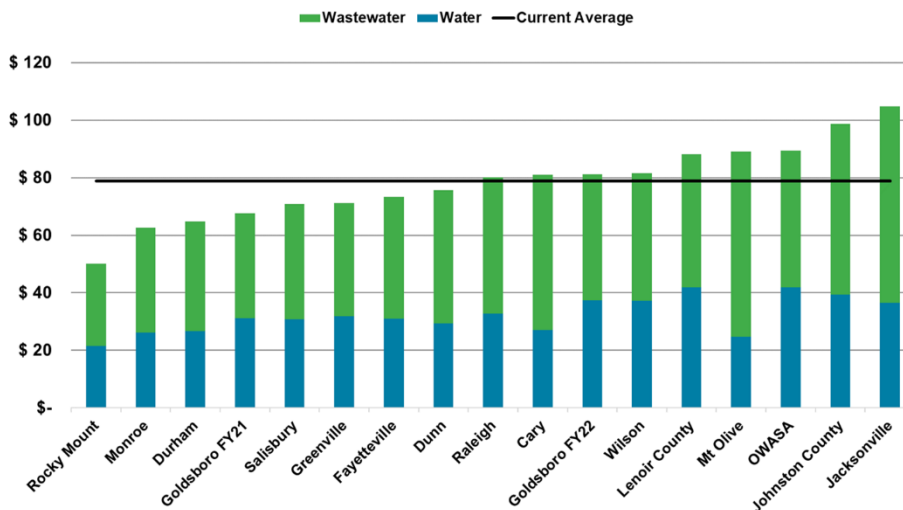
Mr. Salmon shared information from the recent rate study performed by Santec.

Rate History

- Minimal usage rate adjustments over the past decade
- Goldsboro water and sewer rates remain low compared to national and local utilities



Regional Monthly Residential Bill Comparison @ 5,000 gallons



Mr. Salmon shared information regarding proposed improvements for Highway 117 Pump Station and Force Main.

Councilmember Polack expressed concerns regarding rate increases.

Mr. Salmon stated we will include as a part of the budget submission for Council's consideration.

Consent Agenda Review. Each item was reviewed.

Ms. Melissa Capps asked Council to update the location of the Council Meeting for the Minutes of March 15, 2021 to Council Chambers, 214 N. Center Street, Goldsboro. Upon motion of Councilmember Jones, seconded by Councilmember Broadaway and unanimously carried, Council amended the Minutes to reflect the requested location change.

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 Council Chambers, City Hall, 214 North Center Street, at 7:00 p.m. on May 3, 2021 with attendance as follows:

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

Absent: Mayor Chuck Allen

Mayor Pro Tem Ham called the meeting to order at 7:00 p.m.

Pastor Christian Powell with Faith FWB Church provided the invocation. The Pledge of Allegiance followed.

Approval of Minutes. Upon motion of Councilmember Polack, seconded by Councilmember Jones and unanimously carried, Council approved the Minutes of the Work Session and Regular Meeting of March 15, 2021.

Councilmember Matthews read the following Proclamation.

Mental Health Month Proclamation. Mayor Pro Tem Ham proclaimed May 2021 as "*MENTAL HEALTH MONTH*" in Goldsboro, North Carolina and called upon the citizens, government agencies, public and private institutions, businesses and schools in Goldsboro to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

Councilmember Jones read the following Proclamation.

National Day of Prayer Proclamation. Mayor Pro Tem Ham proclaimed Thursday, May 6, 2021 as "*A NATIONAL DAY OF PRAYER*" in observance of the National Day of Prayer in the City of Goldsboro, North Carolina, and commended this observance to our citizens.

FY21-22 Annual Action Plan and Recommended Budget/Public Hearing. Public Hearing Held. City Council action is needed to accept FY21-22 allocation of funds by the United States Department of Housing and Urban Development (HUD) from the Community Development Block Grant (CDBG), and Home Investment Partnership (HOME) Program, and Community Development Block Grant COVID-19 (CDBG-CV) Program. In addition, City Council must approve the FY21-22 Annual Action Plan and budget recommendations in preparation for HUD's submission deadline on May 15, 2021.

HUD has awarded \$349,980 in CDBG and \$250,738 in HOME funds to the City of Goldsboro for use to develop viable urban communities by providing decent housing, suitable living environment, and expanding economic opportunities, mainly for persons of low-to-moderate income. The City was awarded \$220,749 in CDBG-CV (pandemic relief funds) to mitigate the ongoing impacts and fund recovery from the COVID-19 pandemic. This second award of CDBG-CV requires an amendment to previous plans, the process for which has occurred concurrently with the AAP process. Additionally, the City will have available approximately \$174,804 in prior year CDBG funds and \$665,062 in prior year HOME funds (prior year balances as of April 23, 2021).

Due to the restrictive use of funds placed on the HOME program to focus on projects and/or activities designed exclusively to create affordable housing for low-income households, the City has historically each year carried over a substantial amount of prior years' HOME funds when it has not undertaken large development projects. Staff has developed a plan to responsibly spend these funds in the upcoming fiscal year.

A thirty-(30) day comment period was held April 5, 2021 to May 7, 2021 with public meetings held March 25, 2021 and during the regularly scheduled April 13, 2021 meeting of the Commission on Community Relations and Development to discuss priorities and recommended budget for FY21-22 program year. On May 3, 2021 during the City Council's Regular Meeting, staff will provide the City Council with a presentation of the draft FY21-22 Annual Action Plan and budget recommendations. In addition, a public hearing was held during the regular meeting to gather public input on the use of federal funds. All public meetings and hearings, as well as the availability of draft plans for public review and comment, were duly advertised in the Goldsboro News Argus as well as on the City's website.

Three citizens provided their input during the March 25, 2021 regarding restructuring CDBG and HOME funds within the recommended budget as it related to transitional housing, rehabilitation, and public services. No additional public comments were received during the April 13, 2021 public meeting. To date staff has received three written comments from non-profit stakeholders regarding Community Development Housing Organization (CHDO) funds, a desire for more transparency in the sub-granting process, and a desire to have a housing plan that is more detailed than the Consolidated Plan and Annual Action Plan. Comments will be incorporated into the final submission of the FY21-22 Annual Action Plan. During the Commission on Community Relations and Development meeting of April 13, 2021, staff provided a preliminary presentation on the draft FY21-22 Annual Action Plan and budget recommendations. The 2021-2022 Annual Action Plan is the second year of implementing the Five-Year Consolidated Plan for 2020-2024. A summary of the 2021-2022 drafted Annual Action Plan proposed activities and use of funds is included below. Accomplishments will be reported in the CAPER.

Ms. Felecia Williams introduced Ms. Lea Henry, President of Two Rivers Development, who provided information on the Annual Action Plan. Ms. Henry reviewed the following:

ANNUAL OBJECTIVES/ACTIVITIES (91.220(e) (3))

ACTIVITY	CDBG	HOME	CDBG-CV	URGENT REPAIR	PROGRAM INCOME		PRIOR YEAR FUNDS (As of 4-23-21)		TOTAL RESOURCES
					CDBG	HOME	CDBG	HOME	
Single Family Housing		185,000						65,000	250,000
Homebuyer Assistance								60,000	60,000
Public Facilities & Improvements	150,000						50,000		200,000
Public Services	52,347						52,661		105,008
Project Delivery	20,000								20,000
Multifamily Development								500,000	500,000
CHDO Activity		37,611				1,920		35,553	75,084
Economic Development Program Administration	69,796	25,074	44,150				30,000		139,020
Local Home Match		The City anticipates receiving a HOME Match Reduction Waiver of 100% (\$25,074)							0
Urgent Repair Program	50,000			100,000					150,000
Pandemic Recovery			176,599						176,599
Total Allocations	\$342,143	\$247,685	\$220,749	\$100,000	\$0	\$1,920	\$132,661	\$660,553	\$1,705,711

The public hearing was opened and the following person spoke:

Sylvia Barnes asked if the homelessness project that Mr. Thomas is working on could be included.

No one else spoke and the public hearing was closed.

Councilmember Matthews asked since the public comment period ends on the 7th, and you are going to include in this, for me to make a decision tonight, I do not know what those comments could be, would those comments have any influence on any numbers changing. Ms. Williams stated they could have an effect, they will be incorporated. Ms. Henry stated basically the dollar amounts and the buckets they are in will stay substantially the same. HUD does allow for some small changes.

Councilmember Broadaway made a motion to accept FY21-22 allocation of funds by HUD from the CDBG, CDBG-CV, and HOME Programs approve the FY21-22 Annual Action Plan and budget recommendations presented during City Council's Regular Meeting of May 3, 2021 in preparation for HUD's submission deadline on May 15, 2021. The motion was seconded by Councilmember Polack. Mayor Pro Tem Ham, Councilmembers Jones, Broadaway, Polack and Aycock voted in favor of the motion. Councilmember Matthews did not vote, however, pursuant to NCGS G.S. 160A-75, Councilmember Matthews vote would be considered an affirmative vote. The motion passed 6:0.

Councilmember Polack made a motion to authorize the Mayor and staff to execute and file the Annual Action Plan, along with the required Certifications, the SF-424, and Grant Agreements that are required to receive CDBG, CDBG-CV and HOME funding for and on behalf of the City of Goldsboro, and to make necessary changes to those documents where required by HUD. The motion was seconded by Mayor Pro Tem Ham. Mayor Pro Tem Ham, Councilmembers Broadaway, Polack, Matthews and Aycock voted in favor of the motion. Councilmember Jones did not vote, however, pursuant to NCGS G.S. 160A-75, Councilmember Jones vote would be considered an affirmative vote. The motion passed 6:0.

Public Hearing to consider approving the Incentive Grant Agreement with AP Emissions and Technologies, LLC and Wayne County. Public Hearing Held. AP Emissions and Technologies, LLC expects to create over 96 new jobs and desires to install certain machinery and equipment in the existing facility located at 300 Dixie Trail, in Goldsboro, Wayne County NC, representing a total non-depreciated investment of at least \$400,000 in personal property. The City Council of Goldsboro believes the expansion of existing industries is important to the economic health of Goldsboro and to the welfare of its citizens. The City Council wishes to encourage such development by means of offering incentives to recruit new industries and to aid in expansion of existing industries. Such incentives are predicated on the notion of expanding Goldsboro's tax base and providing additional jobs for Goldsboro citizens that pay wages higher than the current prevailing average hourly wage in the particular industry.

Pursuant to NC General Statute 158-7.1, a public hearing is being held on a proposal to provide economic incentives to AP Emissions and Technologies, LLC. The County and City shall provide installments of \$7,000 over a three-year time frame to total Twenty-one Thousand (\$21,000) each.

Councilmember Aycock asked if these monies are incentive based. Mr. Mark Pope stated yes, job creation and capital investment.

Mayor Pro Tem Ham opened the public hearing. No one spoke and the public hearing was closed.

Upon motion of Councilmember Polack, seconded by Councilmember Jones, Council adopted a Resolution authorizing the Mayor and City Clerk to execute an economic grant agreement with AP Emissions and Technologies, LLC.

RESOLUTION NO. 2021-35 “RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ECONOMIC GRANT AGREEMENT WITH AP EMISSIONS AND TECHNOLOGIES, LLC.”

Public Comment Period.

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 F on the Consent Agenda, 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 item on the Consent Agenda was as follows:

Code of Ordinance Update: Chapter 111-Amusements. Ordinance Adopted. The City Manager received a request to operate a carnival at the upcoming NC Freedom Fest. The City’s Code of Ordinances Chapter 111 addresses Amusements to include Carnivals. This Chapter of the code was adopted on March 15, 1971 and currently prohibits the holding of a carnival in the city limits.

Staff recommends the City Council adopt the following entitled ordinance revising Chapter 111 “*Amusements*” to include revisions to the section regarding Carnivals in the City of Goldsboro’s Code of Ordinances. Consent Agenda Approval. Aycock/Polack (6 Ayes)

ORDINANCE NO. 2021-4 “AN ORDINANCE AMENDING CHAPTER 111 ENTITLED “AMUSEMENTS” SECTIONS 111.01-111.03 CARNIVALS OF THE CODE OF ORDINANCES OF THE CITY OF GOLDSBORO, NORTH CAROLINA”

End of Consent Agenda.

City Manager’s Report. Mr. Salmon provided an update on Executive Order 209. The NCDHHS states the NC population 18+ years old vaccinated fully - 37%; partially – 48%. Group 5 (Everyone) now able to receive the vaccine. Mr. Salmon shared information regarding upcoming events, the litter sweep by DGDC downtown, and thanked Community Relations for the presentation tonight. Mr. Salmon also thanked Jay and Amy Bauer for their work on the 135th USCT ceremony.

Mayor and Councilmembers’ Reports and Recommendation. Councilmember Polack read the following entitled Proclamation:

Peace Officers Memorial Day Proclamation. Mayor Pro Tem Ham of the City of Goldsboro, North Carolina, called upon the citizens of the City of Goldsboro and upon all patriotic, civic and educational organizations to observe the week of May 10 through May 16, 2021 as Police Week with appropriate ceremonies and observances in which everyone may join in commemorating law enforcement officers, past and present, who by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their community and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens. I further call upon all citizens to observe May 15, 2021 as “*PEACE OFFICERS’ MEMORIAL DAY*” in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

Councilmember Broadway read the following entitled Proclamation:

Municipal Clerks Week Proclamation. Mayor Pro Tem Ham of the City of Goldsboro, North Carolina, recognized the week of May 2-8, 2021, as “*MUNICIPAL CLERKS WEEK*” and further extend appreciation to our City Clerk Melissa Capps, our Deputy City Clerk Laura Getz

and all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Councilmember Ham read the following entitled Proclamation:

Military Appreciation Month Proclamation. Mayor Pro Tem Ham proclaim May 2021 as *Military Appreciation Month*, and officially recognize the many sacrifices made by our veterans, service members, wounded warriors, their families, and their survivors, as well as the vast network of organizations that serve these heroes across the state.

Councilmember Aycock stated not just during the month of May or the week of the 10th-17th, any time you see a service man or law enforcement, stop and thank them for their service. I'm sure it would be appreciated by them.

Councilmember Matthews stated no comment.

Councilmember Polack stated I just want to thank all the people and organizations that have tirelessly advocated for the homeless and ensured they have had a warm meal and attempt to find them shelter in preparation of the projected high temperatures. I would also like to applaud the community I represent as well as other districts in seeing an expansion in the adopt the block initiative as this is making a more visually pleasing community. My goal is one day to see a block of the month initiative per district. I was glad to see my 5th grade teacher Ms. Maureen Prys when she came up for the presentation for Mental Health Month.

Councilmember Broadaway stated as we watch t.v. and look at the COVID stats, we can see where Wayne County in in such good condition compared to the rest. I would just like to thank the Health Department, all the volunteers, the EMTs, everyone who has worked so hard down at the Bussman Center. Thank you Dr. Stackhouse and staff.

Councilmember Jones stated I would just like to thank all the teachers and educators, for a fine job they are doing. COVID has impacted us greatly, not only the students but the teachers as well. I want you to know, I truly appreciate you. Those individuals that work in mental health, as well, I want to thank you. I want to thank this Council for working together and coming up with some really good rules for us to go by and I ask that we enforce those. I am looking forward to continue working with each and every one of you on this council.

Closed Session Held. Upon motion of Councilmember Aycock, seconded Councilmember Polack and unanimously carried, Council convened into Closed Session to discuss potential litigation matters.

Council came out of Closed Session.

Upon motion of Councilmember Polack, seconded by Councilmember Broadaway and unanimously carried, the meeting adjourned at 8:09 p.m.

David Ham
Mayor Pro Tem

Melissa Capps, MMC/NCCMC
City Clerk