

MINUTES OF THE MEETING OF THE GOLDSBORO CITY COUNCIL
MARCH 21, 2022

WORK SESSION

The City Council of the City of Goldsboro, North Carolina, met in a Work Session in the Council Chambers, City Hall, 214 North Center Street, at 5:00 p.m. on March 21, 2022.

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

Roll Call.

Present: Mayor David Ham, Presiding
Mayor Pro Tem Taj Polack
Councilwoman Hiawatha Jones
Councilman Bill Broadaway
Councilwoman Brandi Matthews
Councilman Charles Gaylor, IV
Councilman Gene Aycock

Also Present: Tim Salmon, City Manager
Holly Jones, Deputy City Clerk
Laura Getz, City Clerk
Ron Lawrence, City Attorney

Adoption of the Agenda. Mayor Ham requested the addition of an item under Old Business, Review of COVID Mask Policy. Upon motion of Councilman Broadaway, seconded by Councilman Aycock, and unanimously carried, Council adopted the agenda as amended.

Old Business.

Review of COVID Mask Policy. Mayor Ham referenced the Governor’s most recent report, and recommended changing the current mask policy to make masks optional in all City facilities and vehicles for employees and visitors.

Council discussed the mask policy and COVID. Councilman Broadaway made a motion to change the mask policy to optional. The motion was seconded by Councilman Aycock. Mayor Ham, and Councilmembers Jones, Broadaway, Gaylor, and Aycock voted for the motion. Mayor Pro Tem Polack and Councilwoman Matthews voted against the motion. The motion passed 5:2.


New Business.

309 Walnut Street Sewer Issue. Zachary E. Lilly discussed the sewer issues at 309 West Walnut Street. He stated that the issue has been ongoing since 2017. Mr. Lilly shared that the City had previously stated they would replace/repair the line if the surrounding property owners granted easements or the work to be completed. He stated that permission to enter/access property has been provided by all owners of surrounding properties. Mr. Lilly is requesting that the City take responsibility and fix the problem. Rick Fletcher, Public Works Director, stated that the line is private and there is no record that the City installed a line across the properties. He clarified facts for Council. Ron Lawrence, City Attorney, confirmed that the City does not have the right to maintain a private line on a private property.

Council discussed the sewer issue. Councilman Broadaway made a motion to defer the issue until the April 4, 2022 Council meeting so that further research could be conducted. The motion was seconded by Councilman Gaylor and unanimously carried.

NCLM Voting Delegate. Councilman Aycock made a motion to designate City Manager Tim Salmon as the voting delegate for the NCLM Board of Directors election. The motion was seconded by Councilman Broadaway and unanimously carried.

Utility Rates. Council discussed raising utility rates. The average increase to individual water bills was stated for increases ranging from 5-20%. The following information was presented.

<div><p>Public Utility Rates</p><p>Tim Salmon, City Manager March 21st, 2022</p><p> <small>www.goldsboronc.gov</small></p></div>	<div><p>Stantec Findings and Recommendations Dec 6, 2021</p><ul style="list-style-type: none">• Current water and sewer rates are not sufficient to meet the needs of the utility systems• Rate increases will be required in the coming years• Level of capital investment in water and sewer systems is the significant driver for rate increases• Even with increases water and sewer rates will result in utility bills that are within the average utility bills in surrounding communities in North Carolina<p>2</p></div>
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Capital Improvement Projects
(Edited From Stantec Rate Study)

Type of Project (\$ Millions)	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	Total
Engineering	\$4.79	\$11.58	\$13.34	\$3.37	\$7.21	\$0.11	\$3.14	\$ 0.88	\$32.42
Water Treatment Plant	1.29	2.54	5.39	0.35	0.31	95.00	0.22	0.87	105.1
Water Reclamation Facility	2.74	3.58	65.00	0.19	0.19	0.19	0.69	1.09	73.67
Compost Facility	0.40	0.50	0.60	0.20	0.37	0.20	0.41	0.62	3.30
Vehicles & Equipment	0.40	0.40	0.40	0.40	0.40	0.40	0.40	0.40	3.60
Total	\$9.62	\$18.60	\$72.73	\$4.50	\$8.48	\$95.90	\$4.86	\$2.97	\$218

*Projects shown in current dollars. Financial model assumes 3% annual inflation in capital costs beginning in 2022

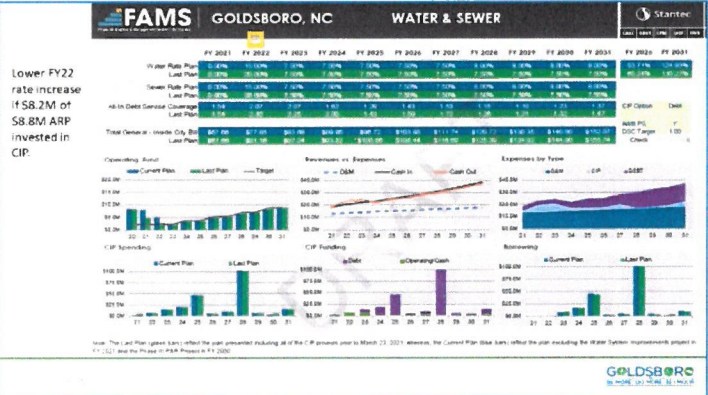
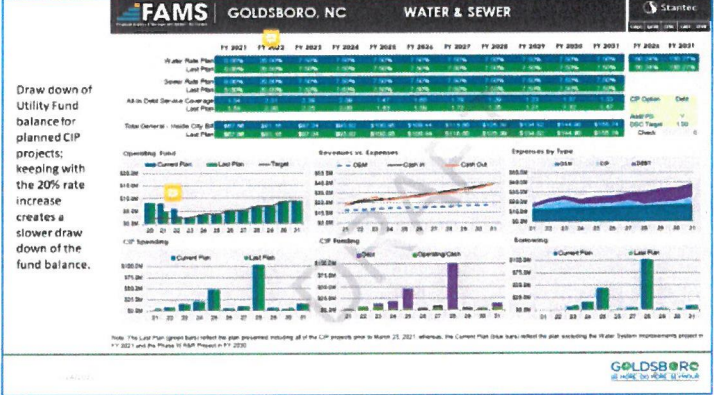
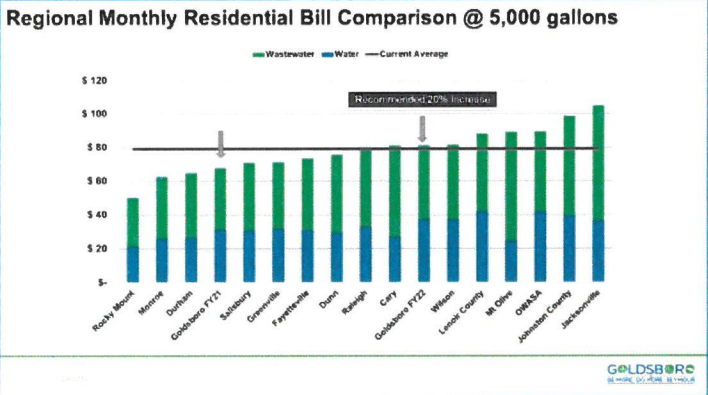
• CIP totals \$218 million (2023 – 2030)

• Projects are primarily funded with debt

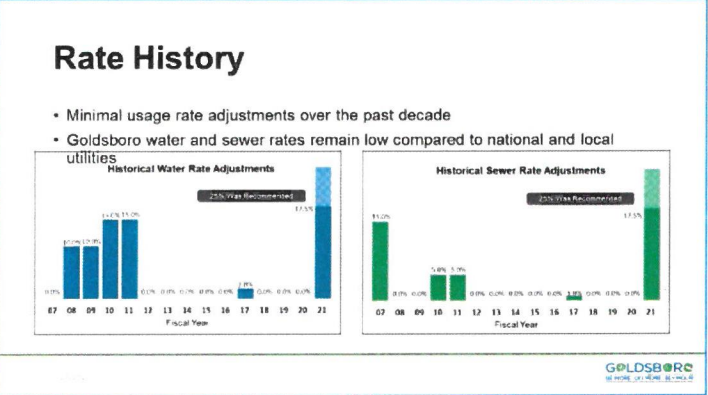
5-Year Revenue Sufficiency Full Capital Plan - Forecast Increases
(Edited From Stantec Study)

	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Operating Expenses	\$14,315,496	\$15,260,126	\$15,752,078	\$16,292,299	\$16,749,248
Existing and Future Debt Service	3,753,541	4,083,041	5,414,139	8,309,640	8,562,774
Cash Funded Capital	5,849,967	2,063,770	1,618,771	597,008	951,445
Total Revenue Requirements	23,919,004	21,406,937	22,784,988	25,199,947	26,263,467
Rate Increases	20%	15%	15%	12%	10%
Revenues with Rate Increases	\$21,456,950	\$24,679,493	\$28,376,817	\$31,782,015	\$34,940,238
ARPA Funds	2,558,994				
Annual (Shortfall) / Surplus	(\$98,140)	\$3,268,556	\$5,591,829	\$6,583,088	\$8,696,771
Residential Customer Bill	\$81.19	\$93.37	\$107.38	\$120.26	\$132.28

Regional average current bill is approximately \$83



Questions?



Councilwoman Matthews suggested using ARPA funds instead of raising utility rates. The need for a customer assistance/hardship program was also discussed. Council proposed establishing a hardship account and/or establishing a commission at the next meeting. Council discussed the criteria to consider for citizens to qualify for hardship once a commission is established. Councilwoman Matthews requested information be sent to Council stating were the money from the 17.5% increase was spent.

Councilman Broadway made a motion to increase utility rates by 20%. The motion was seconded by Councilman Gaylor. Mayor Ham, Mayor Pro Tem Polack, and Councilmembers Broadway, Aycock, and Gaylor voted for the motion. Councilmembers Matthews and Jones voted against the motion. The motion passed 5:2.

NPO Support. Options were discussed to determine who will decide how money is to be dispersed to local non-profit organizations. Councilman Broadway stated that the United Way could vet the organizations to determine the legitimacy and need of the organizations. Councilwoman Matthews expressed concern that many worthy organizations may be overlooked by the United Way.

Councilman Gaylor made a motion to table the discussion to the April 4, 2022 Council Meeting. The motion was seconded by Councilwoman Jones and unanimously carried.

GWTA Board Appointment. Councilwoman Jones made a motion to table the discussion to the April 4, 2022 Council Meeting. The motion was seconded by Mayor Pro Tem Polack and unanimously carried.

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

CITY COUNCIL MEETING

The City Council of the City of Goldsboro, North Carolina, met in Regular Session in Council Chambers, City Hall, 214 North Center Street, at 7:01 p.m. on March 21, 2022.

Mayor Ham called the meeting to order at 7:01 p.m.

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

Roll Call.

Present: Mayor David Ham, Presiding
Mayor Pro Tem Taj Polack
Councilwoman Hiawatha Jones
Councilman Bill Broadaway
Councilwoman Brandi Matthews
Councilman Charles Gaylor, IV
Councilman Gene Aycock

Also Present: Tim Salmon, City Manager
Holly Jones, Deputy City Clerk
Laura Getz, City Clerk
Ron Lawrence, City Attorney

Mayor Pro Tem Polack made a motion to clarify that the utility rate increase was for FY 22-23. The motion was seconded by Councilman Gaylor. Mayor Ham, Mayor Pro Tem Polack, and Councilmembers, Broadaway, Gaylor, and Aycock voted for the motion. Councilmembers Jones and Matthews voted against the motion. The motion passed 5:2.

Approval of Minutes. Councilman Broadaway made a motion to approve the minutes of the Council Retreat of February 21-22, 2022, and the minutes of the Joint Meeting of March 1, 2022. The motion was seconded by Councilman Aycock and unanimously carried.

Presentations.

Resolution in Support and Honor of the People of Ukraine and the Men and Women Assigned to Seymour Johnson Air Force Base. Resolution adopted. On February 24, 2022, Russia, ignoring international law, territorial boundaries and humanitarian values, did without provocation, launch a full-scale invasion of the peaceful, independent and sovereign nation of Ukraine. Such unprovoked actions have caused the death of thousands of innocent Ukrainian men, women, and children. Additional millions of Ukrainian women and children were forced to leave their homes to seek safety in neighboring countries leaving behind their husbands and sons to valiantly defend their homeland and fend off the invading Russian forces who with complete disregard of humanitarian value have unleashed severe and deliberate destruction and death upon the land. Men and women of the United States Air Force assigned to Seymour Johnson Air Force Base in Goldsboro, North Carolina have deployed to various locations throughout Europe to prevent further Russian aggression that might extend upon those countries. Those deploying airmen leave behind spouses, children and other loved ones to bear the burden and sacrifices of the known and unknown as they wait, for the duration of this tragic war has no timetable to end. The City of Goldsboro, North Carolina offers moral support and recognition for the bravery, courage and dedication to the people of Ukraine as they stand firm and defiantly against the invading Russian regime. The City of Goldsboro, North Carolina, the proud home of Seymour Johnson Air Force base, recognizes the bravery, dedication to service and commitment of its uniformed men and women as they stand ready for any mission given and also to their loved ones here in the Goldsboro area who await their safe reunion. This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 21st day of March, 2022.

Upon motion by Mayor Pro Tem Polack, seconded by Councilwoman Jones, and unanimously carried, Council adopted the following entitled Resolution.

RESOLUTION NO. 2022- 23 “RESOLUTION IN SUPPORT AND HONOR OF THE PEOPLE OF UKRAINE AND THE MEN AND WOMEN ASSIGNED TO SEYMOUR JOHNSON AIR FORCE BASE”

Eagle Scout Jonah Williams Recognition. Councilman Aycock presented Jonah Williams with a certificate in recognition of achieving the rank of Eagle Scout.

Redistricting Maps. Marshall Hurley (Marshall Hurley PLLC), Caroline Mackie (Poyner-Spruill), and Bill Gilkeson presented the following information for options for Goldsboro Redistricting.

Goldsboro City Council Alternative Redistricting Maps

Local Redistricting Service
March 21, 2022
Marshall Hurley, Attorney Marshall Hurley PLLC
Caroline Marston, Attorney Caroline Marston PLLC
Bill E. Nelson, Mapmaker

Standard Disclaimers

- We did not use partisan considerations or look at partisan election data in drawing these alternative maps.
- We did not talk with any individual board member about drawing these maps outside of a public meeting.

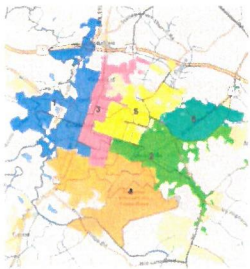
Criteria followed:

- We used the corrected Census data for Goldsboro's population. We included the 593 people incorrectly counted in a sliver outside the city limits next to Neuse Correctional Center.
- We observed the legal requirements of one person one vote – all the districts are within the deviation range of plus or minus 5% from the ideal district population number. Using the corrected Census data, that ideal number for the six City Council districts in Goldsboro is 5,708.
- We avoided pairing incumbents – none of the three options pair incumbents. Each of the six incumbents would keep the same district number as now.
- We tried to preserve the cores of existing districts in all three alternatives. More about this in a minute.

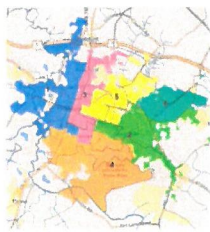
Additional goals:

- Try to make the districts compact.
- Avoid dilution of minority voting strength.
- Avoid racial gerrymandering.

Current Districts



Current districts' population deviations



District Number	Corrected 2020 Total Pop	Ideal Dist Pop	Raw Number Deviation from Ideal Pop	Percent Deviation from Ideal Pop
1	5,495	5,708	-213	-3.73%
2	6,147	5,708	+439	+7.69%
3	5,669	5,708	-39	-0.68%
4	5,532	5,708	-176	-3.08%
5	6,024	5,708	+316	+5.54%
6	5,679	5,708	-29	-0.51%
City Total	34,250			

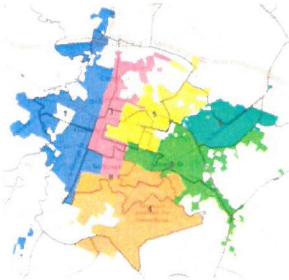
Why can't all the districts within the 5% range be left alone?

- Goldsboro is an object lesson in why that isn't always possible.
- Districts 3, 4, and 6 are within the plus or minus 5%.
- But they can't all be left alone in the same plan.
- District 1 needs to gain at least 425 people to get past minus-5%. District 1 sits on the western edge of town, and touches only Districts 3 and 4. It must get those people from either District 3 or from District 4 or from both.
- So Districts 3 and 4 can't both be left alone in the same map.
- The following three options approach this reality in three different ways.

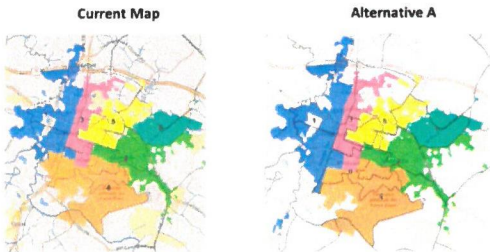
How the three options deal with this reality:

- Option A leaves District 3 untouched, but gives District 1 its needed territory by taking from District 4.
- Option B leaves District 4 untouched, but gives District 1 its needed territory by taking from District 3.
- Option C gives District 1 territory from both Districts 3 and 4, but each of those districts loses less territory than in Options A or B.
- District 6, which sits in the northeast corner of town, can be left untouched in all three options. And it is.

Goldsboro Option A



Side by side comparison with current map



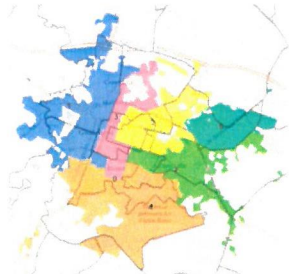
Option A – population and deviation

District Number	Corrected 2020 Total Pop	Ideal Dist Pop	Raw Number Deviation from Ideal Pop	Percent Deviation from Ideal Pop
1	5,495	5,708	-213	-3.73%
2	5,602	5,708	-106	-1.86%
3	5,669	5,708	-39	-0.68%
4	5,827	5,708	+119	+2.08%
5	5,978	5,708	+270	+4.73%
6	5,679	5,708	-29	-0.51%
City Total	34,250			

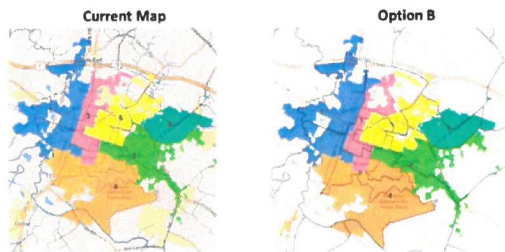
Characteristics of Alternative A

- District 3 is left untouched.
- District 1 makes up its deficit by taking territory from District 4 south of downtown.
- District 4 takes territory from District 2 in the residential part of Seymour Johnson AFB.
- District 2 takes three blocks on East Ash Street from District 5. Otherwise District 5 is unchanged.
- As in all the options, District 6 is unchanged.
- As in all the options, all incumbents are in a separate district with the same district number as now.

Goldsboro Option B



Side by side comparison with current map



Option B population and deviation

District	2020 Total Pop	Ideal Dist Pop	Raw Number	
			Deviation from Ideal Pop	Percent Deviation from Ideal Pop
1	5,615	5,708	-93	-1.63%
2	5,722	5,708	+14	+0.25%
3	5,932	5,708	+224	+3.92%
4	5,532	5,708	-176	-3.08%
5	5,770	5,708	+62	+1.09%
6	5,679	5,708	-29	-0.51%
City Total	34,250			

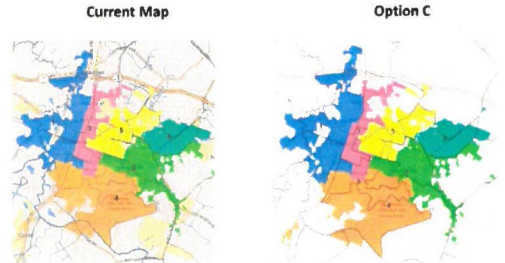
Characteristics of Alternative B

- District 4 is left untouched.
- District 1 makes up its deficit by taking territory from District 3 downtown, north of downtown, and in the Greenleaf area.
- District 3 takes territory from District 5 west of Goldsboro High School and west of Wayne Memorial Drive.
- District 5 takes territory from District 2 in the neighborhoods west of the Berkeley Mall.
- As in all the options, District 6 is unchanged.
- As in all the options, all incumbents are in a separate district with the same district number as now.

Goldsboro Option C



Side by side comparison with current map



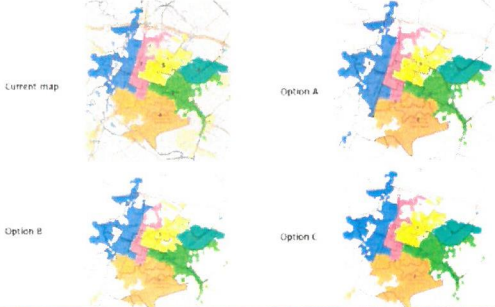
Alternative C - population and deviation

District	2020 Total Pop	Ideal Dist Pop	Raw Number	
			Deviation from Ideal Pop	Percent Deviation from Ideal Pop
1	5,457	5,708	-251	-4.40%
2	5,930	5,708	+222	+3.89%
3	5,472	5,708	-236	-4.13%
4	5,781	5,708	+73	+1.28%
5	5,931	5,708	+223	+3.91%
6	5,679	5,708	-29	-0.51%
City Total	34,250			

Characteristics of Option C

- District 1 makes up its deficit by going into both Districts 3 and 4.
- District 3 loses less of its western edge than in Option B. District 3 does not take the territory west of Wayne Memorial Drive from District 5 that it takes in Option B.
- District 4 loses less of the area south of downtown than in Option A. District 4 takes less territory in Seymour Johnson from District 2 than it does in Option A.
- District 5 is less changed than in Option B. It keeps the area on Wayne Memorial Drive it would lose in Option B and keeps the blocks along Ash Street it would lose in Option A. District 5 does not take the territory west of Berkeley Mall that it takes in Option B. The only change to District 5 is on its western border with District 3.
- District 2 loses less of Seymour Johnson than in Option A and does not gain or lose territory with District 5.
- As in all the options, District 6 is unchanged.
- As in all the options, all incumbents are in a separate district with the same district number as now.

Side by side comparison of all 4 maps



Demographic comparison for all 4 maps

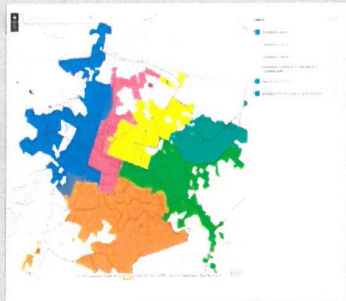
Black % of Total Population						White % of Total Population							
District	Current	Unchanged	Current	Option A	Option B	Option C	District	Current	Unchanged	Current	Option A	Option B	Option C
1	63.96	63.57	65.28	63.92	64.91		1	29.69	30.51	28.61	29.47	28.42	
2	40.96	40.96	44.82	42.68	42.53		2	45.72	45.71	42.61	43.88	44.54	
3	69.34	69.31	69.31	68.91	68.11		3	22.92	22.88	22.88	23.42	24.21	
4	64.01	64.01	55.47	64.01	60.21		4	26.48	26.48	33.71	26.48	29.63	
5	57.79	57.77	57.86	59.98	57.90		5	52.82	51.80	52.79	57.56	52.75	
6	42.85	42.85	42.85	42.85	42.85		6	45.04	45.04	45.04	45.04	45.04	
Black % of Voting Age Population						White % of Voting Age Population							
District	Current	Unchanged	Current	Option A	Option B	Option C	District	Current	Unchanged	Current	Option A	Option B	Option C
1	60.17	60.00	62.32	61.11	62.21		1	31.16	31.99	31.84	32.77	31.61	
2	59.91	59.91	42.68	41.83	41.06		2	48.21	48.21	46.14	46.23	47.47	
3	66.42	66.39	66.39	65.46	64.56		3	28.26	28.52	28.53	28.87	27.98	
4	65.22	63.22	64.04	63.22	60.08		4	27.51	27.51	35.50	27.51	29.96	
5	54.99	54.99	54.43	49.66	54.51		5	36.78	36.84	36.79	41.88	38.78	
6	41.30	41.30	41.30	41.18	41.30		6	47.22	47.22	47.22	47.22	47.22	

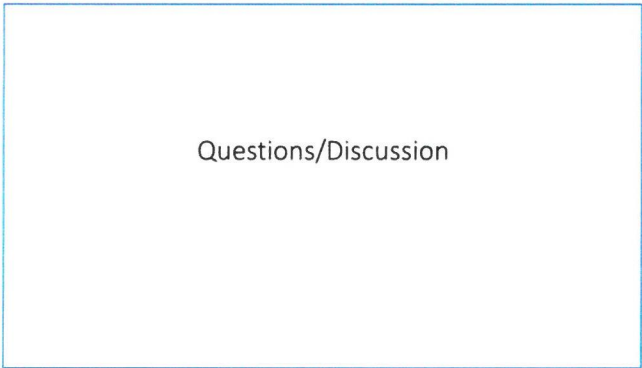
Next Steps

- Discuss alternative maps
- Public hearing on some or all plans
- Vote on selected plan and adopt resolution
- We will export final plan to Board of Elections

Interactive Map

- <https://mapfigurenc.maps.arcgis.com/apps/webappviewer/index.html?id=75d3abcdeeb9471fa214452124d04540>





Questions/Discussion

Public Hearings.

Z-1-22 Angelita Morrisroe – East of N. William Street between Wilson St. and E. US 70 Hwy. service road and within the corporate City limits. Public Hearing Held. The applicant is requesting a change of zone from Residential (R6) to General Business (GB) for two (2) private lots which are of continuous frontage and under single ownership within the Residential (R6) zoning district.

If approved, the owner will be required to recombine the lots into one for commercial development purposes meeting the requirements of the General Business (GB) zoning district.

Frontage: 92 ft. (Wilson St.)

90 ft. (E. Hwy. 70 SR)

Area: 18,030 sq. ft. or 0.41 acres

SURROUNDING ZONING:

- North: Residential (R-6)
- East: Residential (R-6)
- West: General Business (GBCZ)

One of the two private lots is currently vacant. The other lot is occupied by a single-family dwelling.

The City’s Land Use Plan recommends High-Density Residential development for the property.

City water and sewer are available to serve the property. The subject property is not located in a Special Flood Hazard Area. Grading and drainage plans may be required.

Mayor Ham opened the Public Hearing and the following person spoke:

- 1. Sergio Sanchez spoke in favor of the rezoning. He stated they have done much cleaning up on the property, and are trying to make Goldsboro a better place.

No one else spoke and the public hearing was closed.

No action necessary. The Planning Commission will have a recommendation at the Council meeting on April 4, 2022.

Z-2-22 Eastern Hill, Inc. – South side of E. Elm Street between Crawford St. and Beale St. and within the corporate City limits. Public Hearing Held. The applicant is requesting a change of zone from Residential (R6) to General Business (GB) for three (3) private lots which are of continuous frontage and under single ownership within the Residential (R6) zoning district.

If approved, the owner will be required to recombine the lots into one for commercial development purposes meeting the requirements of the General Business (GB) zoning district.

In addition, a variance will be required for one of the three lots consisting of an existing non-conforming commercial building which does not meet the required front setback of 20ft. along E. Elm, Crawford and Hugh St.

Frontage: 159.4 ft. (E. Elm St.), 97.3 ft. (Crawford St.) and 146.3 ft. (Hugh St.)

Area: 14,385 sq. ft. or 0.33 acres

SURROUNDING ZONING:

- North: General Business (GB)
- South: Residential (R-6)
- East: Residential (R-6)
- West: General Business (GB)

Two of the three lots fronting E. Elm St. are vacant. The third lot at the corner of E. Elm and Crawford consists of an existing non-conforming, one-story brick-veneer and concrete block commercial building of approximately 1,782 sq. ft.

The City’s Land Use Plan recommends High-Density Residential development for the property.

The applicant intends to rehabilitate the existing commercial building for business and professional services.

City water and sewer are available to serve the property. The subject property is not located in a Special Flood Hazard Area. Grading and drainage plans may be required.

Mayor Ham opened the Public Hearing and the following person spoke:

1. Henry King asked Council to clarify that the property would be rezoned to commercial. Council confirmed that the request was for the property to be rezoned from residential to commercial.

No one else spoke and the public hearing was closed.

No action necessary. The Planning Commission will have a recommendation at the Council meeting on April 4, 2022.

Z-3-22 RBV Investments, LLC. – North side of E. US 70 Hwy. between Corbett St. and N. Oak Forest Dr. and located in the corporate City limits. Public Hearing Held. The applicant is requesting a change of zone for the subject property from Residential Single-Family Conditional Zoning (R-9SFCZ) to Residential Conditional Zoning (R-9CZ) limiting the property to a townhome development complex consisting of one-hundred and seven (107) units.

According to the City's UDO, the proposed development shall meet the Multi-Family and Townhome development design standards of the R-9 zoning district.

Frontage: +400 ft. (Corbett St.)

Area: 599,385 sq. ft. or 13.7 acres

SURROUNDING ZONING:

North: Office and Institutional (O &I-1)

South: Residential (R-16/R-12SF), Office and Institutional (O &I-1)

East: Residential (R-16)

West: Residential (R-16)/Neighborhood Business (NB)

On November 4, 2013, the Goldsboro City Council concurred with the recommendation of the Planning Commission and adopted an ordinance changing the zoning for the subject property from Residential (R-12SF) to Residential (R-9 SFCZ) and approved a conceptual plan for a total of 42 single-family lots. The site was never developed.

Currently, the property consists of agricultural farmland.

The City's Land Use Plan recommends Commercial development.

The submitted preliminary site plan indicates a total of one-hundred and seven (107) townhome units.

Access to the site will be directly from the Corbett St. terminus off of McClain St. The applicant intends to extend Corbett St. and construct two new roads built to City standards for formal dedication and acceptance into the City's street network.

Parking for the site requires two spaces per unit for 1 and 2 BR apartments and three spaces for units over 3 BRs. Staff is working with developer to ensure compliance with the City's parking ordinance.

A common area equal to twenty percent (20%) of the entire development (excluding rights-of-way) shall be preserved, maintained and improved by the development owner for active recreational use by residents of the development. The site plan shows open space equal to forty-four percent (44%) of the developed area.

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.

External City sidewalks are required and are shown for the proposed development utilizing handicap accessible slopes and ramps. Additional sidewalks will be required along interconnecting streets for future development purposes.

A commercial lighting plan has not been submitted. Since the subject property is located adjacent to residentially-zoned and developed properties, the developer will be required to submit a lighting plan in compliance with the City's Commercial Lighting ordinance.

Interconnectivity has been shown for the site off of Corbett St. and Seymour Village Dr.

Subject property is located within the City limits of Goldsboro. As such, City water and sewer are available to serve the property. The property is not located within a special flood hazard area. City Engineering will require approval of storm water calculations and drainage plans prior to issuance of any building permits.

Street trees have been provided along the proposed townhome street network. A Type B 15 ft. wide landscape buffer is required along all property lines and has been shown for the development.

All utilities shall be underground.

At least twenty-four square feet of individual enclosed storage space shall be provided for each dwelling unit.

Commercial dumpsters will be utilized for garbage collection. Staff will ensure that dumpster corals are properly constructed and appropriately screened from off-site views in accordance with City standards.

Building elevations have not been submitted. Staff will ensure all townhome development design standards are met per the requirements of the City’s Unified Development Ordinance prior to issuance of any building permits.

Mayor Ham opened the Public Hearing and the following person spoke:

1. Al Strickland stated he has come before Council previously, and expressed concern that the SF designation may be removed from the property. He asked that the SF designation not be removed, regardless of how the property is developed. It was recommended that he attend the Planning Commission meeting March 28, 2022 at 7 PM.

No one else spoke and the public hearing was closed.

No action necessary. The Planning Commission will have a recommendation at the Council meeting on April 4, 2022.

Z-4-22 KRP Investments, LLC. – East side of Wayne Memorial Dr. between Fourth St. and Gracie Pl. and located in the corporate City limits. Public Hearing Held. The applicant is requesting a change of zone for a portion of the subject property (approximately 3 acres) from Office and Institutional (O & I-1) to Residential (R-6CZ) Conditional Zoning district limiting the use of the property to a three (3) story multi-family development complex consisting of sixty-three (63) units for individuals fifty-five (55) years of age and older. Remaining acreage will be reserved for future development.

According to the City’s UDO, the proposed development shall meet the Multi-Family and Townhome development design standards of the R-6 zoning district.

Frontage: +40.8 ft. (Fourth St.)
Area: 631,620 sq. ft. or 14.5 acres

SURROUNDING ZONING:

- North: Office and Institutional (O &I-1)
- South: Office and Institutional (O & I-1), Residential (R-9), Neighborhood Business (NB)
- East: Residential (R-9)
- West: Residential (R-9)/Office and Institutional (O & I-1)

The property currently consists of agricultural farmland and woodlands.

The City’s Land Use Plan recommends Office and Institutional development. Multi-family developments are a permitted use in the Office and Institutional (O & I-1) zoning district and must meet the development requirements of the closest, most restrictive zoning district. According to the City’s Land Use Plan, higher residential densities are recommended and should be encouraged since City water and sewer are available to serve the property.

The submitted preliminary site plan indicates one, three-story apartment building containing a total of 63 units.

Access to the site will be directly from the E. Fourth Street terminus. The applicant intends to construct and formally dedicate a public road built to City standards approximately 800 ft. eastward to the site and incorporate into the City’s street network.

Parking for the site requires two spaces per unit for 1 and 2 BR apartments. 24 of the 63 total units will be 1-bedroom units and 39 will be 2-bedroom units. A total of 126 parking spaces are required and only 71 spaces have been shown on the preliminary site plan. Staff is working with developer to meet the City’s commercial parking ordinance.

A common area equal to twenty percent (20%) of the entire development (excluding rights-of-way) shall be preserved, maintained and improved by the development owner for active recreational use by residents of the development. 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. Staff is working with the developer to ensure compliance with this requirement.

External City sidewalks are required and are not shown for the proposed development. Staff is working with the developer to meet this requirement.

Internal concrete sidewalks are shown providing access to building entrances through sloped ramps and handicap accessible walkways.

A commercial lighting plan has not been submitted. Since the subject property is located adjacent to residentially-zoned and developed properties, the developer will be required to submit a lighting plan in compliance with the City’s Commercial Lighting ordinance.

Subject property is located within the City limits of Goldsboro. As such, City water and sewer are available to serve the property. The property is not located within a special flood hazard area. City Engineering will require approval of storm water calculations and drainage plans prior to issuance of any building permits.

Street trees have been provided along the private access drive leading to the senior living facility. A Type B 15 ft. wide landscape buffer is required along all property lines with the exception of the eastern property line which will require a Type A 10 ft. wide buffer yard. Vehicular surface area landscape requirements must be met. Staff is working with the applicant to ensure landscape requirements are met per the requirements of the City’s Unified Development Ordinance.

Commercial dumpsters will be utilized for garbage collection. Staff will ensure that dumpster corals are properly constructed and appropriately screened from off-site views in accordance with City standards.

Building elevations been submitted. Roofing will consist of architectural shingles. Wall siding will consist of fiber cement cedar shakes, decorative brackets and brick-veneer.

Staff will ensure all multi-family development design standards are met per the requirements of the City’s Unified Development Ordinance prior to issuance of any building permits.

Mayor Ham opened the Public Hearing and the following person spoke:

- 1. Davis Ray (KRP Investments). A site plan was passed out to Council. Mr. Ray wanted to be available if council had any questions. Council had no questions at this time.

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

No action necessary. The Planning Commission will have a recommendation at the Council meeting on April 4, 2022.

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

- 1. Willie Baptiste asked about the progress at Goldsboro High School. He made suggestions concerning the railroad. Mr. Baptiste also addressed concerns about the lack of response to a recent 911 call.
- 2. Alicia Pierce expressed concern about the utility rate increase and asked council to reconsider the increase.
- 3. Dr. David Craig expressed concern about the utility rate increase.
- 4. Anthony Slater stated that work has begun at Goldsboro High School. He also expressed concern about the utility rate increase.
- 5. Henry Battle expressed concern that 324 South James Street was sold for \$1.
- 6. Matthew Roberts asked questions about the utility rate increase.

No one else spoke and the public hearing was closed.

Consent Agenda – Approved as Recommended. City Manager Tim Salmon presented the Consent Agenda. All items were considered to be routine and could be enacted simultaneously with one motion and a roll call vote. If a Councilmember so requested, any item(s) could be removed from the Consent Agenda and discussed and considered separately. In that event, the remaining item(s) on the Consent Agenda would be acted on with one motion and roll call vote. Councilman Aycock moved the items on the Consent Agenda, Items I-O be approved as recommended by the City Manager and staff. The motion was seconded by Mayor Pro Tem Polack and a roll call vote resulted in all members voting in favor of the motion.

The items on the Consent Agenda were as follows:

Location of the 135th USCT Civil War Trail Marker. Approved. On March 27, 1865, a column of African American men in new blue uniforms marched down Center Street in front of Gen. William Sherman’s headquarters and mustered in as the 135th United States Colored troops. They no longer belonged to enslavers, but belonged as free men to the US Army.

The Travel & Tourism Department/Visit Goldsboro would like to relocate the current Civil War Trails signs located at the Wayne County Museum to the 200 Block of South Center Street. Project to include:

- One interpretive Civil War Trails Branded Sign 24x36 inches promoting the history of the 135th US Colored Infantry Regiment formed in Goldsboro, NC, March 1865 as a part of General William T. Sherman’s Army.
- One single post “Trailblazer” sign to be located within Goldsboro’s Center Street Streetscape, installed adjacent to handicap accessible City sidewalk and behind public benches.

It was recommended that the Council approve the 135th USCT Civil War Trail Marker to be located to the 200 Block of South Center Street. Consent Agenda Approval. Aycock/Polack (7 Ayes)

Supply Agreement between Sonoco Recycling LLC and the City of Goldsboro (COG). Resolution adopted. Sonoco, the Material Recycling Facility (MRF) that currently accepts our recycled materials, would like to enter into a “Supply Agreement” to ensure they continue to receive our recyclable goods.

Sonoco has worked with the COG over the last three years as the recycle industry adapted to new demands and requirements when the market compressed. They are the City’s MRF of choice already and the supply agreement would be mutually beneficial. Sonoco would be assured to receive our product, which they need to instill confidence in their corporate leaders and businesses that rely on the recycled materials for processing into new products. More importantly, the City would get a \$5.00 per ton reduction in the baseline rate used to determine our costs—reducing it from the current rate of \$122.50 per ton to \$117.50 per ton. Additionally, it guarantees the COG a place to take its recycled goods should the market compress. The first customers Sonoco will deny service to will be those who do not have supply agreements.

It was recommended that City Council adopt the following entitled resolution authorizing the City Manager and Finance Director to enter into a mutually beneficial supply agreement with Sonoco Recycling LLC. Consent Agenda Approval. Aycock/Polack (7 Ayes)

RESOLUTION NO. 2022-24 “RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE SUPPLY AGREEMENT BETWEEN THE CITY OF GOLDSBORO AND SONOCO RECYCLNG”

Ratifying the Actions Taken Regarding Water Tank Communications Colocation Lease Agreements and Approving Amendment to T-Mobile Lease. Resolutions adopted. The City of Goldsboro owns water tanks located at 904 Harris Street, 100 E. Holly Street, 621 N. Madison Avenue and 512 E. New Hope Road. The city has entered into agreements with US Cellular, T-Mobile and Open Broadband for the installation of cellular and broadband antenna facilities on city water tanks.

Pursuant to NC General Statute 160A-272, staff is requesting that council ratify the actions of the city council at their meeting on September 21, 2015 and approve the agreement with US Cellular.

Also pursuant to NC General Statute 160A-272, staff is requesting that council ratify the actions of the city council at their meeting on January 3, 2017 and approve the agreement with T-Mobile (including the 2022 amendment), and the agreement with Open Broadband.

The agreements were entered into without the proper notice and resolution requirements being met. The information below describes the lease agreement dates, name of the company the city entered into the agreement with and the lease amounts for each lease.

1. T-Mobile original agreement dated January 10, 2017
 - a. Location- 671 N. Madison Avenue – Annual lease amount is \$26,400. The annual lease base fee would increase by 3% annually for the term of the lease. The initial lease term is five (5) years, and automatically renews for four (4) additional five (5) year terms.
2. US Cellular agreement dated September 21, 2015
 - a. Location-904 Harris Street -- Annual lease amount \$26,400. The annual lease base fee would increase by 3% annually for the term of the lease. The initial lease term is five (5) years, and automatically renews for four (4) additional five (5) year terms.
3. Open Broadband agreement dated December 8, 2020
 - a. Locations- 904 Harris Street, 100 E. Holly Street, 621 N. Madison Avenue, 512 E. New Hope Road- The annual rental fee is free use of 50 Mbps internet service at each tower location for use as the City sees fit, including but not limited to free public Wi-Fi to the community and use by city personnel. The initial license to use term is five (5) years, and automatically renews for one (1) additional five (5) year term.
4. T-Mobile amendment to the January 10, 2017 agreement dated March 2022
 - a. Location -- 671 N. Madison Avenue – The additional annual lease amount is \$1,800.00. The annual lease base fee would increase under the same terms and conditions as the regular lease payment at 3% annually.

It was recommended that Council adopt a resolution ratifying the actions taken by council at the July 6, 2015 meeting, and approving the agreement with US Cellular. It was also recommended that Council adopt the following entitled resolution ratifying the actions taken by council at the January 3, 2017 meeting, and approving the original and amendment to the agreement with T-Mobile. It was further recommended that the Council adopt the following entitled resolution ratifying the actions of city staff and approving the agreement with Open Broadband. The original agreements are attached. Consent Agenda Approval. Aycock/Polack (7 Ayes)

RESOLUTION NO. 2022-25 “RESOLUTION RATIFYING THE ACTIONS OF THE GOLDSBORO CITY COUNCIL AND APPROVING AN AGREEMENT WITH US CELLULAR”

RESOLUTION NO. 2022-26 “RESOLUTION RATIFYING THE ACTIONS OF CITY STAFF AND APPROVING AN AGREEMENT WITH T-MOBILE AND OPEN BROADBAND”

Advisory Board and Commission Appointments. Resolutions adopted. 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 March 7, 2022, to review vacancies and applications received to fill the current vacancies. With these appointments, no vacancies remain.

It is also customary for the City of Goldsboro to express its appreciation by Resolution to those members whose terms have expired, who have moved, or have resigned.

It was recommended that Council adopt the following entitled Resolutions, appointing members to various Advisory Boards and Commissions in the City of Goldsboro, and commending those individuals whose terms have expired, who have moved, or have resigned. Consent Agenda Approval. Aycock/Polack (7 Ayes)

RESOLUTION NO. 2022-27 “RESOLUTION APPOINTING MEMBERS TO ADVISORY BOARDS AND COMMISSIONS”

RESOLUTION NO. 2022-28 “RESOLUTION COMMENDING INDIVIDUALS WHO HAVE SERVED ON VARIOUS ADVISORY BOARDS AND COMMISSIONS OF THE CITY OF GOLDSBORO AND DIRECTING THE MAYOR ON BEHALF OF THE CITY COUNCIL TO PRESENT THE INDIVIDUALS WITH A CERTIFICATE OF APPRECIATION”

Adoption of a Supplement to the Code of Ordinances of Goldsboro, North Carolina. Ordinance adopted. In 1990, an agreement was reached between the North Carolina League of Municipalities and the City of Goldsboro to engage American Legal Publishing Company to revise the Code of Ordinances of Goldsboro. The revised Code was published in 1995.

The agreement stated that American Legal Publishing Company would prepare supplements for incorporation of new Ordinances to the City Code of Ordinances on a recurring basis. In compliance with this agreement, the City has received the S-46 Supplement. This Supplement contains all Ordinances of a general nature enacted since the S-45 Code of Ordinances dated June 7, 2021.

It was recommended that Council adopt the following entitled Ordinance enacting and adopting the 2022 S-46 Supplement to the Code of Ordinances of the City of Goldsboro. Consent Agenda Approval. Aycock/Polack (7 Ayes)

ORDINANCE NO. 2022-8 “AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES OF THE CITY OF GOLDSBORO, NORTH CAROLINA”

Departmental Monthly Reports – January and February. Accepted as Information. The various departmental reports for January 2022 and February 2022 were submitted for Council approval. It was recommended that Council accept the reports as information. Consent Agenda Approval. Aycock/Polack (7 Ayes)

End of Consent Agenda.

Items Requiring Individual Action.

Consider a Proposal to Provide Economic Incentives to the Mount Olive Pickle Company. Resolution Adopted. The Mount Olive Pickle Company has been in business in Mount Olive since 1926. Pursuant to NC General Statue 158-7.1, a public hearing was held on March 7, 2022 to review a proposal for the City of Goldsboro to provide economic incentives to the Mount Olive Pickle Company, Inc. totaling \$600,000 over a ten-year period based on a performance agreement with a \$45,450,000 investment and the creation of 167 full-time jobs in Goldsboro.

Mount Olive Pickle Company, Inc. will incur costs in purchasing facilities and adding machinery and equipment to such facilities, and the County and City will realize economic benefits due to the expansion of the ad valorem tax base (an estimated \$2,100,000 for the City over the first ten-years) and the creation of employment opportunities for the citizens thereof.

Mount Olive Pickle Company, Inc.'s expansion in Goldsboro depends in part on the support of the NC Department of Commerce \$22 million grant for utility infrastructure, the County, and City in terms of incentives, including, but not limited to, adequate water and wastewater infrastructure and financial grants.

A grant by the County and the City to the Mount Olive Pickle Company, Inc. in the amount of One Million Two Hundred Thousand Dollars (\$1,200,000) would be an incentive for such investment by the Mount Olive Pickle Company,

Inc. to assist the same pay a portion of the costs of the investment, and that such incentives be designated as an “Economic Development Grant”.

Staff recommends Council adopt the following Resolution authorizing the Mayor and City Clerk to execute a performance agreement with the Mount Olive Pickle Company, Inc.

Mayor Pro Tem Polack made a motion to approve the Resolution, the motion was seconded by Councilman Gaylor, and unanimously carried.

RESOLUTION NO. 2022-29 “RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A PERFORMANCE AGREEMENT WITH MOUNT OLIVE PICKLE COMPANY, INC.”

City Manager’s Report. Tim Salmon shared that the fountain was dyed green for St. Patrick’s Day. The fountain was dyed blue, and the lights tinted yellow on March 21, 2022 in honor of Ukraine.

Ceremonial Documents.
Resolution Expressing Appreciation For Services Rendered By Linwood (Worth) Smith As An Employee Of The City Of Goldsboro For More Than 19 Years. Resolution Adopted. Linwood (Worth) Smith retires on April 1, 2022 as a Park Technician with the Parks and Recreation Department of the City of Goldsboro with more than 19 years of service. Worth began his career on February 12, 2003 as a Laborer II with the Golf Course Division of the Parks and Recreation Department. On August 1, 2007, Worth was promoted to Senior Maintenance Worker with the Parks and Recreation Department. On November 16, 2011, Worth’s position was reclassified as Park Technician with the Parks and Recreation Department where he has served until his retirement. Worth has proven himself to be a dedicated and efficient public servant who has 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 Linwood (Worth) Smith their deep appreciation and gratitude for the service rendered by him to the City over the years, and express to Worth our very best wishes for success, happiness, prosperity, and good health in his future endeavors. This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 21st day of March, 2022.

Upon motion by Councilman Broadway, seconded by Councilwoman Jones, and unanimously carried, Council adopted the following entitled Resolution.

RESOLUTION NO. 2022-30 “RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY LINWOOD (WORTH) SMITH AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 19 YEARS”

Resolution Expressing Appreciation For Services Rendered By Dwight Tyndall As An Employee Of The City Of Goldsboro For More Than 7 Years. Resolution Adopted. Dwight Tyndall retires on April 1, 2022 as a Plant Maintenance/Mechanic Operator with the Public Utilities Department of the City of Goldsboro with more than 7 years of service. Dwight began his career on February 4, 2015 as an Operator I with the Public Utilities Department. On May 23, 2018, Dwight was transferred to Compost Plant Operator with the Public Utilities Department. On June 19, 2019, Dwight was promoted to Plant Maintenance/Mechanic Operator with the Public Utilities Department where he has served until his retirement. Dwight has proven himself to be a dedicated and efficient public servant who has 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 Dwight Tyndall their deep appreciation and gratitude for the service rendered by him to the City over the years, and express to Dwight our very best wishes for success, happiness, prosperity, and good health in his future endeavors. This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 21st day of March, 2022.

Upon motion by Mayor Pro Tem Polack, seconded by Councilman Gaylor, and unanimously carried, Council adopted the following entitled Resolution.

RESOLUTION NO. 2022-31 “RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY DWIGHT TYNDALL AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 7 YEARS”

Child Abuse Prevention Month Proclamation. Read by Councilman Gaylor, Mayor David Ham proclaimed April 2022, as CHILD ABUSE PREVENTION MONTH in Goldsboro, North Carolina and called upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

Mayor and Councilmembers’ Comments.
Councilman Aycock apologized for missing the last meeting due to health issues.

Councilman Gaylor acknowledged the difficult decision made to raise the utility rates, and shared hope that such a decision would not be needed again in the near future.

Councilwoman Matthews had no comment.

Mayor Pro Tem Polack shared that Goldsboro High School was being repaired, and thanked all of those supporting the repairs. He also assured that a board would be put in place to address hardships that may affect citizens in regards to the utility rate increase.

Councilman Broadaway thanked everyone for their condolences and cards.

Councilwoman Jones stated she was displeased with the 20% utility rate increase. She called for council to assist her to create a committee to address the hardships created by the increase. Ms. Jones also challenged the churches to assist their members in need during this time. She thanked the City Manager for fixing the pothole on Hooks River Road, and for visiting Isler Street.


Mayor Ham commended the Council for speaking their opinions respectfully and maintaining their demeanor during the difficult discussions had during the meeting. He also asked everyone to pray for the soldiers that have been deployed overseas since the Fall, and their families.


Closed Session. Mayor Ham closed Regular Session, and Council convened into Closed Session to discuss litigation and personnel matters.

Council came out of Closed Session.

The meeting adjourned at 9:09 p.m.




David Ham
Mayor


Holly Jones
Deputy City Clerk



Zach Lilly <zach@eastpointegroup.com>

Re: Sewage Backup

14 messages

Rick Fletcher <RFletcher@goldsboronc.gov>
To: Zach Lilly <zach@eastpointegroup.com>
Cc: Donald McMullen <DMcMullen@goldsboronc.gov>

Thu, Mar 30, 2017 at 5:06 PM

Mr. Lilly,

There is no sewage line running down Walnut St that you could tap/tie into for your service. Even if there were, you would be responsible for the cost to run the line from your house to the street.

After looking into your situation/ concern and visiting the area in question, I've come to the same conclusion as my predecessor. The line in question is a private line and not maintained by the City.

All property owners are responsible for installing and maintaining the sewage lines running from their respective homes to the City's main line (tap) in the street.

I know this is probably not what you wanted to hear, but it is the guidance we are obligated to follow.

Respectfully,
Rick

Sent from my iPhone

On Mar 24, 2017, at 6:18 PM, Zach Lilly <zach@eastpointegroup.com> wrote:

Rick,

I have had issues with my sewage backing up in the past and the city refused to make any repairs stating the line is a "private main".

My address is 309 W Walnut St. I live in the heart of the historic district and am thoroughly confused! It seems as if a main runs behind the houses to the public main on Virginia street. Is there not a main on Walnut between George and Virginia? What in the world is a "private main"?

My solution to the problem is to cap off the main from all of the properties up the hill as I am not accommodating that apartment building. There is no easement nor permit on record. That being said, the main would fall into the category of encroachment.

I really hate to do this and would love to see the city take ownership of this line in the historic district.

-Zach
919-288-0688



Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review by anyone at any time.

Zach Lilly <zach@eastpointegroup.com>

Thu, Mar 30, 2017 at 7:57 PM

To: Rick Fletcher <RFletcher@goldsboronc.gov>

Rick,

Can I set up a time to meet with you? It is a very unique situation. There are no easements or permits on record for the line. The line services 4 properties (that I know of).

v/r
Zachary E. Lilly, Realtor
East Pointe Group
C: 919-288-0688

[Working With Real Estate Agents Brochure](#)

[Quoted text hidden]

Rick Fletcher <RFletcher@goldsboronc.gov>
To: Zach Lilly <zach@eastpointegroup.com>

Fri, Mar 31, 2017 at 11:36 AM

Mr. Lilly,

We can get together and discuss next week—let me know when you are available.

Thanks,
Rick

Richard E. A. Fletcher III

Public Works Director

City of Goldsboro

Office: 919-739-7413 Cell: 919- 333-0554

F 919- 739-7442

www.goldsboronc.gov



[Quoted text hidden]

Zach Lilly <zach@eastpointegroup.com>
To: Rick Fletcher <RFletcher@goldsboronc.gov>

Fri, Mar 31, 2017 at 11:47 AM

Rick,

My schedule next week is super flexible. Just let me know what works for you.

[Quoted text hidden]

Rick Fletcher <RFletcher@goldsboronc.gov>
To: Zach Lilly <zach@eastpointegroup.com>
Cc: Donald McMullen <DMcMullen@goldsboronc.gov>

Mon, Apr 3, 2017 at 7:12 AM

Mr. Lilly,

Unfortunately, my schedule isn't so flexible. The earliest I can meet is Thursday around 10:00 A.M. Do you want to meet at your property?

[Quoted text hidden]

Rick Fletcher <RFletcher@goldsboronc.gov>
To: Zach Lilly <zach@eastpointegroup.com>
Cc: Donald McMullen <DMcMullen@goldsboronc.gov>

Wed, Apr 12, 2017 at 9:01 AM

Zach,

I called and left a message. We need permission to go on your property and access the sewer line in order to trace it out. Are you OK with us going on your property?

Thanks,
Rick

Sent from my iPhone

On Apr 3, 2017, at 7:12 AM, Rick Fletcher <RFletcher@goldsboronc.gov> wrote:

Mr. Lilly,

Unfortunately, my schedule isn't so flexible. The earliest I can meet is Thursday around 10:00 A.M. Do you want to meet at your property?

Thanks,
Rick

Richard E. A. Fletcher III

Public Works Director

City of Goldsboro

Office: 919-739-7413 Cell: 919- 333-0554

F 919- 739-7442

www.goldsboronc.gov

<image001.jpg>

From: Zach Lilly [<mailto:zach@eastpointegroup.com>]
Sent: Friday, March 31, 2017 11:47 AM
To: Rick Fletcher <RFletcher@goldsboronc.gov>
Subject: RE: Sewage Backup

Rick,

My schedule next week is super flexible. Just let me know what works for you.

On Mar 31, 2017 11:36 AM, "Rick Fletcher" <RFletcher@goldsboronc.gov> wrote:

Mr. Lilly,

We can get together and discuss next week—let me know when you are available.

Thanks,
Rick

Richard E. A. Fletcher III
Public Works Director
City of Goldsboro
Office: 919-739-7413 Cell: 919- 333-0554
F 919- 739-7442
www.goldsboronc.gov

<image001.jpg>

[Quoted text hidden]



To: Rick Fletcher <RFletcher@goldsboronc.gov>

Sorry Rick. I'm out of town with limited phone access. You have my permission to do whatever you need to do.

[Quoted text hidden]

Rick Fletcher <RFletcher@goldsboronc.gov>

Wed, Apr 12, 2017 at 2:26 PM

To: Zach Lilly <zach@eastpointegroup.com>

Cc: Donald McMullen <DMcMullen@goldsboronc.gov>

Zach,

We've installed the sweeps and cleanouts at the street and sent a camera through your sewage line. The problem is in your neighbor's yard, about 25 feet from your fence. At least that's where the camera wouldn't go any further.

We can't continue repairs until you get easements for the surrounding properties. We'll need access for the equipment and will be digging along the property line.

Let us know when the easements are approved and we'll schedule the repairs.

Thanks,

Rick

Richard E. A. Fletcher III

Public Works Director

City of Goldsboro

Office: 919-739-7413 Cell: 919- 333-0554

F 919- 739-7442

www.goldsboronc.gov



[Quoted text hidden]

Zach Lilly <zach@eastpointegroup.com>

Wed, Apr 12, 2017 at 2:36 PM

To: aangelo@goldsboronclawyers.com

Anne,

I'm out of town but could you pass this on to Jim and see what we need to do to get the easments.

[Quoted text hidden]

Zach Lilly <zach@eastpointegroup.com>
To: Rick Fletcher <RFletcher@goldsboronc.gov>

Wed, Apr 12, 2017 at 2:38 PM

Rick,

Thank you so much. I forwarded your email to Mr. Womble's office so he can get the easements recorded.

[Quoted text hidden]

Anne Angelo <aangelo@goldsboronclawyers.com>
To: Zach Lilly <zach@eastpointegroup.com>

Wed, Apr 12, 2017 at 2:38 PM

Will do.

Thanks,

Anne

Anne M. Angelo, Legal Assistant

EVERETT, WOMBLE & LAWRENCE, LLP

Phone: 919-778-6707

Fax: 919-751-2598

aangelo@goldsboronclawyers.com

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Anne Angelo <aangelo@goldsboronclawyers.com>
To: Zach Lilly <zach@eastpointegroup.com>

Wed, Apr 12, 2017 at 3:40 PM

I referred your e-mail to Mr. Womble. He said to please call him when you get back in town.

Thanks,

Anne

Anne M. Angelo, Legal Assistant
EVERETT, WOMBLE & LAWRENCE, LLP
Phone: 919-778-6707
Fax: 919-751-2598
aangelo@goldsboronclawyers.com

From: Zach Lilly [mailto:zach@eastpointegroup.com]
Sent: Wednesday, April 12, 2017 2:37 PM
To: aangelo@goldsboronclawyers.com
Subject: Fwd: RE: Sewage Backup

Anne,

[Quoted text hidden]
[Quoted text hidden]
[Quoted text hidden]

[Quoted text hidden]

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[Quoted text hidden]

Zach Lilly <zach@eastpointegroup.com>
To: Billy Strickland <billy@stricklandlawnc.com>

Wed, Jan 12, 2022 at 4:38 PM

Mr. Strickland,

I spoke to Mr. Fletcher a few minutes ago via phone. He stated that the line is not owned by the City and that it is a private line. In the emails below, he stated that the City would repair the line if an easement was recorded. The easement was recorded and the line never repaired. His argument is that he and Mr. Womble were both mistaken at that time.

I know you have a lot going on. Just get back to me when you can.

Sincerely,

Zachary E. Lilly, Realtor
East Pointe Group
C: 919-288-0688
Web: www.ZachLilly.com



[Working With Real Estate Agents Brochure](#)

----- Forwarded message -----

From: Rick Fletcher <RFletcher@goldsboronc.gov>
Date: Wed, Apr 12, 2017 at 2:26 PM
Subject: RE: Sewage Backup
To: Zach Lilly <zach@eastpointegroup.com>
Cc: Donald McMullen <DMcMullen@goldsboronc.gov>

[Quoted text hidden]

Zach Lilly <zach@eastpointegroup.com>
To: David Ham <damwham@msn.com>

Fri, Jan 14, 2022 at 12:27 PM

Mayor Ham,

Please see email traffic below. I have also attached the easement for your convenience.

The reason this issue is coming up again (5 years later) is at the time this was going on, I was pegged for a 2 month TDY to Utah for weapons testing. Upon my return, I sold the house with owner financing terms (Contract for Deed). I was just able to regain possession of the property this past fall. While having repairs done to the property, it was brought to my attention that there was still an issue with sewage backing up in the yard and the house. I had my plumber go out and snake the line. He informed me that the pipe had failed on my neighbors property.

I sincerely appreciate you taking time to look into this issue. Don't hesitate to reach out if there is anything you need from my end.

Sincerely,

Zachary E. Lilly, Realtor
East Pointe Group
C: 919-288-0688
Web: www.ZachLilly.com



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[Quoted text hidden]



easement.pdf
344K

Doc ID: 011724350003 Type: CRP
Recorded: 02/05/2018 at 02:07:08 PM
Fee Amt: \$26.00 Page 1 of 3
WAYNE COUNTY, NC
JUDY HARRISON REGISTER OF DEEDS
BK **3351** PG **636-638**

Indexed

3-26-18

NORTH CAROLINA

DEED OF EASEMENT

WAYNE COUNTY

THIS DEED OF EASEMENT made this the 26th day of April, 2017, by and between ZACHARY EDWARD LILLY, whose address is 211 W. Ash Street, Goldsboro, NC 27530, party of the first part, and the CITY OF GOLDSBORO, a municipal corporation, whose address is P. O. Drawer A, Goldsboro, NC 27533, party of the second part;

WITNESSETH

That for and in consideration of the sum of \$1.00 and other good and valuable considerations paid by the party of the second part to the party of the first part, the receipt of which is hereby acknowledged, the party of the first part has bargained and sold, and by these presents does bargain, sell and convey unto the party of the second part, and its successors and assigns, that certain permanent sanitary sewer and utility easement for the purpose of constructing, operating and maintaining a permanent sanitary sewer line and other utilities under and across the lands of the party of the first part, together with right of ingress and egress thereto and therefrom for the purpose of such construction, operation and maintenance. Said easement is described as follows:

Being that easement as described and shown across the property of Zachary Edward Lilly at 309 W. Walnut Street, Goldsboro, NC, the same being shown on a map attached hereto and made a part hereof.

RETURN

PREPARED BY: JAMES D. WOMBLE, JR.
Everett, Womble & Lawrence, LLP, Attorneys at Law
Post Office Drawer 1678, Goldsboro, NC 27533

G:\ANNE\aa\cog\Easements\lilly zachary to city sanitary sewer easement.wpd

It is further understood and agreed in connection with the granting and purchasing of this easement and right-of-way:

1. That the easement and right-of-way herein conveyed confers upon the party of the second part and its contractor the right to remove any building, fence, appliances, etc., that may obstruct construction within said sanitary sewer and utility easement.
2. That the party of the second part shall also have the right to remove and keep clear such bushes and trees and pull up such stumps from the easement and right-of-way herein granted as may be reasonably necessary to construct, operate, and maintain said permanent sanitary sewer and utilities within the easement, but will remove from the premises of the party of the first part any trees or bushes so removed and any such stumps pulled up.
3. That the party of the second part shall cause to be replaced all dirt in as reasonably good condition as the same existed before said sanitary sewer and utility easement was conveyed.
4. That the party of the first part shall continue to have the use and enjoyment of the premises herein conveyed so long as such use and enjoyment does not materially interfere with the construction, operation and maintenance of said permanent sanitary sewer and utilities within the easement.

WITNESS the signature and seal of the party of the first part, this the day and year first above written.

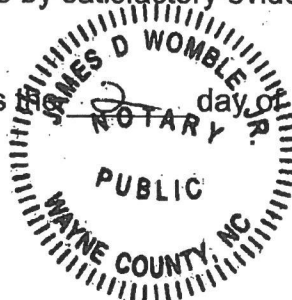
Zachary E. Lilly (SEAL)
ZACHARY EDWARD LILLY

STATE OF NORTH CAROLINA
COUNTY OF WAYNE

I, James D. Womble JR, a Notary Public in and for the aforesaid State and County, do hereby certify that ZACHARY EDWARD LILLY personally appeared before me this day, ☒ personally known to me -OR- ☐ proved to me by satisfactory evidence, and acknowledged to me that he signed it voluntarily for its stated purpose.

WITNESS my hand and notarial seal, this 8 day of Feb, 2018.

James D. Womble JR, Notary Public
Printed Name of Notary



My Commission Expires:

Oct 8, 2020

THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A
LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND
DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE
WITH RECORDING REQUIREMENTS FOR PLATS.

