

MINUTES OF THE MEETING OF THE CITY COUNCIL HELD
JANUARY 21, 2020

WORK SESSION

The City Council of the City of Goldsboro, North Carolina, met in a Work Session in the Large Conference Room, City Hall Addition, 200 North Center Street, at 5:00 p.m. on January 21, 2020 with attendance as follows:

Present: Mayor Pro Tem Bill Broadaway, Presiding
Councilmember Antonio Williams
Councilmember Taj Polack
Councilmember Brandi Matthews
Councilmember David Ham
Councilmember Gene Aycock (arrived at 5:03 p.m.)
Ron Lawrence, Attorney
Tim Salmon, City Manager
Melissa Capps, City Clerk
Jennifer Collins, Planning Director
Scott Williams, IT Director
Felicia Brown, Interim P&R Director
Rick Fletcher, Public Works Director
Joseph Dixon, Fire Chief
Landon Fleming, Police Corporal
Erin A Fonseca, DGDC Marketing & Events Manager
Bernadette Dove, HR Director
Catherine Gwynn, Finance Director
Shycole Simpson-Carter, Community Relations Director
Ken Conners, News Director, Curtis Media Group
Eddie Fitzgerald, News Argus Reporter
Freeman Hardison, GWTA Board
Lonnie Casey, Citizen
Bobby Mathis, Citizen
Della Mathis, Citizen
Yvonna Moore, Citizen
Jay Bauer, Citizen
Alicia Pierce, Citizen
LeKeshia Polack, Citizen
Kelvin Stallings, Citizen
Constance Coram, Citizen
Kimberly Rhodes, Citizen
Judge Ericka James (arrived at 5:23 p.m.)

Absent: Mayor Chuck Allen

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

Adoption of the Agenda. Councilmember Ham made a motion to adopt the agenda. Mayor Pro Tem Broadaway, Councilmembers Polack, and Ham voted in favor of the motion. Councilmember Williams and Matthews did not vote and therefore, their vote is recorded as affirmative. Mayor Pro Tem Broadaway stated the motion passed.

Boards and Commissions Discussion. Ms. Melissa Capps stated at the last Council Meeting, Council made appointments to the Goldsboro Municipal Golf Course Committee, Parks & Recreation Advisory Commission, Mayor's Committee for Persons with Disabilities Committee and the Travel and Tourism Commission. Vacancies still exist on the Commission on Community Relations and Development, Historic District Commission, the Planning Commission and the Local Firefighter's Relief Fund. Included in your packet is a Resolution that was drafted at the last meeting and we removed the appointments. Ms. Capps asked Council to review.

Mayor Pro Tem Broadaway reviewed the recommendations for appointment.

Mr. Salmon shared Terry Cottle would be an alternate if Jay Bauer is not appointed to the Planning Commission and was reappointed to the Historic District Commission.

Councilmember Williams shared there will be an additional vacancy on the Historic District Commission due to the loss of Ms. Jacobs.

Councilmember Ham made a motion to appoint Mr. Jay Bauer to the Planning Commission. Mayor Pro Tem Broadaway seconded the motion. Councilmember Matthews stated we have to give someone else a chance to serve; he just got off a board. Councilmember Polack stated I do not know this person, but I did get an opportunity to know Bishop Slater and the recommendation of that board, I know it is hard enough, we had to cut the numbers from 30 to 15 on one board, when you have people that want to volunteer to work on them, in my opinion you get more work done. Councilmember Polack asked wouldn't we be hindering progress if we do not make appointments to these boards? Councilmember Williams stated we would not be hindering progress, we have members who can step in until we make those appointments. Mayor Pro Tem Broadaway, Councilmembers Polack, Ham and Aycock voted in favor of the motion. Councilmembers Williams and Matthews voted against the motion. The motion passed 4:2.

Mayor Pro Tem Broadaway shared the recommendations for the Historic District Commission, Crystal Steadman and Terry Cottle. Councilmember Polack stated Melissa extended a period for me to have representation from my district, I only see one person, as Councilmember Williams shared, Ms. Jacobs transitioned, could that period be extended? Mayor Pro Tem Broadaway stated yes, I'm sure we will.

Upon motion of Councilmember Polack, seconded by Councilmember Aycock and unanimously carried, Council appointed Crystal Steadman and Terry Cottle to the Historic District Commission.

Mayor Pro Tem Broadaway reviewed the recommendations for the Commission on Community Relations Amy Bauer, Chretien Dumond, and Stephen McFarland.

Councilmember Aycock made a motion to appoint Amy Bauer, Chretien Dumond, and Stephen McFarland to the Commission on Community Relations. Mayor Pro Tem Broadaway, Councilmembers Polack, Ham and Aycock voted in favor of the motion. Councilmembers Williams and Matthews voted against the motion. The motion passed 4:2.

Council Committees Discussion. Mayor Pro Tem Broadaway reviewed the following:

DGDC-(3 year term)

David Ham
Randy Guthrie

Waynesborough Park

Bill Broadaway

Housing Authority

Mayor Chuck Allen

Transportation Advisory Committee (TAC)

Mayor Chuck Allen
David Ham, Alternate

Gene Aycock

Transportation Authority (GWTA)

Antonio Williams
Shycole Simpson-Carter
Tim Salmon

EX-OFFICIO MEMBERS

Parks & Recreation Advisory Commission
Historic District
Travel & Tourism Advisory Council

Taj Polack
Antonio Williams
Mayor Chuck Allen
Tim Salmon
Brandi Mathews

Mayors Committee for Persons with Disabilities

SPECIAL COMMITTEES

Law & Finance

Antonio Williams
David Ham

Inter-Governmental Committee

Mayor Chuck Allen
Bill Broadaway

CURRENT PROJECTS

Military Liaison Committee

Mayor Chuck Allen
Bill Broadaway
David Ham
Tim Salmon

Herman Park Center

Gene Aycock
David Ham
Antonio Williams

Councilmember Williams shared information regarding the Housing Authority Legislation and how a city official cannot serve on the Housing Authority. The Mayor makes appointments to the Housing Authority. Councilmember Williams stated he cannot sit on the board as an ex-officio. Mayor Pro Tem Broadaway suggested the item be tabled.

Councilmember Ham made a motion to table the discussion of the Housing Authority. Councilmember Aycock seconded the motion. Mayor Pro Tem Broadaway, Councilmembers Ham and Aycock voted in favor. Councilmembers Williams, Polack and Matthews voted against the motion. The motion failed 3:3.

Councilmember Aycock stated then we do not need anyone on there, is that correct. Mr. Salmon stated my understanding is he is not on the board, he is just there since he is making those appointments.

Councilmember Williams stated I would like to suggest we continue with just the city manager in regards to GWTA, since we do not have any councilmembers who want to be on that board. There should not be any city employees on this board, should only be city councilmembers.

Mayor Pro Tem Broadaway read a copy of the letter from the chairman of the GWTA Board that requested Shycole remain on the board because of her grant writing abilities. Councilmember Aycock shared I received a call from Mr. Freeman Hardison asking that she stay on the board as well. Councilmember Matthews stated I am sure other people can contribute to this board. Councilmember Ham stated I also received communication from Mr. Hardison as well.

Council discussed the letter.

Councilmember Williams requested Ms. Moore come forward. Ms. Yvonnia Moore shared comments regarding a conversation between herself and Mr. Hardison.

Councilmember Polack stated in my opinion, if that person has been an asset who would then replace that person and do that job, do we have anybody in place.

Discussion continued.

Attorney Lawrence stated Melissa is getting Council a copy but the resolution states who can be appointed to the board. Mr. Salmon stated bottom-line it can be three members from the city, right. Attorney Lawrence stated it can be councilmembers or anyone else, it says any citizen.

Mr. Hardison shared comments regarding Councilmember Williams and Ms. Carter.

Discussion continued regarding appointments to boards.

Councilmember Ham made a motion to reappoint Ms. Simpson-Carter to the GWTA Board. Councilmember Polack seconded the motion. Councilmember Williams stated so we reward bad behavior here, we have an employee who is suing the city and we let her do any and everything she can possibly do; I do not understand. Councilmember Polack stated on a board you deal with assets and liabilities, like I said last meeting, I am a Black man on this board, allegations could be thrown at me, me personally, I would not want to put myself in an environment to cause any further disruption or confusion, personally. Councilmember Polack asked what protections are in place to prevent this from happening in the future and stated I did not receive an answer. Councilmember Polack stated my biggest thing is, if you are an asset and by the facts that have been stated on the numbers of the grants, who would better fill that seat, do we have that person now. Councilmember Williams stated she works for the city, the county can get someone to do those things. Councilmember Williams stated she is supposed to be writing grants for the city. Mayor Pro Tem Broadaway called for a vote. Mayor Pro Tem Broadaway, Councilmembers Polack, Ham and Aycock voted in favor of the motion. Councilmembers Williams and Matthews voted against the motion. The motion passed 4:2.

Councilmember Williams stated I think we need to know when our Mayor will be back, I'm not trying to be insensitive, he sits on quite a few boards.

Mayor Pro Tem Broadaway stated his present plans are to be back at the first meeting in February.

Councilmember Williams stated in my opinion the Mayor's seat is vacated; there have been four absences.

Attorney Lawrence stated the Mayor's seat is not vacated, he has a temporary leave of absence whether it has been granted or not because he is sick. Councilmember Williams asked shouldn't there be a resolution in place. Attorney Lawrence stated there does not have to be a resolution in place. Councilmember Williams stated I believe there should be a resolution stating that there is a leave of absence and we are going to allow him to have a leave of absence until he is well; I believe that is state statute. Attorney Lawrence stated there is a state statute if he chooses to take a leave of absence he can come in and request it and then the board votes on it. Attorney Lawrence stated at this point in time he has not done that, him merely not being here is not making his seat vacated. Councilmember Williams stated so how can we conduct business properly. Attorney Lawrence stated the same way you are doing, it still requires a majority vote. Councilmember Williams stated I would like to see state law where he has not vacated his seat. Attorney Lawrence stated at the next meeting, it's at the office. Councilmember Williams stated I'd like it before the next meeting, can you have it before the council meeting is over sir. Attorney Lawrence stated no I cannot, I have that research back at my office, I'll be happy to pull it and send it to each of you this week.

Mr. Salmon stated I would like to clarify one item, at the last meeting Councilmember Polack stated he would like to be a part of the Herman Park Center Project Committee and that would make four members of council on the committee.

Councilmember Aycock stated I will step down in order for Mr. Polack to serve.

Councilmember Aycock made a motion to appoint Councilmember Polack to serve in place of him on the Herman Park Center Project Committee. Councilmember Polack seconded the motion. Mayor Pro Tem Broadaway, Councilmembers Polack, Ham and Aycock voted in favor of the motion. Councilmembers Williams and Matthews did not vote, therefore their votes would be counted in the affirmative. The motion passed.

TC Coley Community Center Update. Ms. Felicia Brown stated I am here before you tonight to provide an update on the TC Coley Community Center. You all tasked me with contacting the groups that are currently using the facility to let them know of your intentions. You also asked that I have a proposed contract for Ashford Boxing. The first person with met with was Pastor Robertson with Kingdom of God Tabernacle Outreach Ministries. Pastor Robertson was not currently in TC Coley Community Center but was in the process of submitting paperwork. She is only interested in renting a room one-day a week and had no issue with the proposed rate. We also met with Steve Ashford of Ashford Boxing, passed along to him we were looking at \$500 a month for the gym. He stated he couldn't do that as he was not making money and suggested to pay what he had at Herman Park Center, \$1 a year or \$1 a month. We also asked that he provide us with his 990 form since he is a non-profit. We were scheduled to meet with Apostle Kornegay however due to a death in her family a meeting was rescheduled for tomorrow.

Council discussed.

Councilmember Ham made a motion to reject Mr. Ashford's bid. The motion was seconded by Councilmember Aycock. Mayor Pro Tem Broadaway, Councilmembers Polack, Matthews, Ham and Aycock voted in favor of the motion. Councilmember Williams did not vote, therefore his vote would be counted as an affirmative vote. The motion passed.

Governor's Crime Commission Grant Support Request. The Honorable Judge Ericka James stated thank you for inviting me this evening. Judge James shared information regarding the Governor's Crime Commission Grant and a Strategic Plan to reduce disproportionate minority contact for youth in the City of Goldsboro, NC. I hope that I can convince you to apply for some state funds. Judge James shared the following from the Racial Equity Report Card prepared by Youth Justice Project:

- White students in grades 3-8 were 2.4 times more likely to score "Career and College Ready" on end-of grade exams than Black students in 2017-2018.
- Black students were 4.9 times more likely than White students to receive a short-term suspension in 2016-2017.
- Black youth were 6.1 times more likely than White youth to be referred to juvenile delinquency court in 2017.
- Students by Race – 35% Black; 37% White
- Teachers by Race – Over 70% White; 22% Black
- A recent study revealed that low-income Black students in North Carolina who had at least one Black teacher in elementary school were significantly more likely to graduate high school and consider attending college.

Judge James stated the grant will allow us to collect data and come together to study it. And when we study it, it can help us come up with solutions to try and address some of these issues and again with the goal being to reduce disproportionate minority contact.

Judge James shared information regarding short term suspensions:

- Short-Term Suspension Rates by Race– 36.3% Black; 7.4% White

- % of Short-Term Suspensions by Race – 72.6% Black; 16.2 % White
- Statewide, Black students received 57% of all short-term suspensions, even though they made up only 25% of the student population

Judge James also shared field contact statistics for the Goldsboro Police Department.

It is proposed that the City of Goldsboro Police Department will partner with Wayne County Schools, Wayne County Courts, Sheriff, Guardian Ad Litem, Wayne County PACTS, JCPC, others in addressing over-representation of minority youth in the juvenile justice system.

Facts:

- In 2018 and 2019 Black youth accounted for 93% of the juvenile interactions with Goldsboro PD but make-up 53% of the population of the City of Goldsboro.
- In 2016-17 school year Black youth accounted for 73% of the total suspension but make-up 35% of the Wayne County Schools.

Goals:

1. Assess and train the City of Goldsboro and Wayne County 220 youth, law enforcement, community, and leadership on causes and systems that contribute to disproportionate minority contact (DMC) by reviewing data and identifying community-wide policing issues through community forums and dialogue about DMC.
2. Develop a culturally competent plan that incorporates strategies and activities that address DMC in schools, law enforcement, and the juvenile court system.
3. Provide training resources to law enforcement; school resource officers; educational, governmental and community leaders working to improve communication; and address implicit bias and its effects on arrests and violent crime.
4. Provide community-wide training to improve communication between law enforcement, youth and the community, particularly in the minority community.

The Governor’s Crime Commission is particularly interested in applications that address juvenile delinquency prevention efforts and system improvement efforts designed to reduce the disproportionate number of juvenile members of minority groups who come into contact with the juvenile justice system.

The Commission encourages programs that involve partnerships, collaboration and best practices to meet the needs of minority youth overrepresented at specific juvenile justice decision points to include referral to court, admission to detention or YDC and cases involving minority youth that are petitioned and/or have a finding of delinquency

The DMC grant is about assessment, training, and engagement and the outcomes for the first year focus on engagement and baseline assessment; and

Although the City of Goldsboro’s Police Department is the host agency, there are several community partners in this collaboration to include: Wayne County Public Schools, Communities Supporting Schools, Wayne County Sheriff, Wayne County Court System, Goldsboro Housing Authority.

Judge James also shared information regarding Raise the Age legislation.

Upon motion of Councilmember Williams, seconded by Councilmember Polack and unanimously carried, Council adopted the following entitled Resolution.

RESOLUTION 2020-4 “A RESOLUTION SUPPORTING THE GOVERNOR’S CRIME COMMISSION DISPROPORTIONATE MINORITY CONTACT (DMC) GRANT”

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

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

CITY COUNCIL MEETING

The City Council of the City of Goldsboro, North Carolina, met in regular session in Council Chambers, City Hall, 214 North Center Street, at 7:00 p.m. on January 21, 2020 with attendance as follows:

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

Absent: Mayor Chuck Allen

The meeting was called to order by Mayor Pro Tem Broadaway at 7:00 p.m.

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

Approval of Minutes. Upon motion of Councilmember Aycock, seconded by Councilmember Ham and unanimously carried, Council approved the Minutes of the Work Session and Regular Meeting of December 16, 2019 as submitted.

Zeta Phi Beta Sorority Month Proclamation. Mayor Pro Tem Broadaway proclaimed January 2020 ZETA PHI BETA SORORITY, INC. MONTH in the City of Goldsboro, North Carolina, and congratulate the sorority on their 100th Anniversary.

A copy of the Proclamation was presented to members of the Zeta Phi Beta Sorority.

¼ Cent Sales Tax Support Request (Craig Honeycutt, Wayne County Manager). Mr. Honeycutt and Dr. Dunsmore shared information regarding the proposed ¼ cent sales tax and what school projects are planned to be funded through the proposed one-quarter of one-cent sales and use tax referendum (pending voter approval) which has been placed on the March 3, 2020 Primary Election ballot.

Mr. Honeycutt and Dr. Dunsmore answered questions from Council and members of the audience.

Councilmember Williams stated we are going to make sure this money is equally distributed among these projects.

Councilmember Polack stated for clarity you did say if this does not pass, the remedy will be a 3 cent increase on property taxes. Councilmember Polack stated I work at Goldsboro High School, the later part of last week, the upstairs had no heat at all, that school was erected in 1927, I work there, I see it every day and something needs to be done.

Upon motion of Councilmember Aycock, seconded by Councilmember Polack and unanimously carried Council adopted a Resolution of Support to place a one-quarter cent local options sales tax on the March 3, 2020 Primary in Wayne County, North Carolina.

RESOLUTION 2020-5 “A RESOLUTION OF SUPPORT TO PLACE A ONE-QUARTER OF ONE CENT LOCAL OPTION SALES TAX ON THE MARCH 3, 2020 PRIMARY IN WAYNE COUNTY, NORTH CAROLINA”

Z-23-19 D & J Sand and Gravel – East side of Claridge Nursery Road between W. US 70 Highway and W. US 70 Bypass (R-16 to I-2CD). Public Hearing Held. The applicant requests the rezoning of approximately 115 acres from Residential (R-16) to General Industry

Conditional District (I-2CD), which would limit the property to the operation of a sand and gravel business.

Sand and gravel operations are a permitted use within the General Industry (I-2) zoning district only after the issuance of a Conditional Use Permit approved by City Council. The applicant is requesting a Conditional Use Permit to allow the operation of a sand and gravel business within the General Industry (I-2) zoning district.

In addition to the rezoning request and conditional use permit, the applicant is requesting an off-premise sign to be located upon private property fronting Claridge Nursery Road since the subject property has no road frontage for commercial advertising signage. Council approval is required for off-premise advertising signs in accordance with the City's Unified Development Code.

Frontage: The tract has no road frontage
Area: 5,110,407 sq. ft. or approximately 115 acres
Zoning: Residential (R-16)

Surrounding Zoning:

North: Residential (R-16);
South: General Industry (I-2); Residential (R-16)
East: Residential (R-16); and
West: Residential (R-16)

Property is currently operated as a sand and gravel operation.

As previously stated, the applicant is requesting a zoning change from Residential (R-16) to General Industry Conditional District (I-2CD), which would limit the property to a sand and gravel business.

The applicant states that the sand and gravel business had been operating prior to his acquisition of the property in December of 2017 and that he was unaware that the property was zoned for residential purposes.

Now, the applicant is in need of commercial advertising signage for the promotion of his business. Council approval is required due to the fact that he has no road frontage required for commercially-zoned properties.

Currently, the applicant proposes to locate the off-premise sign across the street from an access easement leading to the subject property off Claridge Nursery Road. The property is zoned General Business and would permit a freestanding sign in accordance with the City's Unified Development Code.

Hours of Operation: Monday – Friday
8:00 am to 5:00 pm

No. of Employees: 1-2

The submitted site plan indicates a 30 ft. wide ingress, egress and regress access easement extending from Claridge Nursery Road approximately 560 ft. eastward to the applicant's western property line.

According to the Unified Development Ordinance, 1 parking space per employee and 5 customer parking spaces are required for the sand and gravel business. Applicant is requesting a modification of the City's paving requirement for vehicular surface areas since commercial trucking operations will involve hauling and delivery of sand, gravel and similar materials.

Existing vegetation surrounding the site satisfies the City's landscape requirements for the proposed use.

The City's Comprehensive Land Use Plan recommends Conservation and Medium Density residential development.

City water and sewer are not available to serve the property. Subject area is located in a Special Flood Hazard Area known as the 100 year floodplain.

Mayor Pro Tem Broadaway 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 February 3, 2020.

Z-24-19 J.D. Pike Jr. – West side of N. Center Street between W. Oak Street and W. Ash Street. Public Hearing Held. The applicant requests the rezoning of two lots from CBD (Central Business District) to GB (General Business). Applicant owns property directly north of the subject properties and currently zoned GB (General Business).

Lot 1:

Frontage: 91.5 ft. (N. James Street)
Area: 19,007 sq. ft., or 0.43 acres

Lot 2:

Frontage: 149 ft. (N. Center St.)
Area: 25,165 sq. ft., or 0.57 acres

Surrounding Zoning:

North: GB (General Business);
South: CBD (Central Business District);
East: CBD (Central Business District); and
West: CBD (Central Business District), GB (General Business)

The two lots were formerly used for the operation of a used car business and service center. The site has been closed for more than six months and the owner has decided to sell the property.

As previously stated, the applicant is requesting a zoning change from CBD (Central Business District) to GB (General Business).

Currently, the applicant is in the process of selling the commercial property once operated for used car sales and service and formerly known as J. D. Pike Motor Company. He believes the marketability of the property will increase if the property is rezoned to GB (General Business).

The City's Comprehensive Land Use Plan recommends MU DT (Mixed Use Downtown) development.

City water and sewer are available to serve the property. Subject area is not located in a Special Flood Hazard Area.

The subject property is located within the City of Goldsboro's Historic District. Any exterior improvements to the property including signage shall comply with the Historic District guidelines before a building permit can be issued in the future.

Mayor Pro Tem Broadaway 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 February 3, 2020.

CU-13-19 Jerry Futrell – East side of US 117 South between Arrington Bridge Road and South George Street (Increase in electronic gaming machines from 35 to 101 for existing Internet Café). Public Hearing Held. An internet café was previously approved for 20 gaming machines at this location on September 3, 2013. On June 2, 2014, City Council denied a request to increase the number of gaming machines from 20 to 35 based on requiring 2 parking spaces per machine. On August 4, 2014, the Council approved a parking ordinance amendment

to the City's UDO requiring 1.5 parking spaces per machine. In addition, they approved the previous owner's request to allow an increase in the number of gaming machines from 20 to 35.

The previous owner closed the business in March of 2016 upon order from the District Attorney's office. Once software upgrades were installed and in compliance with State law, he reapplied for a Conditional Use Permit to operate an internet café in accordance with the City's Unified Development Ordinance. City Council approved site, landscape and floor plans for the previously approved 35 gaming machines on January 3, 2017.

On May 8, 2017, City Council amended the City's Electronic Gaming Ordinance. The following requirements were approved as they pertain to new gaming establishments proposed for operation in the City of Goldsboro's planning jurisdiction:

1. Electronic gaming operations are permitted only in the General Business (GB) zoning district after the obtainment of a Conditional Use Permit approved by City Council.
2. No establishment shall be located within five hundred (500) feet of any residentially zoned or developed property, church, school, day care, playground or public park. Where the proposed establishment is separated from residentially zoned or developed property by a four-lane highway, the five hundred (500) foot separation shall only apply to the properties along the sides and rear of the establishment.
3. No such establishment shall be located within one mile (5,280 ft.) of another such establishment.
4. The hours of operation for such operations shall be limited to 7:00 a.m. to 2:00 a.m.

City Council made no changes to the existing parking requirement of 1.5 spaces per gaming machine.

As previously stated, the applicant is requesting to amend an existing Conditional Use Permit for the operation of an internet café to increase the number of gaming machines from 35 to 101.

Frontage: 454.3 ft. (US 117)
Area: 97,220 sq. ft., or 2.23 acres
Zoning: General Business
Hours of Operation: 10:00 a.m. to 2 a.m. (7 days)
No. of Employees: 2

Site and landscape plans for this operation were previously approved. In addition, parking requirements were in compliance with the City's Unified Development Ordinance.

The following modifications were approved:

- a. Rear yard landscape buffer due to grade separation at railroad tracks.
- b. Vehicular surface buffer at front due to existing paving and public right-of-way;
- c. Street tree requirement; and
- d. Distance from residentially zoned property from 200 ft. to 125 ft.

As previously stated, parking is required at 1.5 space per gaming machine. The applicant contends that the City current parking requirement is excessive based on the fact that only one customer can operate one gaming machine at any one time.

Currently, there are 52 paved parking spaces to serve the site. 152 parking spaces are required. Parking areas are available to meet the City's current parking requirements north and east of the facility. However, the applicant does not desire to provide paved parking in accordance with City standards. As such, the applicant is requesting a modification of the City's parking requirement from 152 to 52 parking spaces.

At the public hearing held on December 16, 2019 the applicant requested the public hearing remain open until January 21, 2020 due to the applicant not being able to attend the December 16, 2019 public hearing because of a family emergency. Keeping the public hearing open would allow the applicant the opportunity to speak regarding this request. City Council granted the applicant's request and the public hearing would remain open until the January 21, 2020 City Council meeting.

Mayor Pro Tem Broadaway opened the public hearing. The following person spoke:

Jerry Futrell stated good evening City Council. My name is Jerry Futrell. This past November, two years ago, myself, my wife Carol and MJ took over this property because of the death of MJ's brother. We came into the situation with really the number of games we have right now. After the flood and after fixing the building, a year ago, prior to November, which would have been our first year in business, with us three, we went through the inspections process, we made several upgrades to the building, electrical, and that process is when we found out we won't in compliance as far as the number of machines. Because we had been told they had already been stepped up. Since we have taken over the business, we have made substantial improvement in the property. Outside lighting, to increase the lighting all the way around the building. I have pictures (Exhibit 1) that show our overflow parking potential, if we need it. I have pictures showing that evening that we had roughly about 100-120 people in the establishment, we still had plenty of parking due to the fact that very seldom does a husband and wife if they come to play, drive separate vehicles. I bring in on an average on a Thursday, Friday and Saturday night we have clients, or people that come to play with us, that come from as far away as Wilmington and they actually bring a small van and they have 8-9 people that play. They eat supper in Goldsboro prior to coming to our establishments, so they are adding to the economy of Goldsboro. We have not said they we have not or did not want to increase parking, we are more than willing to increase parking if the city council says that you'd like us to do it. We've just put a bunch of money in the landscaping, as far as we've replanted grass, we've worked our butts off this past summer trying to get the grass to grow in rocks. Because at one time, the whole back parking, the whole back area of his business was really no more than a truck stop at some I think you said, MJ. And the property has been in the family for three generations, his grandfather run Western Steakhouse, I'm not sure if anyone is old enough to remember it, I know I don't remember it. But we have done substantial work and I'd love y'all to see the pictures we have done. We've had pruning done to the pecan trees here. This is the first picture I'm handing you. As you can see, we've done some over seeding for the winter, we've tried to keep the grass seed we've planted this year. As of right now we've had 52 marked parking spots but all along the front side of this building is opportunity to park, but we have not marked them because this area is a grey area as far as the city of, they said that could be right-of-way and I shouldn't actually mark them, but I can add 22-25 parking spaces along the front of the building. This is where we added some more shrubbery. We've added approximately 30 azaleas, and boxed them in nice and added trees. Added a whole ridgeline of trees along the back side of the property. Added roses around the building. I think we've increased the visual aspect of the building easily 100-150 percent. These pictures here show the evening I was talking about. We had roughly 100-126 people in the business. As you can tell, the parking lot is nowhere near full. We still had approximately, I had it wrote down, think we still had roughly 18 parking spaces that night. And this is another view from the back, this is the parking, this is where we can have overflow parking. If we need to this area is very well lit. I mean to the extent that you can play a baseball game inside it. Because we had Duke Energy come in and add

approximately six extra lights over what we had initially. I've always said that I would much rather do something by the book, the way an inspector says to do it, and I have dealt with inspections going on thirty years, then try to hide something and that's how we came about finding out we were not in accordance and that is where we stand. If you have any questions I'd love to answer them if I can.

Councilmember Polack stated I hate to hear about your situation, the last meeting, glad to see you here tonight. Very familiar with that area, I remember when it was a different establishment, a few years back that I went to in college, it was called Teasers at that time. The first thing I noted was you know that it is a flood zone, and as a fireman you had calls back there, we see the water table and based on the topography, it is a low lying area. So we realize, even though you say you have overflow parking in the rear, it needs to be paved because the water table being high in the ground, cars tend to, you are expecting to expand to 101, based on my calculations if you have 52 spots you have three people to a car and I don't really see that. I know a couple of people who own internet cafes, gambling is an addiction, just like anything else, I'm all about entrepreneurship and the American dream, but this city is already riddled with poverty. My friend told me he has 6 machines and on average a day can generate about \$15,000 per day. Based on calculations of 101, what would be your projections on the money you take in, could you possibly donate to the community, what would the city gain?

Mr. Futrell stated I will say from my experience, my wife does the bookkeeping for our business, I know what type of machines your friend has, I do not allow those types of machines in my business. I say that from the revenue you say that it makes in a day. The average person who comes into my gameroom is 35 plus. I have a bunch of older clientele, I really don't want a younger clientele. A younger clientele is rambunctious. I have a clientele that I think of as my family, and we worked hard to build that clientele. One of the reasons that come is because it is a quiet gameroom, two, I have floor runners that will bring them drinks, I offer a good clean facility. I invite you call to come and look at my facility. We work hard to maintain that facility. As far as what do I put back into my community, I employ 17 people, out of my 17 employees, I can honestly say that only one of my employees is not a single parent. I pay my employees well above minimum wage, in a job anywhere that would pay roughly minimum wage. The starting salary is roughly \$11 per hours and even offering insurance. I try to treat my employees fairly, I pride myself that we do everything above the table. We pay taxes. I can see in the future if this is allowed permanently that this could be a very good tax revenue for the city. I do say, we have many of times reached out to people in the community in need that did not even know we did, just because we had the ability. We helped bury family members and they did not know we did that. I appreciate the opportunity to speak and thank you for allowing me to speak tonight.

No one else spoke and the public hearing was closed.

No action necessary. Planning Commission will have a recommendation for the City Council's meeting on February 3, 2020.

Planning Commission Excused.

Public Comment Period. Mayor Pro Tem Broadaway opened the public comment period. The following people spoke:

1. Alicia Pierce shared comments regarding Item I. Boards and Commissions. Ms. Pierce suggested the board chair bring recommendations to the city council.
2. Kalen Williams stated rest in peace Ms. Pinky Jacobs and suggested Council recognize her contributions to the community. He also shared concerns regarding flooding at West Haven. He questioned how the Neuse River was named.
3. Yvonnia Moore stated I also want to send my condolences to Ms. Jacobs' family. She also shared comments regarding Martin Luther King, the MLK event held by the City and the Community Relations Director.

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

42nd Annual Greater Goldsboro Road Run—Temporary Street Closing. Approved. An application was received from the Scott Edwards, requesting permission for the Sunrise Kiwanis Club to hold their 42nd Annual Greater Goldsboro Road Run on April 18, 2020 from 7:00 a.m. to 11:30 a.m.

The race is scheduled to begin and end on Center Street and runs through the downtown area of Walnut, Jefferson, Ash, Chestnut and Mulberry Streets.

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 street closings on Center, Walnut, Ash, Jefferson, Chestnut and Mulberry Streets on April 18, 2020 from 7:00 a.m. to 11:30 a.m. in order that the 42nd Annual Greater Goldsboro Road Run event may take place, subject to the above conditions. Consent Agenda Approval. Ham/Aycock (6 Ayes)

Departmental Monthly Reports. Accepted As Information. The various departmental reports for December 2019 were submitted for the Council's approval. It was recommended that Council accept the reports as information. Consent Agenda Approval. Ham/Aycock (6 Ayes)

End of Consent Agenda.

Advisory Board and Commission Appointments. There are currently several vacancies on Advisory Boards and Commissions. Citizen involvement is vital to the performance of City government. It is necessary that additional appointments be made in an effort to fill these vacancies.

Recommendations for appointments were requested from the respective Boards and Commissions. Applications were also solicited from the public at large.

The City Council met during the Work Session on December 16, 2019 and January 6, 2020, to review vacancies and applications received to fill the current vacancies. With these appointments, one vacancy on the Goldsboro Municipal Golf Course Committee and one vacancy on the Local Firefighters Relief Fund Board of Trustees remain.

Councilmember Aycock made a motion to adopt the following entitled Resolution appointing members to various Advisory Boards and Commissions in the City of Goldsboro. Councilmember Ham seconded the motion. Mayor Pro Tem Broadaway, Councilmembers Polack, Ham and Aycock voted in favor of the motion. Councilmembers Williams and Matthews voted against the motion. The motion passed 4:2.

RESOLUTION 2020-6 "RESOLUTION APPOINTING MEMBERS TO ADVISORY BOARDS AND COMMISSIONS"

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

Mayor and Councilmembers' Reports and Recommendations. Councilmember Williams stated first I would like to apologize for our work session, I was a little irritable, so I apologize to anyone who may have felt I was harsh to them. We loss Pinky Jacobs who has done so much for this community. She has been like my number one supporter from my district. She died on Sunday and it is a great loss. She was my friend. She cared about this community more than anybody that I know, she fed people's children, she clothed people's children, she opened her house up and let strangers live with her. She paid peoples rent out of her own pocket, she cleaned up the community, stood up to our mayor, to councilmembers, to anyone she felt was not being fair. I am going to miss her, she was a true hero, she did what the Bible teaches us to do, she lived it, Pinky Jacobs, she was the realest person I ever knew. It seems like a nightmare, she was just in my store. She helped me advocate for the Summer Youth Employment Program. I just pray people do what she talked about, that it takes a village, we need reinforcements. She wrote letters to young men who were incarcerated. So I apologize to this Council, I was going through some things. I pray God holds the family together and if she has ever done something good for you, acknowledge that. She left a legacy, she was on 38 years old.

Councilmember Polack stated I would be remised if I did not piggy back off what Councilmember Williams said. Ms. Jacobs spoke with Friday, in reference to advocating for one of her constituents, thought it was mine, possibly. We have had a consistent relationship for years, I am very thankful that I could record several sessions where she spoke to my class. My students wanted me to be a vessel for them tonight to offer their condolences to the Jacobs' family as well as today, we did a lot of playbacks on YouTube where she spoke to my class. As Councilmember Williams said, she opened her doors to about 40% of the students I teach daily, and I have seen the things she has instilled in them, I do not want to say she is gone, I want to say she has transitioned and her spirit resonates in the students at Goldsboro High School. We will keep the family in our prayers.

Mayor Pro Tem Broadaway stated sometime Ms. Jacobs and I did not see eye to eye but I always really respected her. She stood for what's right and didn't care who she said it too. I always respected her. I would like to congratulate everyone for their work with the MLK celebration. He stated Congressman Butterfield's speech was wonderful, he has done a lot for this city.

Councilmember Matthews stated thank you everyone for coming out tonight. I too have to echo Councilmember Williams and Councilmember Polack. Pinky was one of the first persons I met when I moved back here from college when I wanted to get into community and giving back. I've been running with her ever since. It is a terrible loss. Some of my most fondest memories of Pinky is her standing right here at this podium, sharing love and sharing life. No matter how she was received, on this side of the table, as a Black woman to see her at that capacity was so important to me. Throughout this campaign as things were being political, I would look forward to her early morning messages to just tell me to stand firm in my truth. Pinky is passing the baton, I am picking it up and I will continue to stand in my truth.

Councilmember Ham stated about a year after I came on Council having seen Ms. Jacobs come before us and seeing her speak and advocate for things she felt to do so. I called her and I said how about you and I get together for lunch, I'd like to know more about you and you about me. We met at Toreros and spent about an hour and twenty minutes just chatting. That showed me, she was willing to reach out and understand my philosophies, my background and vice versa. I always appreciate her doing so.

Councilmember Aycock stated one thing about Pinky that I always thought so much about her was she could come up here and chastise us and do it in a way we did not get angry. She did it in a way we understood what she was saying. She was such a gentle soul. I send my condolences to her family. Councilmember Aycock stated I accept your apology Councilmember Williams.

There being no further business, the meeting adjourned at 8:11 p.m.

Bill Broadway
Mayor Pro Tem

Melissa Capps, MMC/NCCMC
City Clerk