

MINUTES OF MEETING OF THE MAYOR AND CITY COUNCIL HELD
SEPTEMBER 23, 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 23, 2019 with attendance as follows:

Present: Mayor Chuck Allen, Presiding
Mayor Pro Tem Bill Broadaway
Councilmember Antonio Williams
Councilmember Bevan Foster
Councilmember David Ham
Councilmember Gene Aycock
Ron Lawrence, Attorney
Tim Salmon, City Manager
Randy Guthrie, Assistant City Manager
Melissa Capps, City Clerk
LaToya Henry, Public Information Officer
Jennifer Collins, Planning Director
Scott Williams, IT Director
Russell Stevens, Interim Assistant P&R Director
Mike Wagner, Public Utilities Director
Rick Fletcher, Public Works Director
James Farfour, Deputy Fire Chief
Stephanie Slusser, Paramount Theatre Service Coordinator
Bernadette Dove, HR Director
Mike West, Police Chief
Catherine Gwynn, Finance Director
Marty Anderson, City Engineer
Allen Anderson, Chief Building Inspector
Julie Metz, DGDC Director (arrived at 5:07 p.m.)
Ken Conners, News Director – Curtis Media Group
Eddie Fitzgerald, News Argus Reporter
Lonnie Casey, Citizen
Carl Martin, Citizen
Yvonna Moore, Citizen
Kimberly Rhodes, Citizen
Constance Coram, Citizen (arrived at 5:12 p.m.)
Alicia Pierce, Citizen (arrived at 5:16 p.m.)
David Craig, Citizen (arrived at 6:00 p.m.)

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 adopt the agenda. Councilmember Aycock seconded the motion.

Councilmember Williams requested the city attorney contract be forwarded to Council. Councilmember Foster requested to add Wayne Water District under old business. Mayor Allen and Councilmember Foster discussed.

Mayor Allen called for a vote on the vote to approve the agenda. Mayor Allen, Mayor Pro Tem Broadaway, Councilmembers Ham and Aycock voted in favor of the motion. Councilmember Williams and Foster voted against the motion. Mayor Allen stated the motion passed 4:2.

City/County Property Discussion. Attorney Lawrence stated at the last meeting there was a question regarding the tax value of the properties located at 204 N. Virginia Street, 306 N. Leslie Street and 702 Simmons Street. Those tax values were sent to Council. This is where the city is asking the county to convey their interest in 204 N. Virginia Street and the county is asking the city to convey their interest in 306 N. Leslie Street and 702 Simmons Street. Council discussed.

Mayor Pro Tem Broadway made a motion to convey the property as requested. Councilmember Ham seconded the motion. Mayor Allen, Mayor Pro Tem Broadway, Councilmembers Williams, Ham and Aycock voted in favor of the motion. Councilmember Foster voted against the motion. Mayor Allen stated the motion passed 5:1.

HV Brown Restroom Discussion. Mr. Marty Anderson stated I was asked to discuss the HV Brown restroom facility. We first spoke to Felicia, the Interim Parks & Recreation Director back in May, and determined wet flood proofing was required. The engineer on the project, Joe Smith contacted us on the 8th of August, he had some heartburn about a flood proofing certificate. Mr. Anderson provided the floodplain information and stated the facility will either have to be elevated or it has to be flood proofed. Mr. Allen Anderson stated Inspections is waiting on the floodplain certificate before we can issue permits. Council discussed the length of time the project is taking. Mayor Allen asked that Allen, Marty and Felicia get together and either change the complete design or raise it up. Staff stated they would work it out.

Jaylen Suggs (JuJu) Remembrance Discussion. Mayor Allen shared a couple of family members had said that they would like that day as JuJu Suggs Day. There has been an idea of having a day of remembrance or a volunteer day, I told them I would bring it to the Council.

Councilmember Foster stated I spoke with his mother over the weekend and she said she did not know anything about this, so until we talk to his mother, regardless of what other family members have said, I think we need to speak with her first and get her opinion on what she would like to do.

Mayor Allen asked Councilmember Foster if he could do that. Councilmember Foster stated I do not have a problem with that.

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

Item N. Correction of Stated Unit of Measurement for FY 18-19 and FY 19-20 Water Rates. Councilmember Foster stated it just seems to me, this is probably your fifth or sixth time coming with something that has been an error. I think we need to do an overall audit. I suggested that before you even came on board and before the new city manager came on board. We need an overall audit of what has been done in this city.

Councilmember Williams made a motion for a forensic audit on all departments on how money has been spent. Councilmember Foster seconded the motion. Councilmembers Williams, Foster, Ham and Aycock voted in favor of the motion. Mayor Allen and Mayor Pro Tem Broadway voted against the motion. Mayor Allen stated the motion passed 4:2.

Mayor Allen stated we already have an audit every year.

Ms. Catherine Gwynn stated be prepared to spend a lot more, with a forensic audit, you would need to be very specific with what you are trying to target or discover. You will have to define those objectives. Ms. Gwynn stated if you are auditing department heads, none of us need to be involved in that process.

Item O. Golf Course Equipment Rental. Councilmember Foster stated a while back a few of the councilmembers decided to take the golf course and attach it to Parks and Rec. so with that being done a lot of the jobs and money shifted. Councilmember Foster asked where the equipment purchase would fall. Ms. Gwynn confirmed it would be coded to the Golf Course organization.

Item P. Bid Award to Stantec for Comprehensive Utility Rate Study. Councilmember Foster stated here, once again taxing our citizens for something that should have already been done. I just have a problem with the way it is happening. At the end of the day, they come in and say the water bill should be \$60 or \$100, so people can't afford that. We are doing that to fix something that should have been fixed all along, our constituents and taxpayers pay for it, our customers pay for it.

Mayor Allen asked what the timetable was. Mr. Mike Wagner stated we are trying to get a draft copy by January and present information to Council in February maybe at the Retreat.

Item Z. Resolution Authorizing the City Manager to Hire Outside Legal Counsel and Limited Authority to Resolve Liability Claims. Upon motion of Councilmember Williams, seconded by Councilmember Foster and unanimously carried, Council removed Item Z. Resolution Authorizing the City Manager to Hire Outside Legal Counsel and Limited Authority to Resolve Liability Claims from the Consent Agenda and placed it under Items Requiring Individual Action.

Councilmember Foster asked how long have we been having liability claims here at the city. Attorney Lawrence stated longer than I have been here. Councilmember Foster asked up to this point who has been handling it. Attorney Lawrence stated he has not seen an engagement letter sent and asked that it be executed; that is what brought this question to the forefront. Councilmember Foster stated I think that letter should come to Council, Council should make a decision, once that decision is made, and then he can sign off on the letter. Councilmember Foster stated but to give him power to do so is outside his job description. Councilmember Foster stated I think point blank we should not be doing this. Once it has been approved, then he can sign off on it. Discussion continued.

Councilmember Williams expressed concerns regarding transparency to the community and stated I am totally against it. Councilmember Williams stated there have been things I asked for, the newspaper printed something, discrimination claim filed against the City of Goldsboro and Councilman Williams. Councilmember Williams stated I asked for information from our city manager, I also cc'd Ron Lawrence, Bernadette Dove and I have not gotten any information. Councilmember Williams stated I do not understand why I have not received any information I asked for.

Mayor Allen stated two points, he cannot exceed \$10,000 if I am reading it right and secondly and to your point Councilmember Foster if the Council wants to vote on it, that's simple we can do that first.

Mayor Allen suggested taking it off the agenda and bring it back next time. Discussion continued. Councilmember Williams stated I would suggest we separate the two, hiring an outside attorney and the other issue as well.

Upon motion of Councilmember Aycock, seconded by Councilmember Ham and unanimously carried, Council removed Item Z. Resolution Authorizing the City Manager to Hire Outside Legal Counsel and Limited Authority to Resolve Liability Claims from the agenda. Staff was asked to bring it back under old business at the next meeting.

Councilmember Williams stated I would like to have it on record that I would like to get the information I requested, it was already in the newspaper.

Item Q. Approve Compost Bulk Pricing. Upon motion of Councilmember Williams, seconded by Councilmember Aycock and unanimously carried, Council recused Mayor Allen. Upon motion of Councilmember Williams seconded by Councilmember Aycock and unanimously carried, Council moved Item Q. Approve Compost Bulk Pricing to Items Requiring Individual Action. Council and staff discussed stocked amounts and pricing.

Closed Session Held. Mayor Pro Tem Broadaway made a motion to go into Closed Session to discuss a property acquisition, economic development and a litigation matter. The motion was seconded by seconded by Councilmember Aycock. Mayor Allen, Mayor Pro Tem Broadaway, Councilmembers Williams, Ham and Aycock voted in favor of the motion. Councilmember Foster did not vote. The absence of a vote on this matter would count as an affirmative vote. Council convened into Closed Session.

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 23, 2019 with attendance as follows:

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

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

Archbishop Anthony Slater with Tehillah Church Ministries provided the invocation. The Pledge of Allegiance followed.

Approval of Minutes. Mayor Pro Tem Broadway made a motion to approve the Minutes of the Work Session and Regular Meeting of July 15, 2019 as submitted. The motion was seconded by Councilmember Aycock. Mayor Allen, Mayor Pro Tem Broadway, Councilmembers Ham and Aycock voted in favor of the motion. Councilmembers Williams and Foster voted against the motion. Mayor Allen stated the motions passed 4:2.

Resolution Expressing Appreciation for Services Rendered by Claude Jackson as an Employee of the City of Goldsboro for More Than 18 Years. Claude Jackson retires on October 1, 2019 as a Police Corporal with the Goldsboro Police Department of the City of Goldsboro with more than 18 years of service. Claude began his career on May 16, 2001 as a Police Officer with the Goldsboro Police Department. On November 8, 2006, Claude was promoted to Police Corporal with the Goldsboro Police Department where he has served until his retirement. Claude has proven himself to be a dedicated and efficient public servant who gained the admiration and respect of his fellow workers and the citizens of the City of Goldsboro. The Mayor and City Council of the City of Goldsboro are desirous, on behalf of themselves, City employees and the citizens of the City of Goldsboro, of expressing to Claude Jackson their deep appreciation and gratitude for the service rendered by him to the City over the years.

Upon motion of Councilmember Williams, seconded by Councilmember Aycock and unanimously carried, Council adopted the following entitled Resolution expressing appreciation for services rendered by Claude Jackson.

RESOLUTION NO. 2019-79 “RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY CLAUDE JACKSON AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 18 YEARS”

Chief West and Mayor Allen provided comments and presented Claude Jackson a copy of the Resolution.

Veterans Stand Down Day Proclamation. Mayor Allen proclaimed Thursday, October 3, 2019 as “VETERANS STAND DOWN DAY” in the City of Goldsboro, North Carolina, and expressed our gratitude for those who have served and continue to serve.

Kappa Epsilon Psi Military Sorority, Inc. Goldsboro Sigma Chapter Month Proclamation. Mayor Allen proclaimed September 2019 “KAPPA EPSILON PSI MILITARY SORORITY, INC., GOLDSBORO SIGMA CHAPTER MONTH” in the City of Goldsboro, North Carolina, and expressed our gratitude for serving those who serve.

Mayor Allen presented members of the Kappa Epsilon Psi Military Sorority, Inc. Goldsboro Sigma Chapter a copy of the Proclamation.

CU-8-19 Anderson Brewing – (Microbrewery w/ABC) – The property is located on the northeast corner of W. Pine Street and S. George Street. Public Hearing Held. The

applicant requests a Conditional Use Permit to allow the operation of a microbrewery with ABC permits. In conjunction with the microbrewery, the applicant intends to operate a bakery.

Site 1: (Principal Building)

Frontage: 39 ft. (W. Pine St.)
65 ft. (S. George St.)
Area: 2,534 sq. ft., or 0.058 acres
Zoning: Central Business District (CBD)

Site 2: (Customer Parking Lot)

Frontage: 158 ft. (S. George St.)
28 ft. (W. Pine St.)
Area: 7,092 sq. ft., or 0.16 acres
Zoning: Central Business District

The applicant has proposed to up-fit an existing two-story 3,082 sq. ft. brick-veneer commercial building for the operation of a microbrewery and bakery.

On July 15, 2019, Goldsboro City Council amended the City's Unified Development Code to add microbreweries as a conditional use in the Central Business District.

The following regulations were also approved as they pertain to microbreweries:

1. Within that area of the CBD bounded by the south side of Ash Street, the east side of George Street, the north side of Elm Street and the west side of William Street, there shall be no minimum separation distance from residentially zoned or developed property. A 50 ft. minimum separation distance shall be required for stand-alone churches or schools.
2. For the remainder of the CBD, not described by the boundaries above, the minimum separation distance from residentially zoned or developed property, stand-alone churches or schools shall be one hundred feet.
3. There shall be no more than five microbreweries located within the area of the CBD bounded by the south side of Ash Street, the east side of George Street, the north side of Elm Street and the west side of William Street.
4. In the CBD, there shall be no minimum separation distance between two such establishments.
5. Within that area of the CBD bounded by the south side of Ash Street, the east side of George Street, the north side of Elm Street and the west side of William Street there shall be no minimum off-street parking requirements.

The applicant's floor plan indicates a space for retail sales, beer brewing, keg cleaning, keg storage, a kitchen area for baking consumable goods and a bathroom. The second floor indicates an office, fermentation and storage areas and a bathroom.

Hours of Operation: Monday-Saturday
6:00 a. m. – 8:00 p. m.
No. of Employees: 5
Refuse Collection: Dumpster proposed at rear of establishment

The property is not located within Goldsboro's Historic District.

The existing building and lot existed prior to the adoption of City ordinances. As such, the building does not meet current setback requirements. Modifications will be necessary.

Since the property is bounded by the south side of Ash Street, the east side of George Street, the north side of Elm Street and the west side of William Street, no off-street parking is required.

Due to existing site conditions and limited space, the applicant is requesting a modification of the City's landscape requirements.

The applicant owns a vacant lot once used as a parking lot approximately 140 ft. south of the principal building along S. George Street. The applicant intends to use the existing parking lot for on-site deliveries and for customers of the business. The parking lot is paved and can accommodate up to 12 automobile parking spaces.

Modifications: The applicant is requesting the following modifications:

1. Building side yard setback requirement from 15 ft. to 0 ft.
2. Building rear yard setback requirement from 20 ft. to 0 ft.
3. City landscape requirements per Section 6.3 Landscaping, Screening and Buffering Standards of the Unified Development Ordinance.

Mayor Allen asked Site 2 is the parking, they have to walk across the street. Ms. Jennifer Collins stated yes sir Site 2 is the parking and they will have to walk across the street.

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

No action necessary. Planning Commission will have a recommendation for the Council's meeting on October 7, 2019.

CU-9-19 Goldsboro Brew Works, LLC – The property is located on the southwest corner of W. Chestnut Street and S. James Street. Public Hearing Held. The applicant requests a Conditional Use Permit to allow the operation of a microbrewery with ABC permits.

Frontage: 100 ft. (Chestnut Street)
110 ft. (S. James Street)
Area: 11,075 sq. ft. or 0.25 Acres
Zoning: Central Business District (CBD)

The applicant has proposed to up-fit an existing one-story 2,016 sq. ft. concrete commercial building for the operation of a microbrewery.

The property was previously occupied as a service station.

On July 15, 2019, Goldsboro City Council amended the City's Unified Development Code to add microbreweries as a conditional use in the Central Business District.

The following regulations were also approved as they pertain to microbreweries:

1. Within that area of the CBD bounded by the south side of Ash Street, the east side of George Street, the north side of Elm Street and the west side of William Street, there shall be no minimum separation distance from residentially zoned or developed property. A 50 ft. minimum separation distance shall be required for stand-alone churches or schools.
2. For the remainder of the CBD, not described by the boundaries above, the minimum separation distance from residentially zoned or developed property, stand-alone churches or schools shall be one hundred feet.
3. There shall be no more than five microbreweries located within the area of the CBD bounded by the south side of Ash Street, the east side of George Street, the north side of Elm Street and the west side of William Street.
4. In the CBD, there shall be no minimum separation distance between two such establishments.
5. Within that area of the CBD bounded by the south side of Ash Street, the east side of George Street, the north side of Elm Street and the west side of William Street there shall be no minimum off-street parking requirements.

The applicant's floor plan indicates space for a taproom, beer brewing, keg cleaning, keg storage and bathrooms.

Hours of Operation: Monday – Thursday (Staff Only)
8:00 a. m. – 5:00 p. m.
Friday – Sunday (Open to Public)
4:00 p. m. – 10:00 p. m.
No. of Employees: 5
Refuse Collection: Roll-outs

The property is located within the Historic District. Any exterior improvements to the building will have to receive a Certificate of Appropriateness from the Historic District Commission.

The existing building and lot existed prior to the adoption of the City ordinances. As such, the building does not meet current setback requirements. A side yard modification will be necessary.

Since the property is bounded by the south side of Ash Street, the east side of George Street, the north side of Elm Street and the west side of William Street, no off-street parking is required.

Due to existing site conditions and limited space, the applicant is requesting a modification of the City's landscape requirements.

The applicant is requesting the following modifications:

1. Building side year setback requirement from 15 ft. to 0 ft.
2. City landscape requirements per Section 6.3 Landscaping, Screening and Buffering Standards of the Unified Development Ordinance.

Mayor Allen opened the public hearing. No one spoke and the public hearing closed.

No action necessary. The Planning Commission will have a recommendation for the Council's meeting on October 7, 2019.

CU-10-19 Regina Exum - North side of Royall Avenue between Jefferson Street and Teakwood Drive (Adult Day Care). Public Hearing Held. Applicant requests a Conditional Use Permit to allow the operation of an adult day care in conjunction with an existing child day care facility.

The property is zoned NB (Neighborhood Business). Adult day cares are a permitted only after the issuance of a Conditional Use Permit approved by City Council.

Frontage: Approximately 130 ft. (Royal Ave.)
Area: 49,107 sq. ft., or 1.13 acres
Zone: Neighborhood Business

As previously stated, the applicant intends to operate an adult day care in conjunction with an existing child day care facility. The site has operated as a child day care since January of 2008 and is currently licensed for 40 children.

On Monday, February 4, 2019, the Goldsboro City Council accepted the applicant's request to withdraw a previously submitted Conditional Use Permit application without prejudice because additional information was needed to determine if the proposed use would meet the requirements of the North Carolina State Building Code and NCDHHS (Department of Health and Human Services).

Since that time, the applicant employed the services of a North Carolina professional engineer who has submitted design drawings indicating that the proposed use will meet compliance with the state building codes and NCDHHS.

Days/hours of Operation: Monday-Friday: 5:30 a.m. - 12:00 a.m.

Employees: 3-4

The lot is occupied by an existing 1,899 sq. ft. single-story commercial building of wood-frame construction. A 4 ft. in height fenced outdoor play area of approximately 4,000 sq. ft. exists in the rear yard of the property.

The submitted floor plan indicates that the facility will consist of an adult day care area of approximately 1,050 sq. ft. and two child day care areas totaling approximately 850 sq. ft. A kitchen, offices and three bathrooms will be provided to serve the facility.

According to the applicant, the facility will be licensed for an occupancy limited to 20 children and 8 adults.

The site is served by two existing over-sized driveway cuts off Royal Avenue. Existing paved and gravel surfaces exist to provide sufficient areas for parking and an unloading and loading area capable of stacking 4 vehicles.

Existing vegetation is sufficient to meet the intent of the City's landscape ordinance. Due to existing site conditions along Royal Avenue, a modification of street trees will be necessary.

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

No action is necessary. The Planning commission will have a recommendation for the Council meeting on October 7, 2019.

CU-11-19 Louis Antonio Jimenez-East side of S. NC 111 Hwy between Mollie Drive and Sheridan Forest Road. Public Hearing Held. Applicant requests a Conditional Use Permit for outside storage as an accessory use for the operation of an automotive repair and service center. As part of the request, separate site plan approval is required.

Frontage:	125 ft. (S. NC 111 Hwy.)
Unit	Area: 1.9 acres
Zone:	General Business

The property is zoned GB (General Business). An automotive repair and service center is a permitted use within the district. However, outdoor storage can only be permitted after the issuance of a Conditional Use Permit approved by City Council.

As previously stated, the site consists of 1.9 acres. According to the City's Unified Development Code, nonresidential developments on parcels that disturb greater than one acre shall be approved by City Council.

The property was previously operated as Kearney Paint and Hardware until it was completely destroyed by fire in 2010. Since that time, the property has remained vacant.

The submitted site plan indicates a 3,700 sq. ft. metal building consisting of an office, parts and storage area and a garage consisting of three service bays. Applicant intends to locate the commercial building at the rear of the property and desires to reserve the front portion of the property for future commercial development.

According to the City's Unified Development Code, no more than 50% of a commercial building's exterior building material shall be of metal construction. City staff is working with the applicant to ensure that City design standards are incorporated into the proposed development.

Number of employees:	2
Hours of Operation:	8:00 a.m.-5:30 p.m. (Monday-Friday)

An existing 24 ft. wide driveway cut provides access to the site off S. US 111 Hwy. Applicant proposes to install a 20 ft. wide paved private access road approximately 590 ft. eastward from

the existing terminus to the proposed metal garage building. 15 feet of the proposed 20 ft. access road is a recorded ingress, egress and regress easement for an existing private cemetery located adjacent to the southern property line.

Parking shall be based on 2 spaces per working bay, plus one per employee. A total of 9 spaces have been provided to include one handicap accessible parking space.

A total of 10 street trees are proposed for the site. 3 Autumn Fantasy Maples are shown along S. NC 111 Hwy and 7 are shown along the private access drive. The applicant is requesting a modification of the street tree requirement along the southern portion of the access drive due to existing site conditions and the existing ingress, egress and regress access easement serving the private cemetery.

A Type A, 5 ft. wide landscape buffer yard is proposed along the northern and southern property line. The applicant is requesting a modification of portions of the northern and southern property line that surround the storage area due to existing site conditions and proposed screening measures.

Existing vegetation will satisfy the requirement for a Type C, 20 ft. wide landscape buffer along the eastern property line. 49 Carissa Hollies will serve as vehicular surface area shrubs for the parking lot.

The submitted site plan shows a proposed storage area for automobiles located behind the automotive repair and service garage of approximately 26,940 sq. ft.

A six ft. in height chain link fence with vinyl slats will be installed to screen the storage area along the southern and eastern property lines. Additional screening measures will be required along the northern property line surrounding the storage area. Staff is working with applicant to install vinyl slats within the existing chain-link fence that runs along the northern property line.

The subject property falls within SJAFB 70-74 day-night average sound level (DNL) noise zone. According to Base officials, a noise level reduction of 30 decibels will be required in the design and construction of portions of the building where the public is received.

Sidewalks are required for new commercial development. The applicant is requesting a modification of the requirement to install sidewalks. If approved by City Council, the applicant will be required to pay \$2,250 as a fee in lieu of sidewalk construction to the City of Goldsboro.

City water is not available to serve the property. Water will be provided by Eastern Wayne Water District. City sewer is available to serve the property. Since City sewer is available to serve the property, the applicant will be required to petition for annexation into Goldsboro City limits.

Storm water calculations and drainage plans have not been submitted. City Engineering cannot issue construction permits until plans have been submitted and approved in accordance with City standards.

Applicant has provided for interconnectivity and has indicated the location of the easement along the property's frontage.

The property is not located in a Special Flood Hazard Area.

The following modifications are requested by the applicant:

1. Modification of the street tree requirement along the southern portion of the access drive.
2. Modification of the landscape buffer yard requirement along portions of the northern and southern property line surrounding the storage area.
3. Modification of the requirement to install City sidewalks.

Councilmember Foster asked who would handle their sewer and water. Ms. Collins stated the City of Goldsboro will handle sewer, Eastern Wayne Water District will be the water.

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

No action necessary. The Planning Commission will have a recommendation for the Council's meeting on October 7, 2019.

Z-16-19 KG Plaza, LLC – East side of Eleventh Street between Norwood Avenue and Englewood Drive. Public Hearing Held. The applicant requests the rezoning from R-9CD (Residential 9 Conditional District) and R-16 (Residential) to O&I-1 (Office and Institutional). The owner/developer will be required to submit a site plan for review and approval by City Council before future development of the property.

Frontage: Approximately 660 ft. (Eleventh Street)
Area: 213,444 sq. ft., or 4.9 acres
Zoning: R-9CD/R-16 (Residential)

Surrounding Zoning:

North: R-16 (Residential);
South: R-16 (Residential);
East: R-16 (Residential); and
West: Office and Institutional (O&I-1)

The property is currently vacant and undeveloped.

As previously stated, the applicant is requesting a zoning change from R-9CD (Residential 9 Conditional District) and R-16 (Residential) to O&I-1 (Office and Institutional).

The applicant intends to develop the property for commercial purposes.

As previously noted, separate site plan review and approval by City Council is required before development of the property.

City water and sewer are available to serve the property. The applicant will be required to petition for annexation into Goldsboro City limits since the site is within 1000 ft. of City sewer. The property is not located within a Special Flood Hazard Area.

The City's Comprehensive Land Use Plan recommends Medium Density residential development for the property. The proposed site for development is directly across the street from property recommended for Office and Institutional development and currently occupied by a church.

Mayor Allen opened the public hearing and the following people spoke:

1. Jean Clay shared concerns about this property as it related to flooding, drainage and stormwater retention.
2. Nick Rightmyer with Joyner Keeny stated he was there representing the owner and developer. Mr. Rightmyer stated they have taken a preliminary look and water and sewer is available. Mr. Rightmyer asked if there were any questions he would answer.

Councilmember Williams asked how many units are planned. Mr. Rightmyer stated this is the O&I and he does not have a plan yet, it is just the rezoning right now.

No one else spoke and the public hearing was closed.

No action necessary. The Planning Commission will have a recommendation for the Council's meeting on October 7, 2019.

Z-17-19 KG Plaza, LLC – East side of Eleventh Street between Norwood Avenue and Englewood Drive. Public Hearing Held. The applicant requests a change of zone from Residential (R-16) and Residential (R-9) Conditional District to Residential (R-6) Conditional District for a 303-lot cluster subdivision. In conjunction with the request, the applicant is requesting separate site plan approval by City Council.

Parcel 1: 32.6 acres	Zone: Residential (R-16)
Parcel 2: 11.8 acres	Zone: Residential (R-16)
Parcel 3: (Portion): 26.5 acres	Zone: Residential (R-16/R-9CD) Portion
Parcel 4: (Portion): 22 acres	Zone: Residential (R-16) Portion

Surrounding Zoning:

North:	General Industry (I-2); Residential (R-12); Office and Institutional (O&I-1);
South:	Residential (R-16); Office and Institutional (O&I-1);
East:	Office and Institutional (O&I-1); and
West:	Residential (R-16)

The four parcels are currently vacant and undeveloped.

As previously stated, the applicant is requesting a zoning change from Residential (R-16) and Residential (R-9) Conditional District to Residential (R-6) Conditional District.

The applicant has submitted a conceptual site plan indicating approximately 90 acres for the development of a 303-lot cluster subdivision to include a clubhouse and pool area within Goldsboro City limits.

According to the City's Unified Development Code, the developer may reduce the minimum lot size, width and setbacks up to 40% from the specifications of the prevailing zoning district. The Council may require larger lot sizes, if in the opinion of the City Council, smaller lot sizes would be incompatible with adjoining developments.

At least 20% of the total project area shall be reserved as commonly held open space and be preserved in a natural or vegetative state. The applicant has reserved 24.7 acres of the site as open space.

In addition, the required open space shall be held in common ownership, for the perpetual benefit of residents of the development, by a legally established corporation, association or other legal entity, or be dedicated to the City of Goldsboro as a public park.

City water and sewer are available to serve the property. The applicant will be required to petition for annexation into Goldsboro City limits since the site is within 1000 ft. of City sewer.

The property is not located within a Special Flood Hazard Area.

Storm water calculations and drainage plans shall be approved by City Engineering before construction permits are issued. All streets and parking areas shall meet City standards. All utilities shall be installed underground and curb and gutter is required. Driveway permits shall be approved by NCDOT and NCDOT is requiring the developer to conduct a Traffic Impact Analysis to determine if any additional road improvements are necessary due to the proposed subdivision.

Internal sidewalks are required to form a safe and convenient system for pedestrian access to all dwelling units, project facilities, open spaces and principle off-site pedestrian destinations. In addition, external sidewalks are required along any adjacent public or private streets.

As a requirement of residential subdivision approval, the developer shall plant trees in the front setback of each lot and in any side or rear lot abutting an existing or proposed right-of-way in the subdivision.

Each lot, including open space/recreational areas and storm water retention areas, that abuts a private or public street in a residential subdivision must have one large street tree for every forty feet of street frontage or two small trees for every thirty feet of lot frontage.

The proposed subdivision requires a Type B, 15 ft. wide landscape buffer yard where abutting existing nonresidential developments to the east were constructed before the adoption of this Ordinance and lack the required buffer yard.

Interconnectivity has been provided east of the proposed subdivision and adjacent to existing residential development.

The City's Comprehensive Land Use Plan recommends Medium Density Residential development. However, in areas where City water and sewer are available to serve the property, the City's Comprehensive Land Use Plan recommends that higher densities should be allowed and encouraged.

Mayor Allen opened the public hearing and the following people spoke:

1. Samuel Gwantley shared concerns with the ditches and flooding in the area of the proposed development for both Z-17-19 and Z-18-19.
2. Gayle Gwantley also shared concerns with drainage ditches and flooding in this area including the storage facility and movie theater.
3. Zachery Price & Cienna Thompson shared their mother owned property on Norwood Avenue. Mr. Price asked if the dirt road would be used to access this property. They both shared concerns regarding the development and flooding.

Mayor Allen suggested they speak with Mr. Rightmyer and Ms. Collins.

Councilmember Williams asked how many homes are on the dirt road. Mr. Price replied the house right beside us. We are not sure where the property lines are. Discussion continued. Councilmember Williams stated we are trying to tackle dirt roads in the city. Councilmember Williams asked Ms. Collins if that area was in the city or the ETJ and Ms. Collins stated the area being proposed to be developed is in the ETJ. Councilmember Williams stated we will see what we can do pertaining to the dirt road, and again like the Mayor stated, if you can sit down with planning and go from there. I hope that we can resolve the issue.

No one else spoke and the public hearing was closed.

No action necessary. The Planning Commission will have a recommendation for the Council's meeting on October 7, 2019.

Z-18-19 KG Plaza, LLC – West side of Eleventh Street between Norwood Avenue and Englewood Drive. Public Hearing Held. The applicant requests the rezoning from R-16 (Residential) to R-6CD (Residential 6 Conditional District) for multi-family development. Separate site plan approval by City Council is required.

Frontage: Approximately 422 ft. (Eleventh Street)
Area: 561,924 sq. ft. or 12.9 acres
Zoning: R-16 (Residential)

Surrounding Zoning:

North: R-16 (Residential);
South: R-16 (Residential), GB (General Business), O&I-1 (Office and Institutional)
East: R-16 (Residential); and
West: R-16 (Residential)

The property is currently vacant and undeveloped.

As previously stated, the applicant is requesting a zoning change from R-16 (Residential) to R-6 (Residential 6 Conditional District) for multi-family development. In conjunction with the request, the applicant is requesting a waiver of the site plan requirement. If the rezoning is approved, the applicant will be required to have the site plan approved by City Council before future development of the property.

City water and sewer are available to serve the property. The applicant will be required to petition for annexation into Goldsboro City limits since the site is within 1000 ft. of City sewer. The property is not located within a Special Flood Hazard Area.

The City's Comprehensive Land Use Plan recommends Medium Density residential development for the property.

Mayor Allen opened the public hearing and the following people spoke:

1. Nick Rightmyer with Joyner Keeny stated a lot of issues or concerns were raised about drainage. Mr. Rightmyer provided information on the process of how they look at predevelopment area, pervious and imperious impacts and stated their goal is to match the same drainage courses and the same flow rates as predevelopment. Mr. Rightmyer also shared information regarding Norwood Avenue. He stated that will be one of the entrances into the site and if the city determines it's in the best interest to make improvements to Norwood Avenue as a part of the development, I am sure the developer would be open to that. We are conducting a traffic impact analysis.
2. Teresa Gwantley stated they have had so much trouble with drainage. We just want to make sure the drainage is addressed before anything is done.

Mayor Allen stated we are aware of the flooding. We have been working over there for the last few months. We have cleaned out ditches on Lockhaven. We still know there are problems. Our folks are getting with NCDOT on the ditches around the theater and church. We will definitely take all of this into consideration as everything moves forward.

No one else spoke. The public hearing was closed.

No action necessary. The Planning Commission will have a recommendation for the Council's meeting on October 7, 2019.

Planning Commission Excused.

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

1. Susan Williams shared concerns and asked how many beer joints are you going to put in. She also asked why the city needs to hire outside counsel.
2. David Craig expressed concerns regarding Item Z. Resolution Authorizing the City Manager to Hire Outside Legal Counsel and Limited Authority to Resolve Liability Claims from the Consent Agenda and placed it under Items Requiring Individual Action.
3. Yvonnia Moore shared concerns about an EEOC complaint, a confidential document being released. Ms. Moore stated during the 5 pm work session Councilmember Williams stated he had asked the city manager, the city attorney and HR for documents. What were those documents?

Councilmember Williams stated those documents were the EEOC report, emails and contracts with attorneys.

Ms. Moore asked the city manager and city attorney why are you refusing to give Mr. Williams those documents. Ms. Moore asked di you release that document to the newspaper, the EEOC complaint.

Mr. Salmon replied, no I did not.

Ms. Moore asked did your HR director release it.

Mr. Salmons replied no she did not.

Ms. Moore stated ok we are going to assume the only other person that could have released it was Shycole Simpson-Carter; does that not concern you as a city manager.

Mr. Salmon stated it does, we asked, and she said she did not release it.

4. Alicia Pierce expressed her opinion for Item Z. Resolution Authorizing the City Manager to Hire Outside Legal Counsel and Limited Authority to Resolve Liability Claims from the Consent Agenda and placed it under Items Requiring Individual Action. Ms. Pierce also asked is there a reason why you are not releasing those documents that were already released to the public.

Mr. Salmon replied it is a personnel issue and cannot be released to the general public.

Ms. Pierce continued discussing the EEOC complaint and release of the document. Ms. Pierce stated the elected officials did say they wanted us to have part of the decision making and as my part decision making, Item Z. should not be granted to the city manager.

5. Julian Swain stated he has been reading the News Argus for the past 4 years, I do not understate how it is so important to have the issues raised with Mr. Williams on the front page, all over the paper, day after day. I am kind of disheartened to hear how you guys respond to the general public.

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

Mayor Allen presented a copy of the Opioid Use Disorder Awareness Week Proclamation to members of CALM.

Consent Agenda - Approved as Recommended. Mayor Allen 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. Mayor Allen reminded Council Item Q. Approve Compost Bulk Pricing was removed from the Consent Agenda and placed under Items Requiring Individual Action and Item Z. Resolution Authorizing the City Manager to Hire Outside Legal Counsel and Limited Authority to Resolve Liability Claims was removed from the agenda. Councilmember Aycock moved the items on the Consent Agenda, Items L, M, N, O, P, R, S, T, U, V, W, X, Y and AA be approved as recommended by the City Manager and staff. The motion was seconded by Councilmember Ham and a roll call vote resulted in Mayor Allen, Mayor Pro Tem Broadaway, Councilmembers Williams, Ham and Aycock voting in the affirmative. Councilmember Foster voted against the motion. Mayor Allen declared the Consent Agenda approved as recommended with a 5:1 vote. The items on the Consent Agenda were as follows:

Amending Special Revenue Fund Ordinance – Edward Byrne Memorial Justice Assistance Grant (JAG) (P3102). Ordinance Adopted. On February 18th, the Board approved an appropriation for the 2017 Governor’s Crime Commission Gang Equipment Grant funded by the 2017 Edward Byrne Justice Assistance Grants in the amount of \$21,365.54. The funds have been approved to purchase a mobile camera, computer, printer and other equipment for the Gang Program.

The funding was appropriated in the General Fund, as has been the past practice. The funds were not obligated by June 30, 2019 and therefore the appropriation lapsed. Police staff

managing the grant are ready to carry out the terms of the grant agreement and require the appropriation.

An amendment to the special revenue fund established on June 17th for the JAG grant funding to include the GCC JAG grant was prepared. Funds appropriated in a special revenue or capital project fund do not lapse annually.

It is recommended the Special Revenue Fund Ordinance for the Edward Byrne Memorial Justice Assistance Grant (JAG) (P3102) be amended for \$21,365.64 for the 2017 GCC Gang Equipment Grant. Consent Agenda Approval. Aycock/Ham (5 Ayes: 1 Nay)

ORDINANCE NO. 2019-56 “AN ORDINANCE AMENDING A SPECIAL REVENUE PROJECT FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) (P3102)”

Sole Source Vendor Resolution for Barrier Solutions. Resolution Adopted. After Hurricane Matthew, staff was tasked with finding an economical and efficient way to prevent flooding at the Water Treatment Plant. Staff researched various methods to find a balance between cost, swift deployment and proven flood proofing results.

Staff proposes to purchase floodstop barriers from Barrier Solutions LLC with the funds allocated in the FY19-20 Adopted Budget. The product is patented and due to its unique design and function, there are no other vendors that provide a similar water proof solution in the U.S. Since staff proposes to sole source the item, General Statute requires the Board to approve the purchase by resolution.

It is recommended the following entitled Resolution for the Purchase of Floodstop Barriers be approved for \$50,000.00. Consent Agenda Approval. Aycock/Ham (5 Ayes: 1 Nay)

RESOLUTION NO. 2019-80 “RESOLUTION FOR THE PURCHASE OF FLOODSTOP BARRIERS”

Correction of Stated Unit of Measurement for the FY18-19 and FY19-20 Water Rates. Resolution Adopted. Ordinance Adopted. 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.

Staff recommended Council:

1. Council adopt the following entitled resolution to correct the FY18-19 Water and Sewer Rates to make a clerical correction to the written amount of industrial water customer annual usage from “one million five hundred thousand” to “one hundred fifty million” in Sections 1, 4 and 5.
2. Council adopt the following entitled ordinance to correct the FY19-20 Operating Budget Ordinance, Section 10(a) to make a clerical correction to the written amount of industrial water customer annual usage from “one million five hundred thousand” to “one hundred fifty million”, and “1,500,000” to “150,000,000”. Consent Agenda Approval. Aycock/Ham (5 Ayes: 1 Nay)

RESOLUTION NO. 2019-81 “RESOLUTION AMENDING THE WATER RATE AND SANITARY SEWER RATE FOR WATER USAGE TECHNICAL CORRECTION FOR THE CITY OF GOLDSBORO”

ORDINANCE NO. 2019-57 “AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET ORDINANCE OF THE CITY OF GOLDSBORO FOR THE 2019-20 FISCAL YEAR”

Installment Financing for Golf Turf Equipment with PNC Equipment Finance, LLC. Resolution Adopted. Ordinance Adopted. Staff brought a request to execute a new operating lease for six (6) pieces of golf turf equipment with PNC Equipment Finance at the August 5th meeting. This was due to the current 60 month lease having been executed on April 7, 2014 and expired in May, 2019. The Board requested more information on the existing equipment and usage which was brought before the Board at the August 19th and September 9th meetings.

At the September 9th meeting, the Board voted to allow staff to execute a capital lease with PNC Equipment Finance to lease-purchase the seven (7) pieces of equipment from the 2014 lease on a 2 year term for a total of \$105,000.00.

The lease payment will be \$4,673.86 per month. The funds for the equipment operating lease were appropriated in the FY19-20 budget under Equipment Rent (11-7461-4391), however since this is no longer an operating lease, but rather a capital lease it is necessary to appropriate the purchase of the capital outlay and the funding with debt revenue (\$105,000.00 total). It will also require a reallocation of rent payments to debt payments (\$4,673.86 @ 9 months for a total of \$42,064.74). This does not require approval by the LGC since it does not meet the criteria for approval. Since this is a capital lease PNC Equipment Finance does stipulate that formal Board approval is required.

It is recommended the City Council adopt:

1. Adopt the following entitled Resolution accepting the agreement with PNC Equipment Finance, LLC for the purchase of used golf turf equipment from Smith Turf & Irrigation and incumbency certificate authorizing the Mayor or the Finance Director to act on behalf of the City to execute the appropriate financing documents.
2. Adopt the following entitled Operating Budget Ordinance Amendment to appropriate the expenditures and revenue for the purchase of the used golf turf equipment in the amount of \$ 105,000.00, and debt payments due for the remainder of the fiscal year in the amount of \$42,400.00 funded with a reduction in rent expense. Consent Agenda Approval. Aycock/Ham (5 Ayes: 1 Nay)

RESOLUTION NO. 2019-82 “PNC EQUIPMENT FINANCE, LLC CAPITAL LEASE FOR GOLF TURF EQUIPMENT”

ORDINANCE NO. 2019-58 “AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET ORDINANCE OF THE CITY OF GOLDSBORO FOR THE 2019-20 FISCAL YEAR”

Bid Award to Stantec for Comprehensive Utility Rate Study. Resolution Adopted. The City’s last comprehensive rate study was done in 1987. The City is seeking a user-friendly rate model that can incorporate various fees, Capital Improvement Plan estimates as developed from the City’s Master Plan and corresponding debt components with the ability to make adjustments to these amounts and expenses. Allowing these adjustments to the model should allow for dynamic or scenario modeling to the rate structure thereby calculating bond coverage and cash reserves with flexibility over a 10-year period. The rate model should equitably distribute costs between water and wastewater and between base and volume or fixed and variable and include comparisons of regional and similar size cities. The study should include analysis by normalizing the comparative rates against the local economics, thereby identifying possible differences in production costs to deliver similar services. The firm should inform the City of any upcoming regulatory changes that may affect the City’s rate or rate structure.

The City of Goldsboro advertised for Request For Qualifications RFQ# 2019-004 on July 18, 2019 and received five responsive firms on August 5, 2019 at 10:00AM.

Interviews were conducted on August 28, 2019 with all five responsive firms. After staff discussion and reference checks, Stantec Winston-Salem, NC was selected to submit a proposal for the Comprehensive Utility Rate Study.

A proposal has been received from Stantec for these services in an amount not to exceed \$75,000. The City allocated monies in its current FY 19-20 for these services.

It is recommended the City Council approve the following entitled Resolution authorizing the City Manager to execute a contract with Stantec not to exceed \$75,000 to provide services for the Comprehensive Utility Rate Study. Consent Agenda Approval. Aycock/Ham (5 Ayes: 1 Nay)

RESOLUTION NO. 2019-83 “RESOLUTION AWARDED AND AUTHORIZING EXECUTION OF CONTRACT FOR COMPREHENSIVE UTILITY RATE STUDY”

Amendment to Goldsboro’s Code of Ordinances Title III Administration, Chapter 33: Police and Fire Department. Ordinance Adopted. After council approval, the City of Goldsboro established the newly created position of Deputy Fire Chief. The first Deputy Fire Chief was appointed in February of 2019.

The Deputy Fire Chief position is critical in providing continuity of service to the citizens and guests of the Goldsboro community. The current language of the City of Goldsboro Code of Ordinances should be changed to reflect the addition to the Goldsboro Fire Department’s organizational command structure.

It is recommended the City Council adopt the following entitled Ordinance amending Title III Administration, Chapter 33: Police and Fire Department of the City of Goldsboro’s Code of Ordinances. Consent Agenda Approval. Aycock/Ham (5 Ayes: 1 Nay)

ORDINANCE NO. 2019-59 “AN ORDINANCE AMENDING TITLE III-ADMINISTRATION, CHAPTER 33: POLICE AND FIRE DEPARTMENT”

US Dept. of Justice: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation. Resolution Adopted. The Goldsboro Police Department has been notified that Federal grant funds are available from the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG). This is the same grant that was applied for in 2018.

The total amount of the grant is \$47,003.00. As in 2018, the Grant requires that the application be filed on behalf of both the Goldsboro Police Department and the Wayne County Sheriff’s Office. Each agency would receive \$23,501.50.

The grant requires that an Interlocal Agreement is submitted with the application indicating the agreement between both agencies, the amount each agency will receive and how the grant will be administered. In addition, the Interlocal Agreement and Grant Application are required to be distributed to the City Council for review only, no fewer than 30 days prior to the application submission, or before the grant will be awarded.

The Goldsboro Police Department has agreed to purchase additional patrol rifles to improve officer safety by having the ability to confront heavy-duty firepower situations that cannot be accomplished through the use of traditional sidearms and the Wayne County Sheriff’s Office has agreed to purchase 32 Ballistic Shields.

It is recommended the following entitled resolution be adopted supporting the Police Department applying for this grant. Consent Agenda Approval. Aycock/Ham (5 Ayes: 1 Nay)

RESOLUTION NO. 2019-84 “A RESOLUTION SUPPORTING THE 2019 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) APPLICATION”

Fall Fest at the First Church – Temporary Street Closing Request. Approved. The First Church is seeking a permit to close First Church Road so that the Fall Fest can take place on October 31, 2019.

Due to the logistics of the event and to keep attendees safe, the First Church has requested the closing of First Church Road from 9:00 a.m. - 11:00 p.m. on October 31, 2019.

All vendor booths, entertainment attractions and displays will be arranged to secure proper access to all fire hydrants, alleyways and driveways.

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 in the center of the street to provide access for fire and emergency vehicles.
3. All activities, change in plans, etc., will be coordinated with the Police Department.
4. Police, Fire and Public Works Departments are to be involved in the logistical aspects of the event.

It was recommended Council grant the requested temporary closing of First Church Road for the Fall Fest at the First Church from 9:00 a.m. - 11:00 p.m. on October 31, 2019. Consent Agenda Approval. Aycock/Ham (5 Ayes: 1 Nay)

Thriller Night – Temporary Street Closing Request. Approved. A request was received from the Downtown Goldsboro Merchants Association requesting permission to close a portion of certain City streets on October 25, 2019 from 2:00 p.m. to 9:00 p.m. in order to hold Thriller Night.

The street closing request is as follows:

The Downtown Goldsboro Merchants Association has requested the closing of the 100 and 200 block of North Center Street between Ash and Walnut Streets to include the intersection at Center and Mulberry Streets.

A rain date has been scheduled for October 26, 2019.

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 that the City Council by motion, grant a street closing at the 100 and 200 block of North Center Street between Ash and Walnut Street to include the intersection at Center and Mulberry Streets on October 25, 2019 from 2:00 p.m. to 9:00 p.m. in order that the Annual Thriller Night event may take place, subject to the above conditions. Consent Agenda Approval. Aycock/Ham (5 Ayes: 1 Nay)

Walk to De-feet Dementia – Temporary Street Closing Request. Approved. A request was received from the Dementia Alliance of North Carolina requesting permission to close a portion of certain City streets on October 26, 2019 from 7:00 a.m. to 11:30 a.m. in order to hold Walk to De-feet Dementia, an event that recognizes caregivers, sponsors and teams. The event sponsors will supply dementia educational information.

The street closing request is as follows:

The closing of the 200 block of North Center Street between Ash and Mulberry Streets.

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 the City Council by motion, grant a street closing at the 200 block of North Center Street on October 26, 2019 from 7:00 a.m. to 11:30 a.m. in order that the Walk to De-feet Dementia event may take place, subject to the above conditions. Consent Agenda Approval. Aycock/Ham (5 Ayes: 1 Nay)

Goldsboro Christmas Parade – Temporary Street Closing Request. Approved. The annual Christmas Parade is one of the many local traditions helping to usher the holiday season into the Goldsboro area. The parade is organized, coordinated and sponsored by the Wayne County Chamber of Commerce.

The street closing request for Saturday, December 7, 2019 is as follows:

Parade Route: South on Center Street beginning at Ash Street to Chestnut Street; going around traffic circle heading North on Center Street to Walnut Street; East on Walnut Street to John Street; North on John Street to Mulberry Street; West on Mulberry Street to Center Street; North on Center Street to Ash Street ending at Ash Street.

Staging Areas: Oak Street between James and William Streets, Vine Street between Center and William Streets, Beech Street between John and William Streets, and Center Street from Oak to Ash Streets.

Streets closed for the Staging Area: Center Street from Holly Street to Ash Street; John Street from Holly Street to Ash Street; and Center Street at Spruce Street.

Additional Closures recommended by the Police Department to manage traffic flow will encompass: James Street from Oak to Ash Streets, John Street from Chestnut Street to Ash, Mulberry Street from James to William, Walnut Street from James to Ormond Ave, Chestnut Street from James to Ormond Ave; and Ash Street from James to John Streets.

Parking Restrictions: No parallel parking on Center Street from Spruce Street to Ash Street.

The time requested for the closing is from 8:00 a.m. to 8:00 p.m. Police have indicated that traffic will be restricted from 8:00 a.m. until 3:30 p.m. and all traffic stopped at 3:30 p.m. The actual parade will begin at 4:00 p.m. and end at approximately 7:00 p.m.

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 DGDC offices are to be involved in the logistical aspects of this event.

It is recommended that the Council approve the street closing of sections of Pine, Spruce, Center, Walnut, John, Mulberry, James, and Chestnut Streets for the Christmas Parade route from 8:00 a.m. to 8:00 p.m. on Saturday, December 7, 2019. Consent Agenda Approval. Aycock/Ham (5 Ayes: 1 Nay)

Victorian Mourning Practices – Temporary Street Closing Request. Approved. The Wayne County Historical Association is requesting permission to close a portion of certain City streets beginning at 5:00 p.m. until 10:30 p.m. on Saturday, October 26, 2019 to hold their Victorian Mourning Practices event.

The street closing request is for Chestnut Street between George and James Streets.

The Police, Fire, Public Works and Downtown Development 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 Development offices are to be involved in the logistical aspects of this event.

Staff recommends Council grant the street closings for Chestnut Street between George and James Street from 5:00 p.m. until 10:30 p.m. on Saturday, October 26th for the Wayne County Historical Association's Victorian Mourning Practices event, subject to the above conditions. Consent Agenda Approval. Aycock/Ham (5 Ayes: 1 Nay)

Downtown Lights Up! - Temporary Street Closing Request. Approved. Downtown Lights Up! Is an annual holiday event held downtown to celebrate the “flipping of the switch” - officially beginning the holiday season. All the decorative lights, including those along Center Street, the traffic circle Magnolia tree, and the Water Tower are turned on simultaneously. Before conducting this ceremony of lights, our Mayor, Santa, the Grinch and children ride a horse-drawn trolley down to City Hall to welcome guests. We're even trucking in tons of snow to set the tone for a very festive downtown holiday season.

Downtown Development completes the evening by hosting an array of free activities, including: holiday entertainment, horse drawn trolley rides, Santa Claus, face painting, and providing warm beverages and treats. It is a wonderful time of the year for people to experience the warm atmosphere and festive activities downtown has to offer. The majority of the event takes place on the 200 block of North Center Street, in front of City Hall, which will provide a natural backdrop for the Mayor when he speaks to the crowd wishing them a happy holiday season. Trolley rides will take place along Center Street from Mulberry to Walnut St, a holiday movie will play in the John Street Parking Lot, a large ice slide will be set up for sledding and much more. The NC Symphony performs at 8 p.m. at the Paramount Theatre that same evening to continue the holiday celebration. Each year our crowd gets larger and we believe this year to be no different with an expected 5000+ in attendance.

Due to the logistics of the horse drawn trolley, this event has always been promoted as a street fair. Downtown Development is requesting that the 200 block of North Center Street be closed on Tuesday, November 26, 2019 from 9:00 a.m. to 8:30 p.m. and the 100 block of South Center and the 100 block of North Center be closed from 4:15 p.m. to 8:30 p.m. to keep guests safe.

All vendor booths, entertainment attractions and displays will be arranged to secure proper access to all fire hydrants, alleyways and driveways.

As with all Downtown Development events, effected 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 in the center of the street 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.

Staff recommended Council grant the requested temporary closing of the 200 block of North Center Street on Tuesday, November 26, 2019 from 9:00 a.m. to 8:30 p.m. and the 100 block of South Center and the 100 block of North Center be closed from 4:15 p.m. to 8:30 p.m. to be used for activities associated with Downtown Lights Up!, subject to the above conditions. Consent Agenda Approval. Aycock/Ham (5 Ayes: 1 Nay)

Departmental Monthly Reports. Accepted As Information. The various departmental reports for August, 2019 were submitted for the Council's approval. It was recommended that Council accept the reports as information. Consent Agenda Approval. Aycock/Ham (5 Ayes: 1 Nay)

End of Consent Agenda.

City Manager's Report. Mr. Salmon stated no report.

Mayor and Councilmembers' Reports and Recommendations. Councilmember Williams stated no comment.

Mayor Pro Tem Broadway encouraged everyone to go out to the soldier stand down. That has been held a number of years and a lot of people, homeless, get a lot of help. Last year they gave out about 400 coats. They have people there for dental, medical and four VA booths. It is scheduled for October 3rd at the Goldsboro Event Center.

Councilmember Foster stated this past week I asked for the Wayne Water District to be added to the agenda and it was denied by the Mayor. Back in 2017, the Council voted for the Mayor to have control of the agenda, what goes on and what doesn't go on. I feel that was wrong, it was a 5:2 vote. It was approved. Since then, if myself or Councilman Williams have something we want to discuss concerning our constituents, it's been a problem for us. It continues to be a problem for us because if the Mayor doesn't want it on the agenda, he simply says no. Now with this issue, the Wayne Water District, it has been a conflict of interest, he has had a hand in it, and then he doesn't want to discuss it. After reviewing all the contracts and the letter from our attorney to Wayne Water District, it brought about a lot of concerns. This letter from July 10, 2019 from Everett, Womble, Lawrence; it is addressed to Mr. Steve Hamilton, District Manager, Southeastern Wayne Sanitary District. I'll skip down, it states, "On behalf of my client, I am authorized to convey that the City would be amenable to an agreement, until the city determines otherwise, for SEWSD to sell potable water to Case Farms if the City is paid \$3.13 per 1000 gallons of the potable water sold to Case Farms by SEWSD." The problem I have with that was, that was never approved by Council, so who gave our city attorney the right to negotiate a price with Southeastern Wayne Water District. That is what I would like to know.

At no other time will our attorney go and negotiate anything on behalf of this Council without approval of this Council. The Mayor had a contract, well he did not have a contract, he placed a bid, for the project at Case Farms and was awarded the bid. Councilmember Foster stated Case Farms gave SEWSD the money to pay our Mayor for the work, all of a sudden he backed out of the work, and then after that, our city started going after SEWSD, for more money for the water they are buying from us. Now the original contract states they can't sell water to our client but in the contract also they have never been our client; they have only been our client for sewer. Sewer and water are two different things. They have never bought water from us, so how have they been our client for water and how are we going after them for that.

Mr. Salmon stated they are buying water.

Councilmember Foster stated not from us, they are buying water from SEWSD, they have never bought water from us because we can't produce at the pressure they need.

Mr. Salmon stated no they buy water from us.

Councilmember Foster stated what does the contract state, sewer, nowhere does it mention water. Show me the documents where they buy water from us. Discussion continued. Councilmember Foster stated in all these years the city manager that was here never went after them but you and Ron Lawrence decide to and you decide to negotiate on behalf of the City of Goldsboro when no one gave you permission to do that. So both of you went outside your scope of work.

Mr. Salmon stated this has to do with growth.

Councilmember Foster stated it doesn't matter, we are talking about your job and what you are allowed to do and what you are not allowed to do. That was something you are not allowed to do.

Mr. Salmon asked the city manager can't work things out and then bring it to Council for approval, yes he can.

Councilmember Foster stated you cannot negotiate prices, you come to us first and we tell you. Have you looked at your job title?

Councilmember Foster stated I am going to move onto some other issues that concern me. We had a forum and spoke about a couple of different things. It bothered me how it was said, Councilmember Broadaway said, Bevan this is the first time I have ever agreed with you, that really bothered me. You said you agreed with me on Special Populations, I can't remember what exact year, 2016, 2017 I made a motion for Special Population housing, I was trying to drop the radius, the main person that had an argument with that was Bill Broadaway, but at the forum you were all for Special Population, I am confused about what you are really standing for. Another thing we spoke about was our Mayor said we had parks for those disabled. I have not seen any, we have sidewalks but no equipment. Councilmember Foster stated a letter was sent to District 6 by Gene Aycock. You made an attack on a fellow councilman, you used a councilman to make an attack on a future councilman hopefully. I apologize to Dr. Craig for that. The letter stated I am a three time felon, I do not disagree with that, I did what I did, I paid my debt to society. If you are going to continue to knock me for that, what is the point of having rehabilitation? The sad thing about it I still made it here, with all that, I am still in the same exact seat as you. I can't say for sure Mr. Aycock wrote this letter.

Councilmember Aycock stated I wrote the letter, I admit it.

Councilmember Foster stated thank you for being honest. Second, we are going on to the thing about me being an atheist, I apologize sir for not believing in a god that would let me do things that you did. I apologize that we have a different god. My god will not allow me to do things that you do. Last on the letter, I'll address the issue of pledging allegiance to the flag, I don't pledge allegiance to the flag because my ancestors were here before anything was established here being America or any flag was brought about. My family is indigenous of this land, so therefore I don't have to do no pledge, and I will not. But at the same time I will not disrespect the military and the military members that have fought for and died so I stand there out of respect. Councilmember Foster stated the letter bothered me, I wanted to see what

Councilmember Aycock would do. I understand you are scared, there is a possibility of you losing your seat. There is a possibility of Goldsboro changing forever. This is history. I think Goldsboro was established in 1902, never has there been a black person running for every seat on this council. So yes we are about to make history. We are about to make history with our first black woman on this Council. The saddest thing, as a black man I have to sit here and go through these things from a fellow councilman. I have to get discriminated on, can't put certain things on the agenda because I am a black man. Councilmember Williams has to go through what he is going through because he is a black man. Don't let this Council fool you into thinking we keep this military base here. We don't, it's a fear tactic they are using oh we need the military, yes we need it. If the decision is made for them not to be here, that decision is coming from the Pentagon, US Senate and US House. It has nothing to do with the City of Goldsboro. Whether this Council is black, white or whatever we all can represent and connect with those on the military base. We fought hard to be where we at. I thank you for the support. I thank Councilmember Williams for the support.

Councilmember Ham stated I would like to acknowledge the event with DGDC that took place for its 20th Annual DGDC Awards Banquet. It acknowledges the work volunteers and representatives have done and recognizes individuals who have invested their money to create businesses, improve facilities, to make it a better place for people to come downtown and improve the economic condition. We have seen many, many changes take place downtown over the last few years.

Councilmember Aycock stated yes I wrote the letter. I wrote it to the people in my district, I mailed it to them first class mail, I signed my name to it, I stand by everything in it, and I do not apologize for any of it.

Mayor Allen stated I do set the agenda. I don't think I have ever told Councilmember Foster or Councilmember Williams or any other councilmember they could not have anything on the agenda. This was the first time it happened. The reason I told him he couldn't have it on the agenda, we talked about it at the last two meetings the same thing at the last two meetings and he did not have anything new to offer so I said I was not going to put it on the agenda. Mayor Allen stated just to get some facts out there that were not correct we have been selling water to case farms for years, before I was involved before he was involved the finance person can show you the water bill. We have a contract with Wayne water district the contract says you cannot sell water to any of our customers. Wayne water district was buying water from us for \$2.17 they were selling it to case farms for four dollars and something. Our contract says you cannot do that. Our staff, the manager, the attorney, all of our department heads are negotiating contracts all the time before we ever see it. It has been happening ever since we've been a city. Every department head negotiates contracts, they have to be approved by the city, by Council. It's not official till it comes to Council. The manager is perfectly within his rights to do that. I just wanted to say we do try to work with everybody. I don't think anyone up here cares if you are black, white, purple; that's not right. We shouldn't say that, that's not true and I don't appreciate that part of it because it has nothing to do would race.

There being no further business, the meeting adjourned at 8:34 p.m.

Chuck Allen
Mayor

Melissa Capps, MMC/NCCMC
City Clerk