

MINUTES OF MEETING OF THE MAYOR AND CITY COUNCIL HELD
SEPTEMBER 9, 2019

WORK SESSION

The Mayor and City Council of the City of Goldsboro, North Carolina, met in a Work Session in the Large Conference Room, City Hall Addition, 200 North Center Street, at 5:00 p.m. on September 9, 2019 with attendance as follows:

Present: Mayor Chuck Allen, Presiding
Mayor Pro Tem Bill Broadaway
Councilmember Antonio Williams
Councilmember Bevan Foster
Councilmember David Ham
Ron Lawrence, Attorney
Tim Salmon, City Manager
Randy Guthrie, Assistant City Manager
Melissa Capps, City Clerk
LaToya Henry, Public Information Officer
Octavius Murphy, Assistant to the City Manager
Jennifer Collins, Planning Director
Scott Williams, IT Director
Felicia Brown, Interim P&R Director
Mike Wagner, Public Utilities Director
Chad Edge, Deputy Public Works Director- Operations
Joe Dixon, Fire Chief
Julie Metz, DGDC Director
Bernadette Dove, HR Director
Catherine Gwynn, Finance Director
Adam Twiss, Paramount Theatre & Goldsboro Event Center Director
Mike West, Police Chief
Scott Satterfield, Business & Property Development Specialist
Erin Fonseca, Marketing & Events Manager
Kate Daniels, Chamber of Commerce
Patty Graham, United Way of Wayne County, Inc.
Ken Conners, News Director-Curtis Media Group East
Eddie Edwards, News Argus Reporter
Lonnie Casey, Citizen
Bobby Mathis, Citizen
Della Mathis, Citizen
Yvonna Moore, Citizen
Kimberly Rhodes, Citizen
Alicia Pierce, Citizen (arrived at 5:21 p.m.)
Myelle Thompson, Citizen (arrived 5:28 p.m.)

Absent: Councilmember Gene Aycock

Call to Order. The meeting was called to order by Mayor Allen at 5:00 p.m.

Adoption of the Agenda. Mayor Pro Tem Broadaway made a motion to approve the agenda. The motion was seconded by Councilmember Ham. Councilmember Williams stated I would like to add that I noticed there were some things missing pertaining to some of the discussion and I'll address that later and maybe we can correct that. Mayor Allen, Mayor Pro Tem Broadaway, Councilmembers Foster and Ham voted in favor of the motion. Councilmember Williams did not vote, therefore his vote would be counted in the affirmative. Mayor Allen stated the motion passed.

Wayne Water District Contract Concerning Case Farms – Councilmember Foster. Mayor Allen stated the manager sent out a letter on August 25th explaining where we were to date and Councilmember Foster requested to have it back on the agenda.

Councilmember Foster stated to have a better understanding of everything as far as pricing and just the negotiation with Wayne Water District, it's like we have been kept out of the loop when it comes to the whole discussion, how we got to the point of having the discussion so I would like all of that information from the city manager. I think he is the one who initiated the negotiation.

Mr. Salmon stated per the letter I sent out on August 25th, this has been going on since December 2016. Case Farms has been looking at a two-phase expansion. Phase I would be to increase to 1.2 million gallons per day and Phase II would be to increase to 2 million gallons per day, so they needed additional water. These ongoing discussions like I said have been going on since December 2016. Part of what we have been working through is the fact that there was a water service agreement between the city and Southeast Water District on the 8th of September 2009 and that agreement says that Southeast Water District should not sell the water to any of the city's customers unless mutually agreed upon by the city. It is my understanding it has not been mutually agreed upon by the City. So any water they are selling is not in accordance with the agreement. On June 19th we sat and had a discussion, it was my first discussion with the water district and they are currently charging Case Farms \$4.30 per thousand gallon and we are selling them water at \$2.13 per thousand gallon. My recommendation at the time was to split the difference so that the city got part of that profit margin and that's what happened on July 10, 2019 the city attorney sent a letter requesting Southeast Water District not sell potable water to Case Farms that originates from the City. If you read the contract, they should not be selling any water whether it originates from the city or not because it is competing against our customer. We mentioned it might be agreeable to the terms of \$3.13 per thousand gallon. We have yet to work on a cap rate, any Council guidance on that would be appreciated. As I mentioned, we are having initial discussions and ultimately we would have to come back to Council.

Councilmember Foster stated no one came to Council from the beginning of the negotiations, correct. Mr. Salmon asked when would you say is the beginning. Councilmember Foster stated I do not know, I am asking you. Councilmember Foster and Mr. Salmon continued discussions. Councilmember Foster stated at no point did you have any discussions with the Mayor on this, right. Mr. Salmon stated the Mayor was included I think in initial discussions. Mr. Mike Wagner shared Case Farms reached out to the Mayor and the Mayor reached out to us. Mr. Wagner stated Case Farms needed water immediately and I told Case Farms they were not allowed to connect to the Southeastern Water District. Councilmember Foster asked if we or the Wayne Water District was providing extra water. Mr. Wagner stated no.

Mayor Allen stated in 2018 former city manager Stevens came to city council to discuss a different rate for Case Farms. Councilmember Foster asked if there was documentation about that and wanted to see the documentation. Councilmember Foster asked about the contract between the Mayor's company and Primus regarding the installation of taps. Mayor Allen stated these items are unrelated. Discussion continued.

Golf Course Maintenance Equipment Discussion. Mr. Salmon stated Councilmember Foster asked if we could continue the lease on a month to month basis, Ms. Brown did look into that and found that is the case up until the December timeframe, however, we would not have a maintenance contract. Mr. Salmon stated I recommend we go ahead with the two year lease to own option.

Councilmember Ham made a motion to continue the contract for 2 years. Mayor Pro Tem Broadway seconded the motion. Mayor Allen, Mayor Pro Tem Broadway and Councilmember Ham voted in favor of the motion. Councilmembers Williams and Foster voted against the motion. Mayor Allen stated the motion passed 3:2.

City/County Property Discussion. Attorney Lawrence shared information regarding a request pertaining to 204 N. Virginia Street and 306 N. Leslie Street, essentially swap the City's and County's interest, the city would obtain 204 N. Virginia Street and the county would obtain 306 N. Leslie Street due to the possible expansion of the Health Department. Councilmember Williams asked for the tax values. Action was deferred and the city attorney will provide the tax values on the properties.

Introduction to Launch: A Partner Based Effort to Encourage & Strengthen

Entrepreneurs. Ms. Julie Metz introduced Mr. Scott Satterfield. Mr. Satterfield provided an overview of the program which included the following information:

1. Program Overview
 - LAUNCH has been primarily modeled after LaunchMyCity. Since 2013, community leaders and institutions in Detroit, Raleigh, and around the country have come together to change lives through entrepreneurship.
2. Partners
 - City of Goldsboro
 - County of Wayne
 - DGDC
 - Small Business Center
 - Wayne Business & Industry Center
 - Wayne County Chamber of Commerce
 - Mt Olive Chamber of Commerce
 - Wayne Co Public Library
 - Wayne UNC Health Care
 - WCDA
 - WAGES
 - Wayne Community College
 - UMO Tillman School of Business
 - ECU Miller School of Entrepreneurship
3. Timeline
 - We began planning with a core group of community partners in February of 2019. That group expanded in April of 2019 to an extended circle of community leaders and organizations. The core group's work will continue for the duration of 2019. In November 2019, we expect to begin a marketing campaign countywide to inform the public and to cultivate applicants. We anticipate LAUNCH to officially begin in Wayne County in January 2020.
 - November 2019- Marketing campaign begins
 - January 2020- First cohort begins
 - March/April 2020- First cohort will graduate and pitch competition will be held
 - Summer 2020- Evaluation of first cohort round
 - Fall 2020- Second cohort begins
4. Operating Plan
 - The strategic partners, leveraging current services and expertise of existing services and personnel of each partner, will operate LAUNCH. To ensure the program is successful each strategic partner will share in the management of the program.

Council discussed. Council thanked staff and asked they keep them posted.

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

Item B. Request Authorization of Agreement for Entry and Maintenance whereby allowing Public Works to Access and Maintain Ditch located behind the First Presbyterian Church, 1101 East Ash Street. Councilmember Foster shared concerns regarding ditches in his community that need cleaning and taking on more to maintain. Councilmember Foster stated I do not have a problem with it but we need to make sure all other areas are a priority as well.

Item C. City of Goldsboro Personnel Policy Revision – Anti-Harassment Policy. Ms. Bernadette Dove stated per Council's request we did go back out and ensure that all city employees were aware and had a comment period of about 30 days. Ms. Dove stated to date I have got no comments from city employees.

Councilmember Williams stated we got not one response. Ms. Dove stated I got no response. Councilmember Williams asked the fire chief what was his process with the new policy. Fire

Chief Dixon stated I got with my deputy, it was sent out to everybody with the timeline, I was copied. The current policy, EEOC guidelines, the process and timeline of amending the policy were discussed. Councilmember Williams expressed concerns. Councilmember Williams requested the adoption of the revised policy be held off until after the election. Councilmember Ham stated the HR director did her due diligence, prepared a revision, it came before the Council, Council rejected it because it had not been reviewed by the employees, HR director then sent it out to the employees, gave ample time for comment and there has been no comment. Councilmember Ham stated therefore I think we have followed a process, we should accept what she has and approve it. Councilmember Ham stated I make a motion to approve it. Mayor Allen stated it is on the Consent Agenda, there is no need for a motion if it stays on the Consent Agenda.

Councilmember Foster asked if we did anything wrong previously. Ms. Dove stated I do not think we did anything wrong. Ms. Dove stated the reporting procedures were not clear, and there were some gray areas that needed to be defined.

Councilmember Foster stepped out of the room at 5:54 p.m.

Item G. Correction of Stated Unit of Measurement for the FY18-19 and FY19-20 Water Rates. Mayor Allen made a motion to move Item G. to Items Requiring Individual Action. The motion was seconded by Mayor Pro Tem Broadaway. Mayor Allen, Mayor Pro Tem Broadaway, Councilmember Ham voted in favor of the motion. Councilmember Foster did not vote, as he had stepped out of the room, but was not excused from voting, therefore, his vote would be counted in the affirmative. Councilmember Williams voted against the motion. Mayor Allen stated the motion passed 4:1.

Councilmember Foster stepped back in at 5:56 p.m.

Councilmember Foster asked what made us set it at 150 million. Mr. Wagner stated it is an industrial bulk volume. Councilmember Foster asked when that rate was set. Mr. Wagner stated it is usually updated in the budget each year. Councilmember Foster asked if we can check on that, I would like to know that before I make my decision. Ms. Catherine Gwynn stated in the past it was the 200,000 cubic feet and I can go look at my rate sheets.

Item I. Authorization of Sale of Substandard Lots to Adjacent Property Owners Under Session Law 2004-94 (Senate Bill 1370). Ms. Gwynn stated since all requirements have been met under the referenced session law, staff is asking Council to approve the sale of 800 Slaughter Street to Ms. Nettie Lewis.

Item K. Consider Resolution for Changes in Surplus Declarations, Methods of Disposal Electronic Advertising only and Increase in Limit on Surplus Property Declaration from \$5,000 to \$30,000. Mayor Allen made a motion to move Item K. to Items Requiring Individual Action. The motion was seconded by Mayor Pro Tem Broadaway. Mayor Allen, Mayor Pro Tem Broadaway, Councilmember Ham voted in favor of the motion. Councilmember Foster did not vote, therefore his vote would be counted in the affirmative. Councilmember Williams voted against the motion. Mayor Allen stated the motion passed 4:1.

Item L. Partner with Housing Authority for the City of Goldsboro to Build an Outdoor Basketball Court at West Haven Apartments. Councilmember Williams shared he spoke to citizens there and a lot of them would prefer to see the apartments fixed up and a playground area or a satellite library. Councilmember Williams stated he would like to sit down and talk with the Housing Authority before me made a decision. Mayor Allen shared the Housing Authority has asked us to partner with them on this. Councilmember Foster stated it would not hurt to put it off for a couple of weeks, table it, until we talk to them. Ms. Felicia Brown stated it may have been different citizens but there were citizens who had approached the Housing Authority about getting the basketball courts replaced there. The Housing Authority reached out to us. Council continued discussions.

Councilmember Williams asked for an update on the H.V. Brown restrooms. Ms. Brown shared staff is in the process of getting the permits.

Item M. S-7-19 Colleena Properties, LLC (Preliminary Subdivision Plat for Carolina Street Meadows). Ms. Jennifer Collins shared since meeting with the Planning Commission, and them making their recommendations, staff has discussed connecting to sewer with the applicant, and the applicant has since agreed connecting to sewer would be beneficial for the development of the 14-lot subdivision and is requesting Council to consider allowing the developer to connect to sewer as per the UDO and grant the modification requested to not pay the \$28,818 fee in lieu for sidewalk construction.

Councilmember Williams asked what kind of homes they would be. Ms. Collins stated single family homes.

Councilmember Foster expressed concerns about waiving the fee in lieu. We are not getting sidewalks done that way. Council discussed.

Closed Session Held. Mayor Allen made a motion to go into Closed Session to discuss a personnel matter and an economic development matter. The motion was seconded by Mayor Pro Tem Broadaway. Mayor Allen, Mayor Pro Tem Broadaway, Councilmembers Williams and Ham voted in favor of the motion. Councilmember Foster did not vote, therefore his vote would be counted in the affirmative. Mayor Allen stated the motion passed.

Council came out of Closed Session.

There being no further business, the meeting recessed until the 7:00 p.m. meeting.

CITY COUNCIL MEETING

The Mayor and Council of the City of Goldsboro, North Carolina, met in regular session in Council Chambers, City Hall, 214 North Center Street, at 7:00 p.m. on September 9, 2019 with attendance as follows:

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

Absent: Councilmember Gene Aycock

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

Assistant Pastor James Jones with the City Church of Goldsboro provided the invocation. The Pledge of Allegiance followed.

Approval of Minutes. Mayor Pro Tem Broadaway made a motion to approve the Minutes of the Work Session and Regular Meeting of June 17, 2019 as submitted. The motion was seconded by Councilmember Ham. Mayor Allen, Mayor Pro Tem Broadaway, and Councilmember Ham voted in favor of the motion. Councilmembers Williams and Foster voted against the motion. Mayor Allen stated the motions passed 3:2.

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

1. Alicia Pierce shared information regarding Item C. City of Goldsboro Personnel Policy Revision – Anti-Harassment Policy. Ms. Pierce requested Item C. be removed from the consent agenda.
2. D.R. Halliday shared concerns regarding long and slow trains along Royall Avenue.

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

Consent Agenda - Approved as Recommended. City Manager, Timothy Salmon, presented the Consent Agenda. All items were considered to be routine and could be enacted

simultaneously with one motion and a roll call vote. If a Councilmember so requested, any item(s) could be removed from the Consent Agenda and discussed and considered separately. In that event, the remaining item(s) on the Consent Agenda would be acted on with one motion and roll call vote. Mr. Salmon reminded Council Item G. Correction of Stated Unit of Measurement for the FY18-19 and FY19-20 Water Rates and Item K. Consider resolution for changes in surplus declarations, methods of disposal electronic advertising only and increase in limit on surplus property declaration from \$5,000 to \$30,000 were removed from the Consent Agenda and placed under Items Requiring Individual Action.

Councilmember Foster made a motion to remove Item C. City of Goldsboro Personnel Policy Revision – Anti-Harassment Policy from the Consent Agenda. The motion was seconded by Councilmember Williams. Councilmembers Foster and Williams voted in favor of the motion. Mayor Allen, Mayor Pro Tem Broadaway and Councilmember Ham voted against the motion. Mayor Allen stated the motion failed 2:3.

Councilmember Ham moved the items on the Consent Agenda, Items B, C, D, E, F, H, I, J and L be approved as recommended by the City Manager and staff. The motion was seconded by Mayor Pro Tem Broadaway and a roll call vote resulted Mayor Allen, Mayor Pro Tem Broadaway and Councilmember Ham voting in the affirmative. Councilmembers Williams and Foster voted against the motion. Mayor Allen declared the Consent Agenda approved as recommended with 3:2 vote. The items on the Consent Agenda were as follows:

Request Authorization of Agreement for Entry and Maintenance Whereby Allowing Public Works to Access and Maintain Ditch Located Behind the First Presbyterian Church, 1101 East Ash Street. Resolution Adopted. Request authorization of agreement for entry and maintenance whereby allowing Public Works to access and maintain ditch located behind the First Presbyterian Church, 1101 East Ash Street.

The properties along Park Ave A & B and Jackson Street, located behind the First Presbyterian Church, experience flooding during significant rain events. Major Storms have resulted in reported private property damages. These areas directly drain to a ditch located on church property that flows toward Herman Park and ultimately to the Big Ditch. The City desires to perform inspections, maintenance, and improvements of the privately owned ditch, which is, in the best interest of all parties to prevent the potential for future flooding.

See Attached Agreement. The scope of work involves the following: 1) Select removal of vegetation and trees facilitate equipment access to the ditch line as well as the crossline pipe under Jackson Street. 2) Removing silt and organic material from within the existing ditch bottom without significant enlargement of the ditch. 3) Periodic inspections and maintenance as needed for a period of two years to maintain flow only, not aesthetics.

All work will be coordinated with the Church. The City will take every precaution to minimize the impact to Church property. The City will be responsible for any excessive or preventable damages caused during the performance of the work.

Staff recommended Council adopt a Resolution authorizing the Mayor to sign agreement for entry and maintenance. Consent Agenda Approval. Ham/Broadaway (3 Ayes: 2 Nays)

RESOLUTION NO. 2019-70 “RESOLUTION AUTHORIZING THE MAYOR TO SIGN AGREEMENT FOR ENTRY AND MAINTENANCE FOR THE PUBLIC WORKS DEPARTMENT OF THE CITY OF GOLDSBORO”

City of Goldsboro Personnel Policy Revision – Anti-Harassment Policy. Approved. The City of Goldsboro’s Personnel Policy was last revised on December 1, 2017. The current policy does not address some of the more recent policy issues that have been encountered regarding Harassment in the workplace.

As advised by legal counsel and recommended by the Director of Human Resources, it has been determined that the current Harassment Policy is in need of revisions as outlined by the U.S. Equal Employment Opportunity Commission better known as EEOC. All city employees will be trained on the newly revised Anti-Harassment policy and the policy will be made available on the city’s

intranet for future reference. The policy will also be published on the city's website for reference by non-city employees, affiliates of the city and vendors.

The affected Article and Section is available for review. A revision will be made to the Personnel Policy upon approval of the document.

It is recommended the City Council approve the revised section of the Personnel Policy as requested above. The revisions shall become effective immediately. Consent Agenda Approval. Ham/Broadway (3 Ayes: 2 Nays)

Bid Award to Roto-Mix for Compost Stationary Mixer and Conveyor. Resolution Adopted. Bid Award to Roto-Mix for Compost Stationary Mixer and Conveyor to increase efficiency and aging equipment at the Compost Facility, a Compost Stationary Mixer and Conveyor was requested and approved in the FY 19-20 budget. This stationary mixer will replace one of the three (3) Roto-Mix trucks, which are currently out of service.

The City of Goldsboro advertised for Formal Bid requests FB 2019-006 on August 18, 2019 and received two responsive bids on August 28, 2019 at 10:00AM.

The lowest responsive bidder was Roto-Mix of Dodge City, KS with a Total Bid amount of \$194,785. A second bid was received from Quality Equipment of Goldsboro, NC for a Total Bid amount of \$239,440.

It is recommended the City Council approve the low bid and adopt a Resolution authorizing the City Manager to execute a contract with Roto-Mix not to exceed \$194,785 to purchase the Compost Stationary Mixer and Conveyor. Consent Agenda Approval. Ham/Broadway (3 Ayes: 2 Nays)

RESOLUTION NO. 2019-71 "RESOLUTION AWARDING AND AUTHORIZING EXECUTION OF CONTRACT COMPOST STATIONARY MIXER AND CONVEYOR"

DGDC Annual Dinner-Temporary Street Closing Request. Approved. The Downtown Goldsboro Development Corporation Annual Dinner is an award ceremony and celebration, which highlights achievements downtown Goldsboro has made over the past year, and recognizes individuals and groups that have helped turn vision into reality. The event includes live music, local catering and an awards ceremony.

The Downtown Goldsboro Development Corporation will host their 2019 Annual Dinner in front of Historic City Hall on Friday, September 20th from 6:00pm – 9:30pm. The organization requests a street closure of the 200 block of North Center Street, northbound lane only. The event will include 30+ tables, 200+ chairs, food tables and tents to accommodate 200+ guests.

Due to the logistics of this event and the safety of the guests, the DGDC is requesting that the 200 block of North Center Street, northbound only, be closed from 7am to 11pm. The parking lot next to historic City Hall is also requested to be closed from 7am – 11pm for the safety of drivers and their property during set-up.

All tents and tables will be arranged to ensure proper access to all alleyways and driveways.

As with all downtown events, affected city departments will be contacted and the following concerns are to be addressed:

1. All intersections remain open for Police Department traffic control.
2. A 14-foot fire lane is to be maintained to provide access for fire and emergency vehicles.
3. All activities, change in plans, etc., will be coordinated with the Police Department.
4. The Police and Fire Departments and Public Works are to be involved in the logistical aspects of the Event.

It is recommended Council grant the requested temporary closing of the north bound lane of the 200 block of North Center Street between Mulberry and Ash Street on Friday, September 20, 2019 from 7:00 am to 11:00 p.m. to be used for the Downtown Goldsboro Annual Dinner, subject to the above conditions. Consent Agenda Approval. Ham/Broadaway (3 Ayes: 2 Nays)

United Way of Wayne County – 29th Annual Taste of Wayne Event – Temporary Street Closing Request. Approved. The United Way of Wayne County is requesting permission to close a portion of certain City streets beginning at 7:00 a.m. until 3:00 p.m. on Saturday, October 12, 2019 to hold their annual Taste of Wayne fundraiser.

The street closing request is for the 200 block of North Center Street (between Ash and Mulberry Streets), both north and southbound lanes.

Organizers are requesting the street be closed beginning at 7:00 a.m. on Saturday, October 12th to allow for setup of the event. The event itself begins at 11:00 a.m. on Saturday, October 12th and will run through 2:00 p.m. One additional hour of closure will allow them time to tear down and clear the street.

The Police, Fire, Public Works and Downtown Goldsboro offices have been notified of this request.

Staff recommends approval of this request subject to the following conditions:

1. All intersections remain open for Police Department traffic control.
2. A 14-foot fire lane is maintained in the center of the street to provide access for fire and emergency vehicles.
3. All activities, changes in plans, etc. will be coordinated with the Police Department.
4. The Police, Fire, Public Works and Downtown Goldsboro offices are to be involved in the logistical aspects of this event.

It is recommended Council grant the street closings for the 200 block of North Center Street from 7:00 a.m. until 3:00 p.m. on Saturday, October 12th for the United Way of Wayne County’s Annual Taste of Wayne event, subject to the above conditions. Consent Agenda Approval. Ham/Broadaway (3 Ayes: 2 Nays)

Reimbursement Resolution for FY19-20 Capital Outlay and Resolution to Designate City Manager or Finance Director to Declare Official Intent to Reimburse Expenditures. Resolutions Adopted. Reimbursement Resolution for FY19-20 Capital Outlay and Resolution to Designate City Manager or Finance Director to Declare Official Intent to Reimburse Expenditures

As part of the FY19-20 budget process, several vehicles and equipment (rolling stock) were identified to be funded with the proceeds of debt. The items listed below were approved capital outlay in the FY19-20 budget ordinance.

Department	Description of Item Being Replaced	Replacement	Add (N) or Replace (R) Existing Equip?	Adopted 6/17/19
Inspections	Replace 2001 Ford Utility Truck	Ford Utility Trucks	R	\$ 25,000.00
Streets	Backhoe	Backhoe	R	\$ 121,182.00
Streets	Replace 2001 Pothole Patcher	Pothole Patcher	R	\$ 186,500.00
Solid Waste	Replace 2001 GMC Rear Loader Garbage Truck	Tractor Trailer Rig (Wet line)	R	\$ 150,000.00
Engineering	Replace Traffic Signal Bucket Truck	Traffic Signal Bucket Truck	R	\$ 144,000.00
Fire	Admin Vehicle	2019 Ford F150	R	\$ 32,500.00
Police	Replace Admin Car	Dodge Charger	R	\$ 22,555.00
Police	Replace Admin Car	Dodge Charger	R	\$ 22,555.00
Police	Replace Patrol Line Cars	Dodge Charger	R	\$ 22,555.00
Police	Replace Patrol Line Cars	Dodge Charger	R	\$ 22,555.00
Police	Replace Patrol Line Cars	Dodge Charger	R	\$ 22,555.00
Police	Replace Patrol Line Cars	Dodge Charger	R	\$ 22,555.00
Police	Replace Patrol Line Cars	Dodge Charger	R	\$ 22,555.00
Police	Replace Patrol Line Cars	Dodge Charger	R	\$ 22,555.00
Police	Replace Patrol Line Cars	Dodge Charger	R	\$ 22,555.00
Police	Replace Patrol Line Cars	Dodge Charger	R	\$ 22,555.00
Police	Replace Patrol Line Cars	Dodge Charger	R	\$ 22,555.00
Police	Replace Patrol Line Cars	Dodge Charger	R	\$ 22,555.00
Police	Replace 2007 Expedition	Dodge Durango SUV	R	\$ 27,870.00
Distributions & Collections	Replace 2015 F250	F450 Utility Body Truck	R	\$ 60,000.00
Compost	Replace 2005 Chevrolet Silverado	Pickup Truck	R	\$ 26,000.00
Police	Equipment for Police Cars	Equipment for Police Cars	N	\$ 149,178.00
	Estimated Loan Closing Costs			\$ 20,000.00
				<u>\$ 1,167,780.00</u>

FY19-20 Reimbursement Resolution

It is the City’s intent to finance these items with an installment financing contract pursuant to G.S. §160A-20. Staff will issue an RFP (Request for Proposal) to banking institutions in December 2019 with an anticipated loan closing in January 2019. The request will specify terms of (five) 5 years. This will **not** require LGC approval since all of the equipment listed is considered “rolling stock”. The approval of the financing must be brought back to the Board for approval by resolution.

Most of the equipment above has been ordered to allow departments’ priority in delivery since July 1 causes a spike in ordering and will cause some shortages in availability. Since the City anticipates incurring the expenditures prior to the issuance of tax-exempt obligations in the form of an installment financing contract in an approximate amount not exceeding \$1,167,780.00 as identified above, the Board must declare its official intent to reimburse certain expenditures with proceeds of debt to be incurred by the City prior to, or within sixty (60) days of payment of the expenditures to be reimbursed.

Designation of City Manager or Finance Director to Declare Official Intent to Reimburse

In order for the City to take advantage of its ability to issue tax exempt municipal debt and therefore lower its cost of borrowing, it must follow the laws promulgated by the Internal Revenue Service in 26 CFR 1.150.2 which require that a prospective issuer declare its official intent to reimburse expenditures with the proceeds of debt. It further allows the issuer to designate that authority.

It is recommended that the Council designate this authority to the City Manager or the Finance Director in order to protect its ability to issue tax exempt debt. In practice what this means is staff would prepare and sign a Declaration of Intent to become part of the permanent file for the debt to be issued. It will be brought to the Board as an information item only. The Declaration does not change the fact that when it is time to consider the borrowing alternatives, that will be brought before the Board for approval as required by law.

1. It is recommended that Council adopt the following entitled resolution declaring the Council’s intent to reimburse the City of Goldsboro from the proceeds of debt for the rolling stock listed above in the amount not to exceed \$1,167,780.00.
2. It is recommended that the Council adopt the following entitled resolution designating the City Manager or the Finance Director to declare the City’s official intent to reimburse expenditures. Consent Agenda Approval. Ham/Broadaway (3 Ayes: 2 Nays)

RESOLUTION NO. 2019-72 “RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLDSBORO, NORTH CAROLINA DECLARING ITS INTENTION TO REIMBURSE THE CITY OF GOLDSBORO, NORTH CAROLINA FROM THE PROCEEDS OF THE INSTALLMENT FINANCING FOR VEHICLES AND EQUIPMENT”

RESOLUTION NO. 2019-73 “RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLDSBORO, NORTH CAROLINA DESIGNATING THE CITY MANAGER AND THE DIRECTOR OF FINANCE TO DECLARE OFFICIAL INTENT ON BEHALF OF THE CITY OF GOLDSBORO, NORTH CAROLINA TO REIMBURSE EXPENDITURES UNDER UNITED STATES DEPARTMENT OF TREASURY REGULATIONS”

Authorization of Sale of Substandard Lots to Adjacent Property Owners under Session Law 2004-94 (Senate Bill 1370). Resolution Adopted. Staff has received an offer to purchase a city/county-owned property considered to be substandard. Board must either accept or reject the offer in accordance with local legislation Session Law 2004-94 Senate Bill 1370.

The following offers have been received for sale of real property under Substandard Lot local legislation (Session Law 2004-94 Senate Bill 1370)

800 Slaughter St.
 Offeror: Nettie Lewis
 Offer: \$1.00
 Bid Deposit: \$1.00
 Parcel # (REID): 0050768 Pin #: 3509119662
 Tax Value: \$2,780.00 Zoning: R-6

On July 23, staff prepared and mailed the required letter to adjoining property owners to notify them that an offer has been received and if they were interested in purchasing they had 30 days to contact the City and present an offer. Staff did not receive any offers in the required time frame.

As per Session Law 2004-94, the Board may authorize the sale of the substandard lot.

It is recommended that the City Council accept the offer on 800 Slaughter Street to deed 100% of property to Ms. Nettie Lewis and adopt the following entitled resolution authorizing City staff to execute instruments necessary to transfer ownership upon concurrence by Wayne County Board of Commissioners. Consent Agenda Approval. Ham/Broadaway (3 Ayes: 2 Nays)

RESOLUTION NO. 2019-74 “RESOLUTION AUTHORIZING SALE OF SURPLUS SUBSTANDARD REAL PROPERTY UNDER SESSION LAW 2004-94 SENATE BILL 1370”

Surplus Property Declaration – 12 Hach Turbidity Meters. Resolution Adopted.

G.S. 160A-266 allows local governments to dispose of real and personal property that is deemed surplus. G.S. 160A-270(b) authorizes local governments to dispose of personal property via public auction.

The list is for 12 Hach turbidity meters formerly used at the Water Plant. The estimated value of the lot is \$7,200.00. It is staff’s recommendation that these meters be sold on Gov Deals. Since the amount is greater than \$5,000.00, staff must seek Council approval for surplus declaration and disposal.

It is recommended the Council by motion adopt the following entitled resolution authorizing the sale of surplus equipment. Consent Agenda Approval. Ham/Broadaway (3 Ayes: 2 Nays)

RESOLUTION NO. 2019-75 “RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY (G.S. 160A-270)”

Partner with Housing Authority for the City of Goldsboro to Build an Outdoor Basketball Court at West Haven Apartments. Resolution Adopted. Partner with Housing Authority for the City of Goldsboro to build an outdoor basketball court at West Haven Apartments.

The outdoor basketball court at West Haven Apartments is available for the citizens of Goldsboro to use. The outdoor basketball court is at the point where it needs to be replaced. Goldsboro Parks and Recreation recognizes the benefit of having access to outdoor activity. Goldsboro Parks and Recreation proposes to split the \$20,200 cost of constructing a new outdoor basketball court at West Haven Apartments with the Housing Authority for the City of Goldsboro.

After reviewing the costs, funds are available in the FY19-20 Parks and Recreation Budget to construct an outdoor basketball court.

It is recommended accept the recommendation of staff to adopt the following entitled Resolution authorizing the Mayor and City Clerk to execute an agreement with the Housing Authority for the City of Goldsboro allowing Goldsboro Parks and Recreation to construct an outdoor basketball court at West Haven Apartments. Goldsboro Parks and Recreation will be reimbursed 50% of the \$20,200 cost by the Housing Authority for the City of Goldsboro. Consent Agenda Approval. Ham/Broadaway (3 Ayes: 2 Nays)

RESOLUTION NO. 2019-76 “A RESOLUTION AUTHORIZING THE CITY OF GOLDSBORO TO EXECUTE AGREEMENT WITH THE HOUSING AUTHORITY FOR THE CITY OF GOLDSBORO FOR OUTDOOR BASKETBALL COURT CONSTRUCTION AT WEST HAVEN APARTMENTS”

End of Consent Agenda.

Correction of Stated Unit of Measurement for the FY18-19 and FY19-20 Water Rates. Action Deferred. The City Council adopted the FY19 Water and Sewer rates on June 4, 2018 and the FY20 rates on June 17, 2019. The FY19 rate structure included a change from cubic feet to gallons. In the resolution adopted on June 4, 2018 there was a clerical error where industrial water customer using more than one hundred fifty million gallons (150,000,000) was stated incorrectly. There were two sections where the written amount was incorrect (one million five hundred thousand) but the numerical amount was correct (150,000,000) and one section where the written and numerical amount were incorrect.

Then in preparing the FY20 rate schedule, the prior resolution was used as the underlying template. The numerical amount had been corrected to match the (incorrect) written amount in late 2018. Although, I had staff proof the document, it was still overlooked. The written and numerical amount in FY20 read incorrectly as one million five hundred thousand (1,500,000).

It is necessary to amend for the technical clerical errors. FY19 rates were adopted as a resolution. FY20 rates were adopted as an ordinance due to communication error.

Upon motion of Councilmember Foster, seconded by Councilmember Williams and unanimously carried, Council tabled the above item until the September 23, 2019 Council Meeting.

Consider Resolution for Changes in Surplus Declarations, Methods of Disposal Electronic Advertising only and Increase in Limit on Surplus Property Declaration from \$5,000 to \$30,000. Resolutions Adopted. Ordinance Adopted. Disposition of property by a local government is affected by federal, state and local law. Whether a local government is allowed to dispose of property can depend on the nature of the property or the source of funds used to acquire the asset.

The most common source of rules that we reference when evaluating whether the City is allowed to dispose of property comes from state statute (NC G.S. Article 12 Sale and Disposition of Property §160A) which empowers local governments with the ability to sell or dispose of property it owns. It makes further distinction between real property and personal property with regards to disposal methods.

(Excerpt from North Carolina General Statute is included.)

The City has local ordinance in place to further define additional powers in Article IX. Sec. 9.1 requires the Council to declare surplus. (Attached excerpt from Code of Ordinances is included.) There is additional local legislation Session Law 2004-94 SB 1370 for the sale of substandard real property.

The City also adopted resolution 2005-030 which authorized:

1. Use of electronic auction to sell personal property
2. City Manager or designee authority to declare surplus up to \$5,000
3. GovDeals, Inc. as an authorized electronic auction service

Sale of Real Property by Electronic Auction

Currently if the City wishes to declare surplus and sell real property, it must sell by upset bid or if a substandard lot it may rely on Session Law 2004-94 SB 1370. However, NC G.S. §160-270 authorizes local government to sell real property by electronic public auction as another tool to help local governments speed up the process and reduce the formalities, cost and complications of newspaper advertising. Wayne County is among many local governments that have been using this method for some time with success. It is recommended that the Council adopt a resolution allowing the City to use sale of real property by electronic auctions as a method of disposal of real property.

Electronic Advertising Only

The City has been engaging in electronic advertising only for the sale of personal property since it authorized the use of GovDeals for electronic auction services in 2005, however a resolution authorizing electronic advertising only cannot be located. It appears to be an oversight in the adoption of Resolution 2005-30 which authorized the use of electronic auction services, but did not allow for the use of electronic only advertising. Within the proposed resolution, real property has also been included with the proviso that the sale of real property by electronic auction is also

approved. It is recommended that the Board adopt a resolution authorizing the use of electronic advertising only for the sale of personal real or personal property to continue to allow the City to use electronic only advertising.

Disposal of Personal Property Under \$30,000

Resolution 2005-030 authorized the City Manager or designee the authority to declare surplus personal property under \$5,000. NC G.S. §160-266(c) allows the Board to authorize a designated official to declare surplus and dispose up to \$30,000 (“Small Item” Disposal rules). It is our recommendation that this limit be raised from \$5,000 to \$30,000. If the Board chooses to leave the limit at \$5,000, it will require that personal property between \$5,001 and \$30,000 be brought to the governing board for approval and newspaper advertising (electronic advertising is not allowed). Included within the recommended ordinance is a provision for sales to employees when the items are purchased through electronic auction so long as the employee is not involved in the surplus process or disposal. Note also that this does not give staff the authority to give or donate property. That must be done by Council by resolution. It is recommended that the Council amend the “Small Item” threshold from \$5,000 to \$30,000 to align with state statute. The School of Government recommends this as an ordinance rather than a resolution, so it has been presented as such.

Mayor Pro Tem Broadaway made a motion to:

1. Adopt the following entitled resolution to allow the sale of real property by electronic public auction as an approved method of sale for the City of Goldsboro.
2. Adopt the following entitled resolution authorizing the use of electronic advertising only for the sale of surplus real and personal property.
3. Adopt the following entitled ordinance to allow for the increase in limit on the disposal of surplus personal property from \$5,000 to \$30,000 (“Small Item” Disposal).

The motion was seconded by Councilmember Ham. Mayor Allen, Mayor Pro Tem Broadaway, Councilmembers Williams and Ham voted in favor of the motion. Councilmember Foster voted against the motion. Mayor Allen stated the motion passed 4:1.

RESOLUTION NO. 2019-77 “RESOLUTION AUTHORIZING SALE OF REAL PROPERTY BY ELECTRONIC PUBLIC AUCTION PURSUANT TO G.S. §160A-270”

RESOLUTION NO. 2019-78 “RESOLUTION AUTHORIZING ADVERTISING OF ELECTRONIC AUCTION BY ELECTRONIC MEANS ONLY”

ORDINANCE NO. 2019-55 “AN ORDINANCE PRESCRIBING PROCEDURES FOR DISPOSING OF PERSONAL PROPERTY VALUED AT LESS THAN \$30,000 PURSUANT TO G.S. §160A-266(C)”

S-7-19 Colleena Properties, LLC (Preliminary Subdivision Plat for Carolina Street Meadows) The property is located on the west side of N. Carolina Street between W. Hooks River Road and A Street.

Totals Lots:	14
Total Area:	11.18 acres
Min. Lot Size:	16,719 sq. ft.
Max. Lot Size:	63,771 sq. ft.
Average Lot Size:	34,797 sq. ft. or 0.79 acres
Zoning:	R-16 Residential

Currently, approximately 2.1 acres is woodlands. The remaining 9.8 is vacant farmland.

The submitted preliminary plat contains a total of 14 residential lots within the subdivision.

Building setbacks for single-family dwellings within the R-16 zoning district are as follows:

Front:	40 ft.
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Rear: 25 ft.
Side: 16 ft.
Side (Corner Lot): 32 ft.

No new streets are proposed for the subdivision. The developer proposes to install all utilities underground.

Sidewalks are not shown along N. Carolina Street or W. Hooks River Road. According to the City's UDO, sidewalks are required for the proposed subdivision for approximately 1,404 linear ft. along N. Carolina Street and approximately 197 ft. along W. Hooks River Road.

The developer is requesting a modification of sidewalk construction. If approved, the developer will be required to pay a fee in lieu of sidewalk construction in the amount of \$28,818. In addition to the sidewalk modification, the developer is also requesting a modification of the fee in lieu of for \$28,818.

City water is available to serve the property. City sewer is located within 1000 ft. of the subject property and has sufficient capacity to serve the 14-lot subdivision. According to the City's UDO, proposed developments within 1,000 ft. of the City's sewer system shall connect to City sanitary sewer mains. The applicant is requesting a modification of this requirement and is proposing the installation and use of septic systems in accordance with the County of Wayne's Environmental Health Department.

Storm water calculations for this site have been submitted and are currently under review by City Engineering.

The proposed subdivision is located within the City's Watershed Protection Overlay District. It is not located within a Special Flood Hazard Area.

Modifications: The following modifications have been requested:

1. Modification of sidewalk construction along N. Carolina Street and Hooks River Road.
2. Modification of payment of fee in lieu of sidewalk construction in the amount of \$28,674.
3. Modification of requirement to connect to City sewer when new developments are within 1,000 ft. of accessible and available utilities.

The Planning Commission, at their meeting held on August 26, 2019, recommended approval of the 14-lot preliminary subdivision plat with the following modifications:

1. Modification of sidewalk construction along N. Carolina Street and Hooks River Road.
2. Modification of requirement to connect to City sewer when new developments are within 1,000 ft. of accessible and available utilities.

The Planning Commission recommended the applicant pay the fee in lieu of sidewalk construction in the amount of \$28,818.

Since meeting with the Planning Commission, and them making their recommendations, staff has discussed connecting to sewer with the applicant, and the applicant has since agreed connecting to sewer would be beneficial for the development of the 14-lot subdivision and is requesting Council to consider allowing the developer to connect to sewer as per the UDO and grant the modification requested to not pay the \$28,818 fee in lieu for sidewalk construction.

Mayor Pro Tem Broadaway made a motion to require connection to City sewer and release them from the fee in lieu of sidewalk construction in the amount of \$28,818. The motion was seconded by Councilmember Ham. Councilmember Williams stated in District 1 we need sidewalks, and I do not think we should be making compromises regarding sidewalks. Mayor Allen, Mayor Pro Tem Broadaway, Councilmember Ham voted in favor of the motion. Councilmembers Williams and Foster voted against the motion. Mayor Allen stated the motion passed 3:2.

Mayor and Councilmembers' Reports and Recommendations. Mayor Allen read the following Proclamation.

Constitution Week Proclamation. Mayor Allen proclaimed September 17th through 23rd as CONSTITUTION WEEK in the City of Goldsboro and ask our citizens to reaffirm the ideals that the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

Councilmember Williams shared information about Jaylen “JuJu” Suggs passing and asked that citizens consider helping out with his burial expenses.

Mayor Pro Tem Broadway shared information about the recent hurricane and thanked the agencies involved.

Councilmember Ham commended city employees and city manager actions during the recent hurricane.

Councilmember Foster had no comments.

City Manager Tim Salmon thanked city staff and Wayne County for the efforts during the recent hurricane.

Mayor Allen thanked city staff, county staff, first responders and citizens for the efforts during the hurricane. He also mentioned the passing of Jaylen Suggs and offered his thoughts and prayers to his family.

There being no further business, the meeting adjourned at 7:17 p.m.

Chuck Allen
Mayor

Melissa Capps, MMC/NCCMC
City Clerk