

MINUTES OF THE MEETING OF THE GOLDSBORO CITY COUNCIL
JUNE 20, 2023

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 5:00 p.m. on June 20, 2023.

Call to Order. Mayor Ham called the meeting to order at 5:00 p.m.

Roll Call.

Present: Mayor David Ham, Presiding
Councilwoman Hiawatha Jones
Councilman Bill Broadway
Councilwoman Brandi Matthews
Councilman Charles Gaylor, IV
Councilman Greg Batts

Also Present: Tim Salmon, City Manager
Ron Lawrence, City Attorney
Matthew Livingston, Assistant City Manager
Holly Jones, Deputy City Clerk

Absent: Mayor Pro Tem Taj Polack

Adoption of the Agenda.

Mayor Ham requested that the resignation of Mayor Pro Tem Polack, the replacement of Mayor pro Tem, and filling the vacant seat be added as work session item a.

Councilwoman Jones requested that Items V and W be moved to Items Requiring Individual Action. She also requested a point of privilege to share some information regarding the discussion.

Upon motion of Councilman Broadway, seconded by Councilman Batts, and unanimously carried, Council adopted the agenda as amended.

New Business.

Resignation of District 3 Seat and Appointment of New Mayor Pro Tem

Mayor David Ham acknowledged the resignation letter of Mayor Pro Tem Taj Polack effective June 20, 2023. Councilwoman Jones made a motion to accept the resignation. The motion was seconded by Councilman Batts and unanimously carried.

Upon motion of Councilman Gaylor, seconded by Councilwoman Jones, and unanimously carried, Council appointed Councilwoman Brandi Matthews as Mayor pro Tem.

Council discussed replacing the district 3 seat or leaving the seat vacant until elections in November. Motion was made by Councilman Batts to leave the seat vacant. The motion was seconded by Councilman Broadway. Mayor Ham, Councilman Broadway, Councilman Gaylor, and Councilman Batts voted in favor of the motion. Councilwoman Matthews and Councilwoman Jones voted against the motion. The motion passed 4-2.

Mayor Ham stated that the Mayor Pro Tem Oath of Office would be administered at the 7:00 p.m. Meeting.

FFFF (Firefighting Foam) Litigation Discussion. Attorney Garry Whitaker provided handouts to Council. He discussed Goldsboro's right to join a suit against Dupont and 3M regarding Firefighting foam chemicals in the water system. Mr. Whitaker discussed that the chemical levels in the water system are higher than recommended by NCDEQ. He asked if Goldsboro wanted to join the suit against Dupont and 3M to attempt to recoup cleanup costs. Mr. Whitaker also listed some of the other municipalities that are already involved.

Council discussed the suit, settlement, fee structure, and the chemicals found in Goldsboro's water. Tim Salmon, City Manager, stated that we are currently adding carbon to bring it down, and determine how much carbon is needed to reduce the chemical levels below the threshold.

Upon motion of Councilman Broadway, seconded by Councilwoman Jones, and unanimously carried, Council voted to join the suit.

Gary Whitaker thanked the Council and stated he would work directly with City Attorney Ron Lawrence, as he will be the designee on the representation.

Downtown Social District. The City of Goldsboro Department of Downtown Development, in collaboration with several city departments, has been researching the socio-economic impact of a Social District since the beginning of 2023.

In June 2022, House Bill 211 (HB 211), Social District/Common Area Clarifications, passed both the House and Senate with bi-partisan support and was subsequently signed into law by the Governor on July 7, 2022. Included was a provision allowing local governments to create social districts in North Carolina.

“A social district is a defined area in which a person may consume alcoholic beverages sold by an ABC permittee located within the social district. All preexisting ABC laws must be maintained and followed. A social district may include both indoor and outdoor areas of businesses within or contiguous to the defined area during the days and hours set by the local government in creating the social district. A social district may include privately owned property, including permittee and non-permittee businesses, and multi-tenant establishments, as well as public streets, crosswalks, or parking areas.” (The North Carolina Retail Merchants Association (NCRMA))

The North Carolina Retail Merchants Association (NCRMA) was the major interest group pushing for the passage of this important legislation in NC to drive foot traffic to downtown businesses. There are now over 40 social districts in North Carolina and numerous cities are considering the creation of social districts based on how successful social districts have become with customers and businesses alike. Surrounding neighbor cities have implemented Social Districts in the community, e.g., Wilson, Greenville, and Selma.

The Downtown Development Department will present the findings and results of discussions with merchants, ABC Permittees, and other city departments, and will be prepared to answer questions from the council.

It was recommended that Council consider the proposed social district and provide guidance at a later date.

Greg Mills, Business & Property Development, presented the following:

Goldsboro Social District Update Greg Mills, Business & Property Development June 20, 2023 	What is a Social District? - A social district is a defined area in which a person may consume alcoholic beverages sold by an approved ABC permittee located within defined social district boundaries and defined days and hours of operation - A social district area may include both indoor and outdoor areas of businesses within the social district - A social district may include privately owned property, permittees and non-permittee businesses, multi-tenant establishments, public streets 
Brief History of Social District Legislation - In September 2021, Governor Roy Cooper signed into law House Bill 890 (HB 890) – ABC Omnibus Legislation – which passed both the House and Senate with bi-partisan support - Included in HB 890 was a provision allowing local governments to create social districts in North Carolina - In less than a year since the enactment of HB 890, nearly twenty municipalities successfully created social districts in towns as small as Norwood to cities as big as Greensboro 	Brief History of Social District Legislation - In June 2022, House Bill 211 (HB 211) – Social District/Common Area Clarifications – passed both the House and Senate with bi-partisan support and was subsequently signed into law by the Governor on July 7, 2022 - - This legislation provides some much-needed clarity to the original social district legislation and includes more detail on the inter-workings of social districts - - The sections of the North Carolina General Statutes regulating social districts contained in HB 890 were repealed and replaced with a brand -new section of Chapter 188 to regulate social districts - 
There are now over 40 Social Districts in NC Albemarle - Asheboro - Cary (approved) - Charlotte - Southend & Plaza Midwood - Cornelius - expanded - Davidson - Durham - Elkin (approved) - Elon - Fayetteville - Franklinton - Garner - Gastonia - Greensboro x2 - Greenville - Hickory - High Point - Huntersville - Kannapolis - Lake Norman - Laurinburg - Lenoir - Madison - Manteo - Marion (approved) - Monroe - Newton - Norwood - Oxford - Pilot Mountain - Raleigh - expanded - Rutherfordton (approved) - Salisbury - Selma - Statesville - Sylva - Tarboro - Washington - Wendell - Whiteville - Wilson - Youngsville 	Why Social Districts - The fastest growing downtown development program in the State - Proven Economic driver for increased revenue for downtown businesses - Attracts new events and new visitors - Attracts more businesses to downtown - Incentivizes retail establishments to stay open later - Increases pedestrian activity and provides a variety of experiences - Low implementation cost, low maintenance cost 

Who Can Sell Alcohol in a Social District?

Only ABC permittees holding approved on-premises ABC permits may sell alcohol to be consumed in a social district such as:

- ✓ An on-premises malt beverage, unfortified wine, fortified wine or mixed beverages permit
- ✓ A distillery permit or a wine shop permit

Please Note - Special One-time ABC permits used for non-profit organization events at the HUB or Freedom Field are not legally approved to sell alcohol into the Social District.

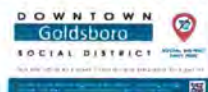
This results in 3 options for events held inside the Social District such as the HUB or Freedom Field.

Only one option may be chosen by the event organizer:

1. An event at that chooses to sell alcohol with a Special One-time ABC permit must be **closed to the Social District**. Therefore, events serving alcohol will operate as they have in the past – no alcohol comes in and no alcohol goes out of the defined event space.
2. An event that chooses **NOT to sell alcohol at their event** may choose to be **open to the Social District** – people with alcohol legally obtained from and acting in accordance with the Social District may attend
3. An event that chooses **NOT to sell alcohol at their event** may choose to be **closed to the Social District**, meaning no alcohol is allowed inside their event space

Basic Requirements for a City or County to Create a Social District?

- Social districts must be clearly defined, and signage must be posted in conspicuous locations



- Social districts are **only allowed to operate during locally defined days and hours**
- Local government is required to establish management plans for the social district and post these plans on the local government's website, along with a drawing of the boundaries plus the applicable days and hours of the social district
- Local government is required to distribute signs to non-permittee businesses that are included in the social district indicating that a business allows, or does not allow alcoholic beverages on its premises when the social district is active

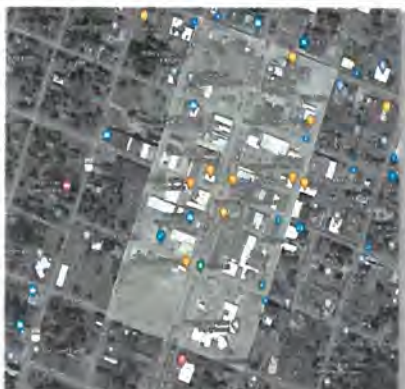


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Goldsboro Social District Boundary

Proposed Area to include current ABC Permittees

Center St from Ash to Spruce
James to John on:
Mulberry, Walnut, Chestnut, Spruce



Goldsboro Social District Boundary

Example of a contiguous location

contiguous
sharing a common border, touching.
"the 48 contiguous states"

In this example The Firehouse business highlighted in yellow is considered part of the Social District because the front is contiguous with the defined border.

Other examples are Toreros on John Street And Jay's Place on John (currently unoccupied)



Goldsboro Proposed Social District Hours

10am–10pm

Monday through Sunday

Only on-premise ABC permittees can sell alcohol to the Social District
Mostly restaurants open at 10 am

Sunday 10am to accommodate Brunch Bill

Goldsboro City Council approved the sale of alcohol at 10 am on Sunday in 2017



Most Common Question

If my business is in the social district, but I do not want customers coming into the business with alcoholic beverages, do I have to allow it?

No - any business located in, or contiguous to, the designated social district has the option to participate, or not, in allowing customers with beverages to enter their premises- These window/door decals display preferences- Information also posted on the city Social District website



Additional Rules for ABC Permittees to Sell Alcohol in the Social District

- The ABC permittee is **only allowed to sell and serve alcoholic beverages on its licensed premises**- In other words, the ABC permittee cannot sell alcoholic beverages in the street or down the street just because the ABC permittee is in a social district.
- Alcoholic beverages that are being sold to be consumed in a social district **can only be sold in an official container** that meets all the following requirements:
 - ✓ The container clearly displays the ABC permittee from which the alcoholic beverage was purchased
 - ✓ The container clearly displays a logo or some other mark that is unique to the social district in which it will be consumed
 - ✓ The container clearly displays the date the beverage was purchased
 - ✓ The container displays, in no less than 12-point font, the statement, "Drink Responsibly – Be 21"
 - ✓ The container is not made of glass
 - ✓ The container cannot hold more than sixteen fluid ounces



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What Requirements Do Customers Have to Follow Within a Social District?

- A person can only possess and consume alcoholic beverages purchased from an approved ABC permittee located in the social district- **A person cannot bring their own personal alcohol into the social district for consumption**
- Any alcoholic beverages consumed in the social district outside of the approved ABC permitted business must be consumed from an official container- In other words, a person cannot pour their alcoholic beverage into any personal type of container
- A business with an approved ABC permit located in the social district may decide to participate or not participate in allowing customers to leave their premises with an open container



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City performed research & due diligence

- Key city departments held several meetings with various stakeholders to discuss pros and cons of implementing Social Districts including City management, Planning, Downtown Development and Goldsboro Police Department (GPD)-
- GPD reached out to several neighboring communities who already implemented Social Districts and found no major concerns resulting from implementation
- The majority of ABC permitted businesses support implementing a Social District



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City performed research & due diligence

- The majority of other merchants inside the Social District support implementing a Social District

Based on your new understanding, do you agree with establishing some form of Social District in Goldsboro this year?

(1 responses)



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Any questions??



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Council discussed the district boundary, concerns about people crossing Ash Street, and concerns about City Hall being included in the boundary. Council also discussed how the rules, restrictions, and regulations would be enforced.

Repair/Restore Paramount Ornamental Façade Elements. *Resolution Adopted.* The item was presented by Adam Twiss, Paramount Director.

The ornamental architectural elements on the façade of the Paramount were removed by the original contractor TA Loving, due to failure of several wall anchors. The rusted anchors were beginning to shear off creating a public safety hazard. Investigation found that specified flashing was not installed during construction leading to continual exposure to water and eventual corrosion. COG counsel indicates that after 15 years, there is no recourse, but the contractor has offered to share the cost of repair and restoration. The quote for the Paramount's share of the cost is \$39,776, TA Loving will cover \$29,429.

The Paramount currently has \$30,651 available in a capital fund that was intended for replacement of an obsolete wheelchair lift; we recommend utilizing those funds for the immediate façade repairs and replacing the lift next year. The Paramount Theatre foundation will make up the \$9,125 difference between available funds and the quote, so no budget appropriation will be necessary. The wheelchair lift is a convenience rather than a requirement, since the Paramount stage and backstage areas are at grade and accessible from the parking lot stage door.

It was recommended that the Council approve the following entitled resolution authorizing the use of funds for façade repairs.

Councilwoman Jones asked if other bidding had been done. Adam Twiss stated no, but TA Loving is the original contractor and is willing to work with us on the cost.

Upon motion of Councilman Broadway, seconded by Councilwoman Matthews, and unanimously carried, Council adopted the following entitled resolution.

RESOLUTION NO. 2023-43 "A RESOLUTION AUTHORIZING THE CITY OF GOLDSBORO TO REPAIR AND RESTORE THE PARAMOUNT THEATRE ORNAMENTAL FAÇADE ELEMENTS"

Councilwoman Jones – Property Tax information. Councilwoman Jones shared concerns regarding property taxes and provided Councilmembers with a copy of an application the elderly can use to apply for property tax assistance.

Councilman Gaylor asked if her constituents have had success with utility fee help through the county. Councilwoman Jones stated that she has worked with two of her constituents to get assistance.

Consent Agenda Review. Items I – U and X – Y on the consent agenda were reviewed. Further discussion included the following:

Item J - Request authorization to purchase a new Transfer Station Hopper Compactor Combination (Hopper) for the Solid Waste Division.

Mayor Ham asked where the funds are coming from. Tim Salmon, City Manager, stated the residual funds are coming from extra money put into fuel.

Item K - Resolution - Sale of Radios to Town of Pikeville Police Department and Town of Mount Olive Police Department.

Mayor Ham asked if proceeds would go into the General Fund. Catherine Gwynn, Finance Director, confirmed it would.

Item P - Amending the Water Line Replacement & Booster Pump Station (BPS) Project WIF-1938 (W1111).

Mayor Ham asked about the status of the project. Catherine Gwynn, Finance Director, confirmed it is on hold at this time. Tim Salmon, City Manager, stated we would look at the CIP going forward; there are other ways to address the issue.

Mayor Ham recessed the meeting at 6:48 p.m.

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 June 20, 2023.

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

Dr. David Craig provided the invocation. The Pledge of Allegiance followed.

Roll Call.

Present: Mayor David Ham, Presiding
Mayor Pro Tem Brandi Matthews
Councilwoman Hiawatha Jones
Councilman Bill Broadaway
Councilman Charles Gaylor, IV
Councilman Greg Batts

Also Present: Tim Salmon, City Manager
Ron Lawrence, City Attorney
Matthew Livingston, Assistant City Manager
Holly Jones, Deputy City Clerk

Administering the Oath of Office. Holly Jones, Deputy City Clerk, administered the oath of office for the appointment as Mayor Pro Tem of the City of Goldsboro to Brandi Matthews.

Approval of Minutes.

Councilman Broadaway made a motion to approve the minutes of the Work Session and Regular Meeting of June 5, 2023. The motion was seconded by Councilman Batts and unanimously carried.

Public Hearings.

Utility System Development Fees. Public Hearing Held. The Item was presented by Tim Salmon, City Manager, and David Hyder, Stantec (via Zoom).

The Public Water and Sewer System Development Fee Act ("SDF Act") was approved on July 20th, 2017, and grants local governments that own or operate municipal water and sewer systems the authority to assess system development fees for the provision of utility service to new development. Per NCGS 161A-205, the City of Goldsboro contracted with Stantec Consulting Services Inc. to conduct a Water and Sewer System Development Fee Study. Per NCGS 162A-209, the Stantec analysis was published in a report made available for a 45-day public comment period which ended May 27, 2023; there were no public comments. A public hearing is now required prior to Council considering adoption of the analysis with any modifications or revisions. Should Council decide to implement system development fees, it may do so in its annual budget or rate plan or ordinance and shall update the system development fee analysis at least every five years. Per NCGS 162A-213, the fees may be collected: at the time of application for a building permit; at the time of application for connection of the individual unit; or when water or sewer service is committed by the local governmental unit.

System development fees are based on the costs of utility infrastructure including, but not limited to, water supply facilities, treatment facilities, effluent disposal facilities, and transmission mains. System development fees serve as the mechanism by which growth can "pay its own way" and minimize the extent to which existing customers must bear the cost of facilities that will be used to serve new customers. The SDF Act outlines three primary approaches to the calculation of system development fees: Buy-In, Incremental/Marginal Cost, and Combined Cost methods. The Buy-In method was determined to be the most appropriate for the City since it has existing infrastructure capacity and limited defined capacity for expansion in the City's capital improvement plan. Tables 3-1 and 3-2 of the report identify the recommended calculated water and sewer SDF schedules; an equivalent residential unit (ERU) would pay \$1,926 and \$3,032 respectively to buy-in to the existing utility system.

Staff recommended an ordinance be developed for Council to adopt the Stantec calculated water and sewer system development fee schedules identified in Tables 3-1 and 3-2 of the report, at the July 17, 2023, Council meeting. Those applying for a building permit or application for connection after August 1, 2023, would be charged the applicable system development fee.

Councilman Gaylor asked how these rates compare to other surrounding communities. Tim Salmon, City Manager, and David Hyder, Stantec stated that the proposed rates are in the middle compared to surrounding communities.

Mayor Ham opened the public hearing. The following person spoke:

1. Dr. David Craig stated that monies collected for the maintenance and improvement of water and sewer systems have not been used, and claimed that the money had been put into the general fund.

Mayor Pro Tem Matthews stated that if anyone believes his claims are not true, then they should provide the facts.

Mayor Ham stated that utility funds are not allowed to be moved into the general fund. He also asked Councilmembers to review the video and Dr. Craig's claims to determine their validity.

No one else spoke and the public hearing was closed.

A motion was made by Councilman Broadaway to adopt the utility system development fee structure as presented. The motion was seconded by Councilman Batts and unanimously carried. An ordinance will be brought back to the July 17th meeting.

Public Hearing & Final Action - Z-6-23 Goldsboro Masonic Lodge (Residential 16 to General Business) – East side of N William St. off of W Tommy’s Rd. Public Hearing Held. Ordinance Adopted. The Item was presented by Austin Brinkley, Assistant Planning Director.

ADDRESS: 1002 N Berkeley Blvd
PARCEL #: 3519745404
PROPERTY OWNER: Harmony Masonic Lodge #340
APPLICANT: Cliff Grant (Harmony Masonic Lodge)

The applicant is requesting a rezoning from a split Residential 12 Zoning District (R-12)/General Business (GB) Zoning District to the General Business (GB) Zoning District. The purpose of the General Business (GB) Zoning District is to accommodate the widest range of uses, providing general goods and services to the community. The district is intended to promote high quality, accessible developments serving the needs of the community and surrounding area.

Access: N Berkeley Blvd
Area: 1.10 acres

North: General Business
South: Office & Institutional I & Residential 12
East: General Business
West: General Business

The property currently is the site of the former Goldsboro Masonic Lodge #634

The City’s Land Use Plan locates this parcel within the Commercial land use designation. This designation was given based off of proximity to existing major transportation corridors and commercial development. The designation encourages in-fill development at existing commercial sites.

The General Business (GB) Zoning District is identified as a corresponding district for the Commercial land use designation.

This is a rezoning proposal for a 1.10-acre parcel to be rezoned from a split Residential 12 (R-12)/General Business (GB) Zoning District to the General Business (GB) Zoning District. The subject property is situated adjacent to N Berkeley Blvd. The adjacent uses are commercial businesses and a church adjacent to the rear property line. This is a general rezoning, and the future use is not yet known.

Staff has distributed this proposed rezoning to several different departments as well as Seymour Johnson Air Force Base and NCDOT. There were no comments or recommendations due to this being a straight rezoning request.

Staff is recommending approval of the rezoning request based on the fact that this parcel is adjacent to multiple General Business Zoning Districts and its consistency with the Comprehensive Land Use Plan.

The City of Goldsboro Planning Commission met on June 12, 2023, to review and make a recommendation regarding the rezoning request. Planning Commission voted 4 in favor 0 against.

Council shall vote to adopt the recommendation for approval and consistency statement that the Planning Commission has provided and vote to adopt the Approval Ordinance with the inclusion of the consistency statement, or council shall vote to deny and adopt the Ordinance to Deny with the inclusion of a statement that deems this rezoning request to be inconsistent. Council may also continue the public hearing to a date certain if they determine further discussion is needed.

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

A motion was made by Councilman Batts to adopt the ordinance to approve. The motion was seconded by Councilman Gaylor and unanimously carried. Council adopted the following entitled Ordinance.

ORDINANCE NO. 2023-30 “AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF GOLDSBORO, NORTH CAROLINA”

Public Hearing & Final Action - Z-7-23 Ground Zero (General Industry (I-2) to General Business) – Intersection of N William St. and W Patetown Rd. Public Hearing Held. Ordinance Adopted. The Item was presented by Austin Brinkley, Assistant Planning Director.

ADDRESS: 103 W Patetown Rd.
PARCEL #: 3600258551
PROPERTY OWNER: Lillie W Taylor
APPLICANT: Jeffrey Rudolph

The applicant is requesting a rezoning from the General Industry (I-2) Zoning District to the General Business (GB) Zoning District. The purpose of the General Business (GB) Zoning District is to accommodate the widest range of uses, providing general goods and services to the community. The district is intended to promote high quality, accessible developments serving the needs of the community and surrounding area.

Access: W Patetown Rd.

Area: 0.73 acres

North: General Industry (I-2)

South: General Business

East: General Business/O&I 1

West: General Industry (I-2)

The property currently consists of a commercial structure with individual units upfit and occupied for business.

The City's Land Use Plan locates this parcel within the Industrial land use designation.

This designation's purpose is to establish and protect industrial areas for the use of prime industrial operations and for the distribution of products wholesale.

The General Business (GB) Zoning District is not identified as a corresponding district for the Industrial land use designation.

This is a rezoning proposal for a 0.73-acre parcel to be rezoned from the General Industry (I-2) Zoning District to the General Business (GB) Zoning District. The subject property currently contains a commercial structure with individual units that are upfit and rented out for business purposes. The adjacent uses are Wanda's, Pennington Automotive, Greenleaf Christian Church, Kids-R-U's, and Tillman's Restaurant Supply. This parcel has direct frontage on N William St. as well as frontage on W Patetown Rd.

Staff has distributed this proposed rezoning to several different departments as well as Seymour Johnson Air Force Base and NCDOT. There were no comments or recommendations due to this being a straight rezoning request.

Staff is recommending approval of the rezoning request based on the fact that this parcel has a history of being utilized for commercial purposes. There is also a heavy concentration of General Business zoning within the general vicinity of the subject property.

The City of Goldsboro Planning Commission met on June 12, 2023, to review and make a recommendation regarding the rezoning request. Planning Commission voted 4 in favor 0 against.

Council shall vote to adopt the recommendation for approval and consistency statement that the Planning Commission has provided and vote to adopt the Approval Ordinance with the inclusion of the consistency statement, or council shall vote to deny and adopt the Ordinance to Deny with the inclusion of a statement that deems this rezoning request to be inconsistent. Council may also continue the public hearing to a date certain if they determine further discussion is needed.

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

A motion was made by Councilman Gaylor to adopt the ordinance to approve. The motion was seconded by Councilman Broadaway and unanimously carried. Council adopted the following entitled Ordinance.

ORDINANCE NO. 2023-31 "AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND COMPREHENSIVE LAND USE MAP OF THE CITY OF GOLDSBORO, NORTH CAROLINA"

Public Hearing & Final Action - Z-8-23 Performance East (Residential 16&20 A to Highway Business CZ) – East of the Tommys Rd./E Patetown Rd. Intersection off US Hwy 70. Public Hearing Held. Ordinance Adopted. The Item was presented by Austin Brinkley, Assistant Planning Director.

ADDRESS: Tommy's Rd.

PARCEL #: 3611016091, 3601819447, 3601818362, 3611002767

PROPERTY OWNER: JD Gupta

APPLICANT: N&M Rental Properties, LLC / Performance East Inc.

The applicant is requesting a conditional rezoning from the Residential 16 & 20 A (R-16) (R-20A) Zoning District to the Highway Business (HB) Conditional Zoning District. The purpose of the Highway Business (HB) Conditional Zoning District is to accommodate highway-oriented retail and commercial uses which generally serve the entire City and nonresident traffic. The district encourages high-quality design, ample parking, controlled traffic movements and suitable landscaping.

Access: Tommy's Rd.

Area: 36 acres (approximately, not surveyed)

North: Residential 20 Agriculture

South: Office & Institutional I (CZ) Residential 16

East: Office & Institutional I

West: Residential 16 & 20 Agriculture

The properties are currently vacant.

The City's Land Use Plan locates these parcels within the Medium-Density Residential land use designation.

Medium-Density Residential: This designation was given to areas based off existing residential development patterns and consideration of water & sewer availability or where plans exist to extend service.

The Highway Business (HB) Conditional Zoning District is not identified as a corresponding district for the Medium-Density Residential land use designation.

This is a conditional rezoning proposal for four parcels that are approximately 36 acres total to be rezoned from the Residential 16 & 20 A (R-16) (R-20A) Zoning District to the Highway Business (HB) Conditional Zoning District. Tax Parcel 3611016091 is a parcel split between the R-16 district and the O&I 1 district, only the portion zoned R-16 is proposed to be conditionally rezoned. The subject properties are currently vacant. The adjacent uses are Wayne Preparatory Academy and residential uses. This parcel has direct frontage on Tommy's Rd and is adjacent to US Hwy 70.

This is a conditional rezoning request for the purpose of establishing Performance East, a retail business that deals in power sports and marine products. These parcels are located within the ETJ and would need to be annexed into the City in order to receive City services.

Staff has distributed this proposed conditional rezoning to several different departments as well as Seymour Johnson Air Force Base and NCDOT. There are no comments at this time, based off the concept design. If approved, this will require Site Plan submittal and will undergo TRC Review.

Staff is recommending approval of the conditional rezoning request based on the location of the property and its high visibility from US Hwy 70. The properties proximity to US Hwy 70 aligns closely with the purpose of the Highway Business (HB) Conditional Zoning District. Furthermore, the Comprehensive Land Use Plan encourages an environment which is friendly to business as well as the location of commercial uses along major thoroughfares, or in proximity to.

Staff is recommending the following conditions be placed upon this conditional rezoning request:

- A modified Type C1 Buffer yard be required along all property lines that are adjacent to an identified Residential Zoning District. (Type C1 required by UDO, Type C1 is 20' width, TypeC1 modified would increase the width to 35') complete visual separation is required using densely, planted, evergreen landscaping that will provide complete visual separation within three years of planting, or a six-foot fence (constructed of masonry or pre-treated lumber). Recommending a condition be that the fence is eight-foot if the developer chooses that route.
- The developer shall install a driveway at a width of 50' to accommodate the types of vehicles associated with the use.
- Deliveries to business to not occur between the hours of 2:00 – 3:30 PM, and other hours scheduled for school day release to prevent any potential congestion with school traffic.

The City of Goldsboro Planning Commission met on June 12, 2023, to review and make a recommendation regarding the rezoning request. Planning Commission voted 4 in favor 0 against.

Council shall vote to adopt the recommendation for approval and consistency statement that the Planning Commission has provided and vote to adopt the Approval Ordinance with the inclusion of the consistency statement, or council shall vote to deny and adopt the Ordinance to Deny with the inclusion of a statement that deems this rezoning request to be inconsistent. Council may also continue the public hearing to a date certain if they determine further discussion is needed.

Mayor Ham opened the public hearing. The following person spoke:

1. Trey Taylor, attorney with Warren, Kerr, Walston, Taylor, and Smith, spoke in favor of the rezoning.

No one else spoke and the public hearing was closed.

A motion was made by Councilman Batts to adopt the ordinance to approve. The motion was seconded by Councilman Gaylor and unanimously carried. Council adopted the following entitled Ordinance.

ORDINANCE NO. 2023-32 "AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND COMPREHENSIVE LAND USE MAP OF THE CITY OF GOLDSBORO, NORTH CAROLINA"

Public Hearing & Final Action - Z-9-23 Hawthorne Trail (O&I-1 & Shopping Center to Residential 6 CZ) – Intersection of Cuyler Best Rd. and W New Hope Rd. Public Hearing Held. Ordinance Adopted. The Item was presented by Austin Brinkley, Assistant Planning Director.

ADDRESS: Cuyler Best Rd.

PARCEL #: 3610616566, 3610723076, 3610713058
PROPERTY OWNER: Best-Allen Associates, LLC
APPLICANT: BRD Land & Investment, LP

The applicant is requesting a conditional rezoning from the Office & Institutional I (O&I I) & Shopping Center (SC) Zoning District to the Residential 6 (R-6) Conditional Zoning District. The purpose of the Residential 6 (R-6) Conditional Zoning District is to accommodate both single and multi-family residential uses and to prohibit all activities of a commercial nature.

Access: Cuyler Best Rd.
Area: 27.54 acres
Single-Family lots: 119
Townhomes: 193

North: Residential 16, Office & Institutional I
South: Office & Institutional I, R-12, Neighborhood Business
East: Office & Institutional I, General Business, Residential (multiple)
West: Residential 9

The properties are currently vacant.

The City's Land Use Plan locates these parcels within the three separate designations. These designations are Mixed-Use I, Office & Institutional and Conservation. The parcels fall predominantly within the Mixed-Use I and Office & Institutional designation.

Mixed-Use I: This designation is intended to allow for a mixture of uses and have a minimum impact on the adjacent areas. This land use designation is intended to serve a localized area with a preferred land use of 40% or greater non-commercial.

Office & Institutional: This designation has been given to areas that have already developed as such or require buffering to prevent potential conflicting land uses. This designation is given to areas that have the potential to serve as a buffer between residential uses and commercial uses.

The Residential 6 (R-6) Conditional Zoning District is not identified as a corresponding district for the Mixed-Use I or Office & Institutional land use designation. Despite this not being a corresponding zoning district, much of the surrounding area falls within the Medium-Density Residential land use designation. The availability of water and sewer also supports high-density development to occur on this parcel.

This is a conditional rezoning proposal to establish a residential planned unit development to allow for 64 lots with 50' width, 55 lots with 40' width and 193 townhomes for a total of 312 lots. The adjacent uses are Glenda's Pointe Subdivision, Cuyler Best Apartments, Pentecostal Christian Assembly, Brighton Academy, Mimosa Park and undeveloped land. This parcel has direct frontage on Cuyler Best Rd. and W New Hope Rd. The proposed access for the development is off Cuyler Best Rd.

Staff has distributed this proposed conditional rezoning to several different departments as well as Seymour Johnson Air Force Base and NCDOT. There are no comments at this time, based off the concept design. If approved, this will require Site Plan submittal and will undergo TRC Review.

Staff is recommending approval of the conditional rezoning request based on the fact that this development would not be out of character with the overall residential use of the surrounding area. While staff does believe that a mixed-use development incorporating both residential and commercial elements would be an ideal use for the property, staff cannot recommend denial for this conditional rezoning request. This development would also aid in satisfying the growing demand for housing in the City of Goldsboro. The availability of water and sewer does support a higher density development which is allowed in the Residential 6 district.

Staff is recommending the following conditions be placed upon this conditional rezoning request:

- The existing multi-use walking trail currently fronting W New Hope Rd. be extended along the full extent of the property line along Cuyler Best Rd.
- The wooded areas around the stormwater ponds include a network of walking/biking trails for the residents of the development.
- TIA conducted in coordination with NCDOT.

The City of Goldsboro Planning Commission met on June 12, 2023, to review and make a recommendation regarding the rezoning request. Planning Commission voted 3 in favor 1 against.

Council shall vote to adopt the recommendation for approval and consistency statement that the Planning Commission has provided and vote to adopt the Approval Ordinance with the inclusion of the consistency statement, or council shall vote

Mayor Ham asked for clarification of the walking trail being extended on the property toward Cuyler Best Road. Auston Brinkley, Assistant Planning Director, clarified that the existing trail would be extended along the property line that fronts Cuyler Best Road to the terminus of their property line.

Reasons for Selecting Goldsboro

Desirability of Goldsboro for Investment

- ✓ **Military Community** – Needed military housing.
- ✓ **Central Location** – In between other bases (Ft. Bragg, Camp LeJeune) and job centers (Raleigh, Fayetteville, Greenville, Global Transpark (Kinston)).
- ✓ **Desire for options** for those who have had enough of Big City living and looking for the small city community.



Help Goldsboro Support the Military Mission

Seymour Johnson Air Force Base | Goldsboro, NC

Support the Military Mission

- Provide housing options & variety to military families
- Currently not enough supply of homes
- Potential partnership with Seymour Johnson to provide military housing
- Support families wanting to establish roots



Price Points Will Match Target Buyers

Rank	Estimated Monthly Pay	Basic Allowance for Housing (BAH)
Staff Sgt (E-5)	\$3,500	\$1,278
1st LT (O-2)	\$5,000	\$1,539

The target buyer is likely an E-5 or an O-2. The family of an O-5 LTC will not be the only ones able to afford homes in this neighborhood.

View Your 2023 Military BAH Rate

Pay Grade: []
Location: []
Dependency: []
New Basic Allowance: \$1,278

Provide Amenities & Improvements

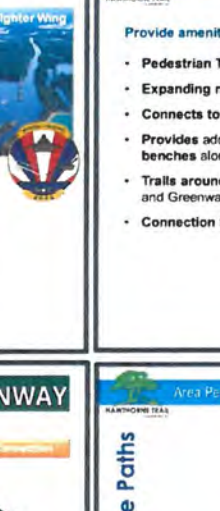
Provide amenities and improvements for surrounding neighborhoods

- **Pedestrian Trails and Greenway Connection**
- **Expanding multi-use path along Cuyler Best**
- **Connects to existing path on West New Hope**
- **Provides added shade, water fountain, and benches along West New Hope**
- **Trails around ponds** – similar to hospital paths and Greenway connection.
- **Connection to the Reedy Branch Greenway**



Future Greenway Connection

REEDY BRANCH GREENWAY



TRAIL LEGEND

- Blue: Multi-use path (bicycle, pedestrian, jogger)
- Red: Shared-use path (bicycle, pedestrian)
- Green: Shared-use path (bicycle, pedestrian)
- Yellow: Shared-use path (bicycle, pedestrian)
- Orange: Shared-use path (bicycle, pedestrian)
- Purple: Shared-use path (bicycle, pedestrian)
- Light Blue: Shared-use path (bicycle, pedestrian)
- Dark Blue: Shared-use path (bicycle, pedestrian)

Area Pedestrian Connectivity

Amenities & Multi-Use Paths



LEGEND

- Blue: Multi-use path (bicycle, pedestrian, jogger)
- Red: Shared-use path (bicycle, pedestrian)
- Green: Shared-use path (bicycle, pedestrian)
- Yellow: Shared-use path (bicycle, pedestrian)
- Orange: Shared-use path (bicycle, pedestrian)
- Purple: Shared-use path (bicycle, pedestrian)
- Light Blue: Shared-use path (bicycle, pedestrian)
- Dark Blue: Shared-use path (bicycle, pedestrian)

Greenway Connection & New Trail Loop

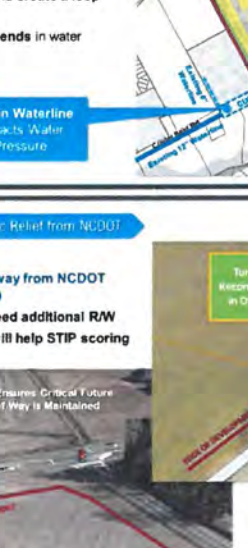


Hawthorne Trail New Greenway Loop 1.75 Miles

Relief for Water Pressure Challenges

Provide amenities and improvements for surrounding neighborhoods

- Can improve water pressure
- Collaboration with City to add new pipes to "Close the Gap."
- Project will add 1,000 L.F. of waterline along Cuyler Best Rd and create a loop system.
- Corrects current dead-ends in water system



Gap in Waterline
Impacts Water Pressure

Development Project will bring 1,000 L.F. of new 12-inch waterline to CLOSE THE GAP

Traffic & Zoning

There are 2 Choices:

CURRENT ZONING: O-1 & SC

- Zoned Office, Industrial and Shopping Center
- Could add 16,000 more cars per day than residential
- NO ZONING APPROVALS REQUIRED

PROPOSED ZONING: R-4 Cluster

- R-6 Residential
- Reduced potential future traffic by 86%

There is NOT a "No Build" Option



Supports Traffic Relief from NCDOT

Road Widening on the way from NCDOT (at some point in future)

- NCDOT should not need additional R/W
- No R/W Acquisition will help STIP scoring



Proposed Neighborhood Ensures Critical Future NCDOT Roadside Right of Way is Maintained

Turn Lane Recommended in Draft TIA

Right of Way Acquisition

Future Lane under NCDOT Right of Way



Mayor Ham asked about the right-of-way for the turning lane on Cuyler Best Road. Mr. Stoneham confirmed that there is an existing right-of-way, and that the development would also leave plenty of room for the turning lane to be added.

Councilman Gaylor asked about the likelihood of bringing this project to fruition and over what time frame. Mr. Stoneham stated that, if approved, the design phase should begin within a week, and should be able to break ground in 6-9 months.

Mayor Ham opened the public hearing. The following people spoke:

1. Shirley Salt, resident of Mimosa Park, raised concerns about the number of cars that would be added to the area. The greatest concerns of neighbors are the traffic, water pressure, the cost, and the need for better crosswalks.
2. Wade Leatham raised concerns about the size of the lots and the effect on property values. He also raised concerns about the traffic, and stated this development would not be a benefit to current residents.
3. Mr. Martin spoke in opposition to the development. He raised concerns about the City’s ability to service the development, when the road improvements will take place, and the water pressure.
4. David Craig suggested having 4 entrances to the development off Cuyler Best Road, and taking the walking trails above the roadways.

No one else spoke and the public hearing was closed.

A motion was made by Councilman Broadway to adopt the ordinance to approve. The motion was seconded by Councilman Gaylor. Mayor Ham, Councilman Broadway, Councilman Gaylor, and Councilman Batts voted in favor of the motion. Mayor Pro Tem Matthews and Councilwoman Jones voted against the motion. The motion passed 4-2. Council adopted the following entitled Ordinance.

ORDINANCE NO. 2023-33 “AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND COMPREHENSIVE LAND USE MAP OF THE CITY OF GOLDSBORO, NORTH CAROLINA”

PUBLIC HEARING - SU-7-23 Bingo Hall – 1406 W. Grantham St. Public Hearing Held and Findings Adopted.
After being properly sworn in, Kenny Talton presented the following:

ADDRESS: 1406 W. Grantham St.
PARCEL #: 2690221593
OWNER: Won Nam Hong
APPLICANT: Won Nam Hong

The applicant requests a Special Use Permit for the establishment of a Bingo Hall located in the General Business Zoning District. The General Business district is established to accommodate the widest range of uses providing general goods and services to the community. The district is intended to promote high quality, accessible developments serving the needs of the community and surrounding area.

According to the City’s Unified Development Code, a Bingo Hall is permitted only after obtaining a Special Use Permit from Goldsboro City Council. The UDO also requires that the applicant deliver to the City sufficient evidence that the proposed bingo hall complies with North Carolina state requirements for bingo hall establishments as specified in NCGS 14-309.5-14.

General Business (GB)

Vacant building and formerly operated as an Advanced Auto Store.

The City's Land Use Plan locates this parcel within the Commercial land use designation. The City of Goldsboro Comprehensive Land Use Plan emphasizes that the area's future development should focus on the control of strip development, in-fill development, prohibition of commercial encroachment on existing residential neighborhoods and the inclusion of parks/opens space to provide pedestrian-friendly and landscaped areas which will break the commercial landscape.

The proposed Bingo Hall will have a maximum occupancy of 60-65 occupants including employees. The concept plan shows a total of 30 bingo tables with 2 seats per table within the facility.

Hours of Operation: Monday – Sunday: 2:00 – 12:00 PM

Employees: 5

Parking: 1 space per 32 sq. ft. of floor area excluding storage. The site can accommodate 36 parking spaces.

Due to the nature of this proposal, TRC was not asked to review.

Staff recommended that if Council votes to approve, they shall require the applicant to provide sufficient evidence that the proposed bingo hall comply with North Carolina state requirements for bingo hall establishments as specified in NCGS 14-309.5-14.

Mayor Ham opened the public hearing. The following person spoke:

1. Won Nam Hong, the applicant: Hey. I am Won Nam Hong. I am here to open Kings bingo hall located at 1406 West Grantham Street.

Mayor Ham: Are there any questions that council member has of the speaker? Have you operated a bingo hall someplace else before?

Won Nam Hong: Yes Sir

Mayor Ham: May I ask where?

Won Nam Hong: North Carolina

Mayor Ham: Ok so you you've done this before. Any Questions? OK. Thank you.

Won Nam Hong: Thank you very much.

No one else spoke and the public hearing was closed.

After the Public Hearing was closed, City Council entered into deliberation and voted on each of the four findings in order to determine whether or not the Special Use Permit shall be issued.

1. Mayor Pro Tem Matthews made a motion that the use will not materially endanger the public health or safety. Applicant will be required to provide sufficient evidence that the proposed bingo hall comply with North Carolina state requirements for bingo hall establishments as specified in NCGS 14-309.5-14 before issuance of SU-7-23. The motion was seconded by Councilman Broadaway and unanimously carried.
2. Mayor Pro Tem Matthews made a motion that the use will not substantially injure the beneficial use of adjoining or abutting property. The motion was seconded by Councilman Batts and unanimously carried.
3. Mayor Pro Tem Matthews made a motion that the use will be in harmony with existing development and uses within the area in which it is located. The motion was seconded by Councilwoman Jones and unanimously carried.
4. Councilman Gaylor made a motion that the use will be in general conformity with the City of Goldsboro Comprehensive Land Use Plan. The motion was seconded by Councilman Broadaway and unanimously carried.

PUBLIC HEARING - SU-9-23 Deep Space Tattoo Parlor – South side of W Mulberry St. across from St. Stephens Episcopal Church. Public Hearing Held and Findings Adopted. After being properly sworn in, Austin Brinkley presented the following:

ADDRESS: 116 W Mulberry St.

PARCEL #: 2599867356

OWNER: Mulberry Junction, LLC

APPLICANT: Jae Thomas

The applicant requests a Special Use Permit for the establishment of a Tattoo Parlor, located in the Central Business Zoning District. The Central Business District was established to maintain and strengthen the concentration of commercial, service, residential and institutional uses that serve the entire community and region. The district encourages a mix of high intensity pedestrian-oriented uses compatibly designed and arranged around the existing compact core.

According to the City's Unified Development Code, Tattoo Parlors are permitted only after obtaining a Special Use Permit from Goldsboro City Council. The UDO also requires that In the Central Business District that there is to be a minimum 500ft radius separation between Tattoo Parlors. This proposal satisfies this requirement.

Central Business District.

Vacant commercial structure.

The City's Land Use Plan locates this parcel within the Mixed-Use Downtown land use designation. The City of Goldsboro Comprehensive Land Use Plan identifies the following goals related to the Mixed-Use Downtown designation and desired development for the downtown Goldsboro area. The plan indicates that infill development is an action that is essential to the continued development of Goldsboro, this proposal qualifies as being infill development. The plan also identifies a goal as being to focus on improvement of the downtown Goldsboro area.

This is a proposal to establish a tattoo parlor with piercing. The proposed business will operate under the name "Deep Space".

Business Hours: Tuesday-Saturday 12 Noon – 10:00 PM (hours may vary but will not exceed the listed times here)

Employees: 6 (maximum)

Due to the nature of this proposal, TRC was not asked to review.

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

After the Public Hearing was closed, City Council entered into deliberation and voted on each of the four findings in order to determine whether or not the Special Use Permit shall be issued.

1. Councilman Gaylor made a motion that the use will not materially endanger the public health or safety. The motion was seconded by Councilwoman Jones. Mayor Ham, Mayor Pro Tem Matthews, Councilwoman Jones, Councilman Broadway, and Councilman Gaylor voted in favor of the motion. Councilman Batts voted against the motion. The motion passed 5-1.
2. Councilwoman Jones made a motion that the use will not substantially injure the beneficial use of adjoining or abutting property. The motion was seconded by Councilman Gaylor. Mayor Ham, Mayor Pro Tem Matthews, Councilwoman Jones, and Councilman Gaylor voted in favor of the motion. Councilman Broadway and Councilman Batts voted against the motion. The motion passed 4-2.
3. Councilman Gaylor made a motion that the use will be in harmony with existing development and uses within the area in which it is located. The motion was seconded by Councilwoman Jones. Mayor Ham, Mayor Pro Tem Matthews, Councilwoman Jones, and Councilman Gaylor voted in favor of the motion. Councilman Broadway and Councilman Batts voted against the motion. The motion passed 4-2.
4. Councilwoman Jones made a motion that the use will be in general conformity with the City of Goldsboro Comprehensive Land Use Plan. The motion was seconded by Councilman Gaylor. Mayor Ham, Mayor Pro Tem Matthews, Councilwoman Jones, and Councilman Gaylor voted in favor of the motion. Councilman Broadway and Councilman Batts voted against the motion. The motion passed 4-2.

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

1. David Craig made a point of clarification that he had incorrectly stated general fund in his earlier comments. He then referenced the June 7, 2021 meeting regarding unused monies rolling into the fund balance.
2. Bevon Foster, County Commissioner, asked questions about land on the corner of Mulberry and Carolina Street; 200 Carolina Street. Mayor Ham let him know that they would get an answer.
3. Norman Uzzell, 204 Carolina Street, stated that he has been maintaining the grass at 200 Carolina Street. He also voiced concerns about the sidewalk on Mulberry Street. Mayor Pro Tem Matthews requested that the City follow up with Mr. Uzzell.

No one else spoke and the public comment period was closed.

Consent Agenda – Approved as Recommended. City Manager Tim 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. Councilman Batts moved the items on the Consent Agenda, Items I – U and X - Y be approved. The motion was seconded by Councilman Broadway. Mayor Ham, Councilman Broadway, Mayor Pro Tem Matthews, Councilman Gaylor, Councilman Batts voted in favor of the motion. Councilwoman Jones voted against the motion. The motion passed 5-1.

The items on the Consent Agenda were as follows:

Request authorization to purchase a Ford F-250 Crew Cab with Service Body. Resolution Adopted. The item was presented by Rick Fletcher, Public Works Director.

The requested vehicle will replace a truck that was recently totaled in a motor vehicle accident on May 16th while stormwater crews were working on Highway 70.

The total purchase price for the new F-250 is approximately \$63,300. The majority of the funds (\$45,100) will come from the insurance settlement for the totaled vehicle and sale of a surplus sweeper through GovDeals. The remaining difference between the available funds and purchase price (\$18,200) will be paid out of residual funds in the current FY23 Stormwater budget.

Staff recommended that Council, by motion, approve the purchase of the new Ford F-250 Crew Cab with Service Body for \$63,300.

Consent Agenda Approval. Batts / Broadaway (5 Ayes, 1 Nay).

RESOLUTION NO. 2023-44 "RESOLUTION OF INTENT TO PURCHASE A NEW FORD F-250"

Request authorization to purchase a new Transfer Station Hopper Compactor Combination (Hopper) for the Solid Waste Division. Resolution Adopted. The item was presented by Rick Fletcher, Public Works Director.

The City’s transfer station has two Hoppers. One was installed in 1985 for refuse and a second one was installed in the mid 1990’s for recycling. They are used to collect and compress refuse and recycled goods into a transport trailer. Due to their age, no parts are readily available and repairs typically require remanufacturing old components. It has proven to be very costly and requires extensive downtime.

The refuse Hopper is in worse condition and needs hydraulic and structural repairs well in excess of \$150,000. The compactor’s main beam and pusher platen assembly need to be removed and used as a template to manufacture a new one for an estimated \$85,000 alone. The main hydraulic cylinder is failing and needs to be removed and remanufactured for \$65,000. Several sections of the steel support structure have been exposed to corrosive refuse contaminants for 38 years and need to be replaced. Sections of the steel have rusted through and even separated. We have replaced a few of the steel X-type bracing supports, but have not received a final estimate to accomplish any major structural repairs.

Replacing the refuse Hopper will cost an estimated \$350,000. It will upgrade the equipment to current standards and ensure reliable service for years to come versus making costly short-term fixes. Most of the funds (\$231,000) will come from residual funds in the current FY23 Solid Waste budget. The remaining \$119,000 will require a fund balance appropriation from the General Fund.

Staff recommended that Council, by motion, approve the purchase of the new Solid Waste Transfer Station Hopper for \$350,000.

Consent Agenda Approval. Batts / Broadaway (5 Ayes, 1 Nay).

RESOLUTION NO. 2023-45 "RESOLUTION OF INTENT TO PURCHASE A SOLID WASTE HOPPER"

Resolution - Sale of Radios to Town of Pikeville Police Department and Town of Mount Olive Police Department. Resolution Adopted. The item was presented by Catherine Gwynn, Finance Director.

The City of Goldsboro owns Police radios and equipment that is surplus, and no longer required by the City.

General Statute 160A-274 establishes that any governmental unit may, upon such terms and conditions as it deems wise, with or without consideration, exchange with, lease to, lease from, sell to, or purchase from any other governmental unit any interest in real or personal property.

The Police Department has surplus radio inventory and has requested disposal of this property. These radios have completed their useful service life. All radios being disposed of are no longer manufactured, and have been replaced through the Police Department’s multi-year equipment replacement plan. These radios and accessories that Pikeville and Mt. Olive Police departments are requesting to purchase are still capable of operating on the County radio system but are outdated. The Town of Pikeville and Town of Mt. Olive Police Departments wish to use the radios for operational purposes. These radios are not currently Phase 2 ready for the County Radio System and will require at a minimum, additional programming to be able to operate on the current radio system. We have reached out to a local radio communications company for fair market value of the items.

Description	Available for Sale	FMV	Town of Pikeville	Town of Mt. Olive
Viking VP 900 Portable radio kits	6	\$500/Ea	4	2
Harris XG-75 Mobile Radios	3	\$750/Ea	1	7

It was recommended the Council authorize the sale of surplus Police radios and equipment to the Town of Pikeville Police Department and the Town of Mount Olive Police Department.

Consent Agenda Approval. Batts / Broadaway (5 Ayes, 1 Nay).

RESOLUTION NO. 2023-46 "RESOLUTION DECLARING SURPLUS AND SALE OF POLICE RADIOS AND EQUIPMENT TO A GOVERNMENTAL UNIT PURSUANT TO NCGS § 160A-274"

Amending the Community Relations Special Revenue Fund Ordinance (G1108). Ordinance Adopted. The item was presented by Catherine Gwynn, Finance Director.

On June 15, 2020, City Council authorized the establishment of a special revenue fund to account for donations and sponsorships that are funded with donor specific restrictions, such as the Human Relations Committee, Interfaith Breakfast, Dr. Martin Luther King, Jr. Commemoration, Mayor’s Committee for Persons with Disabilities, and the Mayor’s Youth Council.

At this time, minor corrections are needed to the budget revenue and expenditures for the Martin Luther King, Jr. Commemoration and Mayor’s Committee for Persons with Disabilities. When creating the fund in June, 2020 an error was made in the allocation from the General Fund. The net correction is \$1,420.60 and will be funded with a reallocation of revenues and expenses, and a transfer from the General Fund.

Also, an appropriation of revenue is needed to capture fundraising revenue from the Mayor’s Youth Council gift wrapping in the amount of \$554.00.

It was recommended that the following entitled Grant Project Budget Ordinance for the Community Relations Special Revenue Fund (G1108) be amended.

Consent Agenda Approval. Batts / Broadaway (5 Ayes, 1 Nay).

ORDINANCE NO. 2023-34 “AN ORDINANCE AMENDING THE GRANT PROJECT BUDGET FOR THE COMMUNITY RELATIONS SPECIAL REVENUE FUND (G1108)”

Amending a Special Revenue Fund Ordinance – Police Other Restricted Revenue Funds (P3104). Ordinance Adopted. The item was presented by Catherine Gwynn, Finance Director.

On June 17, 2019 City Council approved the creation of a special revenue fund for the Police Department to create more transparency in the collection and disbursement of funds received from special court allocations, storage fees, various fundraisers, donations, sale of found property, and other restricted revenue sources for the police department.

The Police department has received \$5,831.52 in various donations, surplus sales and interest income. It is necessary to appropriate these revenues so that the Police department may expend them according to the applicable purpose. The table below provides additional details.

Entity	Purpose	Date Received	Amount
Walmart	Shop with a Cop Donation	~ Dec 2022	\$5,131.50
Property Room.com	Found guns sold	Oct – Dec 2022	156.43
Private Citizen Donations	Donations for Community Police Services	Oct 2022-May 2023	520.00
Investment Income	Applied for use towards Police supplies	Jun 2022	23.59
Total Revenue Appropriations			\$5,831.52

It was recommended that Council adopt the following entitled Project Budget Ordinance amendment for the Police Other Restricted Revenue Funds (P3104).

Consent Agenda Approval. Batts / Broadaway (5 Ayes, 1 Nay).

ORDINANCE NO. 2023-35 “AN ORDINANCE AMENDING THE SPECIAL REVENUE FUND FOR THE POLICE OTHER RESTRICTED REVENUE FUND (P3104)”

Amending the Parks & Recreation Special Revenue Fund Ordinance (G1107). Ordinance Adopted. The item was presented by Catherine Gwynn, Finance Director.

On June 15, 2020, the City Council authorized the establishment of a special revenue fund to track the various donations and sponsorships in which the donor/sponsor has requested that the funds be spent on various special programs sponsored by Parks & Recreation.

The fund has received several donations and sponsorships related to sports tourism totaling \$6,435.48.	
St. Paul United Method Church	\$ 375.00
NC Tennis Association	\$4,000.00
Kepner Cup	\$2,060.48
Total	\$6,435.48

These revenues need to be appropriated to support expenditures within the scope of the fund. Included is a minor correction for a sports tourism receipt of \$492.98 that was incorrectly posted to the Duke RX for Play grant.

It was recommended that the following entitled Grant Project Budget Ordinance to amend the Parks & Recreation Special Revenue Fund (G1107) be approved for \$6,435.48.

Consent Agenda Approval. Batts / Broadaway (5 Ayes, 1 Nay).

ORDINANCE NO. 2023-36 "AN ORDINANCE AMENDING THE GRANT PROJECT BUDGET FOR THE PARKS & RECREATION SPECIAL REVENUE FUND (G1107)"

Amending a Special Revenue Fund Ordinance – Fire Other Restricted Revenue Funds (F3110). Ordinance Adopted. The item was presented by Catherine Gwynn, Finance Director.

At the September 6, 2022 Council meeting, Council authorized the establishment of a grant project ordinance for the Fire Other Restricted Revenue Fund (F3110) in order to create more transparency in the collection and disbursement of funds received from various donations, local grants, fundraisers and other restricted revenue sources for the Fire department.

The Fire department has received donations earmarked for summer camps to be taught by the Fire department in the amount of \$450, and it is necessary to appropriate the expenditures in order for the department to begin fulfilling the terms of the donation. The expenditures will be funded with an appropriation of donation revenue.

It was recommended that the attached Special Revenue Fund Ordinance for the Fire Other Restricted Revenue Funds (F3110) be adopted.

Consent Agenda Approval. Batts / Broadaway (5 Ayes, 1 Nay).

ORDINANCE NO. 2023-37 "AN ORDINANCE AMENDING THE SPECIAL REVENUE FUND FOR THE FIRE OTHER RESTRICTED REVENUE FUND (F3110)"

Amending the Water Line Replacement & Booster Pump Station (BPS) Project WIF-1938 (W1111). Ordinance Adopted. The item was presented by Catherine Gwynn, Finance Director.

On September 17, 2017, the Council approved a resolution to apply for a state revolving loan for this project, and The Wooten Company was selected to perform the engineering services on September 18, 2018.

On June 6, 2019, we received notification from the North Carolina Department of Environmental Quality that financing was approved from the North Carolina Drinking Water State Revolving Fund (DWSRF) in the amount of \$3,610,000 at an interest rate of 1.82% over 20 years.

On July 15, 2019, the City Council authorized the establishment of a capital project fund for the replacement of existing water lines at various locations in the City and install a new booster pump station in the New Hope area to address low-pressure issues and remove outdated pipe materials. The water line replacement includes:

- 4,000 LF in the Lanetree Subdivision from Fedelon Trail to Titleist Drive
- 3,100 LF on Ash Street from Herman Street to Williams Street
- 2,700 LF on Ash Street from Berkeley to Meadow Lane School
- 5,300 LF on Elm Street from Madison Avenue to Lee Drive
- 2,700 LF on Slocumb Street from Westbrook Road to SJAFB

The City Engineer, Mr. Bobby Croom, has notified Finance that the project (New Hope Road High Pressure Zone project WIF-1938 aka 2017 Water System Improvements) will not be done at this time. DEQ tentatively will reimburse up to \$32,400.00 in engineering fees, and the rest will be funded by the Utility Fund Capital Reserve. It is necessary to reallocate the funding to reduce the state SRF revenues and increase the transfer from the Utility Fund Capital Reserve to \$198,112.60 in order to close out this project. Corresponding expenditures will also be reduced to the amount spent to date.

It was recommended that the City Council adopt the following entitled project budget amendment for the Water Line Replacement and Booster Pump Station (BPS) Project (W1111).

Consent Agenda Approval. Batts / Broadaway (5 Ayes, 1 Nay).

ORDINANCE NO. 2023-38 "AN ORDINANCE AMENDING THE GRANT PROJECT FUND FOR THE WATER LINE REPLACEMENT AND BOOSTER PUMP STATION (BPS) PROJECT WIF-1938 (W1111)"

Amending a Special Revenue Fund Ordinance – Federal and State Drug Forfeiture Special Revenue Fund (P3101). Ordinance Adopted. The item was presented by Catherine Gwynn, Finance Director.

In order to create more transparency in the collection and disbursement of funds received from federal and state drug forfeitures for the Police department, on February 17, 2020 City Council authorized the establishment of a special revenue fund to account for the inflows and outflows of resources. The fund is amended as necessary to appropriate revenues received.

The City has received the following funding from the Equitable Sharing program (Asset Forfeiture) through the Department of Justice.

<u>Date</u>	<u>Amount</u>
8/26/21	\$3,409.17
11/16/22	10,612.00
11/16/22	15,914.36
11/18/22	15,771.97
2/17/23	<u>1,844.21</u>
Total	<u>\$47,551.71</u>

The City also received multiple distributions from the North Carolina Department of Revenue for Unauthorized Substance Tax collections which is levied under N.C. G.S. §105-113 to 105-113. Seventy-five percent (75%) of the money collected is returned to the state or local law enforcement agency whose investigation led to the assessment. The remaining twenty-five percent (25%) of the money collected is retained by the State of North Carolina. The total received to date since FY20 is \$24,085.25.

Investment income credited to the fund for Federal Forfeiture from 6/30/21 to 3/31/21 is \$1,555.03.

It is necessary to appropriate the revenues from federal forfeiture, state forfeiture and investment income so that the Police department may expend the moneys to support police operations.

It was recommended that City Council adopt the following entitled amendment to the Special Revenue Fund Ordinance for the Federal and State Drug Forfeiture Special Revenue Fund (P3101).

Consent Agenda Approval. Batts / Broadaway (5 Ayes, 1 Nay).

ORDINANCE NO. 2023-39 “AN ORDINANCE AMENDING THE SPECIAL REVENUE FUND FOR FEDERAL AND STATE FORFEITURE ACCOUNTS (P3101)”

Amending a Grant Project Fund Ordinance – Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) Special Revenue Fund (C2101, C2102, C3101 and C3102). Ordinance Adopted. The item was presented by Catherine Gwynn, Finance Director.

The Department of Housing and Urban Development has granted funding for the CDBG, HOME, CDBG-CV, and HOME ARP programs to the City of Goldsboro as an entitlement city. These grants will be managed by the Community Relations & Development department.

HUD conducted a monitoring visit last August, which resulted in a monitoring letter dated 10/11/22. One of the items in the letter was HUD’s recommendation that the City change the existing accounting structure so that the City could balance and reconcile to the HUD IDIS system.

The corrections to the accounting have been made to satisfy the HUD requirements, but took extensive time due to the volume of transactions. The corresponding budget adjustments have been compiled and presented in this budget amendment. In order to satisfy the changes recommended by HUD, separate funds were created in the City’s ERP system to account for the CDBG, CDBG-CV, HOME and HOME ARP programs, however, we will continue to report this as a single special revenue fund for financial statement purposes.

Also included within this amendment are the allocations for 2022 as per the signed agreements from November 10, 2022.

CDBG 2022 (B22-MC-37-0019)	\$ 358,697
HOME 2022 (M22-MC370209)	<u>\$ 280,171</u>
Total Funding	\$ 638,868

Staff requests that the Council appropriate expenditures in the amount of \$638,867 so that the terms of the grant agreements may be carried out. The additional appropriations of \$2,205,709.60 represent reallocations and corrections to the new coding structure to satisfy HUD’s accounting requirements. The allocation of the expenditures was based on recommendations from Ms. Felecia Williams, Community Relations Director and any limits placed on the funds by HUD.

It was recommended that Council adopt the following entitled Grant Project Ordinance amendment for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) Special Revenue Fund (C2101, C2102, C3101 and C3102).

Consent Agenda Approval. Batts / Broadaway (5 Ayes, 1 Nay).

ORDINANCE NO. 2023-40 “AN ORDINANCE AMENDING THE GRANT PROJECT FUND FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG AND CDBG-CV) AND HOME INVESTMENT PARTNERSHIP PROGRAM (HOME AND HOME ARP), SPECIAL REVENUE FUND (C2101, C2102, C3101, C3102)”

Resolution – Disposition and Destruction of City Owned Ballistic Vests. *Resolution Adopted.* The item was presented by Catherine Gwynn, Finance Director.

The City of Goldsboro Fire Department provides access to ballistic vests for its members to utilize when needed. These vests expire every 5 years and are replaced on this schedule.

General Statute 160A-266(d) provides a City may discard any personal property that is determined to have no value.

Goldsboro Fire Department replaces the ballistic vests available to its Firefighters every five years. This replacement cycle leads to vests that are un-warranted that become surplus. Disposal and disposition of these vests need to be done securely to prevent the possibility that they could be used against law enforcement. We are requesting to use Fiber Brokers International, LLC to destroy the vests.

Fiber Brokers International, LLC provides secure destruction of ballistic vests. The company is based out of Brent, Alabama. This company provides secure destruction and recycling of aged ballistic vests and other ballistic materials. They have been in business for 15 years and serve both law enforcement and the military. Typically, there is \$.50 charge per vest and the client pays for shipping. The per item cost will be waived and we will only have to pay for shipping of the vests to their facility. All items are disposed of securely and per National Institute of Justice (NIJ) guidelines and the company will provide proof of chain of custody and destruction.

It was recommended the Council authorize the disposition and transfer of surplus ballistic vests to Fiber Brokers International, LLC for destruction.

Consent Agenda Approval. Batts / Broadaway (5 Ayes, 1 Nay).

RESOLUTION NO. 2023-47 "RESOLUTION DECLARING SURPLUS AND AUTHORIZATION FOR DESTRUCTION OF CITY OWNED BALLISTIC VESTS"

Resolution – Donation of Personal Property to a 501(c)(3) Non-Profit, Global Gear Initiative, LLC. *Resolution Adopted.* The item was presented by Catherine Gwynn, Finance Director.

The City of Goldsboro owns fire-fighting equipment that is surplus, and no longer needed by the City. This firefighting equipment consists of turn out gear that is in excess of ten years old, and can no longer be used in service for the Goldsboro Fire Department (GFD) per NFPA Guidelines. There are also old and outdated air packs that are beyond repair that have been replaced and upgraded by the GFD. History has shown that there is little to no monetary value ever received by these items when sold on public auctions due to the fact that their use is limited in the United States. In an effort limit the liability of the City of Goldsboro with these items and to be good stewards of our resources, it is our recommendation that these items be donated to Global Gear Initiative. This non-profit collects and distributes fire equipment to firefighters in other countries such as Guatemala, Mexico, Colombia, Paraguay, Peru, Brazil, Philippines, Ukraine, and Iraq where their usage is not governed by the National Fire Protection Association. These firefighters have little to no equipment so these items would be of great value to them.

General Statute 160A-280 establishes that a city may donate to a nonprofit organization that is incorporated by (i) the United States, (ii) the District of Columbia, or (iii) one of the United States, any personal property, including supplies, materials, and equipment that the governing board deems to be surplus, obsolete or unused.

Attached is a list of the surplus equipment. Any equipment that Global Gear Initiative does not accept will be disposed of by the City.

The entity is organized in North Carolina as a non-profit corporation and is current and active with the Secretary of State.

The Governing Board shall post a public notice at least 5 days prior to making any donation of surplus, obsolete or unused personal property.

It was recommended the Council adopt the following entitled resolution to authorize the donation of surplus fire-fighting equipment to the 501(c)(3) non-profit, Global Gear Initiative.

Consent Agenda Approval. Batts / Broadaway (5 Ayes, 1 Nay).

RESOLUTION NO. 2023-48 "RESOLUTION DECLARING SURPLUS AND AUTHORIZATION FOR DONATION OF FIRE EQUIPMENT TO GLOBAL GEAR INITIATIVE, LLC"

Operating Budget Amendment FY22-23. *Ordinance Adopted.* The item was presented by Catherine Gwynn, Finance Director.

Council adopted the FY22-23 annual operating budget on June 20, 2022.

Goldsboro Event Center

Ms. Felicia Brown, Parks and Recreation director, requested an appropriation of \$47,000 for the repairs needed to the plumbing at the Goldsboro Event Center. The expense will be funded with a reduction in outdoor pool repair expense in the Parks and Recreation department.

Paramount

Mr. Adam Twiss, Director of the Paramount Theater, has requested additional expense appropriations for part-time salaries, food and beverage for resale, electricity, and Paramount ticket sales for a total of \$65,000. This will be funded with additional revenues from ticket sales, food, beverage and alcohol sales, and investment income.

Solid Waste

Mr. Rick Fletcher, Public Works Director, requested an appropriation of \$231,000 for the purchase of a new trash compactor for the transfer station to replace the existing compactor that is approximately 40 years old. Mr. Fletcher does not have an estimate for the replacement of the compactor at this time, but expects it to be approximately \$350,000. He anticipates having lapsed funds in vehicle fuel and dumpster expense which will be reduced to fund the capital request.

Police

Chief Mike West has requested an additional appropriation to fund the upfit of police cars in the amount of \$12,000. The expense appropriation will be funded with an appropriation of investment income.

Non-recurring capital outlay

The City has sold 10 properties in FY22-23 and collected \$21,940 in proceeds. On the jointly owned properties, the City is responsible for remitting one half of the proceeds to Wayne County. It is necessary to appropriate the expense paid out in the amount of \$10,000 which will be funded with proceeds from land sales.

Stormwater Fund

Mr. Rick Fletcher, Public Works Director, requested an appropriation of \$63,300 for the purchase of a 2023 Ford F-250 crew cab truck with service body to replace a truck that was recently totaled in a motor vehicle accident. The expense will be funded with an increase in insurance proceeds of \$15,000, an increase in surplus equipment sales of \$30,100 and reduction of consultant fees of \$18,200.

Utility Fund - Finance – Utility Billing, Meter Services & Inventory

An additional appropriation is needed to fund the final billing for the FY21 in the amount of \$ 15,000 which was not addressed with the April 17th budget amendment. This will be funded with an appropriation of investment interest.

Utility Fund – Distribution and Collections

An appropriation for repairs due to insurance claims is needed to cover the cost of damage done to a sewer line on Ash Street in the amount of \$24,500. The contractor took responsibility for the damage and the City has received payment for the damage. The additional expenditure will be funded with an appropriation of insurance proceeds.

Civic Center – Occupancy Tax

An appropriation for the final lease purchase payment to Musco for the sports field lighting is necessary in the amount of \$4,610.00. This will be funded with an increase in investment interest.

An appropriation for the anticipated fourth quarter payment to Wayne County is needed in the amount of \$10,000. This will be funded with increased occupancy tax revenues.

It was recommended that the City Council, by motion, adopt the following entitled ordinance to amend the FY22-23 Operating Budget for the General Fund, Stormwater Fund, Utility Fund and Occupancy Tax Fund.

Consent Agenda Approval. Batts / Broadaway (5 Ayes, 1 Nay).

ORDINANCE NO. 2023-41 "AN ORDINANCE AMENDING THE BUDGET ORDINANCE OF THE CITY OF GOLDSBORO FOR THE 2022-23 FISCAL YEAR"

Purchase Order Approval for Telephone System Replacement. *Resolution Adopted.* The item was presented by Scott Williams, IT Director.

The City Council approved the expenditure in the current fiscal year budget.

G.S. 143-129 requires formal bidding when the estimated expenditure of public money is greater than \$90,000 for apparatus, supplies, materials, or equipment, and further requires that the governing body must award the contract. The statute allows the governing body to delegate the authority to award contracts, reject bids, or readvertise bids on behalf of the unit to the manager or other employee. City Council authorized the City Manager or the Finance Director this authority on April 19, 2021, in RES 2021-30.

The procurement of the IT equipment was done through the Sourcwell Contract Number 022719-MBS as allowed by law. As per internal memorandum dated April 19, 2021, the City Manager and Finance Director stipulate that the delegated authority limit is \$250,000, and contracts over this amount shall be presented to City Council for approval and award. The purchase order amount is \$266,515.42 to ATCOM Business Technology.

It was recommended that Council approve the following entitled resolution authorizing the award of IT equipment to ATCOM Business Technology in the amount of \$266,515.42 as documented on Purchase Order P2301202.

Consent Agenda Approval. Batts / Broadaway (5 Ayes, 1 Nay).

RESOLUTION NO. 2023-49 "RESOLUTION TO APPROVE PURCHASE ORDER FOR TELEPHONE SYSTEM REPLACEMENT"

Departmental Monthly Reports. Accepted as information. The various departmental reports for March 2023 were submitted for Council approval. It was recommended that Council accept the reports as information.

Consent Agenda Approval. Batts / Broadaway (5 Ayes, 1 Nay).

End of Consent Agenda.

Items Requiring Individual Action.

Amending Chapter 117: Pushcart and Mobile Food Unit Vendors, of The City of Goldsboro's Code of Ordinances. Ordinance Adopted. The item was presented by Matthew Livingston, Assistant City Manager.

The City of Goldsboro recognizes the need to maintain correct descriptions of the City's Code of Ordinances. Sections of the City Code of Ordinances related to Pushcarts and Mobile Food Units were revised in March 2007. Planning staff are revising the current application to clarify the requirements in the Code of Ordinances and to make the application user friendly.

After a review of Chapter 117, city staff recommend revising the coverage area in Section 117.01, updating the definitions in 117.02, updating the application requirements in 117.03, and removing the bond or security deposit in Section 117.04. Staff also recommends revising the allowed locations and the distance that pushcarts or mobile food units must be from any established restaurant, the right-of-way, private property, utility boxes, utility vaults, handicapped ramps, emergency call boxes, and fire hydrants. The update also corrects administrative errors and shifts most authority to the City Manager's designee.

It was recommended that Council adopt the following entitled Ordinance amending Chapter 117: Pushcart and Mobile Food Unit Vendors, of the City of Goldsboro's Code of Ordinances.

Mayor Ham asked for clarification regarding downtown events and permitting. Matthew Livingston, Assistant City Manager, stated that mobile food permits would go through the City Managers designee, and would require drawings to indicate their distance from established restaurants.

Councilman Broadaway made a motion to approve the Ordinance amending Chapter 117. The motion was seconded by Councilman Gaylor and unanimously carried. Council adopted the following entitled Ordinance.

ORDINANCE NO. 2023-42 "AN ORDINANCE AMENDING CHAPTER 117: PUSH CART AND MOBILE FOOD UNIT VENDORS OF THE CITY OF GOLDSBORO'S CODE OF ORDINANCES"

Adoption of the Annual Operating Budget Ordinance for Fiscal Year 2023-24. Ordinance Adopted. The item was presented by Catherine Gwynn, Finance Director.

G.S. §159-13 requires that the governing board adopt a budget ordinance prior to July 1 to make appropriations and levy the taxes for the budget year. Specifically, the Budget Ordinance establishes the property tax rate and any special taxes which may be levied during a fiscal year, such as the Special Downtown Municipal District Tax. Other fees and charges levied by the City are 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 collecting 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 to the Budget Officer are the same as were delegated in Fiscal Year 2022-23 that relate to the

reallocation of departmental appropriations, interdepartmental transfers, and interfund 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 FY2023-24 recommended budget. During those sessions, Council discussed increases to water and sewer rates by 4%, and a property tax increase of \$0.05 from \$.68 cents to \$.73 cents per \$100 of valuation. Increases in fees are also presented in the ordinance in Planning, Inspections, Engineering, Parks and Recreation, Goldsboro Event Center, Golf, Fire, and Public Works to address cost of service.

REVENUE HIGHLIGHTS

The proposed adopted budget presented here reflects the following revenue changes:

- General Fund - The property tax rate will increase from \$0.68 cents per \$100 valuation to \$0.73 cents per \$100 valuation. The property tax was increased in FY2021-22 by 3 cents to help build fund balance and was the first property tax increase since FY2008-09. The property tax for the Downtown Municipal Service District remains the same at \$0.235 per \$100 valuation.
- Fund balance appropriation – There is an appropriation of fund balance of \$1,500,000.00 presented in the proposed adopted budget.

EXPENDITURE HIGHLIGHTS

The proposed adopted budget presented here reflects the following expenditure highlights:

General Fund-Agency Support

An allocation of \$100,000.00 has been established in Agency Support. Council authorized the use of the United Way to coordinate and recommend the allocation of the agency support at a cost of 10% of the allocation amount. When the United Way has completed its process and forwarded a recommended list of agency funding, staff will bring a budget amendment back to Council to approve the line item appropriation by agency. Agency support in the amount of \$20,000.00 has been set aside as unallocated to comply with Senate Bill 473, Enhance Local Government Transparency Act, signed into law December 9, 2021. Separate budget amendments will be presented for each agency as needed so Council serving on the board or commission will be able to recuse themselves from voting on the funding.

<u>Position Allocation</u>	<u>FTE Count</u>
FY22-23 Adopted	482
Elected Officials	7
Added During FY23	0
FY22-23 Adjusted Adopted	489
FY23-24 Manager Recommended	486
Elected Officials	7
FY23-24 Proposed Adopted	493

A total of four full time positions were recommended.

Human Resources	Nurse
Paramount Theater	Technical Director
Engineering	Administrative Assistant III
Golf	Golf Course Maintenance Technician

Permanent part-time employees will be reduced from 15 to 11.

Salaries & Benefits

Included in the FY2023-24 proposed adopted budget is a 2% cost of living adjustment for all full-time and permanent part-time employees that are employed on June 28, 2023. The raise will be effective on July 12, 2023 which begins the first full payroll in FY24 in biweekly payroll 15 which will be paid on July 28th.

A net bonus of \$400 (full-time) and \$200 (permanent part-time) for eligible employees is budgeted and will be paid the week of Thanksgiving between biweekly 24 and 25. Employees who are on probation will receive half the amount.

A merit raise of 1% has been budgeted for all full-time and permanent part-time employees to be effective on January 10, 2024 to be paid with the first full paid payroll on January 26, 2024. Eligibility will be in accordance with the personnel policy.

The deferred compensation plan 401(k) remains at 5% for sworn officers and 4% for all other employees. LGERS retirement contribution for employees remains at 6%, and employer contributions are set at 12.91% non-LEO and 14.24% LEO.

Contingency

Contingency appropriations are as follows:

Fund	Amount
General Fund	0
Stormwater Fund	138,912
Downtown District Fund	0
Utility Fund	392,224
Occupancy Tax Fund	37,886
Total Contingency Appropriation	569,022

As required by G.S. §159-11, the Budget Officer submitted to the governing board a balanced recommended budget with the required components on May 15, 2023, ahead of the statutory deadline of June 1, 2023. The filing of the recommended budget was also properly advertised in the Goldsboro-News Argus on May 13, 2023, and an electronic copy of the budget was delivered to the City Clerk and made available online on the City's website. Further, the Council conducted a public hearing on June 5, 2023, at the 7:00 pm meeting, and conducted a budget work session on May 26th. Finally, there has been at least 10 days between the presentation of the recommended budget (May 15th) and the tentative adoption of the budget ordinance (June 20th).

Summary of FY2023-24 Budget

SUMMARY	REVENUES	APPROPRIATIONS
General Fund	\$ 49,622,612	49,622,612
Stormwater Fund	1,934,200	1,934,200
Utility Fund	23,409,993	23,409,993
Downtown Special District Fund	102,683	102,683
Occupancy Tax Fund	1,465,450	1,465,450
General Fund Capital Reserve	1,000	1,000
Utility Fund Capital Reserve	100,000	100,000
TOTAL BUDGET FY23-24	\$ 76,635,938	\$ 76,635,938

A published copy of the final Adopted Budget for FY2023-24 will be produced and furnished to Council and available on our website as soon as possible.

It was recommended that City Council adopt the following entitled Budget Ordinance for the Fiscal Year 2023-24 including the Manual of Fees and Charges.

A motion was made by Councilman Batts to approve the Budget Ordinance for the Fiscal Year 2023-24, and seconded by Councilman Broadway. Mayor Ham, Councilman Broadway, Councilman Gaylor, and Councilman Batts voted in favor of the motion. Mayor Pro Tem Matthews and Councilwoman Jones voted against the motion. The motion passed 4-2. Council adopted the following entitled ordinance.

ORDINANCE NO. 2023-43 "ANNUAL BUDGET ORDINANCE FISCAL YEAR 2023-2024"

Adoption of a Resolution for Utility Fees and Charges for FY2023-24. Resolution Adopted. The item was presented by Catherine Gwynn, Finance Director.

In conjunction with the adoption of the FY2023-24 annual operating budget ordinance, Council shall establish utility rates and fees.

The attached resolution incorporates a 4% increase in water and sewer rates effective for billings on or after August 1, 2023. Additional changes are detailed below. These changes will be effective July 1, 2023.

	Fee Title	Current Rate	Proposed Rate
Water Service Fees for Disconnection Due to Non-payment	Late Fee	\$5.00	\$5.00
	Service Fee	\$15.00	\$15.00
	Reconnection Fee (Normal Hours)	\$10.00	\$30.00
	Reconnection Fee (After Hours)	New	\$80.00
Water Tap Fees	3/4" Water Tap	\$500.00	\$1,200.00
	1" Water Tap	\$525.00	
	1 1/2" Water Tap	\$1,350.00	\$2,200.00
	2" Water Tap	\$1,999.00	
	Above 2" Water Tap	Cost + 10%	Cost + 10%
Sewer Tap Fees	4" Sewer Tap	\$600.00	\$1,200.00
	Larger than 4"	Cost + 10%	Contractor
Water Meter Reading Device (MXU)	MXU Replacement Fee	\$0.00	\$175.00

It was recommended that City Council adopt the following entitled resolution incorporating the 4% increase in water and sewer rates to be in full force and effect on all billings on or after August 1, 2023, and other rate changes effective July 1, 2023.

A motion was made by Councilman Batts to approve the Resolution, and seconded by Councilman Gaylor. Mayor Ham, Councilman Broadaway, Councilman Gaylor, and Councilman Batts voted in favor of the motion. Mayor Pro Tem Matthews and Councilwoman Jones voted against the motion. The motion passed 4-2. Council adopted the following entitled resolution.

RESOLUTION NO. 2023-50 "RESOLUTION AMENDING THE WATER RATES AND SANITARY SEWER RATES FOR THE CITY OF GOLDSBORO"

City Manager's Report. Tim Salmon thanked everyone that made the Juneteenth event happen. He also recognized the 4th Mission Group Change of Command, where Col. McElhaney turned over command to Col. Todd Walker. He thanked Col. McElhaney for her service and welcomed Col. Walker and his family.

Ceremonial Documents.

National PTSD Awareness Day Proclamation. Read by Mayor Ham. The Goldsboro City Council proclaimed June 27, 2023 as NATIONAL PTSD AWARENESS DAY in the City of Goldsboro, and called upon our citizens and interested groups to observe the day with appropriate ceremonies and activities that promote awareness and understanding of PTSD.

Mayor and Councilmembers' Comments.

Councilman Batts. As always, I just want to say thank you to all department heads and especially all the city employees. Thank you for what you do every day.

Councilman Gaylor. Just a quick thank you to Councilmember Polack for his years of service. When I was competing for the council vote, the appointment to District 5, he was the only person on council that voted against my opponent. Since that day we have grown to really love each other and to value each other's input and opinions. There are very few people who I trust in a professional way. It's very few people who have trust as much in a professional way as Taj Polack and he will be missed. Ms. Matthews, it is the right thing to do, it's the right decision. Congratulations, you just made history.

Mayor Pro Tem Matthews. I just want to encourage everybody to, when you get a chance, to keep at it and play full out. Even when you feel unseen and unheard, play full out. Even when you don't feel like you're making a difference play full out. Take it from me, play full out. Keep showing up at 100%. I do want to say to District 4 that we are fast approaching the end of this term, and as your representative and as a district together what we've done is, we have accomplished some of the things that we set out to do in the very beginning and there are a few more things that we are finishing up, but I just want to say let's keep at it and let's keep at it together. Thank you to the council. Mayor Ham, when I got elected I have always sat beside you and served alongside you on this council and I do really look forward to serving, to continue to serve beside you, as Mayor Pro Tem. So, thank you.

Councilman Broadaway. I too would like to congratulate Councilwoman Matthews. Congratulations. I would also like to thank Councilman Polack for all that he has done. Over the 12 years I have been on this council, and those of us that have known it, Councilman Polack has gone through almost a transition, from a number of things, but he's always had his heart in the right place, he's always worked hard, and I'm going to miss him. This is a chair I hate to see get empty, because the guy really cares. He cares up and down his street, and he cares across town. We're going to miss him, and I just wish him the best, and I want him to continue to have the best of good fortune. Thank you.

Councilwoman Jones. First, I want to say best wishes to Mr. Polack. I know that when I first was appointed, he wasn't really sure about me, but we have really worked through some differences, and we built a good relationship. That's what it's all about you know, to get to really know a person. So, I am going to miss him. I also would like to say congratulations to you young lady. You deserve it, you've worked very hard, and I know that you will do a good job. I also would like to commend the city policemen for Juneteenth; it was a wonderful event, very well organized. I'm glad that there were no casualties. It was just really wonderful, I just can't stop saying enough about it, it was just really great. I would like to also thank this council for allowing me to have the opportunity to be a part of you. To see the unity that it has come to, and I think we work together well. Just thank you.

Mayor Ham. Let me also say that, thank you for all the people that participated in the Juneteenth event this weekend. I was down there; we had a great turn out; lots of vendors were there on the street. The weather was pretty decent, and as far as I know everyone had a great time. So, thank you for all those that participated. I want to thank the council tonight. We've approved a budget; the largest budget I think that we've had during my time probably. There's a lot of things that were funded, there's some things that were not funded, and there were a lot of discussion as I've said before about this with staff and department heads, but we have a budget that I think is well thought out and certainly planned and discussed. So thank you for your support on that tonight. Again, let me congratulate our new Mayor Pro Tem, and we will work together harmoniously. I want to save my last comments for saying something about our outgoing Mayor Pro Tem. I want to thank Councilman and Mayor Pro Tem Taj Polack for his service to the residents of the 3rd district, as well as all citizens of Goldsboro. Mayor Pro Tem Polack has distinguished himself while serving on the Goldsboro City Council for 3 and a half years through his attendance to regular and special called meetings, which important and necessary business was addressed and acted on. When called upon to act in my absence, he did so with confidence and authority. His forthright and articulate

comments and opinions expressed, were always provided in a professional and sincere manner, and accepted accordingly. He advocated for all citizens of Goldsboro, he wanted nothing more than the betterment of this city, and the improvement of each man woman and child. He was especially concerned for the Goldsboro City employees, and continuously advocated for competitive wages and benefits. He and I spoke often, discussing City and personal subjects. I learned of the deep sense of moral and spiritual conviction he possesses; I gained a tremendous respect for Taj Polack. I will miss him sitting next to me in meetings. While he will not be here, our friendship will continue. My best wishes to you my friend. As I've always said in closing our conversations, give your mother my regards and best wishes.

Closed Session.

Upon motion of Councilman Broadaway, seconded by Councilwoman Jones, and unanimously carried, Council went into Closed Session to discuss potential litigation.

After the Closed Session was held, Council came out of Closed Session and back into Open Session.

There being no further business, Mayor Ham adjourned the meeting at 9:40 p.m.




David Ham
Mayor


Holly Jones
Deputy City Clerk