

**REVISED**

**GOLDSBORO CITY COUNCIL  
REGULAR MEETING AGENDA  
MONDAY, OCTOBER 7, 2019**

*(Please turn off, or silence, all cellphones upon entering the Council Chambers)*

**I. WORK SESSION – 4:00 P.M. – CITY HALL ADDITION, 200 N. CENTER ST., ROOM 206**

**II. ADOPTION OF THE AGENDA**

***CLOSED SESSION***

Economic Development, Potential Litigation and Personnel Matters

***OLD BUSINESS***

A. Jaylen Suggs (Juju) Remembrance Discussion (Councilmember Foster)

***NEW BUSINESS***

B. NC Freedom Festival (Parks and Recreation) ***\*Attachment Included***

**III. CALL TO ORDER – 7:00 P.M. – COUNCIL CHAMBERS, 214 N. CENTER ST.**

Invocation (Pastor Dan Baer, St. Luke United Methodist Church)

Pledge of Allegiance

**IV. ROLL CALL**

**V. APPROVAL OF MINUTES (\*Motion/Second)**

A. Minutes of the Work Session and Regular Meeting of August 5, 2019

**VI. PRESENTATIONS**

**VII. PUBLIC COMMENT PERIOD (TIME LIMIT OF 3 MINUTES PER SPEAKER)**

**VIII. CONSENT AGENDA ITEMS (\*Motion/Second--Roll Call)**

B. Special Revenue Fund Budget Amendment – Community Development Block Grant Special Revenue fund (Finance)

C. Resolution – Rural Housing Recovery Infrastructure Grant – DISBURSEMENT (Finance)

D. Authorization to dispose of real property to Wayne County under N.C. General Statute §160A-274 (Sale, lease, exchange and joint use of governmental property) (Finance)

E. Contract Award – 2019 Wastewater Collection System Rehabilitation & Storm Sewer Improvements Project – Formal Bid No. 2019-007 (Engineering)

F. Informal Bid No. 2018-006: Essential Single-Family Rehabilitation Loan Pool – Disaster Recovery (ESFRLP-DR) Program (Community Relations)

G. Resolution Authorizing the Mayor and City Clerk to Execute a Memorandum of Understanding with the County of Wayne (City Attorney)

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

- I. CU-9-19 Goldsboro Brew Works, LLC – The property is located on the southwest corner of W. Chestnut Street and S. James Street (Planning)
- J. CU-10-19 Regina Exum - North side of Royall Avenue between Jefferson Street and Teakwood Drive (Adult Day Care) (Planning)
- K. CU-11-19 Louis Antonio Jimenez-East side of S. NC 111 Hwy between Mollie Drive and Sheridan Forest Road (Planning)
- L. Z-16-19 KG Plaza, LLC – East side of Eleventh Street between Norwood Avenue and Englewood Drive (Planning)
- M. Z-17-19 KG Plaza, LLC – East side of Eleventh Street between Norwood Avenue and Englewood Drive (Planning)
- N. Z-18-19 KG Plaza, LLC – West side of Eleventh Street between Norwood Avenue and Englewood Drive (Planning)

**IX. ITEMS REQUIRING INDIVIDUAL ACTION (*\*Motion/Second*)**

**X. CITY MANAGER'S REPORT**

**XI. MAYOR AND COUNCILMEMBERS' REPORTS AND RECOMMENDATIONS**

**XII. CLOSED SESSION (if necessary, additional time)**

**XIII. ADJOURN**

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# NC FREEDOM FEST

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[www.goldsboronc.gov](http://www.goldsboronc.gov)





# Purpose

- To receive Council approval for the City to host and coordinate “NC Freedom Fest 2020” on Armed Forces Day to honor and celebrate the sacrifices of our Armed Forces.

# Proposed Events

- Scheduled coordinated daily activities week leading up to Saturday's festival
- Example:
  - Paramount Movie Night
  - Trivia Night
  - Golf Tournament
  - Center Street Jam
- Festival on Saturday, May 16<sup>th</sup> planning to include Car Show, Kids Zone, Military Appreciation Awards, Wings of Wayne Cook-off, just to name a few

# Costs

- Expenses associated with the week of events will be covered by sponsorship monies raised. The event will be scalable, meaning, we can adjust the elements based upon the success of the sponsorship campaign.
- Several sponsorship levels will be available
- The City is not being asked to fund these events; however, City employees will be working at these events

# Benefits

- Honor our NC Military Communities
  - Seymour Johnson Air Force Base, Marine Corps Air Station Cherry Point, Marine Corps Base Camp Lejeune, Fort Bragg Army Base, and Marine Corps Air Station New River
- Provide food and entertainment to enhance the quality of life for our residents and visitors.
- Support our military friendly non-profit organizations and businesses.

# NC FREEDOM FEST



TRIVIA NIGHT



GOLF TOURNAMENT



CENTER STREET JAM



PARAMOUNT MOVIE NIGHT

# NC FREEDOM FEST



WINGS OF WAYNE



MILITARY APPRECIATION



HELICOPTER RIDES



FIREWORKS



# NC FREEDOM FEST



# NC FREEDOM FEST



MEMORIALS



HISTORY DISPLAY



MILITARY VEHICLES



VIP TENT



# Questions??

MINUTES OF MEETING OF THE MAYOR AND CITY COUNCIL HELD  
AUGUST 5, 2019

**WORK SESSION**

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

Present: Mayor Chuck Allen, Presiding  
Mayor Pro Tem Bill Broadaway  
Councilmember Antonio Williams  
Councilmember Bevan Foster  
Councilmember David Ham  
Councilmember Gene Aycock  
Ron Lawrence, Attorney  
Tim Salmon, City Manager  
Randy Guthrie, Assistant City Manager  
Melissa Capps, City Clerk  
LaToya Henry, Public Information Officer  
Octavius Murphy, Assistant to the City Manager  
Jennifer Collins, Planning Director  
Scott Williams, IT Director  
Felicia Brown, Interim P&R Director  
Mike Wagner, Deputy Public Works Director – Utilities  
Rick Fletcher, Public Works Director  
Joe Dixon, Fire Chief  
Julie Metz, DGDC Director  
Bernadette Dove, HR Director  
Catherine Gwynn, Finance Director  
Marty Anderson, City Engineer  
Davin Madden, Public Health Director  
Ken Conners, News Director-Curtis Media Group East  
Eddie Fitzgerald, News Argus Reporter  
Lonnie Casey, Citizen  
Bobby Mathis, Citizen  
Della Mathis, Citizen  
Yvonnia Moore, Citizen  
Carl Martin, Citizen  
Sylvia Barnes, Citizen  
Mark Pope, Wayne County Development Alliance  
Myelle Thompson, Citizen  
David Craig, Citizen (arrived at 6:38 p.m.)

Absent: Councilmember Mark Stevens

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

**Adoption of the Agenda.** Mayor Allen stated he would request Council add resignation letter from Councilmember Mark Stevens to the agenda. Mayor Allen stated Mr. Mark Pope would be heard around 6:00 p.m. to discuss an economic development matter and Council will need to go into Closed Session. Councilmember Foster stated he would like to add Wayne Water District to the agenda. Councilmember Williams stated he would like to add criteria for personal emails received from constituents.

Upon motion of Councilmember Aycock, seconded by Mayor Pro Tem Broadaway and unanimously carried, Council adopted the agenda with the requested additions.

**Health Department Allocation Request to Combat Opioid Abuse.** Davin Madden, Public Health Director shared information regarding a request to help combat opioid abuse. The Wayne County Health Department is seeking a commitment from the

City of Goldsboro to provide an annual allocation of \$12,000 for a three-year period to help fund the county's Overdose Prevention Coordinator.

Chief West shared concerns if the Overdose Prevention Coordinator is not funded.

Councilmember Aycock asked what percentage is this of the total operating cost. Mr. Madden stated approximately 25%. Councilmember Aycock stated we are paying city taxes and county taxes, I know it is needed, but I would like to see the county put more money into it. I don't mind the \$12,000 especially for this but in the future I'd like for you to consider we are also in the county and we are getting hit twice.

Mr. Madden stated you make a great point, the County does put in contributions, I have set aside some flex dollars just in case and those come from the County.

Councilmember Foster stated I have been in mental health field for years now and I know that what you are trying to do is a great thing and is needed. My concern is we have Eastpointe that receives millions of dollars, we have agencies that make millions of dollars throughout Wayne County. I feel like that role should be coming from Eastpointe and those agencies. Councilmember Foster asked what the county was doing to work with the agencies and also Eastpointe and what is the Police Department doing to work with the agencies. There is a gap. Councilmember Foster stated I don't really have a problem with the money per say but I do think there is another way it can be done and moving as one group.

Mr. Madden stated I agree there are lots of funding streams, but there are restrictions on those funds that you have to juggle, so having a coordinator, helps to bring things together, to stay consistent and unified.

Discussion continued. Council agreed to defer action for two weeks and consider funding at that time.

**2019-20 Resurfacing List.** Mr. Marty Anderson provided a proposed street resurfacing list and noted a substitution for Best Street with Walnut Street. Council consensus was staff could proceed with getting it out to bid.

Councilmember Foster asked about a dirt street in his district.

Mr. Anderson provided Council an update on the paving of previously approved dirt streets, Oak Hill Drive and E. Chestnut Street.

Council and staff discussed dirt streets.

**2019 Public Art Recommendations.** Ms. Julie Metz presented the following information:

Background

- 1) Center Street Design & Roundabouts
- 2) Options
  - Purchase Art
  - Lease Art
  - Selection Process
- 3) April Applications for 2019-20 PASC Members: 15 Responses
- 4) Public Art Steering Committee
  - Regular Members Include:
    - Allison Platt, Project Designer
    - Randy Guthrie, Assistant City Manager
    - Jennifer Collins, City Planner/Historic District Rep.
    - Georgia Dees, Arts Council Director
    - Julie Metz, Downtown Director

2019-20 Members Included:

- Alexandra Price

-Allison Taylor  
-Amanda Grantham  
-Anthony Russo  
-Bobby Shoemake  
-Cheryl Dobson  
-Christy Langly  
-Jennifer Kuykendall  
-Jo Ann Logan  
-Josie Jenkins  
-LaTanya Johnson  
-Lee Hulse  
-Marian Broadie  
-Sarah McCollouch  
-Timothy Imafidon

5) 61 Pieces Reviewed July 11

6) Shortlisted to 9

7) Public 7/13 to 7/31

Selections: Center Street Roundabouts

NAVIGATOR

Dimensions: 24' x 10' x 10'

Materials: Aluminum

Note: One piece, opposing views pictured.

CENTERPOINT

Dimensions: 11' x 6' x 5'

Materials: Painted Steel

Note: One piece shown from different perspectives

TRINITY

Dimensions: 17.5' x 6' x 7'

Materials: Steel and Stainless

Note: One piece; different perspective

Selections: John Street Parking Lot Entrance

RED JUGGLER

Dimensions: 12' x 5' x 5'

Materials: Powder Coated Aluminum

Note: One piece; different perspective

VALKYRIE

Dimensions: 9.7' x 9.7' x 8'

Materials: Galvanized Steel

Note: One piece; different perspective

ROUND UP

Dimensions: 12' X 5' X 4'

Materials: Stainless Steel

Note: One piece; different perspective

Selections: Center Median

SWEET HEARTS

Dimensions: 8' x 3"

Materials: Steel, Backerboard, Plywood, Stucco, Paint

Note: Same piece; different perspective.

MOO

Dimensions: 5' x 6' x 2'

Materials: Repurposed Steel

BLOSSOM

Dimensions: 7' x 4.5' x 4'

Materials: Steel, Paint  
Note: Same piece; different perspective.

8) Public Comments: 351 Responses

9) Public/PASC Recommendation

NAVIGATOR

Dimensions: 24' x 10' x 10'

Materials: Aluminum

TRINITY

Dimensions: 17.5' x 6' x 7'

Materials: Steel

BLOSSOM

Dimensions: 7' x 4.5' x 4'

Materials: Steel, Paint

VALKYRIE

Dimensions: 9.7' X 9.7' X 8'

Materials: Galvanized Steel

Art Rotation Day

Art Installation Ceremony is scheduled for Friday, October 11, 2019 – Noon in front of City Hall.

Councilmember Foster asked what the cost was. Ms. Metz replied \$3,000 per piece was budgeted for the Center Street roundabouts; \$1,500 for the piece for John Street parking lot and \$1,000 for the piece in the Center Street median.

Council consensus was staff could proceed.

**Councilmember Stevens Resignation Letter.** Mayor Allen shared Councilmember Stevens had said he was going to resign, I believe, at the last meeting. Our ordinance says that in order to resign you have to do it in writing. He has today delivered a letter that all of you have a copy of, asking to resign officially today. So we would need to accept his resignation so that we could declare the seat vacant.

Upon motion of Councilmember Aycock, seconded by Councilmember Ham and unanimously carried, Council accepted Councilmember Stevens' resignation.

Mayor Allen stated we now have a vacant seat and what I would recommend, unless anyone sees it differently, Attorney Lawrence can bring back a process in which we can appoint a new person.

Council discussed ordinances and laws regarding appointments. Attorney Lawrence stated he would email everyone a copy of the ordinance and general statutes on filling the vacancy.

**Wayne Water District.** Councilmember Foster stated I received a call and an email, we are supposed to be negotiating with Wayne Water District over some issues with Case Farms and they asked me if I knew anything about it and I said no. They asked why the Council did not know about it and I just want to get some clarity on it from the City Manager, Ron Lawrence and they said the Mayor had some dealings with Case Farms as well, so I just want to get some clarity on that.

Mr. Salmon stated the Wayne Water District is selling some water to Case Farms and we have a legal agreement that they should not be doing that with one of our customers, so Mr. Lawrence wrote them a letter telling them of such. We discussed splitting the profit margin at which they can sell water at our lowest rate which is about \$2.20-ish and then resell it for \$4.30-ish and we are asking to split that profit margin, they have yet to agree to that.

Councilmember Foster stated so you are saying that the agreement we have with Wayne Water District, the water we sell to Wayne Water District, that we have an agreement that they should not be selling water to Case Farms. Mr. Salmon stated that is correct, as far as I understand it. Councilmember Foster asked how long have they been doing that.

Mr. Mike Wagner stated our agreement with Wayne Water District was in 2009, they have been selling water to them since 90's. Mr. Wagner stated right now they are selling water from their wells, they are not using the City of Goldsboro's of water as of yet but will be in the future and that is why we are trying to work out an agreement.

Councilmember Foster asked when did this all come about. Mr. Wagner stated this has been probably going on since May. Councilmember Foster asked when they decided to expand, when Case Farms decided to expand, is that when you found out about the water. Mr. Wagner replied I found out about the water when Case Farms came to me and asked why they were not allowed to tap into Wayne Water District's line. Mr. Wagner stated we tried to negotiate with Case Farms several times and they never told us they were going to increase their water use. Councilmember Foster stated so you did not know they were adding taps. Mr. Wagner stated correct, we did not know they needed the new demand for water.

Councilmember Foster stated then I'm going to point to the Mayor, from my understanding with them, there was a contract out for them for their taps on their water, and they were going to expand. Councilmember Foster stated your business had that contract, from my understanding, and you turned the contract down, and that is when all of this started with the whole entire water thing, with us trying to basically gather over money, behind the water, this is my understanding, from Wayne Water District. So I am trying to find out what's what, because you are saying that you did not know about it, you did not know about their expansion but I do know that the Mayor was supposed to install the taps but right after that, we come with the water issue and the money issue. It is like it's all working together, so I am trying to figure out what's going on because there are some very angry people and they are upset. It seems backdoor because it was not brought to Council to make a decision on it. I don't know legally if that was a decision you should have made Mr. Salmon because you are just getting here, or where the decision was made from, but I am offended as well, because as a councilman I get a phone call about it and I do not know anything about it.

Mr. Wagner stated nothing is finalized yet, we are trying to handle it internally as city staff and we will bring it back for Council recommendation.

Councilmember Foster stated it should have been brought to us from the start then to negotiation.

Mayor Allen stated Councilmember Foster they negotiate and work on things every day, all departments, you cannot be involved in everything. Councilmember Foster stated and that is fine, but what I am saying is you knew about it. Councilmember Foster stated you knowing about it after your company backed out of installing the taps, all of a sudden the city comes with basically a lawsuit for money, almost, kind of sort of, not really a lawsuit, but gets into a legal situation over the water.

Mayor Allen stated you are not right in what you are saying, so let me help you a little bit. The city and Case Farms have been going back and forth over water for years, before I was even Mayor. They have been working with Case Farms for months, I have a contract to work with Primus. Primus had a contract to make taps out there. They put it out for bid, there is another company that does almost all the work for Wayne Water District, we said let them do it, it had nothing to do with Case Farms, nothing to do with these taps. They have to make the taps because we can't provide water, we hope over time we can provide Case Farms their water, to do that we have to increase our pump size, our capacity and booster pump. None of this has anything to do with that you are talking about.

Mayor Allen and Councilmember Foster continued discussions. Councilmember Foster stated at the end of the day, when did you start negotiations with them Mr. Salmon. Mr. Salmon stated I would say I found out about the issue in the June-ish time frame, so we have been working through the option, the whole intent is to make sure the city gets its fair share of the water bill. Councilmember Foster stated at the end of the day it came after he backed out. Mayor Allen stated my business had nothing to do with this. Councilmember Foster stated he would get the information.

**Personal Email.** Councilmember Williams stated I received an email from a citizen, it was a confidential email that was sent directly to me without going into details of this email, this email was sent to the city manager, from one of our clerks, and it was serious issues that could have caused harm to this individual and in turn this email was sent to you Mayor Allen, it was sent to a third party. So my concerns are, why is someone looking at my personal email, where the citizens are supposed to confide in whoever they are sending it to and trust them. What's the protocol for pertaining to that, I can understand the city manager looking at employee emails, our clerk had no right, I do not know which clerk did it, but the clerk had no right to forward this information that was confidential. We need to have a protocol in place. Mr. Salmon you do not know what the protocol is when it comes to the Fourth Amendment, when it comes to email and we need to straighten that out. I would appreciate in the future if it is sent to me, it is not sent to another councilmember and if there is a serious issue, we can talk about that. Give me an opportunity to read my emails first, and to make a decision. Now I do not know what is going on with this individual because it was shared. Maybe you could provide me an update without sharing the details of the situation.

Mr. Salmon said I would like to do that offline, but procedurally, anything sent into our government website, it is public information can be FOIA-able information. Councilmember Williams stated its only public information when it is dealing with public business.

Mr. Salmon stated our procedures are when something comes in either to a councilmember or to a citizen request, it goes to our clerks. Our clerks see every one of them and send them to the appropriate person. This particular case, the clerks brought it to my attention because it had to do with someone's life in jeopardy, abuse of family members, which I have a moral if not legal authority for mandatory reporting once I find something like that out. So I sent it to you as the councilmember it was too, the chief of police as I thought he needed to look into it and to the mayor because he is elected at-large and is responsible for all citizens. So that was my thought process. You can change the process if you want.

Councilmember Williams stated the mayor has nothing to do with a constituent getting in touch with me personally. If this individual wanted to get in touch with the mayor she could have done that or he could have done that. If he or she wanted to get in touch with the police department, they could have done that.

Discussion continued regarding the Fourth Amendment.

Mr. Salmon stated if you want to change the procedure, Council can do so. Mayor Allen asked the attorney to look at when something is sent to your city email when does it become public information.

**Closed Session Held.** Upon motion of Mayor Pro Tem Broadway, seconded by Councilmember Aycock and unanimously carried, Council convened into Closed Session to discuss an economic matter.

Council came out of closed session.

**Consent Agenda Review.** Items on the Consent Agenda were reviewed. Additional discussion included the following:

**Item C. Operating Lease for Golf Turf Equipment with PNC Equipment Finance, LLC.** Ms. Catherine Gwynn and Ms. Felicia Brown shared the following information:

Goldsboro Municipal Golf Course Maintenance Equipment Lease

- City of Goldsboro has a lease for maintenance equipment used at Goldsboro Municipal Golf Course
- This 59 month lease has concluded
- Equipment lease cost was for \$3,901.77/month plus tax; that equates to \$46,821.24/year
- Equipment lease was for seven (7) pieces of equipment; one of which the City of Goldsboro is interested in purchasing  
*(Approved in FY19-20 P&R Budget to purchase this piece of equipment to assist with cutting Ballfields, Bryan MSCX, etc.)*

What are our options:

- Purchase new equipment (6 pieces) = \$283,222.92 plus tax
- Purchase old equipment (7 pieces) = \$105,000.00 plus tax
- 2 Yr Lease on old equipment (7 pieces),  
with City of Goldsboro owning equipment at end of lease  
= \$4,673.86/month plus tax
- Lease new equipment (6 pieces) = \$4,755.59/month plus tax OR  
\$54,705.45 annually plus tax
- Staff recommendation: Lease new equipment with annual payment option

Councilmember Foster expressed concerns regarding the losses at the golf course. Councilmember Foster stated now you are trying to commit to a 5 year lease. What we are losing every year really isn't going down and we are losing around \$200,000 a year.

Council discussed the options, maintenance costs and equipment hours. Upon motion of Mayor Allen, seconded by Councilmember Broadway and unanimously carried, Council removed Item C. Operating Lease for Golf Turf Equipment with PNC Equipment Finance, LLC from the agenda and deferred for two weeks.

The remaining consent agenda items will be reviewed at the regular council meeting.

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

**CITY COUNCIL MEETING**

The Mayor and Council of the City of Goldsboro, North Carolina, met in regular session in Council Chambers, City Hall, 214 North Center Street, at 7:00 p.m. on August 5, 2019 with attendance as follows:

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

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

Councilmember Broadway provided the invocation. The Pledge to the Flag followed.

**Approval of Minutes.** Councilmember Aycock made a motion to approve the Minutes of the Work Session and Regular Meeting of May 20, 2019 as submitted. The motion was seconded by Mayor Pro Tem Broadway. Mayor Allen, Mayor Pro Tem Broadway, Councilmembers Ham and Aycock voted in favor of the motion.



Councilmembers Williams and Foster voted against the motion. Mayor Allen stated the motions passed 4:2.

**National Honey Bee Day Proclamation.** Mayor Allen proclaimed August 17, 2019 as “National Honey Bee Day” in Goldsboro, North Carolina and encouraged the citizens of Goldsboro to celebrate the honey bee and its many contributions with appropriate observances and activities.

Mayor Allen presented a copy of the National Honey Bee Day Proclamation to Ms. Jane Stewart.

Ms. Stewart invited everyone to come out to National Honey Bee Day on August 17<sup>th</sup> at Waynesborough Park from 9:00 am to 3:00 pm.

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

D.R. Halliday shared concerns regarding litter and cleanliness of the city.

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

**Consent Agenda Review.** As time did not allow during the Work Session, consent agenda items were reviewed. Additional discussion included:

**Item E. Contract Award – 2018 Street Paving Improvements Project Formal Bid No. 2019-003.** Mr. Marty Anderson stated after reviewing the replacement of utilities staff has decided to re-engineer the project to reduce costs and re-advertise the project at a later date with a different scope of work. So instead of awarding this bid, staff is recommending Council reject all bids.

Upon motion of Councilmember Williams, seconded by Councilmember Aycock and unanimously carried, Council removed Item E. Contract Award – 2018 Street Paving Improvements Project Formal Bid No. 2019-003 from the Consent Agenda and placed under Items Requiring Individual Action.

**Item F. City of Goldsboro Personnel Policy Revision – Anti-Harassment Policy.** Councilmember Foster stated he would like to table this to allow time to review to make sure we are making appropriate changes. Councilmember Foster shared he had received calls regarding racial slurs and issues and I just want to make sure we are addressing that.

Upon motion of Councilmember Foster, seconded by Councilmember Williams and unanimously carried, Council tabled Item F. City of Goldsboro Personnel Policy Revision – Anti-Harassment Policy to allow additional time to review until the next meeting.

Councilmember Ham stated Ms. Dove I did read this and I do think it is a well written document. Ms. Dove stated it is a template taken off of the EEOC website, it is what they recommend for employers to have.

**Item G. Resolution – 2019 Urgent Repair Program.** Councilmember Williams asked when the start date and end date was for applications. Mr. Guthrie replied we tentatively had planned for October to be that date, we will advertise it in accordance with the policy we are adopting here. It will be put in the newspaper, government buildings, and various locations. Councilmember Williams asked if an individual has received it in the past but they still qualify as a low-wealth individual in that criteria are they still eligible if they have needs in place. Mr. Guthrie stated I don’t believe so if they received this exact program in the past, but I will verify that. Councilmember Williams asked if someone needs help filling out the paperwork, will there be someone who can help them. Mr. Guthrie replied, yes sir, we do not want that to be a barrier to them applying for the money.

**Item L. Goldsboro/Wayne Transportation Authority Board Re-Appointment.** Councilmember Williams reminded Council with Councilmember Stevens’ resignation that leaves a vacant seat on the GWTA Board. Mayor Allen asked that be discussed at the next meeting.

**Contract Award – 2018 Street Paving Improvements Project Formal Bid No. 2019-003. Bids Rejected.** On Wednesday, June 5, 2019, five (5) sealed bids were received for the 2018 Street Paving Improvements Project.

The proposed work consists of approximately 2,200 square yards of pavement with 600 linear feet of storm water lines, 400 linear feet of water line, 400 linear feet of sanitary sewer line, and 1,000 linear feet of concrete curb and gutter. This project includes Oak Hill Drive from North Berkeley Boulevard to Green Drive and East Chestnut Street from South Slocumb Street to South Leslie Street.

BridgePoint Civil, LLC submitted the low bid for this project for a total cost of \$609,596. The bids received for this project are tabulated as follows:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
BridgePoint Civil, LLC Goldsboro, NC	\$ 609,596.00
Tripp Bro’s, Inc. Ayden, NC	\$ 683,167.50
Barnhill Contracting Company Kinston, NC	\$ 742,633.80
Herring-Rivenbark, Inc. Kinston, NC	\$ 843,231.00
Fred Smith Company Raleigh, NC	\$1,038,905.00

The bids for this project have been reviewed by the Engineering Department, checked for accuracy, and found to be in order. We have reviewed the financing of this project with the Finance Director and determined that funds are available in Street Bonds.

After reviewing the replacement of utilities staff has decided to re-engineer the project to reduce costs and re-advertise the project at a later date with a different scope of work. So instead of awarding this bid, staff is recommending Council reject all bids.

Upon motion of Mayor Pro Tem Broadaway, seconded by Councilmember Aycock and unanimously carried, Council denied the bid for \$609,596 for street paving improvements.

**Consent Agenda - Approved as Recommended.** Mayor Allen, presented the Consent Agenda. All items were considered to be routine and could be enacted simultaneously with one motion and a roll call vote. If a Councilmember so requested, any item(s) could be removed from the Consent Agenda and discussed and considered separately. In that event, the remaining item(s) on the Consent Agenda would be acted on with one motion and roll call vote. Mayor Allen reminded Council Item C. Operating Lease for Golf Turf Equipment with PNC Equipment Finance, LLC. , Item E. Contract Award – 2018 Street Paving Improvements Project Formal Bid No. 2019-003 and Item F. City of Goldsboro Personnel Policy Revision – Anti-Harassment Policy were removed from the Consent Agenda. Councilmember Aycock moved the items on the Consent Agenda, Items D, G, H, I, J, K, and L be approved as recommended by the City Manager and staff. The motion was seconded by Councilmember Ham and a roll call vote resulted Mayor Allen, Mayor Pro Tem Broadaway, Councilmembers Ham and Aycock voting in the affirmative. Councilmembers Williams and Foster voted against the motion. Mayor Allen declared the Consent Agenda approved as recommended with 4:2 vote. The items on the Consent Agenda were as follows:

**Bid Award for Paving Greenway in Stoney Creek Park. Resolution Adopted.**  
The City of Goldsboro was awarded a GoWayneGo Grant for \$40,000. The City of Goldsboro matched the grant with \$40,000. The combined \$80,000 is to be used for paving the Greenway in Stoney Creek Park and Dillard Middle/Mina Weil Park Track.

The City of Goldsboro requested informal bids for Paving Greenway in Stoney Creek Park project.

The scope of the project included:

- Option 1 – paving a 10’ wide greenway trail with an asphalt surface or
- Option 2 – paving an 8’ wide greenway trail with an asphalt surface

On July 25, 2019, the informal bids were opened with Barnhill Contracting Company being the low bidder. Parks and Recreation staff reviewed each bid proposal and recommend Barnhill Contracting Company for Option 1. Funding is available to cover the total bid amount of \$40,283. Bid tabulation is as follows:

	<u>Option 1</u>	<u>Option 2</u>
BARNHILL CONTRACTING COMPANY PO BOX 399 KINSTON, NC 28502 <a href="mailto:drrussell@barnhillcontracting.com">drrussell@barnhillcontracting.com</a> LICENSE# 3194	\$40,283.00	\$39,845.00
E. HADDOCK ENTERPRISE, LLC. PO BOX 719, 1868 OLD CORNWALLIS ROAD PRINCETON, NC 27569 <a href="mailto:haddockenterprises@gmail.com">haddockenterprises@gmail.com</a> LICENSE # 75036	\$50,200.00	\$44,500.00
FSC II, <i>dba</i> FRED SMITH COMPANY 701 CORPORATE CENTER DRIVE, SUITE 101 RALEIGH, NC 27607 <a href="mailto:ty.johnson@fredsmithcompany.net">ty.johnson@fredsmithcompany.net</a> LICENSE# 43848	\$65,728.00	\$59,814.00
T.A. LOVING COMPANY PO DRAWER 919 GOLDSBORO, NC 27533 <a href="mailto:tedmondson@taloving.com">tedmondson@taloving.com</a> LICENSE# 325	\$74,000.00	\$68,000.00
NPS SOLUTIONS, LLC PO BOX 58344 RALEIGH, NC 27658 <a href="mailto:aadupoku@npsmarking.com">aadupoku@npsmarking.com</a> LICENSE# 81746	\$75,000.00	\$67,500.00
HINE SITEWORK, INC. PO BOX 1275 GOLDSBORO, NC 27533 <a href="mailto:neil@hinesitework.com">neil@hinesitework.com</a> LICENSE# 52225	\$123,200.00	\$113,700.00

Staff recommended Council adopt the following entitled resolution authorizing the Mayor and City Clerk to execute a contract in the amount of \$40,283 with Barnhill Contracting Company to construct greenway trail in Stoney Creek Park. Consent Agenda Approval. Aycock/Ham (4 Ayes: 2 Nays)

RESOLUTION NO. 2019-61 “A RESOLUTION AUTHORIZING THE CITY OF GOLDSBORO TO EXECUTE CONTRACT WITH BARNHILL CONTRACTING COMPANY FOR GREENWAY TRAIL CONSTRUCTION IN STONEY CREEK PARK”

**Resolution - 2019 Urgent Repair Program (URP19). Resolution Adopted.**  
The City of Goldsboro applied for a grant in January 2019 for funding by North Carolina Housing Finance Agency (NCHFA) through the North Carolina Housing Trust Fund for

the 2019 Urgent Repair Program (URP19) in the amount of \$100,000. This grant is to be in conjunction with the City’s Community Development Block Grant Program.

NCHFA has awarded the City funding for the 2019 Urgent Repair Program (URP19) in the amount of \$100,000 to assist twelve (12) eligible very-low and low-income homeowners with urgent repairs up to \$10,000 per home to prevent displacement, which poses an imminent threat to their life and/or safety. The time period of this grant will begin on July 12, 2019 and end on December 31, 2020.

No matching funds are required of the City of Goldsboro in conjunction with this Program.

Staff recommended Council adopt the following entitled Resolution:

1. Approving the URP19 Assistance, Procurement, and Disbursement Policies to conduct this Urgent Repair Program in conjunction with the City’s Community Development Block Grant Program.
2. Authorize the Mayor and City Clerk to sign the URP19 Assistance, Procurement, and Disbursement Policies.
3. Authorize the Mayor and City Clerk to accept and sign a contract with NCHFA in the amount of \$100,000. Consent Agenda Approval.  
Aycock/Ham (4 Ayes: 2 Nays)

RESOLUTION NO. 2019-62 “RESOLUTION APPROVING URP19 ASSISTANCE, PROCUREMENT AND DISBURSEMENT POLICIES”

**Z-14-19 Mary Sue Fallin – East side of Fallin Boulevard between N. Berkeley Boulevard and Central Heights Road. Ordinance Adopted.** Applicant is requesting a zoning change of the property from R-6CD (Residential) to GB (General Business).

The property is zoned residential and is currently vacant and undeveloped.

On Monday, June 2, 2003, Goldsboro City Council approved a rezoning change for subject property from NB (Neighborhood Business) to R-6 Residential Conditional District. The subject property along with surrounding tracts was part of a combination rezoning for the construction of 312 apartment units. Once approved, the developer chose to build 264 apartments in lieu of 312 and forfeited his option to purchase subject property.

Frontage: 158 ft. (Fallin Blvd.)

Area: 117,918 sq. ft., or 2.70 acres

Zoning: Residential (R-6CD)

As previously stated, the applicant is requesting a zoning change from R-6 CD (Residential) to General Business (GB).

Surrounding Zoning:

North: R-6 CD (Residential), SC (Shopping Center);

South: NB (Neighborhood Business);

East: RM-8 (Residential Manufactured Non-Conforming); and

West: GB (General Business), SC (Shopping Center)

The City’s Comprehensive Land Use Plan recommends high-density residential development for the property.

City sewer is available to serve the property. Subject area is located in a Special Flood Hazard Area (100-year floodplain).

The subject property has frontage along Fallin Boulevard, which will be extended from Berkeley Boulevard to Central Heights Road by the North Carolina Department of Transportation. These improvements are part of an overall project to realign Central Heights Road and Royall Ave at Berkeley Boulevard. These improvements are scheduled to begin construction in July 2020 with a construction duration of 24 months.

Currently, there are no plans for development of the property. The applicant believes the marketability of the property would be enhanced if rezoned to General Business. At the public hearing held on July 15, 2019, no one spoke for or against the request. The Planning Commission, at their meeting held on July 29, 2019, recommended approval of the change of zone request with development plan approval required separately.

It was recommended Council accept the recommendation of the Planning Commission and adopt the following entitled Ordinance changing the zoning for the property from Residential 6 (R-6 CD) to General Business (GB) with development plan approval required separately. While not entirely compliant with the recommendation of the City’s adopted Comprehensive Land Use Plan, the proposed rezoning would be compatible with the surrounding Shopping Center and General Business zoning. Consent Agenda Approval. Aycock/Ham (4 Ayes: 2 Nays)

ORDINANCE NO. 2019-52 “AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF GOLDSBORO, NORTH CAROLINA CODE OF ORDINANCES”

**Z-15-19 Mary Sue Fallin – East side of Fallin Boulevard between N. Berkeley Boulevard and Central Heights Road. Ordinance Adopted.** Applicant is requesting a zoning change of the property from NB (Neighborhood Business) to GB (General Business).

The property is zoned neighborhood business and is currently vacant and undeveloped.

On Monday, October 24, 1994, Goldsboro City Council approved a rezoning change for subject property from R-16 (Residential) to Neighborhood Business (NB).

Frontage: 581 ft. (Fallin Blvd.)  
691 ft. (Central Heights Rd.)

Area: 385,807 sq. ft., or 8.85 acres

Zoning: Neighborhood Business (NB)

As previously stated, the applicant is requesting a zoning change from NB (Neighborhood Business) to General Business (GB).

Surrounding Zoning:

North: R-6 CD (Residential)

South: RM-8 (Residential Manufactured), I-2 CD (General Industry),  
R-16 RM-NC (Residential-Manufactured Non-Conforming);

East: RM-8 (Residential Manufactured Non-Conforming), R-16 (Residential); and

West: GB (General Business)

The City’s Comprehensive Land Use Plan recommends commercial development for the property.

City water and sewer are available to serve the property. Subject area is located in a Special Flood Hazard Area (100-year floodplain).

The subject property has frontage along Fallin Boulevard, which will be extended from Berkeley Boulevard to Central Heights Road by the North Carolina Department of Transportation. These improvements are part of an overall project to realign Central Heights Road and Royall Ave at Berkeley Boulevard. These improvements are scheduled to begin construction in July 2020 with a construction duration of 24 months. Currently, there are no plans for development of the property. The applicant believes the marketability of the property would be enhanced if rezoned to General Business. At the public hearing held on July 15, 2019, no one spoke for or against the request. The Planning Commission, at their meeting held on July 29, 2019, recommended approval of the change of zone request with development plan approval required separately.

Staff recommended Council accept the recommendation of the Planning Commission and adopt the following entitled Ordinance changing the zoning for the property from Neighborhood Business (NB) to General Business (GB) with development plan approval required separately. The zoning change would be consistent with the City's adopted Comprehensive Land Use Plan which recommends commercial development. Consent Agenda Approval. Aycock/Ham (4 Ayes: 2 Nays)

ORDINANCE NO. 2019-53 "AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF GOLDSBORO, NORTH CAROLINA CODE OF ORDINANCES"

**Site Plan Modification – Alex Economy Mobile Home Park. Approved.** The property is located on the south side of Central Heights Road between Berkeley Boulevard and Thoroughfare Road.

Frontage: 297.65 ft. (Central Heights Road)  
Area: 2.88 Acres  
Zoning: R-16 Residential

The property was annexed in 1989. The site is currently occupied as a non-conforming 26-lot mobile home park.

North Carolina Department of Transportation will be realigning Central Heights Road at Berkeley Boulevard with Royall Avenue by shifting Central Heights Road to the north side of the Railroad. These improvements will also extend Fallin Boulevard to the South and Oak Forest Road to the North.

The extension of Oak Forest Road to the North results in right-a-way acquisition through the existing non-conforming mobile home park resulting in the loss of 15 units.

Because of the road improvements, the applicant is requesting the relocation of two existing mobile home units and the placement of a new mobile home within the non-conforming mobile home park.

Per the City's Unified Development Ordinance Section 5.6.10 Nonconforming Manufactured Home Parks and Section 5.3.3.3 Building Design Standards adopted April 4, 2005 the relocation of existing units and placement of a new mobile home would increase the nonconformity of the property.

The applicant is requesting the following modifications due to the road improvements:

1. Modification of Section 5.6.10 Nonconforming Manufactured Home Parks standards regarding nonconforming mobile home parks that have less than 80% occupancy rate shall cease operation within 180 days and be brought into compliance with City zoning standards.

2. Modification of Section 5.3.3.3 Building Design Standards for the relocation of two existing units as follows:
  - a. Roof Pitch;
  - b. Exterior Siding;
  - c. Visible Rust;
  - d. Permanent Foundation; and
  - e. Placement along street frontage (parallel)
3. Modification of Section 5.3.3.3 Building Design Standards for the placement of a new mobile home as follows:
  - a. Permanent Foundation; and
  - b. Placement along street frontage (parallel)

The Planning Commission, at their meeting held on July 29, 2019, recommended approval of relocation of two mobile homes and placement of one new mobile home with modifications.

Staff recommended Council accept the recommendation of the Planning Commission and approve the site plans for Alex Economy MHP with the following modifications:

1. Relocation of two mobile homes with the following modifications:
  - a) Modification of Section 5.6.10 Nonconforming Manufactured Home Parks standards regarding nonconforming mobile home parks that have less than 80% occupancy rate shall cease operation within 180 days and be brought into compliance with City zoning standards.
  - b) Modification of Section 5.3.3.3 Building Design Standards for the relocation of two existing units as follows:
    - 1) Roof Pitch;
    - 2) Exterior Siding;
    - 3) Visible Rust;
    - 4) Permanent Foundation; and
    - 5) Placement along street frontage (parallel)
2. Modification of Section 5.3.3.3 Building Design Standards for the placement of a new mobile home as follows:
  - a. Permanent Foundation; and
  - b. Placement along street frontage (parallel). Consent Agenda Approval. Aycock/Ham (4 Ayes: 2 Nays)

**S-6-19 Goldsboro Business Park (Preliminary Subdivision Plat). Approved.**

The property is located on the east side of Patetown Road between Alpha Court and Industry Court.

Frontage: 493 ft. – Patetown Road (approx.)  
 Frontage: 418 ft. – Eleventh Street (approx.)  
 Area: 108.6 Acres  
 Total Lots: 17  
 Zoning: I-2 General Industrial

**Areas in Lots**

Lot No. 1:	4.00 Acres	Lot No. 10:	4.99 Acres
Lot No. 2:	5.00 Acres	Lot No. 11:	5.05 Acres
Lot No. 3:	5.63 Acres	Lot No. 12:	5.06 Acres
Lot No. 4:	5.01 Acres	Lot No. 13:	4.25 Acres
Lot No. 5:	4.99 Acres	Lot No. 14:	2.86 Acres
Lot No. 6:	4.99 Acres	Lot No. 15:	5.53 Acres
Lot No. 7:	5.01 Acres	Lot No. 16:	5.04 Acres
Lot No. 8:	5.00 Acres	Lot No. 17:	5.03 Acres
Lot No. 9:	5.08 Acres		

The property was rezoned from R-16 Residential to I-2 General Industry by City Council on July 16, 2018.

The submitted 17-lot preliminary subdivision plat shows two points of ingress and egress. Main entrance is located off Patetown Road with a secondary entrance located off Eleventh Street. Both entrance drives will contain 60 ft. right-of-ways with a 35 ft. wide paved surface.

Staff is working with the developer regarding Street names and streets will be designed in accordance with City and NCDOT standards. The developer shall obtained approval for entrance driveways through NCDOT and the City of Goldsboro.

Sidewalks are shown along one side of interior streets throughout the development. Sidewalks are not shown along Patetown Road or Eleventh Street and are not indicated as a recommended pedestrian facility on the 2040 Recommended Pedestrian Facilities Map. The developer is requesting a modification of the fee in lieu of sidewalk installation along Patetown Road and Eleventh Street in the amount of \$13,788.00.

Water and Sewer capacity is available to serve the subject property. An agreement is in place between the developer and the City of Goldsboro regarding extension of water and sewer lines to serve the property. Stormwater calculations for the site are being reviewed by the City's Engineering Department for compliance with the City's Stormwater Management requirements.

Required landscape buffers have been indicated on the preliminary subdivision plat. Street trees, Vehicular Surface Area landscaping and buffering standards will be addressed by individual site plans for each lot at time of development.

The Planning Commission, at their meeting held on July 29, 2019, recommended approval of the 17-lot preliminary subdivision plat with a modification of the fee in lieu of sidewalk installation in the amount of \$13,788.00.

Staff recommended Council accept the recommendation of the Planning Commission and approve the 17-Lot Preliminary Subdivision Plat with the following modification:

1. Modification of the fee in lieu of sidewalk installation in the amount of \$13,788.00. Consent Agenda Approval. Aycock/Ham (4 Ayes: 2 Nays)

**Goldsboro/Wayne Transportation Authority Board Re-Appointment.**

**Resolution Adopted.** On July 6, 2015, Mr. Bob Waller was appointed to serve his first term on the Goldsboro/Wayne Transportation Authority Board. Mr. Waller was reappointed on June 25, 2018. Mr. Waller's appointment expired June 25, 2019.

Resolution 1998-67, passed on October 5, 1998 states that members shall be appointed to serve one year terms and that members may be reappointed so long as no member serves six (6) consecutive years.

It is recommended that Mr. Bob Waller be reappointed to a fifth term expiring on August 5, 2020.

Staff recommended Council adopt the following entitled resolution re-appointing Bob Waller to the Goldsboro/Wayne Transportation Authority Board. Consent Agenda Approval. Aycock/Ham (4 Ayes: 2 Nays)

RESOLUTION NO. 2019-63 "RESOLUTION APPOINTING A MEMBER TO GOLDSBORO/WAYNE TRANSPORTATION AUTHORITY BOARD"

**End of Consent Agenda.**

**City Manager's Report.** No report.



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

**Proclamation – 36<sup>th</sup> Annual National Night Out.** Mayor Allen proclaimed Tuesday, August 6, 2019 as the 36<sup>th</sup> Annual National Night Out in the City of Goldsboro, North Carolina and called upon citizens of the City of Goldsboro to join the National Association of Town Watch in supporting the “36<sup>th</sup> Annual National Night Out” on August 6, 2019.

Councilmember Aycock reminded everyone school will be starting back soon and there are several drives going on for school supplies.

Councilmember Ham stated no comment.

Councilmember Foster stated no comment.

Mayor Pro Tem Broadaway encouraged everyone to support National Night Out.

Councilmember Williams stated I just want to acknowledge Councilmember Stevens, we didn't always get along, I still appreciate his service. He will be missed in some ways. I wish him luck in his endeavors.

Mayor Allen stated the Chamber hosted a scavenger hunt for the new teachers coming in, it was a great event. Mayor Allen stated at the last meeting Councilmember Stevens verbally resigned. Our ordinances stated he had to do so in writing, he did that today and at the 5:00 meeting Council voted to accept his resignation. At our next meeting, Council will discuss whether we replace him or if we have to replace him.

There being no further business, the meeting adjourned at 7:32 p.m.

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Chuck Allen  
Mayor

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Melissa Capps, MMC /NCCMC  
City Clerk

CITY OF GOLDSBORO

AGENDA MEMORANDUM  
October 7, 2019 COUNCIL MEETING

SUBJECT: Special Revenue Fund Budget Amendment – Community Development Block Grant Special Revenue fund

BACKGROUND: The City of Goldsboro applied for an infrastructure grant with the North Carolina Department of Commerce Rural Housing Recovery Fund for improvements to Keller Way Extension for Adair Place. The purpose of the project was to combat critical housing shortages in the City. The City was awarded a \$350,000.00 grant on May 13, 2019.


DISCUSSION: The developer has completed the improvements and will be seeking reimbursement. In order for staff to execute the terms of the grant agreement, the expenditures must be appropriated. Staff recommends the appropriation of the \$350,000.00 for the infrastructure project and this will be funded with state grant revenue.

The City will execute an agreement with the developer with regards to the payment of eligible expenditures.

RECOMMENDATION:

1. Adopt the attached Ordinance amending the Community Development Block Grant Special Revenue fund to appropriate expenditures for the Keller Way Extension for Adair Place.

Date: 10/2/2019

  
\_\_\_\_\_  
Catherine F. Gwynn, Finance Director

Date: \_\_\_\_\_

\_\_\_\_\_  
Tim Salmon, City Manager

ORDINANCE NO. 2019-

AN ORDINANCE AMENDING THE SPECIAL REVENUE FUND FOR THE  
COMMUNITY DEVELOPMENT BLOCK GRANT FUND (22)

WHEREAS, the City of Goldsboro experienced extensive damage from Hurricane Matthew and Hurricane Florence which compounded challenges of offering affordable, quality housing for low-to-moderate income households; and

WHEREAS, the City has proactively sought opportunities to combat the critical housing shortages in the City by applying for grants, and Council approved the filing of a grant with the North Carolina Department of Commerce Rural Housing Recovery Fund for infrastructure improvements to Keller Way Extension for Adair Place (the "Project") at the March 18, 2019 meeting; and

WHEREAS, the North Carolina Department of Commerce awarded the City a \$350,000 grant on May 13, 2019 for the Project; and

WHEREAS, it is necessary to appropriate the expenditures for the grant so that staff may begin executing the terms of the grant agreement, and this will be funded with revenue from state grants.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro that the following Capital Project Ordinance is hereby adopted:

1. Establishing a Revenue Line Item entitled "NC Department of Commerce Grant" (22-0003-8505)
2. Establishing an Expenditure Line Item entitled "Keller Way Extension for Adair Place" (22-3224-5742)

This Ordinance shall be in full force and effect from and after the \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk



ROY COOPER  
*Governor*

ANTHONY M. COPELAND  
*Secretary*

May 14, 2019

Randy Guthrie  
Interim City Manager  
City of Goldsboro  
PO Drawer A  
Goldsboro, NC 27533-9701

Re: **Rural Housing Recovery Infrastructure**  
**Grant Award Notification**  
**Contract Reference: 2019-133-3215-2545**  
**Project Title: Keller Way Extension for Adair Place**


**Award Date: 5/13/2019**  
**Award Amount: \$350,000.00**

Dear Mr. Guthrie:

I am pleased to announce that the City of Goldsboro has been selected for funding to assist with your housing recovery infrastructure efforts.

My staff and I look forward to working with you on this important project. If you have any questions, please contact the program director, Melody Adams at (919) 814-4661 or [melody.adams@nccommerce.com](mailto:melody.adams@nccommerce.com).

Sincerely,

  
Anthony M. Copeland  
Secretary of Commerce

**Rural Economic Development Grant Agreement  
Rural Housing Recovery - Infrastructure**

**2019-133-3215-2545**

The North Carolina Department of Commerce ("Commerce"), an agency of the State of North Carolina ("State"), enters into this Rural Housing Recovery - Infrastructure Grant Agreement ("Grant Agreement") with the **City of Goldsboro** (the "Grantee"), each being referred to individually as a "Party" and, collectively with Commerce, the "Parties".

WHEREAS, The North Carolina General Assembly ("General Assembly") has determined that it is the policy of the State to assist with disaster recovery; and

WHEREAS, Commerce, through its Rural Economic Development Division administers the Rural Housing Recovery Fund that provides grants to local governments in hurricane impacted areas to construct public infrastructure that supports affordable residential housing developments that are located outside the 100-year floodplain. For the purposes of this Grant Agreement, public infrastructure shall include water, sewer, roads, sidewalks, storm drainage, lighting, parking, broadband and other similar infrastructure projects;

WHEREAS, the Grantee has agreed to partner with an affordable residential housing project that has received a nine percent (9%) new construction low income housing tax credit from the North Carolina Housing Finance Agency ("NCHFA") for the 2016, 2017 or 2018 funding cycle and Grantee has agreed to ensure that the residential housing that is developed will remain affordable for the period required by NCHFA;

WHEREAS, the County where the Project is located has been designated as a Tier 1 or Tier 2 County pursuant to the 2019 North Carolina Development Tier Designations;

WHEREAS, without limitation, the North Carolina Secretary of Commerce has awarded the grant from the Rural Housing Recovery Fund to the Grantee for the Project based upon the Grantee's Application, any subsequent supporting materials approved by Commerce supporting the Application and the terms, conditions and representations contained in this Grant Agreement, including Exhibits A through C;

NOW, THEREFORE, in consideration of the mutual promises and such other valuable consideration as set out herein, the Parties mutually agree to the following terms and conditions:

**1. Grant Agreement Documents/Scope of Project**

This Grant Agreement consists of the following documents:

- (a) This Grant Agreement, including all documents incorporated by reference herein.
- (b) Grantee's Application and Scope of Project (Exhibit A).
- (c) Payment Schedule (Exhibit B).
- (d) Reporting Schedule (Exhibit C)

The Grantee agrees that it shall develop, perform and complete the work set out in the Grantee's Application and Exhibit A herein ("Project").

2. Changes in the Project or Other Conditions.

- (a). A "Project Change" is any material alteration, addition, deletion or expansion of the Project, including (without limitation) material changes to construction or other infrastructure improvement, and any filing of bankruptcy by the Grantee. Prior to implementing a proposed Project Change, the Grantee shall submit the proposed Project Change in writing to Commerce for review. The failure of the Grantee to do so will subject it to the penalties and remedies set forth in Paragraph 13(b) of this Grant Agreement, unless Commerce (in its sole discretion) expressly waives this requirement of pre-implementation review in writing. In any event, there shall be no Project Changes unless expressly approved of by Commerce in its sole discretion in a separate, written agreement stating, if applicable, the costs and schedule for completing the Project Change.
- (b). Additionally, the Grantee shall immediately notify Commerce of any change in conditions or local law, or any other event, which may significantly affect its ability to oversee, administer or perform this Grant Agreement or the Project. In its sole discretion, Commerce may deem such a change in conditions, local law or other event to constitute a Project Change.

3. Term of Grant Agreement. The effective period of this Grant Agreement shall commence on 5/13/2019 ("Effective Date") and shall terminate on 5/13/2022 unless terminated on an earlier date under the terms of this Grant Agreement (either one of which dates shall constitute the "Termination Date") or unless extended for an express term in writing by Commerce.

4. Funding and Administrative Expenses.

- (a). Commerce grants to the Grantee an amount not to exceed \$350,000.00 for expenditures directly relating to the Project. If Commerce determines that the actual costs of the Project are less than the Grant amount, Commerce, in its sole discretion, may reduce the amount of the Grant accordingly. If the Grantee determines that the actual costs of the Project are less than the Grant amount, it shall report so to Commerce and return any surplus Grant funds it has received to Commerce.
- (b). The Grantee hereby represents and warrants that all Grant funds shall be utilized exclusively for the purpose of the Project solely as set forth in Exhibit A and consistent with all applicable laws, rules, regulations and requirements, and that the Grantee shall not make or approve of any improper expenditure of Grant funds.

5. Independent Status of the Grantee.

The Grantee is an entity independent from Commerce. The Grant Agreement, the Project and any actions taken pursuant to them shall not be deemed to create a partnership or joint venture between or among Commerce, the Grantee or any third party. Nor shall the Grant Agreement or the Project be construed to make the Grantee (including its employees, agents, members or officials) or any third-party employees, agents, members or officials of Commerce. Neither the Grantee nor any third party shall have the ability to bind Commerce to any agreement for payment of goods or services or represent to any person that they have such ability.

6. Method of Payment. Commerce shall pay the Grant funds to the Grantee in accordance with the Payment Schedule attached hereto as Exhibit B after receipt of written requests for payment from the Grantee certifying that the conditions for such payment under this Grant Agreement have been met and that the Grantee is entitled to receive the amount so requested and any other documentation that may be required by Commerce.
7. Obligation of Funds. The Grantee shall not obligate Grant funds prior to the Effective Date or subsequent to the Termination Date of this Grant Agreement. All obligations outstanding as of the Termination Date shall be liquidated within thirty days after the Termination Date.
8. Project Records.
  - (a). The Grantee shall maintain full, accurate and verifiable financial records, supporting documents and all other pertinent data for the Project in such a manner as to clearly identify and document the expenditure of the State funds provided under this Grant Agreement separate from accounts for other awards, monetary contributions or other revenue sources for this Project.
  - (b). The Grantee shall retain all financial records, supporting documents and all other pertinent records related to the Grant Agreement and the Project in accordance with basic State records retention policy standards for a period of five (5) years from the Termination Date. In the event such records are audited, all such records shall be retained beyond the five-year period until the audit is concluded and any and all audit findings have been resolved.
9. Monitoring, Reports and Auditing.
  - (a). The Grantee agrees to ensure compliance and provide its assistance with such monitoring and auditing requirements as the State may request, including following the Termination Date of this Grant Agreement. Additionally, the Grantee shall regularly monitor all performance under Grant-supported activities to ensure that time schedules are being met and other performance goals are being achieved.
  - (b). The Grantee shall furnish Commerce detailed written progress reports according to the time periods specified in Exhibit C or as otherwise requested by Commerce. Such reports should describe the progress made by the Grantee toward achieving the purpose(s) of the Project. Such descriptions should include the successes and problems encountered during the reporting period. Failure to submit a required report by the scheduled submission date will result in the withholding of any forthcoming payment until Commerce is in receipt of the delinquent report and the report meets with Commerce's approval, in Commerce's sole discretion.
  - (c). The Grantee acknowledges and agrees that, with regard to the Grant funds, Grantee will be subject to the audit and reporting requirements prescribed by N.C.G.S §159-34, Local Government Finance Act - Annual independent audit; rules and regulations. Such audit and reporting requirements may vary depending upon the amount and source of Grant funding received by the Grantee and are subject to change from time to time.
  - (d). Within thirty (30) days after the Termination Date, the Grantee shall submit a final report to Commerce describing the activities and accomplishments of the Project. The final report shall include a review of performance and activities over the entire Project

period. In the final report, the Grantee should describe the Project, how it was implemented, to what degree its established objectives were met, the difficulties encountered, what was changed and the cost.

- (e). The Grantee grants the State and any of its related agencies, commissions or departments (including, without limitation, Commerce, the North Carolina State Auditor and the North Carolina Office of State Budget and Management) and any of their authorized representatives, at all reasonable times and as often as necessary (including after the Termination Date), access to and the right to inspect, copy, monitor, and examine all of the books, papers, records and other documents relating to the Grant Agreement or the Project. In addition, the Grantee agrees to comply at any time, including after the Termination Date, with any requests by the State (including, without limitation, Commerce) for other financial and organizational materials to permit the State to comply with its fiscal monitoring responsibilities or to evaluate the short- and long-range impact of its programs.

10. Termination: Availability of Funds.

- (a). If the Grantee fails to fulfill in a timely and proper manner its obligations or violates any of the covenants or stipulations under this Grant Agreement, the Grantee agrees that Commerce has the right to terminate this Grant Agreement by giving the Grantee written notice specifying the Termination Date of this Grant Agreement, which Commerce may determine in its sole discretion. Upon such termination, Commerce shall have no responsibility to make additional Grant payments. Upon such termination, the Grantee shall not expend any Grant funds without Commerce's express written authorization and shall return all unspent Grant funds to Commerce upon demand.
- (b). The obligations of Commerce to pay any amounts under this Grant Agreement are contingent upon the availability and continuation of funds for such purpose. If funds for the Grant become unavailable, the Grantee agrees that Commerce has the right to terminate this Grant Agreement by giving written notice specifying the Termination Date of this Grant Agreement, which Commerce shall determine in its sole discretion. Upon such termination, the State shall have no responsibility to make additional Grant payments. Further, upon such termination, the Grantee shall not expend any Grant funds without Commerce's express written authorization and shall return all unspent Grant funds to Commerce upon demand.

11. Liabilities and Loss. The Grantee hereby agrees to release, indemnify and hold harmless the State (including, without limitation, Commerce), and their respective members, officers, directors, employees, agents and attorneys (together, the "Indemnified Parties"), from any claims of third parties arising out of any act or omission of the Grantee or any third party in connection with the performance of this Grant Agreement or the Project, and for all losses arising from their implementation. Without limiting the foregoing, the Grantee hereby releases the Indemnified Parties from, and agrees that such Indemnified Parties are not liable for, and agrees to indemnify and hold harmless the Indemnified Parties against, any and all liability or loss, cost or expense, including, without limitation, reasonable attorneys' fees, fines, penalties and civil judgments, resulting from or arising out of or in connection with or pertaining to, any loss or damage to property or any injury to or death of any person occurring in connection with the Project, or resulting from any defect in the fixtures, machinery, equipment or other property used in connection with the Project or arising out of, pertaining to, or having any connection with, the Project or the financing thereof (whether arising out of acts, omissions, or



negligence of the Grantee or of any third party, or of any of their agents, contractors, servants, employees, licensees, lessees, or assignees), including any claims and losses accruing to or resulting from any and all subcontractors, material men, laborers and any other person, firm or corporation furnishing or supplying work, services, materials or supplies in connection with the Project.

12. Grantee Representations and Warranties. The Grantee hereby represents and warrants that:

- (a). The execution and delivery of this Grant Agreement have been duly authorized by all necessary Grantee action and are not in contravention of law or in contravention of the provisions of any indenture agreement or undertaking to which the Grantee is a party or by which it is bound.
- (b). There is no action, suit, proceeding, or investigation at law or in equity or before any court, public board or body pending, or to the knowledge of the Grantee, threatened against or affecting it that could or might adversely affect the Project or any of the transactions contemplated by this Grant Agreement, the validity or enforceability of this Grant Agreement, or the abilities of the Grantee to discharge its obligations under this Grant Agreement. If it is subsequently found that an action, suit, proceeding, or investigation did or could threaten or affect the development of the Project, the Grantee shall be liable to Commerce for repayment of the entire amount of the Grant and this Grant Agreement may be terminated by Commerce effective upon notice.
- (c). No consent or approval is necessary from any governmental authority as a condition to the execution and delivery of this Grant Agreement by the Grantee or the performance of any of its obligations hereunder, or all such requisite governmental consents or approvals have been obtained. The Grantee shall provide Commerce with evidence of the existence of any such necessary consents or approvals at the time of the execution of this Grant Agreement.

13. Additional Repayment Requirements and Remedies.

- (a). The repayment requirements and remedies addressed in this Paragraph 13 are in addition to those repayment requirements and other remedies set forth elsewhere in this Grant Agreement, including the requirements to repay unspent Grant funds. No remedy conferred or reserved by or to the State is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy provided for in this Grant Agreement, or now or hereinafter existing at law, in equity, or by statute, and any such right or power may be exercised from time to time and as often as may be deemed expedient.
- (b). If there is a breach of any of the requirements, covenants or agreements in this Grant Agreement, or if there are any representations or warranties which are untrue as to a material fact in this Grant Agreement or the Project (including the performance thereof), the Grantee agrees that Commerce may require repayment from the Grantee of an amount of Grant funds to be determined in Commerce's sole discretion but not to exceed the amount of Grant funds the Grantee has already received under this Grant Agreement.

14. No Waiver by the State. Failure of the State (including, without limitation, Commerce) at any time to require performance of any term or provision of this Grant Agreement shall in no manner affect the rights of the State at a later date to enforce the same or to enforce any future compliance with or performance of any of the terms or provisions hereof. No waiver of the State of any condition or the breach of any term, provision or representation contained in this Grant Agreement, whether by conduct or otherwise, in any one or more instances, shall be deemed to be or construed as a further or continuing waiver of any such condition or of the breach of that or any other term, provision or representation.
15. Special Provisions and Conditions.
- (a). Non-discrimination. The Grantee agrees not to discriminate by reason of age, race, religion, color, sex, national origin or disability related to the activities of this Grant Agreement.
  - (b). Compliance with Laws. The Grantee shall at all times observe and comply with all laws, regulations, codes, rules, ordinances and other requirements (together, "Laws") of the state, federal and local governments which may in any manner affect the performance of the Grant Agreement or the Project.
  - (c). Non-Assignability. The Grantee shall not assign or transfer any interest in the Agreement without the prior written consent of Commerce; provided, however, that claims for money due to Grantee from Commerce under this Agreement may be assigned to any commercial bank or other financial institution without such approval.
16. Notice. All notices required or permitted to be delivered hereunder and all communications in respect hereof shall be in writing and shall be deemed given when personally delivered or when deposited in the United States mails, certified, return receipt requested, first class, postage prepaid and addressed as follows:

If to Commerce:

Attn: **Melody Adams**  
Director, Rural Grant Programs  
North Carolina Department of Commerce  
Rural Economic Development Division  
301 North Wilmington Street  
4346 Mail Service Center  
Raleigh, North Carolina 27699-4346

If to the Grantee:

Attn: **Randy Guthrie**  
Interim City Manager  
City of Goldsboro  
PO Drawer A  
Goldsboro, NC 27533-9701

Any other address or notice addressed to the attention of such other individual as Commerce or the Grantee shall have specified in a notice delivered pursuant to this subsection.

17. Entire Agreement. This Grant Agreement supersedes all prior agreements between Commerce and the Grantee with regard to the Project and expresses their entire understanding with respect to the transactions contemplated herein, and shall not be amended, modified or altered except pursuant to a writing signed by both Commerce and the Grantee.
18. Execution. This Grant Agreement shall be executed in digital or original format, each of which, when executed, shall be deemed an original, and such counterparts, together, shall constitute one and the same Grant Agreement which shall be sufficiently evidenced by one of such original counterparts. The highest elected official of the Grantee shall execute this Grant Agreement in its exact form (unless Commerce approves of a change to the Grant Agreement's terms in writing) and shall return one executed original Grant Agreement to Commerce in digital or original form.
19. Construction, Jurisdiction and Venue. This Grant Agreement shall be construed and governed by the laws of the State of North Carolina. The Grantee agrees and submits, solely for matters concerning this Grant Agreement, to the exclusive jurisdiction of the courts of North Carolina and agrees, solely for such purposes, that the only venue for any legal proceedings shall be Wake County, North Carolina. The place of this Grant Agreement, and all transactions and agreements relating to it, and their situs and forum, shall be Wake County, North Carolina, where all matters, whether sounding in contract, tort, or otherwise, relating to its validity, construction, interpretation, and enforcement, shall be determined.
20. Severability. Each provision of this Grant Agreement is intended to be severable and, if any provision of this Agreement is held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect or impair any other provision of this Grant Agreement, but this Grant Agreement shall be construed as if such invalid, illegal or unenforceable provision had not been contained herein.

Rural Economic Development Grant Agreement  
Rural Housing Recovery - Infrastructure

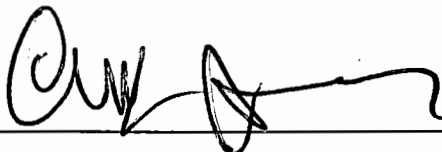
2019-133-3215-2545

21. Acceptance. If the Grantee agrees to the Grant conditions as stated, please return the executed documents specified in Paragraph 1. This Grant may be withdrawn if Commerce has not received such documents within thirty (30) days from the date of the cover letter from Commerce to the Grantee accompanying this Grant Agreement and its Exhibits.

IN WITNESSETH WHEREOF, the parties hereto have executed this Grant Agreement as of the date first above written.

City of Goldsboro

Signature:



[SEAL]

Printed Name:

Chuck Allen

Title:

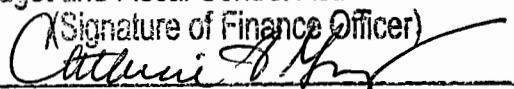
Mayor

Date:

9-9-19

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act."

(Signature of Finance Officer)



North Carolina Department of Commerce

Signature:



[SEAL]

Printed Name:

Anthony M. Copeland

Title:

Secretary of the North Carolina Department of Commerce

Date:

5/14/2019

**EXHIBIT A  
SCOPE OF SERVICES**

**Summary:** This project will focus on street, stormwater, sidewalks, parking, and will create 72 housing units. The NCHFA Tax Credits were awarded in 2017.

**EXHIBIT B  
PAYMENT SCHEDULE**

The Department of Commerce will issue grant payments up to the total grant amount upon receipt of the following:

1. A completed financial request form,
2. Copies of eligible project invoices that support the request amount, and
3. Satisfaction of all reporting requirements at the time of request.

Eligible expenditures may not be incurred prior to the effective date or subsequent to the termination date of the grant. Payments are subject to the availability of funds.

**EXHIBIT C  
REPORTING SCHEDULE**

Progress reports are due on January 15<sup>th</sup> and July 15<sup>th</sup> for each year that the grant remains open. The final report and job verification documentation are due at the time of project completion or no later than 30 days after the grant end-date, whichever is sooner. The reporting schedule remains in effect for the duration of the grant including time extensions.

**Failure to submit progress reports as required:**

1. Will result in non-payment of payment requests,
2. Can result in the immediate termination of the grant,
3. Can result in the demand for immediate repayment of any funds paid by Commerce, and
4. Will negatively impact the grantee's eligibility for future Commerce grants.

All forms, including reporting and request for payment, can be found on the Commerce website at <http://www.nccommerce.com/rd/rural-grants-programs/forms> . Email completed forms and reports to [rgpreports@nccommerce.com](mailto:rgpreports@nccommerce.com) .



**Objective:**

The North Carolina Department of Commerce, through the Rural Economic Development Division, will partner with the North Carolina Housing Finance Agency (NCHFA) to help address critical housing shortages by providing grants for public infrastructure to support housing developments in communities impacted by recent hurricanes.

**Eligible Expenditures:**

The Rural Housing Recovery Fund will provide grants to local governments for the planning, design, materials and labor necessary in the construction of public infrastructure including water, sewer, roads, sidewalks, drainage, lighting, parking, broadband, and other infrastructure that support broader affordable housing development. All infrastructure must be publicly owned and operated by the local government.

**Requirements:**

- The applicant (county or municipality) must partner with a project that received a 9% new construction low-income housing tax credit project from the North Carolina Housing Finance Agency for the 2016, 2017, or 2018 cycle.
- Funding will support public infrastructure projects associated with the construction of new residential units.
- Local governments should have a comprehensive project design that will be executed by the government in partnership with developers participating in the 9% new construction low-income housing tax credit program.
- Local governments should have methods to ensure that the homes developed remain affordable for the period required by NCHFA.
- Proposed buildings must be outside of the 100-year flood plain.

**Potential Funding Amounts:**

A maximum of \$350,000 is available per project. Awards will be determined based upon the documented recovery housing need, the total cost of the infrastructure project, and the number of affordable units proposed.

**Eligible Applicants:**

Local governments in counties with documented damages and impacts from recent hurricanes. The county where the project is located must be identified as Tier 1 or 2 under the 2019 North Carolina Development Tier Designations and must have a 9% new construction low-income housing tax credit project from the North Carolina Housing Finance Agency for the 2016, 2017, or 2018 cycle.

## APPLICATION CHECKLIST

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Submit a complete application package including the application form and the documents listed within the checklist below.

- ☐ **Application Form.** The form should be signed by local government chief elected official.
- ☐ **Local Government Resolution.** Submit a signed resolution adopted by the governing board in support of application submission to the Department of Commerce. The resolution must state the purpose of the project, indicate the local government's support for the project, and commitment to provide a cash match of at least 5% of the grant request amount toward the project.
- ☐ **Preliminary Engineering Report (PER) for Water and Sewer Improvements.** The PER should detail the proposed improvements and the current infrastructure that supports the proposed improvements. The PER should be sealed and dated and include an opinion of cost that is not more than six months old at the time of the application. The PER should include a map that shows the location of the business(es) as well as the location of the current infrastructure serving the project area and the proposed infrastructure improvements that will be supported through the project assistance.
- ☐ **Line Item Budget.** Submit a line item budget that lists the expenses associated with the proposed infrastructure improvements and the cost for each expense.
- ☐ **Housing Development Rendering.** Submit a rendering of the proposed housing development exterior.

## APPLICATION SUBMISSION

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Applicants should submit pages 3-4 of this application package along with the documents listed in the application checklist above. **Completed applications should be received at the North Carolina Department of Commerce by 5:00 p.m. on February 22, 2019.**

**Mail Application Materials to:**  
**Melody Adams**  
North Carolina Department of Commerce  
Rural Economic Development Division  
4346 Mail Service Center (US Mail)  
301 North Wilmington Street (FedEx, UPS)  
Raleigh, NC 27699-4346



Application # \_\_\_\_\_  
(For internal use only)

### Applicant Information

#### Local Government

Name: City of Goldsboro County: Wayne Tier #: 1

Mailing Address: PO Drawer A City: Goldsboro State: NC Zip: 27533

Primary Telephone: (919) 580-4330 Federal Tax ID #: 56-600228

Website: www.goldsboronc.gov

Chief Elected Official Name: Chuck Allen Title: Mayor

Telephone: (919) 580-4330 Email: callen@goldsboronc.gov

Manager/Administrator Name: C. Randall Guthrie Title: Interim City Manager

Telephone: (919) 580-4376 Email: CRGuthrie@goldsboronc.gov

#### Local Government Project Manager (If different than above):

Name: Shycole Simpson-Carter Title: Community Relations Director/HUD Administrator for the City of Goldsboro

Telephone(s): 919-580-4318 Email: ssimpson@goldsboronc.gov

### Project Information

Project Title: Keller Way Extension for Adair Place Grant Amount Requested (\$): \$350,000.00

Number of Housing Units to be Created as a Result of the Public Infrastructure: 72

### Project Narrative

#### 1 Provide a detailed description of the infrastructure improvements that will support the proposed housing development.

The public-private partnership between the City of Goldsboro and Adair Place Apartments will consist of infrastructure improvements to construct street extension of Keller Way (fka Keenway Drive) (a public street). Access to the site will be directly from Keenway Drive, which is to be constructed as part of Adair Place Apartments just west of the project site. Interconnectivity has not been shown on the site plan.

In addition, to construction of street extension of the roadway per City of Goldsboro standards, storm drainage, curbs, gutters, sidewalks, parking lots, ABC stone and paving. City sidewalks are required along the frontage of along the frontage of Keenway Drive. Frontage along Keenway Drive is approximately 373 linear ft. Per City's Unified Development Ordinance (UDO), the Adair Place Apartments will be required to install sidewalks or pay the sidewalk fee in the amount of \$5,595 in lieu of installation of the sidewalks.

Parking for the site requires two spaces per unit plus .5 per bedroom over two. Thirty-six of the 72 total units will be three-bedroom units with the other 36 units to be 12 one-bedroom units and 24 two-bedroom units. A total of 162 parking spaces are required and 162 spaces have been provided to include eight handicap accessible spaces, per the City's UDO.

Per the City's UDO, Adair Place Apartments will be required to construct a Type C 20' landscape buffer along the eastern property line and along the northern property line along Keenway Drive. Vehicular surface area landscape is required by Adair Place Apartment to meet the City's UDO. In addition, per the City's UDO Adair Place Apartment will be required to construct a Type A 10' landscape buffer along the east, west, and southern property line and vehicular surface area landscape to meet all requirements of the City's UDO.

Adair Place Apartments will be served water through Fork Township Sanitary District. Sanitary sewer service will be provided by Fork Township but treated by the City of Goldsboro. City Engineering will require Adair Place Apartment to submit stormwater calculations and drainage plans for approval prior to issuance of any building permits. The project will be three newly constructed three-story apartment buildings containing as previously stated 72 units including a community building. A previously stated, the frontage is 373 ft. (Keenway Drive), depth of 900 ft. (approximately) and an area of 7.0 acres.





- 2 Provide a detailed description of the housing project and the impact it will have on housing availability and affordability within the community.

A recent study on the Isolation and Marginalization in Eastern North Carolina conducted by Dr. Gene Nichol and Dr. Heather Hunter of the UNC School of Law, NC Poverty Research Fund spotlighted Goldsboro's immense challenges with poverty, lack of affordable housing, and economic hardship. "Income and earnings are depressed in Goldsboro for all groups but are especially stratified by race and sex. Median household income, in both the city and county, is markedly lower than in the rest of North Carolina. While the state's median figure is over \$48,000 annually, in Wayne County it is a little over \$40,000 and in Goldsboro proper, the median household income is a scant \$32,148." As mayor, I see this — along with many other factors — as contributing to Goldsboro's cumulative affordable housing crisis, lack of access to health and education options, and the snowball effect of low-to-moderate income residents being displaced. Goldsboro's highest concentration of low-to-moderate income residents are facing challenges in housing options, transportation, income inequality, health and education, to name a few.

The City of Goldsboro realizes a marshaling of resources and partnerships between the Mayor, city senior staff, private entities, developers, and public community organizations is pivotal to expanding and improving affordable housing opportunities within Goldsboro. Especially, in light of the devastation and/or loss of over 250 housing units from Hurricane Matthews and Florence that although they were substandard they were affordable. These were residential units in communities predominately inhabited by minorities primarily seniors and low-to-moderate income families. These individuals and families have faced traumatic experience with considerable short term and long-term emotion and psychological health effects. It should be noted that with recent allocations of disaster recovery funding federal and state level, case management services has begun to be offered to those impacted by Hurricane Matthew and Florence. However, this is only a time-limited program that involves planning, securing, coordinating, monitoring, and advocating for unified service goals with organizations and personnel working in close partnership with individuals and families served. Missing the one fundamental element — placing these individuals and families that are experiencing emotional and psychological trauma back in homes that are affordable, safe, and healthy. After, becoming displaced to due losing their homes to a natural disaster or experiencing financial struggles to pay a higher rent due to losing the affordable home you once had to a natural disaster.

As mayor I have created the Our Grow Goldsboro - Affordable Housing & Health Taskforce's participation in the Mayors' Institute would equip the team with advanced city-level strategies to generate sustainable solutions to address the affordable housing crisis in Goldsboro. To work with developers (such as Adair Place Apartments), citizens, elected officials (federal, state, and local) banking institutions, other key stakeholders, and staff — to create goals, objectives, initiatives, and measures to refine and improve upon the city's decisions and investment in affordable housing, strong and diverse economy, quality of life, racial and cultural harmony, and government excellence.

Yes, the lack of affordable housing hardship experienced in Goldsboro is formidable and long-standing. The challenges are too large and multifaceted to be considered as the appropriate concerns of only one group of cadre of municipal leaders. The Adair Place Apartment project and hopefully future affordable housing development to come are necessary for Goldsboro. Thus, is why now is the time based on the City's assessment of all information presented to it for all-hands-on deck approach to bring about a critical change in Goldsboro.

Past strategies and mechanisms, that the city has identified as successful and/or spur real change was the approach utilized for the Highlands of Goldsboro affordable senior housing development. The City through its' Community Relations Department (formerly Community Development) has remained abreast to market housing analyses for Goldsboro. Since 2007, market analyses and Analysis of impediments to fair housing have shown the same trends and challenges for Goldsboro — the lack of affordable housing for low-to-moderate families and seniors.

Therefore, when RHA Development, based out of Atlanta, Ga., approached the Community Relations Department, the staff was able to provide our stakeholders with a series of public meetings that spoke to the facts and need for affordable housing of a growing population of senior residents, allowing buy-in from the community. In addition with receiving funds as an incentive (\$262,500 in HOME funds and \$37,500 in local match funds from the City's General Fund), the developer was able to be better positioned for tax credits from NC Housing Finance Agency to ensure the affordability of the project that has caused a trickle-down effect to our senior population residing in the Highlands of Goldsboro. The city's Planning, Engineering, and Inspections departments were instrumental in providing streamlined services through modifications, set-backs, variance, and inspections throughout the entire process to ensure maximum results of a high-quality, affordable and safe housing development and, not to mention building the type of relationship that would lead the same developer to consider Goldsboro for another big affordable housing development.

The public-private partnership between the City of Goldsboro and Adair Place will continue the effort to expand and improve affordable housing opportunities within the city of Goldsboro. The construction of three newly three-story apartment buildings containing a total of 72 multifamily units (12 one-bedroom units, 24 two-bedroom units and 36 three-bedroom units) will improve housing options, quality of life, and provide affordable housing for low-to-moderate income residents displaced by Hurricane Matthew and Florence within Goldsboro, as well. The Adair Place Apartment project will utilize low-income housing tax credits as one tool to ensuring affordability — 25% of all units will be affordable to persons earning at or below 40% of the area median income and the remaining 75% of the units will be affordable to persons earning at or below 60% of area median income. This may seem as a drop in the bucket to some 72 multifamily units, but for Goldsboro this would replace and provide back to our residents 35% of the affordable housing units devastation and/or loss by Hurricane Matthew and Florence. As we continue to increase the number of affordable housing Goldsboro already was facing a lack of having in our City.

In closing, there is no magic bullet that will solve Goldsboro cumulative affordable housing crisis. Sustained efforts, drawing on successes seen in other communities, are demanded. For low-to-moderate income residents of Goldsboro, no problem surpasses the demand for safe and affordable housing. Affordable, safe and appealing housing is a dramatic challenge in Goldsboro. Few think it acceptable that children and disadvantaged families should face such wrenching difficulties in securing the fundamental human necessity of housing. While the lack of affordable housing is not intractable, the fight against requires patience, political, and civic will. It is definitely clear that the seniors, low-to-moderate income families, and displaced residents from Hurricane Matthew and Florence in Goldsboro cannot remain invisible to the broader society. We want have a city left to save, please help us to help ourselves to be a better and more inclusive Goldsboro for all.

**Rural Housing Recovery Infrastructure  
Application Form**

**Property Owner Information**

Property Owner Legal Name: Adair Place, LP

Property Owner Representative Name (First and Last): Frankie W. Pendergraph  
(Authorized to sign loan documents for Building Reuse)

Property Owner Rep.  
Mailing Address: P.O. Box 19691 City: Raleigh State: NC Zip: 27619

Property Owner Rep.  
Phone: (919) 755-0558 Email: fpendergraph@thepencos.com

**Property Information**

Property Development  
Name: Adair Place Year NCHFA Tax Credits awarded: '17

Property Address 200, 202, 204, & 206 Keller Way City: Goldsboro State: NC Zip: 27530

**Property Developer Information**  
(If different than Property Owner)

**Property Developer Legal** Name: Pendergraph Development, LLC

Property Developer Representative  
Name: Frankie W. Pendergraph

Mailing Address: P.O. Box 19691 City: Raleigh State: NC Zip: 27619

Representative Phone: (919) 755-0558 Representative Email: fpendergraph@thepencos.com

**Local Government Certifications**

The attached statements and exhibits are hereby made part of this application, and the undersigned representative of the applicant certifies that the information in this application and the attached statements and exhibits are true, correct, and complete to the best of the signatory's knowledge and belief. The signatory further certifies:

- 1 as Authorized Representative, the signatory has been authorized to file this application by formal action of the governing body;
- 2 that the governing body or agrees that if a grant is awarded, the applicant will provide proper and timely submittal of all documentation requested by the Grantor Agency;
- 3 that the applicant has substantially complied with or will comply with all federal, state, and local laws, rules, regulations, and ordinances as applicable to this project;
4. That the proposed housing development is outside the 100-Year flood plain.

  
\_\_\_\_\_  
Signature of Local Government Chief Elected Official

Chuck Allen  
Typed Name

Mayor  
Typed Title

2/22/2019  
Date

**RESOLUTION NO. 2019-\_\_\_\_\_**

**RESOLUTION SUPPORTING AN APPLICATION TO THE NORTH CAROLINA DEPARTMENT OF COMMERCE  
FOR RURAL HOUSING RECOVERY INFRASTRUCTURE FUNDS TO ADDRESS CRITICAL HOUSING  
SHORTGAGES CAUSED BY RECENT HURRICANES**

**Effective Date: March 18, 2019**

**WHEREAS**, due to recent hurricanes, the need for safe, decent and affordable housing in the Goldsboro area is greater than ever; and

**WHEREAS**, the North Carolina Department of Commerce, through the Rural Economic Development Division, in conjunction with the North Carolina Housing Finance Agency, has made funding available to address critical housing shortages caused by such storms; and

**WHEREAS**, the funding from these agencies provides grants for public infrastructure to support housing developments in communities impacted by recent hurricanes; and

**WHEREAS**, the Adair Place Apartment development qualifies for the disaster recovery funding.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Goldsboro, North Carolina that:

1. The City of Goldsboro supports the application submission to the North Carolina Department of Commerce for the receipt of Rural Housing Recovery Funds relating to the infrastructure improvements to Keller Way (the "Project") in association with the development and construction of Adair Place Apartments to be located at 200, 202, 204 & 206 Keller Way in the City of Goldsboro (the "Apartments").
2. The public-private partnership between the City of Goldsboro and Adair Place address critical housing shortages in the area. The construction of three newly three-story apartment buildings containing a total of 72 multifamily units (12 one-bedroom units, 24 two-bedroom units and 36 three-bedroom units) will improve housing options, quality of life, and provide safe, decent and affordable housing for low-to-moderate income residents displaced by Hurricane Matthew and Florence within Goldsboro, as well. The Adair Place Apartment project will utilize low-income housing tax credits as one tool to ensuring affordability – 25% of all units will be affordable to persons earning at or below 40% of the area median income and the remaining 75% of the units will be affordable to persons earning at or below 60% of area median income.

3. This Resolution shall be in full force and effect from and after the day of 18<sup>th</sup> of March, 2019.

Approved as to form only:

Reviewed by:

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City Attorney

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City Manager

*Please be advised that the next regular scheduled City Council meeting is March 18, 2019 for which this resolution will be placed on City Council agenda for approval.*

**Infrastructure Improvements to Keller Way (fka Keenway Drive), Goldsboro, NC  
relating to  
Adair Place Apartments**

**Line Item Budget**

<u>Line Item</u>	<u>Cost</u>
Hard Costs (see attached detail)	\$ 247,252.00
City Review	\$ 7,748.00
Inspections	\$ 10,000.00
City Adminsitration	\$ 60,000.00
City DOT Administration	\$ 5,000.00
City Engineering	\$ 20,000.00
Total	<u>\$ 350,000.00</u>

<u>Description</u>	<u>Qty</u>	<u>Units</u>		
Mobilization	1	ls		
			\$	2,500.00

Erosion Control

Construction Entrance	1	ea		
Silt Fence	1560	lf		
Inlet Protection	8	ea		
Horseshoe Inlet Protection	1	ea		
Seeding & Mulching	1	ls		
			\$	17,220.00

Storm Drainage

24" RCP	252	lf		
18" RCP	232	lf		
15" RCP	40	lf		
Curb Inlet	7	ea		
Drop Inlet	1	ea		
			\$	48,812.00

Grading

Stripp Waste Off Site	810	cy		
Stripp Waste On Site	940	cy		
Cut & Fill On Site	350	cy		
Off Site Fill	50	cy		
Fine Grade	8320	sy		
			\$	38,090.00

Site Concrete

30" Curb & Gutter	1300	lf		
4" Concrete Sidewalk	3000	sf		
			\$	46,530.00

Stone Base

4" ABC Stone Under Curb	120	tn		
8" ABC Stone Base	1700	tn		
			\$	45,500.00

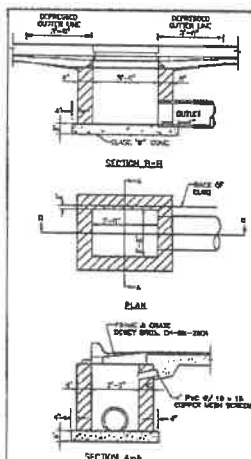
Paving

\$9.5A	3600	sy		
			\$	48,600.00

Total Base -				\$247,252.00
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#### CATCH BASIN GENERAL NOTES:

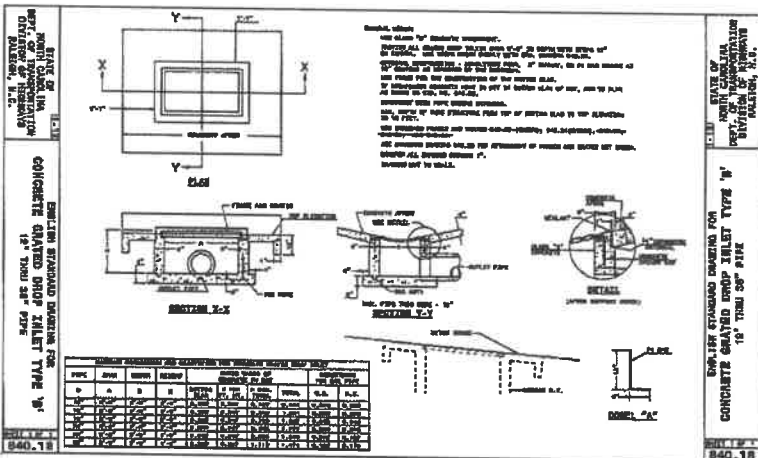
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#### STANDARD CATCH BASIN

(NOT TO SCALE)

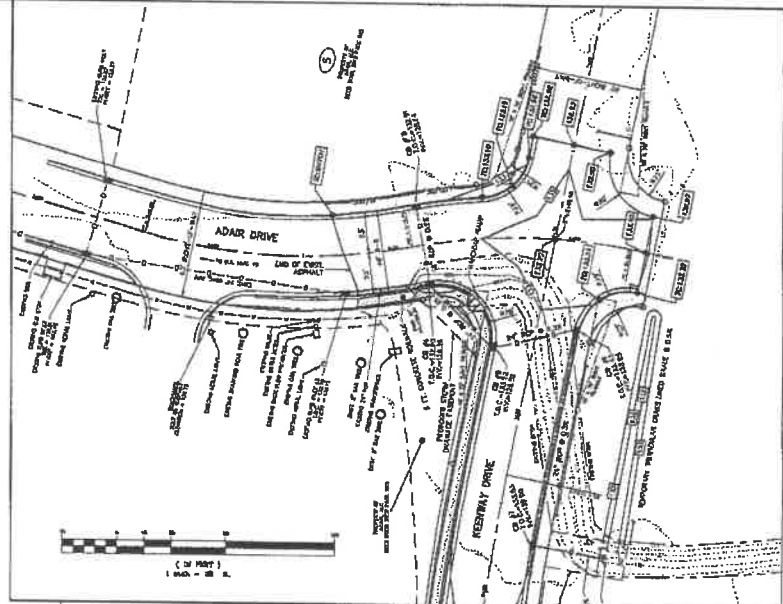


#### TYPICAL STREET CROSS SECTION

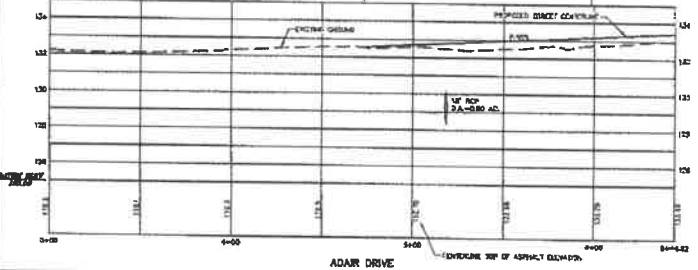


#### CONCRETE STANDARD DRAINAGE FOR 15" THRU 30" PIPE

(NOT TO SCALE)



SCALE: 1" = 30' HORIZ.  
1" = 3' VERT.



#### CONCRETE SIDEWALK

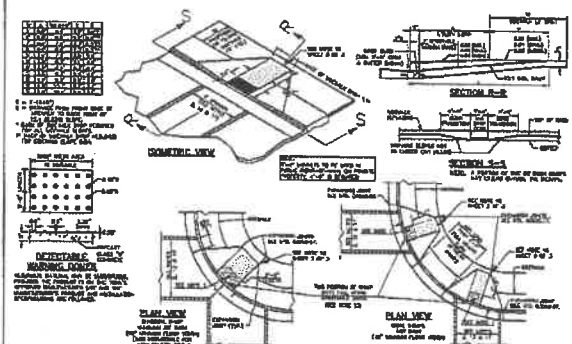
(NOT TO SCALE)

TRAFFIC LANEWAYS SHALL BE A MINIMUM OF 30 FEET.  
ALL CONCRETE TO BE FINISHED WITH COMB COMBED.  
A 1/4" SLOPE SHALL BE MAINTAINED AT LOCATIONS OF CURB CUTS, CHANGES AND STREET INTERSECTIONS.  
A CONCRETE CURB 12" HIGH WITH 1/4" SLOPE SHALL BE MAINTAINED AT LOCATIONS OF CURB CUTS, CHANGES AND STREET INTERSECTIONS.  
A CONCRETE CURB 12" HIGH WITH 1/4" SLOPE SHALL BE MAINTAINED AT LOCATIONS OF CURB CUTS, CHANGES AND STREET INTERSECTIONS.



#### 30" CURB & GUTTER

(NOT TO SCALE)



#### STANDARD WHEELCHAIR RAMP

(NOT TO SCALE)

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	7-19-2018
2	REVISION OF PERMIT	
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**B. R. KORNEGAY, INC.**  
LAND SURVEYING • ENGINEERING • PLANNING  
100 East Walnut Street  
Durham, N.C. 27601  
www.kornegayinc.com (919) 735-8888 Fax (919) 588-8953



#### ADAIR DRIVE & DETAILS

DESIGN BY	AK
CHECKED BY	AK
DATE	5-28-18
SCALE	1" = 30'

#### ADAIR - SECTION FOUR

FORK TOWNSHIP  
WAYNE COUNTY, N.C.

SHEET NO.	3
OF	4
PROJECT NO.	180919
DATE	5-28-18
SCALE	1" = 30'



1. OBTAIN GRADING PERMIT.
2. INSTALL BRUSHED CONSTRUCTION FENCE.
3. INSTALL EROSION CONTROL FIELDS.
4. MATCH GRASS STRIPS AND CONSTRUCT STORM DRAINAGE PIPES AND INLETS.
5. CONSTRUCT DEEP RIEP PROTECTION AND INLET PROTECTION.
6. CONSTRUCT SPACERS.
7. PROVIDE A GRASS/SEDIMENT (TOPOGRAPHY OR PERMANENT) ON EXPOSED SLOPES WITHIN THE REQUIRED TIME AS LISTED IN THE "EROSION STABILIZATION" TABLE.
8. MAINTAIN ALL EROSION/SEDIMENT CONTROL DEVICES AFTER ALL OPERATED AREAS ARE STABILIZED.

No further material is to be brought on or removed from the site, until the off-site borrow and/or disposal sites are identified as part of the erosion control plan. If an off-site borrow and/or disposal site is to be utilized, prior to the start of construction, submit the name and identification number (ECCP # or MPA Permit #).

[illegible]

CONTINUING SUBJECTS		CONTINUING SUBJECTS	
<b>Shipping schedule</b>	Boats	Boats	10/20/89
	Per (each)		120
	Admission (includes 1/2 hr. of food and 1/2 hr. of drink)		
	Per person (includes 1/2 hr. of food and 1/2 hr. of drink)		50
One event includes lunch, admission and temporary access to all in certain hours only.			
<b>Shipping dates</b>	From 1 - 10/10/89		
	From 10/10/89 - 10/10/89		
<b>Other information</b>			
Fuller transportation of all boats to apply 3,000 lbs/boat gross weight (includes 1/2 hr. of food and 1/2 hr. of drink)			
<b>Notes</b>			
1. All boats must be loaded with fuel, water, and other necessary items, and must be ready to depart at the time of departure.			
2. All boats must be loaded with fuel, water, and other necessary items, and must be ready to depart at the time of departure.			
<b>Comments</b>			
The boat is in good condition and is fully equipped. The boat is in good condition and is fully equipped.			

**Seeding mixture**  
 1 lb./sq. yd.  
 (approx. 1000 ft.<sup>2</sup>)

**Seeding date**  
 Calendar Sept. 12 - Aug. 15

**Soil treatments**  
 Pulverize thoroughly and, on loams or silt loams, apply 2,000 lb./acre (1000 lb./acre) Superphosphate and 750 lb./acre 10-10-10 fertilizer.

**Method**  
 Apply 4,000 lb./acre straw. Mow straw by feeding with digestor, apply a brush mowing line. A gun with 100 lb. straw and rotary spreader can be used on a brush mowing line.

**Maintenance**  
 Refer to 100 lb. gun and 100 lb. digester. Mow, mow, mow and much heavy-duty mowing during early season.

<b>Seeding mixture</b> Rye (grain)	Rate (lb/acre) 125
<b>Seeding dates</b> Custer Falls and Plymouth Aug. 18 - Dec. 31	
<b>Soil amendments</b> Fertilizer and lime or more 2,000 lb/acre ground agricultural limestone and 100 lb 4-0-0 N/acre 10-15-10 fertilizer	
<b>Harvest</b> Apply 4,000 lb/acre straw. Another harvest by feeding with ensilage, silage, or in straw chopping tract. A slow 2% residue not overly straight can be used as a straw chopping tract.	
<b>Management</b> The following management program is recommended. Rotation with 50 lb/acre of vetch or alfalfa, 50 lb N is necessary to reduce nitrogen inputs brought down 1 lb. increased yield 50 lb/acre straw (Plymouth)	

NO.	REVISION	DATE
1	ADD GRADES SINCE INITIAL DETAIL	7-18-30

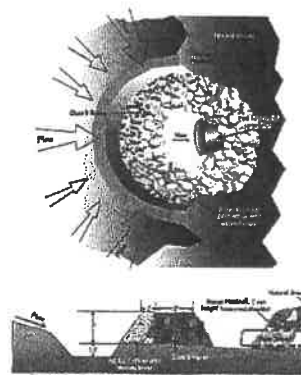
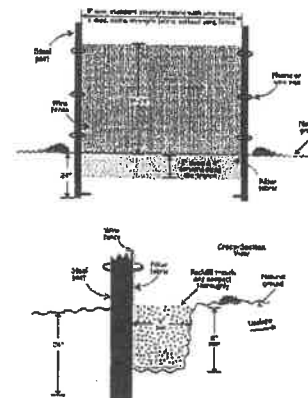
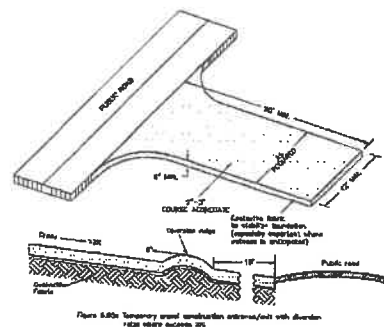
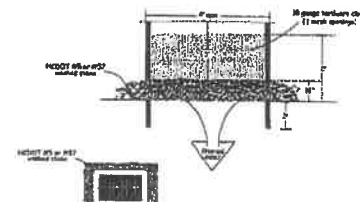
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Figure 8.83a Temporary sand construction entrance/exit with divider  
1:20 slope across top.

[illegible]

2. RESEARCH, DESIGN & DEVELOPMENT  
PLANNING & DESIGN PHASE  
(NOT TO SCALE)

ORIGIN	JK
DESTINAC	JK
DATE	5-28-15
SCALE	NTG

PROPERTY OF  
**ADAIR - SECTION FOUR**  
FORK TOWNSHIP  
WAYNE COUNTY, N.C.

UNIT: 4  
SF: 4  
WORK SHEET: 10012

# Adair Place

## Goldsboro, North Carolina

---

### Adair Place, LP



THIS PROJECT, IN ITS ENTIRETY, TO  
COMPLY WITH 2017 QAP, APPENDIX B,  
DESIGN QUALITY STANDARDS

#### ENGINEERING (CIVIL)

Jones Consulting Engineers, P.A.  
Post Office Box 10882  
Goldsboro, North Carolina 27532  
Phone #: 919.221.5222  
Fax #: -

#### ENGINEERING (STRUCTURAL)

Hausman-Crescent, Inc.  
4506 Paces Road  
Zebulon, North Carolina 27597  
Phone #: 919.817.7278  
Fax #: -

#### ARCHITECTURAL

Ross/Deckard Architects, PA  
4010 Wake Forest Road  
Raleigh, North Carolina 27609  
Phone #: 919.875.9201  
Fax #: 919.875.9200

#### ENGINEERING (MEP)

Melling Engineering  
MEP Design Consultants  
3524 Glenhurst Place  
Raleigh, North Carolina 27615  
Phone #: 919.813.3651  
melling@mellingengineer.com

#### GENERAL CONTRACTOR

Caliber Builders, LLC  
3624 Browning Place  
Raleigh, North Carolina 27609  
Mobile #: 919.861.8082  
Fax #: 919.754.6603

#### OWNER

Adair Place, LP  
3624 Browning Place  
Raleigh, North Carolina 27609  
Mobile #: 919.861.8082  
Fax #: 919.754.6603

SEALS

CONSULTANTS

PROJECT

REVISIONS

DATE

SET

SHEET

Adair Place, LP

Adair Place

Goldsboro, North Carolina

17-513.00

17-513.00

August 14, 2018

17-513.00

Plan & Construction

SP100

Title Sheet

TS 1



CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
OCTOBER 7, 2019 COUNCIL MEETING

**SUBJECT:** Resolution – Rural Housing Recovery Infrastructure Grant - DISBURSEMENT

**BACKGROUND:** The City of Goldsboro applied for a grant on February 22, 2019 for funding by North Carolina Department of Commerce through the Rural Economic Development Division for the Rural Housing Recovery Infrastructure Grant in the amount of \$350,000. Such Grant was awarded on May 14, 2019 for the work which was included in the application, and the work has now been completed by Caliber Builders, LLC.

**DISCUSSION:** The Rural Housing Recovery Infrastructure Grant Application submitted exhibited a public-private partnership between the City of Goldsboro and Adair Place Apartments consisting of infrastructure improvements including: construction of street extension of Keller Way (fka Keenway Drive) (a public street) per City of Goldsboro standards, storm drainage, curbs, gutters, sidewalks, parking lots, ABC stone and paving. The project will add to the affordable housing stock three newly constructed three-story apartment buildings containing 72 units including a community building; thirty-six will be three-bedroom units, 24 two-bedroom units and 12 one-bedroom units. Location of the project is 200, 202, 204 & 206 Keller Way, Goldsboro NC.

As part of the application process for the Rural Housing Recovery Infrastructure Grant, the City of Goldsboro adopted a resolution in support of the application submission to North Carolina Department of Commerce for rural housing recovery infrastructure funds to address critical housing shortages caused by recent hurricanes. No matching funds are required of the City of Goldsboro in conjunction with the Rural Housing Recovery Infrastructure Grant.

Now, adoption of a resolution authorizing the finance director for the expenditure of the grant funds for the completed work to the contractor, Caliber Builders, LLC, in the amount of \$247,252.00, and to the City of Goldsboro for the expenses it incurred in administering the project in the amount of \$102,748.00.

RECOMMENDATION: By motion, adopt the attached resolution:

1. Approving the disbursement of the grant funds received from the North Carolina Department of Commerce for rural housing recovery infrastructure, the Rural Housing Recovery Infrastructure Grant, in the amount of \$350,000.00 total to address critical housing shortages caused by recent hurricanes.
2. Authorize the Finance Director to disburse to Caliber Builders, LLC the sum of \$247,252.00 from said grant funds, and disburse to the City of Goldsboro the sum of \$102,748.00 from said grant funds for total disbursement of \$350,000.00.

Date: 10/2/2019



Catherine F. Gwynn, Finance Director

Date: \_\_\_\_\_

\_\_\_\_\_  
Tim Salmon, City Manager

RESOLUTION NO. 2019 –

RESOLUTION FOR DISBURSEMENT OF THE RURAL HOUSING RECOVERY  
INFRASTRUCTURE GRANT RECEIVED FROM THE NORTH CAROLINA DEPARTMENT  
OF COMMERCE

WHEREAS, due to recent hurricanes, the need for safe, decent and affordable housing in the Goldsboro area is greater than ever; and

WHEREAS, the North Carolina Department of Commerce, through the Rural Economic Development Division, in conjunction with the North Carolina Housing Finance Agency, has awarded to the City of Goldsboro the Rural Housing Recovery Infrastructure Grant in the amount of \$350,000.00 to address critical housing shortages caused by such storms; and

WHEREAS, the funding from this grant was provided for public infrastructure to support housing developments in communities impacted by recent hurricanes; and

WHEREAS, the Adair Place Apartment development qualified for the disaster recovery funding, and the City of Goldsboro's grant application dated February 22, 2019, which created a public-private partnership between the same, was awarded on May 14, 2019 which included and incorporated therein proposed infrastructure improvements; and

WHEREAS, the infrastructure improvements have now been completed by Caliber Builders, LLC including: construction of street extension of Keller Way (fka Keenway Drive) (a public street) per City of Goldsboro standards, storm drainage, curbs, gutters, sidewalks, parking lots, ABC stone and paving; and

WHEREAS, the project will add to the affordable housing stock three newly constructed three-story apartment buildings containing 72 units including a community building. Thirty-six of the 72 total units will be three-bedroom units with the other 36 units to be 12 one-bedroom units and 24 two-bedroom units. Location of the project is 200, 202, 204 & 206 Keller Way, Goldsboro NC; and

WHEREAS, as part of the application process for the Rural Housing Recovery Infrastructure Grant, the City of Goldsboro adopted a resolution in support of the application submission to North Carolina Department of Commerce for rural housing recovery infrastructure funds to address critical housing shortages caused by recent hurricanes; and no matching funds are required of the City of Goldsboro in conjunction with the Rural Housing Recovery Infrastructure Grant; and

WHEREAS, said improvements have been completed, the expenditure of those funds is necessary and the adoption of this resolution is necessary to authorize the Finance Director for the City of Goldsboro for the expenditure of the grant funds so received for the completed work to the contractor, Caliber Builders, LLC, in the amount of \$247,252.00, and to the City of Goldsboro for the expenses it incurred in administering the project in the amount of \$102,748.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina, that:

1. The disbursement of the grant funds received from the North Carolina Department of Commerce for rural housing recovery infrastructure, the Rural Housing Recovery Infrastructure Grant, in the amount of \$350,000.00 total to address critical housing shortages caused by recent hurricanes is hereby approved and authorized.
2. The Finance Director for the City of Goldsboro is to disburse to Caliber Builders, LLC the sum of \$247,252.00 from said grant funds for the completed improvements, and is to disburse to the City of Goldsboro the sum of \$102,748.00 for administrative costs from said grant funds; all disbursements totaling \$350,000.00, the extent of the grant received.
3. This Resolution shall be in full force and effect from and after the 7<sup>th</sup> day of October, 2019.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
OCTOBER 7, 2019 COUNCIL MEETING

SUBJECT: Authorization to dispose of real property to Wayne County under N.C. General Statute §160A-274 (Sale, lease, exchange and joint use of governmental property)

BACKGROUND: At the September 23, 2019 meeting, the Council voted to approve the disposal of its share in two lots to Wayne County, in exchange for the County to transfer its share of a lot co-owned by Wayne County and the City. The governing bodies are granted this authority to exchange property, with or without consideration, through §160A-274.

DISCUSSION: To recap the property being exchanged is as follows:

**City of Goldsboro to transfer to Wayne County**

**306 N. Leslie Street**

Owner: City of Goldsboro

Parcel # (REID): 0051601

Tax Value: \$5,530.00

Pin #: 3509263047

Zoning: O&I

**702 Simmons Street**

Owner: City of Goldsboro and Wayne County

Parcel # (REID): 0051602

Tax Value: \$2,590.00

Pin #: 3509263095

Zoning: O&I

**Wayne County to transfer to City of Goldsboro**

**204 N. Virginia Street**

Owners: City of Goldsboro and Wayne County

Parcel # (REID): 0047329

Tax Value: \$3,190.00

Pin #: 2599768954

Zoning: R-6

RECOMMENDATION: It is recommended that the City Council, by motion:

1. Adopt the attached resolution to exchange its interests in the named properties with Wayne County, and authorize City staff to execute instruments necessary to transfer ownership upon concurrence by Wayne County Board of Commissioners.

Date: \_\_\_\_\_

\_\_\_\_\_  
Catherine F. Gwynn, Finance Director

Date: \_\_\_\_\_

\_\_\_\_\_  
Tim Salmon, City Manager



RESOLUTION NO. 2019- \_\_\_\_\_

RESOLUTION AUTHORIZING EXCHANGE OF  
REAL PROPERTY WITH WAYNE COUNTY UNDER G.S. §160A-274

WHEREAS, the City of Goldsboro owns interests in certain property, 306 N. Leslie Street (NC Pin #3509263047 Parcel ID 0051601) and 702 Simmons Street (NC Pin #3509263095 Parcel ID 0051602), and Wayne County owns an interest in certain property, 204 N. Virginia Street (NC Pin #2599768954 Parcel ID 0047329); and

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

WHEREAS, the City Council and the Wayne County Board of Commissioners have identified the named properties that they deem in the best interest of each to exchange their interests in with no other consideration.

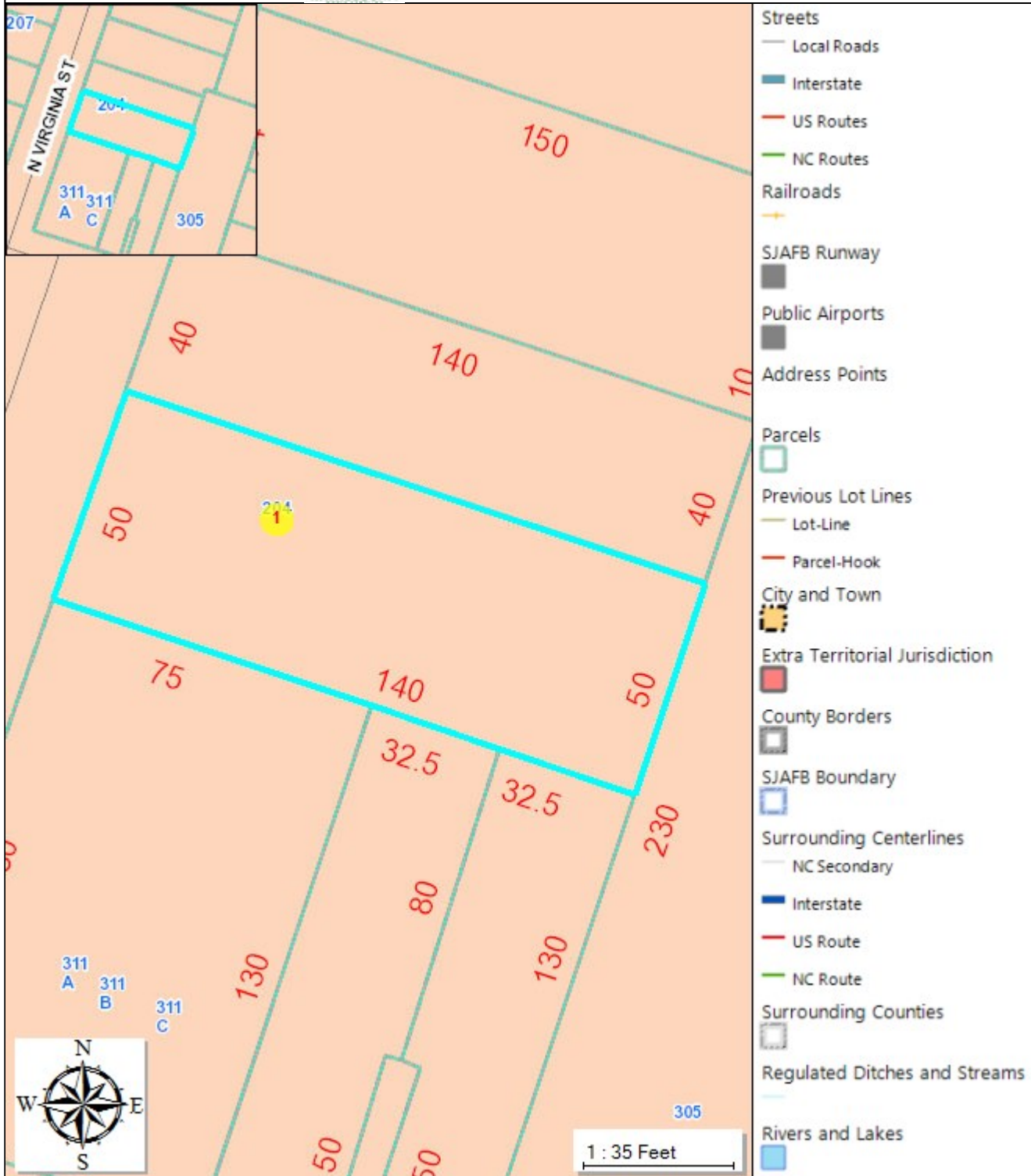
NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Goldsboro, North Carolina, that:

- 1) The City Council authorizes the exchange of its interests in the properties described above through North Carolina General Statute §160A-274.
- 2) The City Council further authorizes and empowers City staff to execute the instruments necessary to convey such interests in the properties to Wayne County upon concurrence.

This resolution shall be in full force and effect from and after this \_\_\_\_\_  
day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk



<b><u>OBJECTID</u></b>	<b><u>PIN</u></b>	<b><u>Owner Name</u></b>
58433	2599768954	CITY OF GOLDSBORO
<b><u>Co-Owner Name</u></b>	<b><u>Owner Address 1</u></b>	<b><u>Owner Address 2</u></b>
WAYNE COUNTY	PO DRAWER A	
<b><u>Owner Address 3</u></b>	<b><u>Owner City</u></b>	<b><u>Owner State</u></b>
	GOLDSBORO	NC
<b><u>Owner Zip</u></b>	<b><u>Unit or Apt</u></b>	<b><u>Deed Date</u></b>
27533-9701		4/11/2018 12:00:00 AM
<b><u>REID</u></b>	<b><u>Deed Book</u></b>	<b><u>Deed Page</u></b>
0047329	3364	326
<b><u>Sale Month</u></b>	<b><u>Sale Year</u></b>	<b><u>Sale Price</u></b>
4	2018	0
<b><u>Previous Deed Book</u></b>	<b><u>Previous Deed Page</u></b>	<b><u>Previous Sale Month</u></b>
02286	0080	1
<b><u>Previous Sales Year</u></b>	<b><u>Previous Sale Price</u></b>	<b><u>Property Use</u></b>
2005	22000	08 - MULTIPLE RESIDENCE
<b><u>Record Source</u></b>	<b><u>Property Address</u></b>	<b><u>Legal Description</u></b>
Owner	204 N VIRGINIA ST	N VIRGINIA ST 1537-587
<b><u>Acres</u></b>	<b><u>Neighborhood</u></b>	<b><u>Account Number</u></b>
1	01702	75254500
<b><u>Township Code</u></b>	<b><u>Building Value</u></b>	<b><u>Outbuilding Value</u></b>
12	0	0
<b><u>Land Value</u></b>	<b><u>Total Market Value</u></b>	<b><u>Total Assessed Value</u></b>
3190	3190	3190
<b><u>Vacant Or Improved</u></b>	<b><u>Vacant or Improved 2</u></b>	
V	I	

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## WAYNE COUNTY

CITY OF GOLDSBORO  
204 N VIRGINIA ST  
75254500

## WAYNE COUNTY

CITY - GOLDSBORO (100), COUNTYWIDE ADVALOREM TAX (100)  
N VIRGINIA ST 1537-587

Return/Appeal Notes: 2599768954

UNIQ ID 47329

ID NO: 12000068008002

CARD NO. 1 of 1

1.000 LT

SRC=

TW-12

C-01 EX-2 AT-

LAST ACTION 20180510

Reval Year: 2019 Tax Year: 2020  
Appraised by on 01702 WEST SIDE DOWNTOWN

CONSTRUCTION DETAIL		MARKET VALUE						DEPRECIATION				CORRELATION OF VALUE																									
TOTAL POINT VALUE	BUILDING ADJUSTMENTS	USE	MOD	Eff. Area	QUAL	BASE RATE	RC	NE	YB	AYB	CREDENCE TO																										
TOTAL ADJUSTMENT	08 00										% GOOD																										
FACTOR	TYPE: MULTIPLE RESIDENCE																																				
TOTAL QUALITY INDEX	STORIES:																																				
											DEPR. BUILDING VALUE - CARD				0																						
											DEPR. OB/XF VALUE - CARD				0																						
											MARKET LAND VALUE - CARD				3,190																						
											TOTAL MARKET VALUE - CARD				3,190																						
											TOTAL APPRAISED VALUE - CARD				3,190																						
											TOTAL APPRAISED VALUE - PARCEL				3,190																						
											TOTAL PRESENT USE VALUE - PARCEL				0																						
											TOTAL VALUE DEFERRED - PARCEL				0																						
											TOTAL TAXABLE VALUE - PARCEL				3,190																						
											PRIOR																										
											BUILDING VALUE				0																						
											OBXF VALUE				0																						
											LAND VALUE				3,190																						
											PRESENT USE VALUE				0																						
											DEFERRED VALUE				0																						
											TOTAL VALUE				3,190																						
PERMIT																																					
CODE		DATE		NOTE		NUMBER		AMOUNT																													
ROUT: WTRSHD:																																					
SALES DATA																																					
OFF. RECORD		DATE		DEED						INDICATE SALES PRICE																											
BOOK	PAGE	MO	YR	TYPE	Q	U	V	I																													
03364	0326	4	2018	WD	P	V	I		0																												
02286	0080	1	2005	WD	U	I	I		22000																												
02001	0058	11	2002	WD	U	I	I		0																												
01081	0175	1	1984	U	I	I			10500																												
HEATED AREA																																					
NOTES																																					
triplex demo for 2013																																					
SUBAREA		GS AREA		RPL CS		CODE QUALITY		DESCRIPTION		LTH		WTH		UNITS		UNIT PRICE		ORIG % COND		BLDG#		L/B		SIZE FACT		AYB		EYB		ANN DEP RATE		OVR		% COND		OB/XF DEPR. VALUE	
TYPE		AREA		CS		TOTAL OB/XF VALUE																															
FIREPLACE																																					
SUBAREA																																					
TOTALS																																					
BUILDING DIMENSIONS																																					
LAND INFORMATION																																					
HIGHEST AND BEST USE		USE CODE		LOCAL ZONING		FRONTAGE		DEPTH		DEPTH / SIZE		LND MOD		COND FACT		OTHER ADJUSTMENTS AND NOTES				ROAD TYPE		LAND UNIT PRICE		TOTAL LAND UNITS		UNT TYP		TOTAL ADJUST		ADJUSTED UNIT PRICE		LAND VALUE		LAND NOTES			
0100		0100		R-6		50		140		0.9800		2		1.0000		RF AC LC TO OT						65.00		50.000		FF		0.980		63.70		3185					
TOTAL MARKET LAND DATA																																					
TOTAL PRESENT USE DATA																																					

## WAYNE COUNTY

9/10/2019 9:13:54 AM

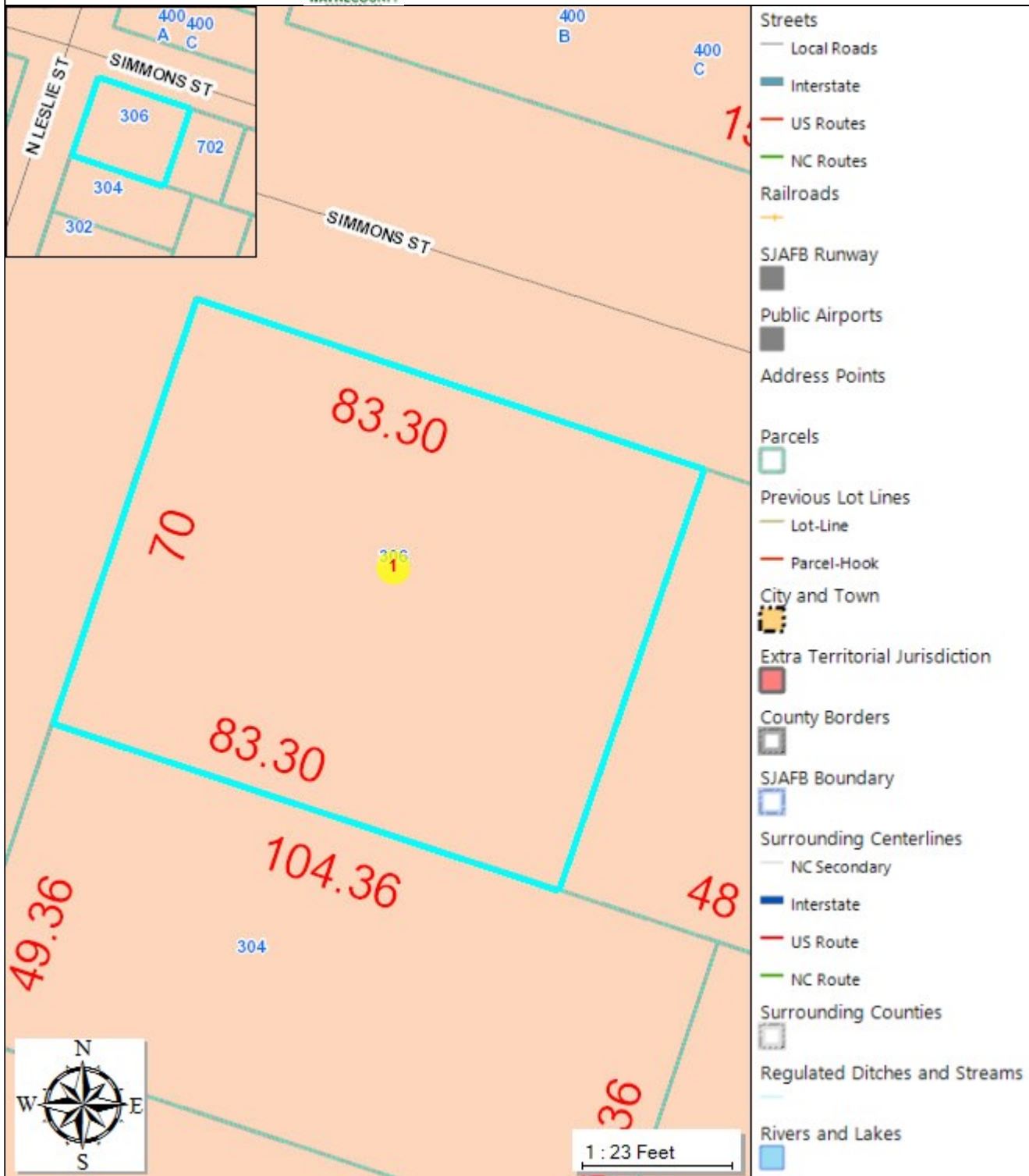
**CITY OF GOLDSBORO**  
306 N LESLIE ST  
76121320

Return/Appeal Notes: **3509263047**  
UNIQ ID 51601  
ID NO: 12000034002003

CITY - GOLDSBORO (100), COUNTYWIDE ADVALOREM TAX (100)  
N LESLIE ST  
Appraised by 60 on 01802 BEECH ST AREA

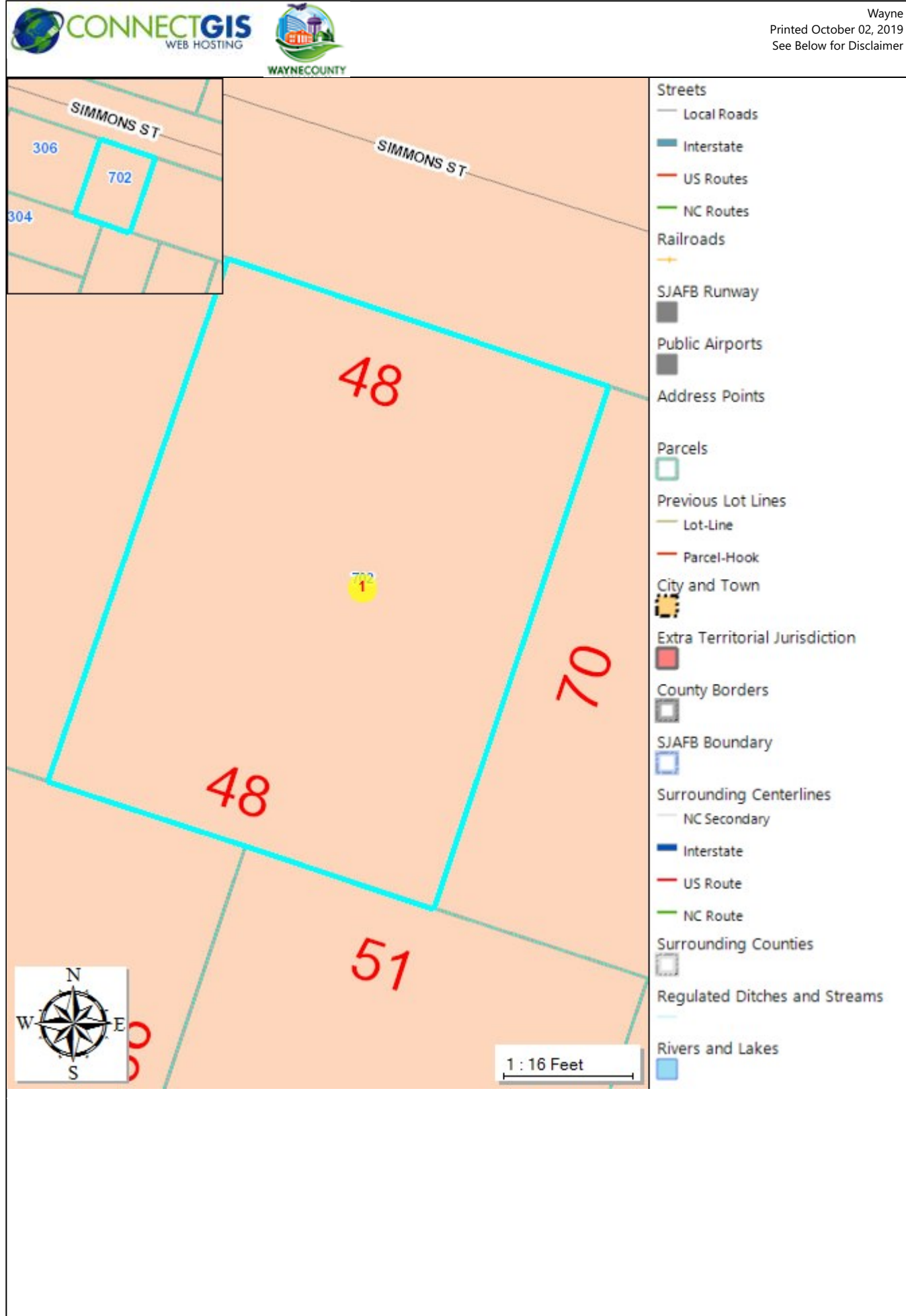
CARD NO. 1 of 1  
1,000 LT  
TW-12  
SRC=  
C-01 EX-5 AT-  
LAST ACTION 20170729

CONSTRUCTION DETAIL		MARKET VALUE						DEPRECIATION				CORRELATION OF VALUE											
TOTAL POINT VALUE		USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	EY	BAYB					CREDENCE TO									
BUILDING ADJUSTMENTS		01	00							% GOOD				DEPR. BUILDING VALUE - CARD									
TOTAL ADJUSTMENT														DEPR. OB/XF VALUE - CARD									
FACTOR														MARKET LAND VALUE - CARD									
TOTAL QUALITY INDEX		TYPE: SINGLE FAMILY RESIDENTIAL												TOTAL MARKET VALUE - CARD									
		STORIES:												TOTAL APPRAISED VALUE - CARD									
														TOTAL APPRAISED VALUE - PARCEL									
														TOTAL PRESENT USE VALUE - PARCEL									
														TOTAL VALUE DEFERRED - PARCEL									
														TOTAL TAXABLE VALUE - PARCEL									
														PRIOR									
														BUILDING VALUE									
														OBXF VALUE									
														LAND VALUE									
														PRESENT USE VALUE									
														DEFERRED VALUE									
														TOTAL VALUE									
														PERMIT									
														CODE DATE NOTE NUMBER AMOUNT									
														ROUT: WTRSHD:									
														SALES DATA									
														OFF. RECORD DATE DEED TYPE Q/UV/I INDICATE SALES PRICE									
														BOOK PAGE MOYR									
														02668 0015 11 2008 WD U I 0									
														01032 0455 1 1982 U I 11000									
														HEATED AREA									
														NOTES									
														CK'D 4/07-HSE POOR COND.									
														P3-09 DEMO HSE FOR 2010									
SUBAREA		GS AREA	RPL CS	CODE	QUALITY	DESCRIPTION	LTH	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG#	L/B	AYB	EYB	ANN DEP RATE	OVR	% COND	OB/XF DEPR. VALUE				
FIREPLACE						FR STG NV	0	0	1	0.00	100			1900	1900	0		100	0				
SUBAREA TOTALS		TOTAL OB/XF VALUE																					
		0																					
BUILDING DIMENSIONS																							
LAND INFORMATION																							
HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRONTAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJUSTMENTS AND NOTES				ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNT TYP	TOTAL ADJUST	ADJUSTED UNIT PRICE	LAND VALUE	LAND NOTES				
0100	0100	O&I	70	83	0.7900	2	1.0000						100.00	70.000	FF	0.790	79.00	5530					
TOTAL MARKET LAND DATA																							
TOTAL PRESENT USE DATA																							



<b><u>OBJECTID</u></b>	<b><u>PIN</u></b>	<b><u>Owner Name</u></b>
66492	3509263047	CITY OF GOLDSBORO
<b><u>Co-Owner Name</u></b>	<b><u>Owner Address 1</u></b>	<b><u>Owner Address 2</u></b>
	PO BOX A	
<b><u>Owner Address 3</u></b>	<b><u>Owner City</u></b>	<b><u>Owner State</u></b>
	GOLDSBORO	NC
<b><u>Owner Zip</u></b>	<b><u>Unit or Apt</u></b>	<b><u>Deed Date</u></b>
27533-9701		11/1/2008 12:00:00 AM
<b><u>REID</u></b>	<b><u>Deed Book</u></b>	<b><u>Deed Page</u></b>
0051601	2668	15
<b><u>Sale Month</u></b>	<b><u>Sale Year</u></b>	<b><u>Sale Price</u></b>
11	2008	0
<b><u>Previous Deed Book</u></b>	<b><u>Previous Deed Page</u></b>	<b><u>Previous Sale Month</u></b>
01032	0455	1
<b><u>Previous Sales Year</u></b>	<b><u>Previous Sale Price</u></b>	<b><u>Property Use</u></b>
1982	11000	01 - SINGLE FAMILY RESIDENTIAL
<b><u>Record Source</u></b>	<b><u>Property Address</u></b>	<b><u>Legal Description</u></b>
Owner	306 N LESLIE ST	N LESLIE ST
<b><u>Acres</u></b>	<b><u>Neighborhood</u></b>	<b><u>Account Number</u></b>
1	01802	76121320
<b><u>Township Code</u></b>	<b><u>Building Value</u></b>	<b><u>Outbuilding Value</u></b>
12	0	0
<b><u>Land Value</u></b>	<b><u>Total Market Value</u></b>	<b><u>Total Assessed Value</u></b>
5530	5530	5530
<b><u>Vacant Or Improved</u></b>	<b><u>Vacant or Improved 2</u></b>	
I	I	

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<b><u>OBJECTID</u></b>	<b><u>PIN</u></b>	<b><u>Owner Name</u></b>
50500	3509263095	MURRAY JESSE WAYNE
<b><u>Co-Owner Name</u></b>	<b><u>Owner Address 1</u></b>	<b><u>Owner Address 2</u></b>
	821 ARGO ST	
<b><u>Owner Address 3</u></b>	<b><u>Owner City</u></b>	<b><u>Owner State</u></b>
	GOLDSBORO	NC
<b><u>Owner Zip</u></b>	<b><u>Unit or Apt</u></b>	<b><u>Deed Date</u></b>
27530-2968		1/1/2013 12:00:00 AM
<b><u>REID</u></b>	<b><u>Deed Book</u></b>	<b><u>Deed Page</u></b>
0051602	0013E	552
<b><u>Sale Month</u></b>	<b><u>Sale Year</u></b>	<b><u>Sale Price</u></b>
1	2013	0
<b><u>Previous Deed Book</u></b>	<b><u>Previous Deed Page</u></b>	<b><u>Previous Sale Month</u></b>
0002E	0529	1
<b><u>Previous Sales Year</u></b>	<b><u>Previous Sale Price</u></b>	<b><u>Property Use</u></b>
2002	0	01 - SINGLE FAMILY RESIDENTIAL
<b><u>Record Source</u></b>	<b><u>Property Address</u></b>	<b><u>Legal Description</u></b>
Owner	702 SIMMONS ST	E SIMMONS ST
<b><u>Acres</u></b>	<b><u>Neighborhood</u></b>	<b><u>Account Number</u></b>
1	01802	740618
<b><u>Township Code</u></b>	<b><u>Building Value</u></b>	<b><u>Outbuilding Value</u></b>
12	0	0
<b><u>Land Value</u></b>	<b><u>Total Market Value</u></b>	<b><u>Total Assessed Value</u></b>
2590	2590	2590
<b><u>Vacant Or Improved</u></b>	<b><u>Vacant or Improved 2</u></b>	
I	I	

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## WAYNE COUNTY

9/11/2019 8:43:42 AM

MURRAY JESSE WAYNE  
702 SIMMONS ST  
740618

Return/Appeal Notes: 3509263095  
UNIQ ID 51602  
ID NO: 12000034002004

CITY - GOLDSBORO (100), COUNTYWIDE ADVALOREM TAX (100)  
Reval Year: 2019 Tax Year: 2020 E SIMMONS ST  
Appraised by on 01802 BEECH ST AREA

CARD NO. 1 of 1  
1.000 LT  
TW-12 SRC=  
C-01 EX-AT- LAST ACTION 20170729

CONSTRUCTION DETAIL		MARKET VALUE				DEPRECIATION				CORRELATION OF VALUE										
TOTAL POINT VALUE	USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	EYB	AYB	CREDENCE TO											
BUILDING ADJUSTMENTS	01	00							% GOOD											
TOTAL ADJUSTMENT FACTOR	TYPE: SINGLE FAMILY RESIDENTIAL								DEPR. BUILDING VALUE - CARD											
TOTAL QUALITY INDEX	STORIES:								DEPR. OB/XF VALUE - CARD											
									MARKET LAND VALUE - CARD											
									TOTAL MARKET VALUE - CARD											
									TOTAL APPRAISED VALUE - CARD											
									TOTAL APPRAISED VALUE - PARCEL											
									TOTAL PRESENT USE VALUE - PARCEL											
									TOTAL VALUE DEFERRED - PARCEL											
									TOTAL TAXABLE VALUE - PARCEL											
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									BUILDING VALUE											
									OBXF VALUE											
									LAND VALUE											
									PRESENT USE VALUE											
									DEFERRED VALUE											
									TOTAL VALUE											
									PERMIT											
	CODE	DATE	NOTE	NUMBER	AMOUNT															
	ROUT: WTRSHD:																			
	SALES DATA																			
OFF. RECORD	DATE	DEED			INDICATE SALES															
BOOK PAGE MOYR	TYPE	Q/U/V/I	PRICE																	
00994 0180 1 1980	WD	U I	1000																	
0013E 0552 1 2013	WB	C I	0																	
0002E 0529 1 2002	WB	C I	0																	
	HEATED AREA																			
	NOTES																			
	FEILD CHK 5/9/13 POOR SHAPE NOT LIVED IN P2-17 DE																			
	MO FOR 2018																			
SUBAREA		GS	RPL	CODE	QUALITY	DESCRIPTION	LTH	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG#	L/B	SIZE FACT	AYB	EYB	ANN DEP RATE	% OVR COND	OB/XF DEPR. VALUE	
TYPE	AREA	%	CS	TOTAL OB/XF VALUE																
FIREPLACE																				
SUBAREA																				
TOTALS																				
BUILDING DIMENSIONS																				
LAND INFORMATION																				
HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRONTAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	OTHER ADJUSTMENTS AND NOTES				ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNT TYP	TOTAL ADJUST	ADJUSTED UNIT PRICE	LAND VALUE	LAND NOTES	
0100	0100	O&I	48	70	0.7200	2	1.0000	RF	AC	LC	TO	OT		75.00	48.000	FF	0.720	54.00	2592	
TOTAL MARKET LAND DATA																			2,590	
TOTAL PRESENT USE DATA																				

CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
OCTOBER 7, 2019 COUNCIL MEETING

**SUBJECT:** Contract Award – 2019 Wastewater Collection System  
Rehabilitation & Storm Sewer Improvements Project  
Formal Bid No. 2019-007

**BACKGROUND:** On Friday, September 27, 2019, three (3) sealed bids were received for the 2019 Wastewater Collection System Rehabilitation and Storm Sewer Improvements Project.

The proposed work consists of rehabilitation of approximately 3,800 linear feet of existing sanitary sewer mains by cured-in-place pipe linear and stormwater improvements at West Pine St. from George St. to Virginia St., East Pine St. from Center St. to John St., Elizabeth St., Marygold St., and Beech Street.

Herring-Rivenbark, Inc. of Kinston, NC submitted the low bid for this project for a total cost of \$886,590. The bids received for this project are tabulated as follows:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
Herring-Rivenbark, Inc. Kinston, NC	\$ 886,590
T. A. Loving Company Goldsboro, NC	\$ 995,775
North American Pipeline Mgt., Inc. Greenville, SC	\$1,227,925

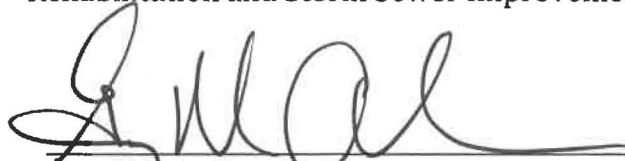
**DISCUSSION:** A \$961,307 Gold Leaf Foundation Grant funds reimbursement for this project. We have reviewed the financing of this project with the Finance Director and determined that a budget ordinance is required to appropriate funds for this project.

**RECOMMENDATION:** It is recommended that the City Council, by motion:

1. Adopt the attached budget ordinance appropriating funds for the 2019 Wastewater Collection System Rehabilitation & Storm Sewer Improvements Project.
2. Adopt the attached resolution authorizing the Mayor and City Clerk to execute a contract for \$886,590 with Herring-

3. Rivenbark, Inc. for the 2019 Wastewater Collection System Rehabilitation and Storm Sewer Improvements Project.

Date: 1 Oct 19

  
\_\_\_\_\_  
Guy M. Anderson, P. E., City Engineer

Date: \_\_\_\_\_

\_\_\_\_\_  
Timothy M. Salmon, City Manager

ORDINANCE NO. 2019-

AN ORDINANCE ESTABLISHING THE GRANT  
PROJECT FUND FOR THE GOLDEN LEAF HURRICANE MATTHEW INFRASTRUCTURE  
RECOVERY PROJECT 2019-004 (S1105)

WHEREAS, the City of Goldsboro owns and maintains infrastructure for the treatment of wastewater to provide sanitary sewer to its citizens and customers, and for the management of storm sewer infrastructure; and

WHEREAS, the City applied for a grant from the Golden Leaf Foundation; and

WHEREAS, on August 8, 2018, the Golden Leaf Foundation awarded the City a grant for the Hurricane Matthew Infrastructure Recovery project (2019-004) to make needed improvements to sewer and stormwater infrastructure; and

WHEREAS, it is necessary to appropriate the expenditures for the construction costs associated with the Project; and

WHEREAS, this will be funded with an appropriation of grant revenue from the Golden Leaf Foundation.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro that the following Capital Project Ordinance is hereby adopted:

**Golden Leaf Hurricane Matthew Infrastructure Recovery Project 2019-0004 (S1105)**

	<b><u>Current Budget</u></b>
Revenues:	
Golden Leaf Grant	\$ 961,307.00
Total Revenues	<u>\$ 961,307.00</u>
Expenditures:	
Construction - Sewer & Stormwater Imprvmts.	\$ 961,307.00
Total Expenditures	<u>\$ 961,307.00</u>

This Ordinance shall be in full force and effect from and after the \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Mayor

Attested by:

\_\_\_\_\_  
City Clerk

RESOLUTION NO. 2019 –

RESOLUTION AWARDING AND AUTHORIZING THE EXECUTION OF A  
CONTRACT FOR 2019 WASTEWATER COLLECTION SYSTEM REHABILITATION AND  
STORM SEWER IMPROVEMENTS PROJECT  
FORMAL BID NO. 2019-007

WHEREAS, the City Council of the City of Goldsboro has heretofore found it in the public interest to undertake a project for wastewater collection system rehabilitation and storm sewer improvements; and

WHEREAS, the low bid for the 2019 Wastewater Collection System Rehabilitation and Storm Sewer Improvements Project was submitted by Herring-Rivenbark, Inc. of Kinston, NC in the amount of \$886,590 and

WHEREAS, the City Council deems it in the best interest of the City of Goldsboro to accept the low bid and award the contract to Herring-Rivenbark, Inc. in the amount of \$886,590 for the 2019 Wastewater Collection System Rehabilitation and Storm Sewer Improvements Project;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina, that:

1. The Mayor and City Clerk are hereby authorized and directed to execute a contract with Herring-Rivenbark, Inc. in the amount of \$886,590 for the 2019 Wastewater Collection System Rehabilitation and Storm Sewer Improvements Project;

2. This resolution shall be in full force and effect from and after this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

Attested by:

\_\_\_\_\_  
City Clerk

CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
OCTOBER 7, 2019 COUNCIL MEETING

**SUBJECT:** Informal Bid No. 2018-006: Essential Single-Family Rehabilitation Loan Pool – Disaster Recovery (ESFRLP-DR) Program

**BACKGROUND:** Pursuant to Section 143-129 of the General Statutes of North Carolina, sealed bids were solicited for disaster recovery repair work on properties located at 802 N. Virginia Street, Goldsboro, NC; 605 Forest Knolls Road, Goldsboro, NC; 2046 Piney Grove Church Road, LaGrange, NC; 1271 Tommy's Road, Goldsboro, NC; 1007 S. Taylor Street, Goldsboro, NC.

**DISCUSSION:** On Thursday, May 16, 2019, one (1) sealed bids were received for disaster recovery repair work on behalf of five (5) homeowners through the Essential Single-Family Rehabilitation Loan Pool -Disaster Recovery (ESFRLP-DR) Program. The bid received for these properties is tabulated as follows:

ESFRLP-DR PROJECT ADDRESSES	COST EST.	DUDLEY CONSTRUCTION AMOUNT (\$)	BIDDER AMOUNT (\$)	BIDDER AMOUNT (\$)
1. 802 N. Virginia St., Goldsboro	\$9,450	\$9,600		
2. 605 Forest Knolls Rd., Goldsboro	30,700	49,400 → <b>**</b> (40,000)		
3. 2046 Piney Grove Church Rd., LaGrange	19,000	26,550		
4. 1271 Tommy's Road, Goldsboro	32,100	56,500 → <b>**</b> (40,000)		
5. 1007 S. Taylor Street, Goldsboro	5,500	11,550		
	<u>\$96,750</u>			
Total Amount of Received Bid		<b>5 → \$153,600</b>		
<b>**Amount over ESFRLP-DR program cap of \$40,000 per home (has required adjusting the Scope of Work to fall within the program cap of \$40,000)</b>		<b>**2 → &lt;\$25,900&gt;</b>		
Funded through ESFRLP-DR (based on program cap of \$40,000 per home)		<b>5 → \$127,700</b>		
<b>Total amount for contract under the set-aside ESFRLP-DR funds of \$150,000</b>		<b>5 → \$127,700</b>		

Per the City's ESFRLP-DR Procurement and Disbursement Policies, bid packages may be bundled for multiple job sites, the bids for multiple job sites shall be considered separate and apart when awarded and shall be awarded to the lowest responsive and responsible bidder(s) for each job site.

The bid for these properties have been reviewed by the Community Relations Department, checked for accuracy, and found to be in order. The Department has consulted with North Carolina Housing Finance Agency (NCHFA) on the proposed scope of work for each of these properties. The Department also informed all five (5) homeowners and the low bidder of its review and the City's intent moving forward to ensure full acknowledgement and final consent of the proposed scope of work.

Based on NCHFA's policies for the ESFRLP-DR Program, the City has set aside \$150,000 of funds that have been allocated within the ESFRLP-Disaster Recovery line item within Community Relations' CDBG Budget. NCHFA's policies further state that the City will be reimbursed up to \$150,000 for each reimbursement request submitted to NCHFA for which the City completes at least three (3) homes.

RECOMMENDATION: By motion, accept and award as low bidders for disaster recovery repairs work under the ESFRL-DR program to Dudley Construction of Tarboro, NC in the amount of \$127,700 for the following properties: 802 N. Virginia Street, Goldsboro, NC; 605 Forest Knolls Road, Goldsboro, NC; 2046 Piney Grove Church Road, LaGrange, NC; 1271 Tommy's Road, Goldsboro, NC; 1007 S. Taylor Street, Goldsboro, NC.

Date: \_\_\_\_\_

\_\_\_\_\_  
Shycole Simpson-Carter  
Community Relations Director

Date: \_\_\_\_\_

\_\_\_\_\_  
Timothy M. Salmon  
City Manager

SSC



CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
OCTOBER 7, 2019 COUNCIL MEETING

SUBJECT: Resolution Authorizing the Mayor and City Clerk to Execute a Memorandum of Understanding with the County of Wayne

BACKGROUND: The City is the owner of approximately six acres adjoining the Maxwell Center. The City has marketed 2.5 acres for the development of a hotel to compliment events at the Maxwell Center, however, no plans exist for hotel construction.

DISCUSSION: The County of Wayne has expressed interest in taking over the hotel marketing and relieving the City from responsibilities associated with the hotel project. The County wishes to be solely responsible for marketing the 2.5 acres for a future hotel development. The County may only market the 2.5 acres for hotel development and may offer the property for sale at no cost to potential developers. The City will maintain ownership during the County's marketing efforts and upon entering into an agreement with a hotel developer, the city will convey the property to the County or developer. The County will oversee hotel marketing for three years, if the County is unable to secure a developer after this three year period, the city shall resume marketing responsibilities. The City will begin the marketing of the remaining 3.5 acres for a restaurant and/or retail development. The City will repay the County the \$138,000 indebtedness for the retaining pond out of the proceeds of the sale of the remaining 3.5 acres. A copy of the Memorandum of Understanding is attached.

RECOMMENDATION: By motion, adopt the attached resolution authorizing the Mayor and City Clerk to execute a Memorandum of Understanding with the County of Wayne as described above.

Date: \_\_\_\_\_

\_\_\_\_\_  
City Attorney

Date: \_\_\_\_\_

\_\_\_\_\_  
City Manager

RESOLUTION NO. 2019-

A RESOLUTION TO AUTHORIZE THE MAYOR TO EXECUTE A MEMORANDUM  
OF UNDERSTANDING WITH THE COUNTY OF WAYNE

WHEREAS, The City of Goldsboro is the owner of approximately six acres adjoining the Maxwell Center. The City has marketed 2.5 acres for the development of a hotel to compliment events at the Maxwell Center, however, no plans exist for hotel construction; and

WHEREAS, The County of Wayne has expressed interest in taking over the hotel marketing and relieving the City from responsibilities associated with the hotel project; and

WHEREAS, The City of Goldsboro and the County of Wayne would like to enter into a Memorandum of Understanding regarding the County's interest to market 2.5 acres for the development of a hotel to compliment the Maxwell Center for a limited period of time – i.e. three years; and

WHEREAS, The City owes the County the \$138,000 for construction of the retaining pond and the parties agree that such can be paid out of the proceeds of the sale of the remaining 3.5 acres.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina, that:

1. The City Council of the City of Goldsboro authorizes the Mayor and City Clerk to execute a Memorandum of Understanding with the County of Wayne to market 2.5 acres of the City's 6 acres for development of a hotel to compliment events at the Maxwell Center for a three year period.
2. The City Council further authorizes the Mayor and City Clerk to execute the said Memorandum of Understanding wherein the City agrees to pay the indebtedness owed to the County for its share of the construction of the retaining pond at the Maxwell Center location when the City sells the remaining 3.5 acres
3. This Resolution shall be in full force and effect from and after the \_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Mayor

Attested by:

\_\_\_\_\_  
City Clerk

STATE OF NORTH CAROLINA

MEMORANDUM OF UNDERSTANDING

COUNTY OF WAYNE

THIS agreement made and entered into as of the \_\_\_\_ day of October, 2019 by COUNTY OF WAYNE ("County"), a body politic and corporate organized under the laws of the State of North Carolina and CITY OF GOLDSBORO ("City"), a North Carolina Municipal corporation in the County of Wayne, State of North Carolina.

WITNESSETH

WHEREAS, the County owns and operates the Maxwell Regional Agricultural and Convention Center ("Maxwell Center") in Goldsboro, North Carolina;

WHEREAS, the City is the owner of approximately six acres adjoining the Maxwell Center in Goldsboro, North Carolina as detailed in the attached Exhibit A;

WHEREAS, the City marketed 2.5 acres for the development of a hotel to compliment events at the Maxwell Center, however, to date no plans exist for hotel construction;

WHEREAS, in late 2017 the County constructed a retention pond to serve the Maxwell Center and to support further development on the six acres owned by the City;

WHEREAS, the City is currently indebted to the County in the amount of \$138,000 which represents the City's portion of construction costs associated with said retention pond;

WHEREAS, the parties recognize that the Maxwell Center would benefit from the existence of an adjacent hotel;

WHEREAS, the County wishes to takeover hotel marketing and relieve the City from responsibilities associated with the hotel project; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein the parties hereto agree as follow:

1. The County will be solely responsible for marketing the 2.5 acres for future hotel development as depicted in the attached Exhibit A which is incorporated herein by reference.
2. The County may only market the 2.5 acres for hotel development and may offer the property for sale at no cost to potential developers.

3. The City will maintain ownership of the aforementioned acreage during the County's marketing efforts. Upon the County entering into an agreement with a hotel developer, the City will convey the property to the County or the developer as the parties see fit;
4. The County will oversee hotel marketing for three years from the date of execution of this Agreement. If the County is unable to secure a developer after this three year period, the City shall resume marketing responsibilities of the 2.5 acres.
5. The City will begin the marketing of the remaining 3.5 acres as depicted in Exhibit A for restaurant and/or retail development.
6. The City will repay County the \$138,000 indebtedness for the retaining pond out of the proceeds of the sale of the remaining 3.5 acres.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

CITY OF GOLDSBORO

By: \_\_\_\_\_  
Chuck Allen, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Capps  
City Clerk

WAYNE COUNTY

By: \_\_\_\_\_  
A. Joe Gurley, III; Chairman, Wayne County  
Board of Commissioners

ATTEST:

\_\_\_\_\_  
Carol Bowden  
Clerk, Wayne County Board of Commissioners

STATE OF NORTH CAROLINA  
COUNTY OF WAYNE

MEMORANDUM OF UNDERSTANDING

THIS agreement made and entered into as of the \_\_\_\_ day of September, 2019 by COUNTY OF WAYNE ("County"), a body politic and corporate organized under the laws of the State of North Carolina and CITY OF GOLDSBORO ("City"), a North Carolina Municipal corporation in the County of Wayne, State of North Carolina.

WITNESSETH

WHEREAS, the County owns and operates the Maxwell Regional Agricultural and Convention Center ("Maxwell Center") in Goldsboro, North Carolina;

WHEREAS, the City is the owner of approximately six acres adjoining the Maxwell Center in Goldsboro, North Carolina as detailed in the attached Exhibit A;

WHEREAS, the City marketed 2.5 acres for the development of a hotel to compliment events at the Maxwell Center, however, to date no plans exist for hotel construction;

WHEREAS, in late 2017 the County constructed a retention pond to serve the Maxwell Center and to support further development on the six acres owned by the City;

WHEREAS, the City is currently indebted to the County in the amount of \$138,000 which represents the City's portion of construction costs associated with said retention pond;

WHEREAS, the parties recognize that the Maxwell Center would benefit from the existence of an adjacent hotel;

WHEREAS, the County wishes to takeover hotel marketing and relieve the City from responsibilities associated with the hotel project; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein the parties hereto agree as follow:

1. The County will be solely responsible for marketing the 2.5 acres for future hotel development as depicted in the attached Exhibit A which is incorporated herein by reference.
2. The County may only market the 2.5 acres for hotel development and may offer the property for sale at no cost to potential developers.

3. The City will maintain ownership of the aforementioned acreage during the County's marketing efforts. Upon the County entering into an agreement with a hotel developer, the City will convey the property to the County or the developer as the parties see fit;
4. The County will oversee hotel marketing for three years from the date of execution of this Agreement. If the County is unable to secure a developer after this three year period, the City shall resume marketing responsibilities of the 2.5 acres.
5. The City will begin the marketing of the remaining 3.5 acres as depicted in Exhibit A for restaurant and/or retail development.
6. The City will repay County the \$138,000 indebtedness for the retaining pond out of the proceeds of the sale of the remaining 3.5 acres.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

CITY OF GOLDSBORO

By: \_\_\_\_\_  
Chuck Allen, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Capps  
Clerk, Goldsboro City Council

WAYNE COUNTY

By: \_\_\_\_\_  
A. Joe Gurley, III; Chairman, Wayne County  
Board of Commissioners

ATTEST:

\_\_\_\_\_  
Carol Bowden  
Clerk, Wayne County Board of Commissioners

**CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
OCTOBER 7, 2019 COUNCIL MEETING**

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

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

**Site 1: (Principal Building)**

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

**Site 2: (Customer Parking Lot)**

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

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

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

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

1. Within that area of the CBD bounded by the south side of Ash Street, the east side of George Street, the north side of Elm Street and the west side of William Street, there shall be no minimum separation distance from residentially zoned or

developed property. A 50 ft. minimum separation distance shall be required for stand-alone churches or schools.

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

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

Hours of Operation: 6:00 a. m. – 8:00 p. m.  
(Monday-Saturday)

No. of Employees: 5

Refuse Collection: Dumpster proposed at rear of establishment

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

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

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

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

The applicant owns a vacant lot once used as a parking lot approximately 140 ft. south of the principal building along S. George



Street. The applicant intends to use the existing parking lot for on-site deliveries and for customers of the business. The parking lot is paved and can accommodate up to 12 automobile parking spaces.

Modifications: The applicant is requesting the following modifications:

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

At the public hearing held on September 23, 2019, no one appeared to speak for or against the request.

The Planning Commission, at their meeting held on September 30, 2019, recommended approval of the Conditional Use Permit to allow the operation of a microbrewery with ABC permits and a bakery with the recommended modifications.

**RECOMMENDATION:** By motion, accept the recommendation of the Planning Commission and

1. Adopt an Order approving the Conditional Use Permit to allow the operation of a microbrewery with ABC permits. In conjunction with the microbrewery, the applicant intends to operate a bakery; and
2. Approved the Conditional Use permit with the following modifications;
  - (1) Building side yard setback requirement from 15 ft. to 0 ft.
  - (2) Building rear yard setback requirement from 20 ft. to 0 ft.
  - (3) City landscape requirements per Section 6.3 Landscaping, Screening and Buffering Standards of the Unified Development Ordinance.

Date: 10/01/19

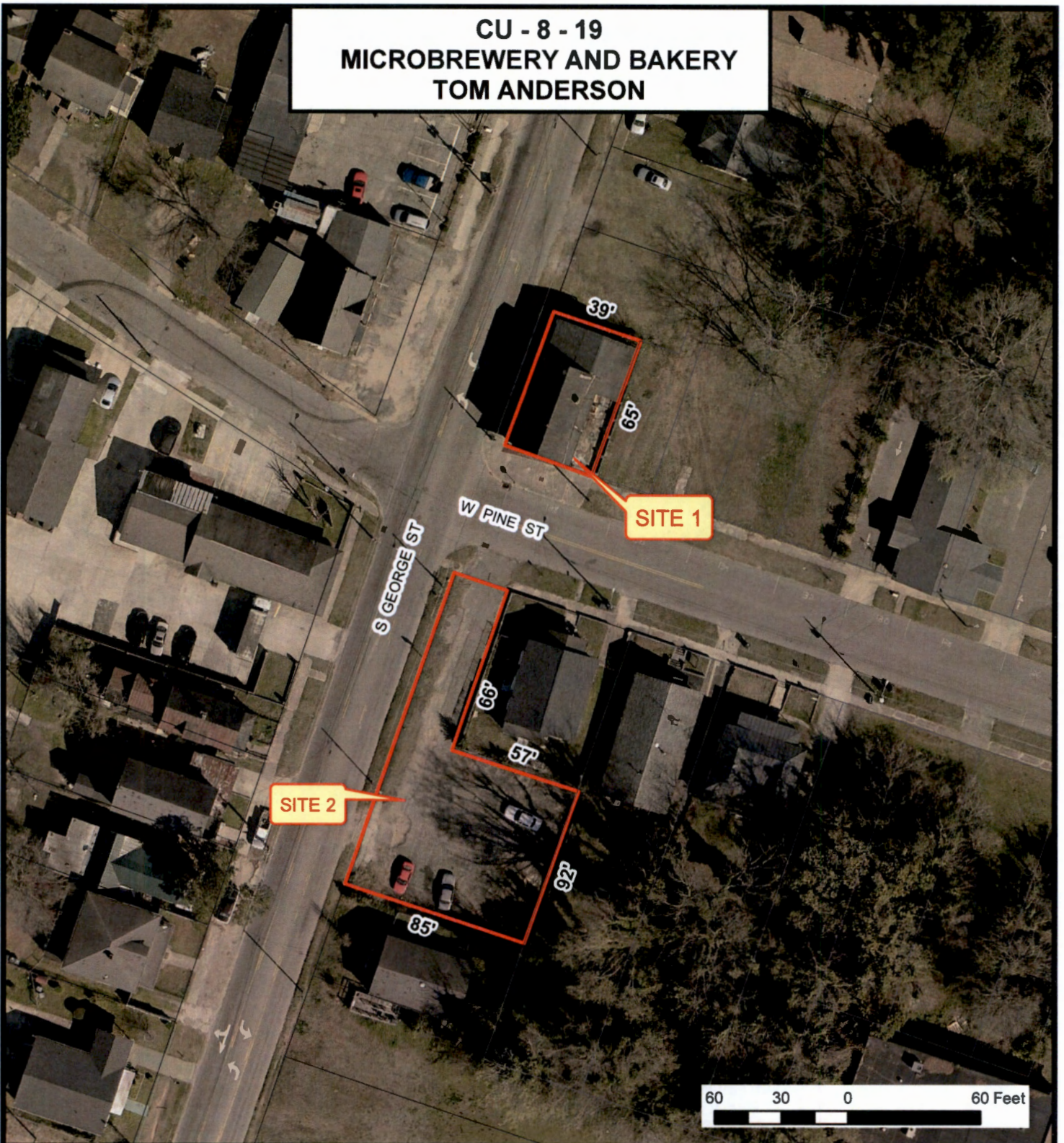
  
\_\_\_\_\_  
Planning Director

Date: \_\_\_\_\_

\_\_\_\_\_  
City Manager



CU - 8 - 19  
MICROBREWERY AND BAKERY  
TOM ANDERSON



Conditional Use Request

CASE NO: CU-8-19  
REQUEST: Micro Brewery and Bakery  
APPLICANT: Anderson Brewing  
LOCATION: 229 W. Pine St  
HOURS OF OPERATION:

NUMBER OF EMPLOYEES:

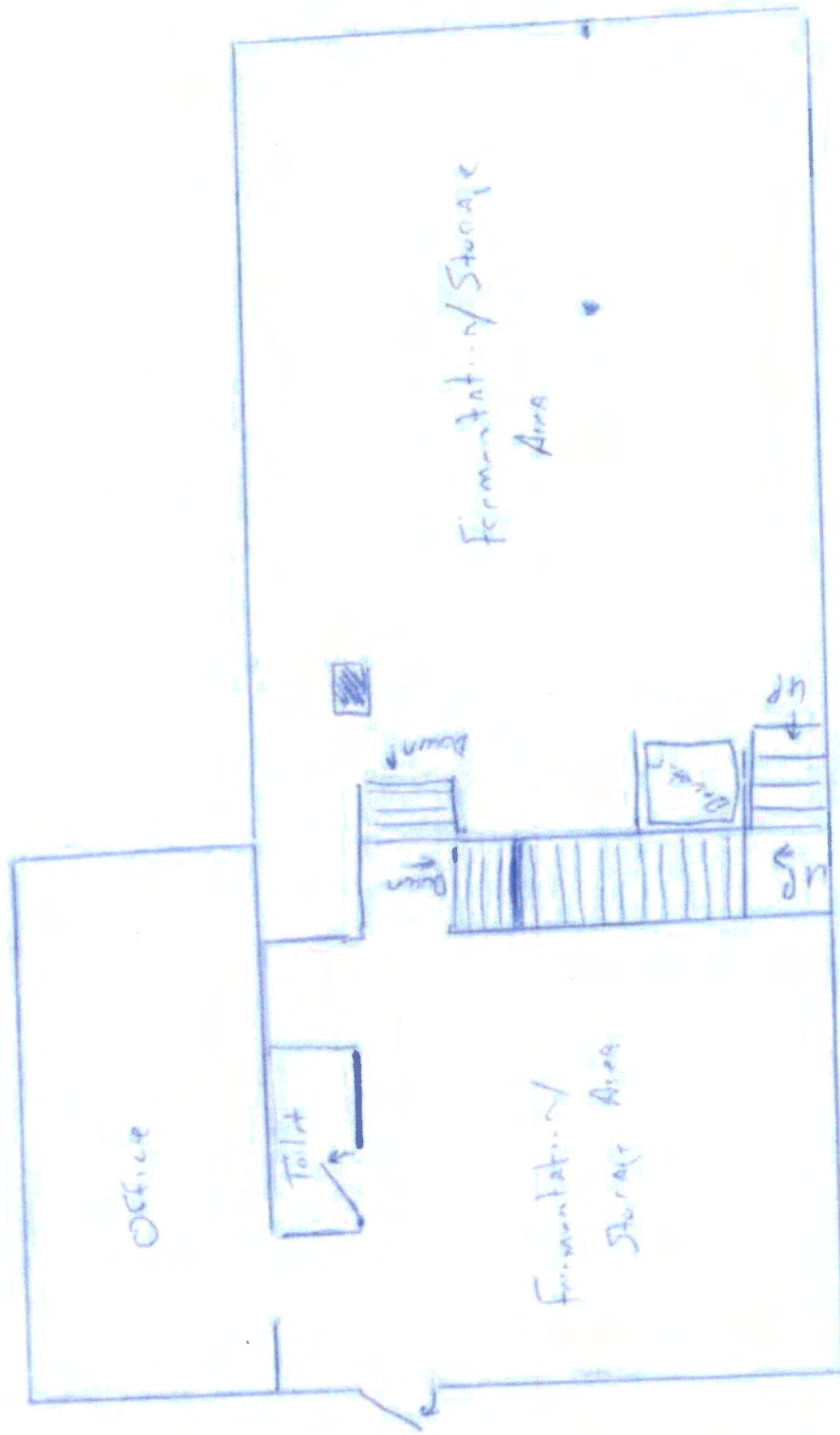


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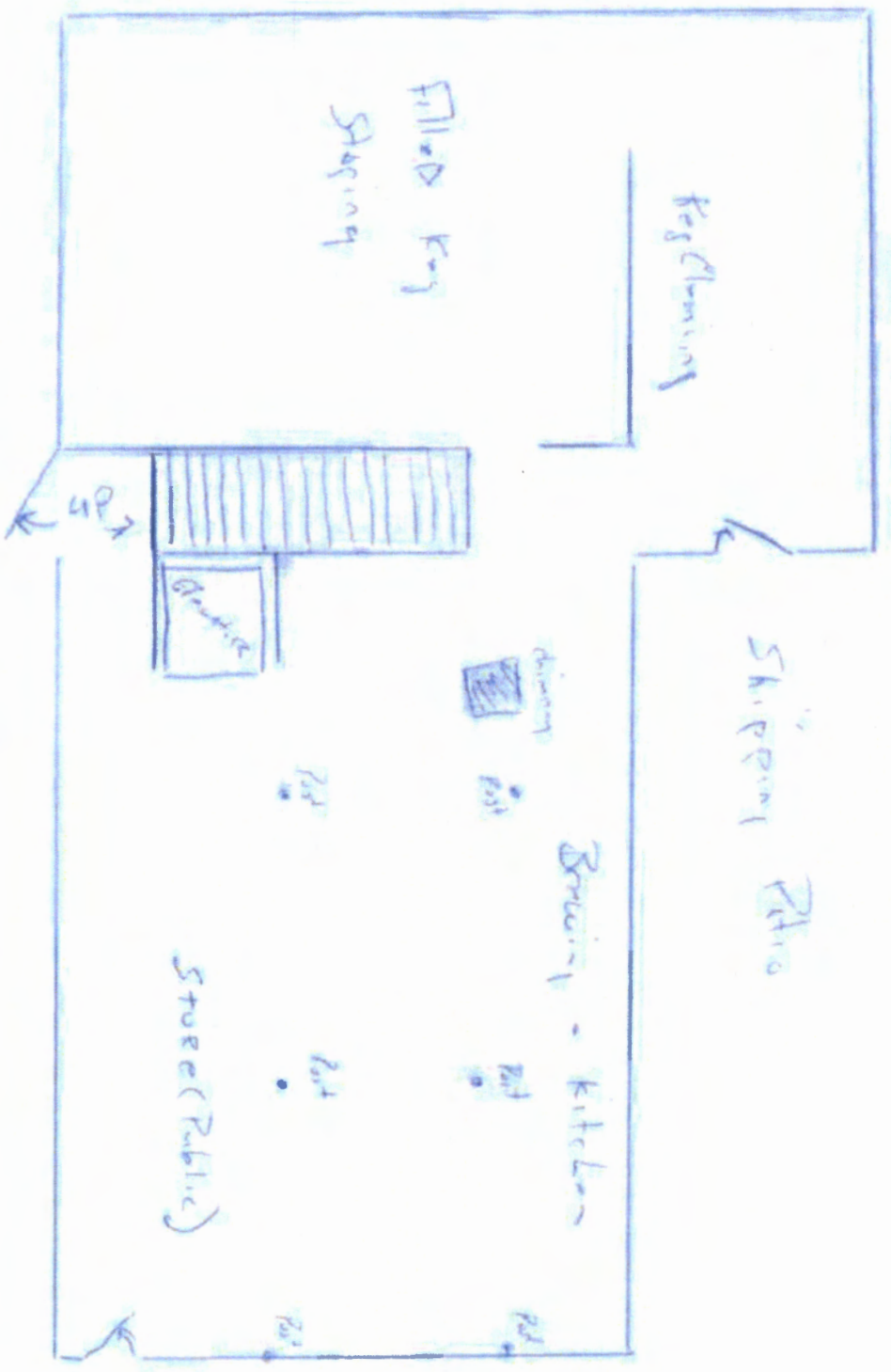




2nd Floor  
1/8" = 1'



1st Floor  
 $\frac{1}{8}'' = 1'$



← Corner 49 →

← W. P. 10 5 →

**CITY OF GOLDSBORO  
ORDER APPROVING A CONDITIONAL USE PERMIT**

The City Council of the City of Goldsboro, North Carolina, having held a public hearing on **September 23, 2019** to consider Conditional Use Permit application number:

**CU-8-19 Anderson Brewing – (Microbrewery w/ABC) Located on the northeast corner of  
W. Pine Street and S. George Street**

To allow the operation to allow the operation of a microbrewery with ABC permits and bakery in the Central Business District (CBD) zoning district, having heard all the evidence and arguments presented and reports from City Officials, and having received recommendation for approval from the Goldsboro Planning Commission pertaining to said application, makes the following findings of fact.

**FINDINGS OF FACT**

The City Council makes the **CONCLUSION** that the proposed use **does** satisfy the general conditions imposed on the Council in its deliberations for issuing a Conditional Use Permit under Sections 5.4 Table of Permitted Uses; and 5.5.4 Special and Conditional Use Specific Regulations pertaining to places of entertainment with ABC uses permitted within the Central Business District (CBD) zoning district.

In addition, the Council approved site and landscape plans detailing the proposed development as submitted. The following modifications apply to this request:

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

Upon motion made by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_, the Council approved the applicant's request for a Conditional Use Permit to allow the operation of a microbrewery with ABC permits and bakery in the Central Business District (CBD) zoning district.

Therefore, because the City Council concludes that all of the general conditions precedent to the issuance of a **CONDITIONAL USE PERMIT** have **BEEN** satisfied,

**IT IS ORDERED** that the application for the issuance of a **CONDITIONAL USE PERMIT** be **APPROVED**.

Thus ordered this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Chuck Allen, Mayor

\_\_\_\_\_  
Ronald T. Lawrence, City Attorney

**CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
OCTOBER 7, 2019 COUNCIL MEETING**

**SUBJECT:** CU-9-19 Goldsboro Brew Works, LLC – The property is located on the southwest corner of W. Chestnut Street and S. James Street.

**BACKGROUND:** The applicant requests a Conditional Use Permit to allow the operation of a microbrewery with ABC permits.

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

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

The property was previously occupied as a service station.

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

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

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

east side of George Street, the north side of Elm Street and the west side of William Street.

- 4. In the CBD, there shall be no minimum separation distance between two such establishments.
- 5. Within that area of the CBD bounded by the south side of Ash Street, the east side of George Street, the north side of Elm Street and the west side of William Street there shall be no minimum off-street parking requirements.

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

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

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

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

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

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

The applicant is requesting the following modifications:

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

At the public hearing held on September 23, 2019, no one appeared to speak for or against the request.

The Planning Commission, at their meeting held on September 30, 2019, recommended approval of the Conditional Use Permit to allow the operation of a microbrewery with ABC permits with the recommended modifications.

**RECOMMENDATION:** By motion, accept the recommendation of the Planning Commission and

1. Adopt an Order approving the Conditional Use Permit to allow the operation of a microbrewery with ABC permits, and;
2. Approved the Conditional Use permit with the following modifications;
  - (1) Building side yard setback requirement from 15 ft. to 0 ft.
  - (2) City landscape requirements per Section 6.3 Landscaping, Screening and Buffering Standards of the Unified Development Ordinance.

Date: 10/01/19

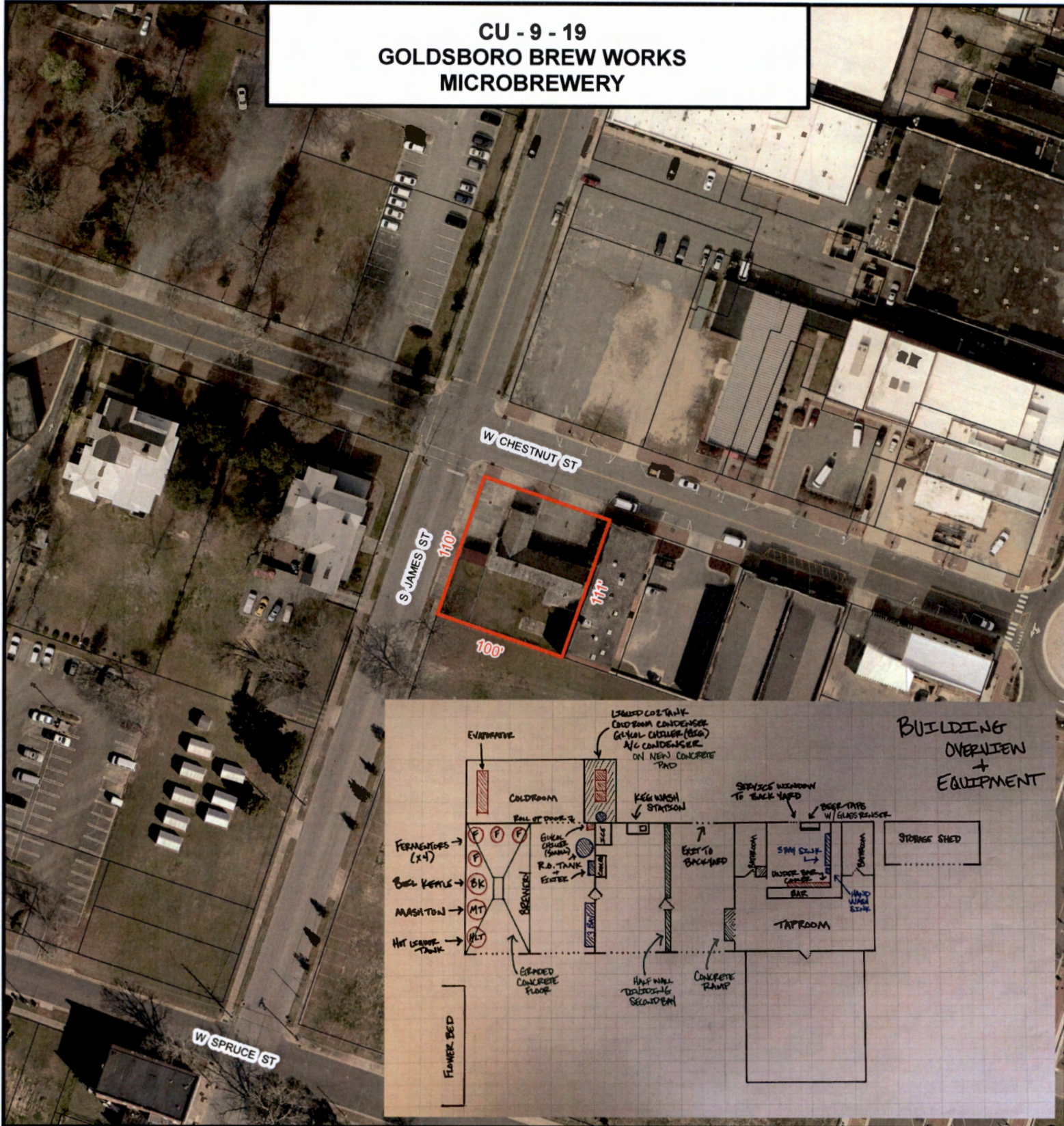
  
\_\_\_\_\_  
Planning Director

Date: \_\_\_\_\_

\_\_\_\_\_  
City Manager



CU - 9 - 19  
**GOLDSBORO BREW WORKS  
 MICROBREWERY**



**CONDITIONAL USE**

CASE NO: CU-9-19  
 REQUEST: Microbrewery  
 APPLICANT: Goldsboro Brew Works  
 LOCATION: 122 W. Chestnut St.  
 Hours of Operation:  
 Monday-Thurs (Staff Only) 8am - 5pm  
 Friday - Sunday (Open to Public) 4pm - 10pm  
 Number of Employees: 5

**MODIFICATIONS**

100 50 0 100 Feet



**GOLDSBORO**  
 BE MORE DO MORE SEYMOUR

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**CITY OF GOLDSBORO  
ORDER APPROVING A CONDITIONAL USE PERMIT**

The City Council of the City of Goldsboro, North Carolina, having held a public hearing on **September 23, 2019** to consider Conditional Use Permit application number:

**CU-9-19 Goldsboro Brew Works, LLC – The property is located on the southwest corner of W. Chestnut Street and S. James Street**

To allow the operation to allow the operation of a microbrewery with ABC permits in the Central Business District (CBD) zoning district, having heard all the evidence and arguments presented and reports from City Officials, and having received recommendation for approval from the Goldsboro Planning Commission pertaining to said application, makes the following findings of fact.

**FINDINGS OF FACT**

The City Council makes the CONCLUSION that the proposed use **does** satisfy the general conditions imposed on the Council in its deliberations for issuing a Conditional Use Permit under Sections 5.4 Table of Permitted Uses; and 5.5.4 Special and Conditional Use Specific Regulations pertaining to places of entertainment with ABC uses permitted within the Central Business District (CBD) zoning district.

In addition, the Council approved site and landscape plans detailing the proposed development as submitted. The following modifications apply to this request:

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

Upon motion made by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_, the Council approved the applicant's request for a Conditional Use Permit to allow the operation of a microbrewery with ABC permits and bakery in the Central Business District (CBD) zoning district.

Therefore, because the City Council concludes that all of the general conditions precedent to the issuance of a CONDITIONAL USE PERMIT have **BEEN** satisfied,

IT IS ORDERED that the application for the issuance of a CONDITIONAL USE PERMIT be **APPROVED**.

Thus ordered this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Chuck Allen, Mayor

\_\_\_\_\_  
Ronald T. Lawrence, City Attorney

**CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
OCTOBER 7, 2019 COUNCIL MEETING**

**SUBJECT:** CU-10-19 Regina Exum - North side of Royall Avenue between Jefferson Street and Teakwood Drive (Adult Day Care)

Applicant requests a Conditional Use Permit to allow the operation of an adult day care in conjunction with an existing child day care facility.

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

Frontage: Approximately 130 ft. (Royal Ave.)

Area: 49,107 sq. ft., or 1.13 acres

Zone: Neighborhood Business

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

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

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

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

Employees: 3-4

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

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

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

Access and Parking: The site is served by two existing over-sized driveway cuts off Royal Avenue. The additional use of the adult daycare will not require additional parking spaces, as the use is not an intensification for the site. Existing paved and gravel surfaces exist to provide sufficient areas for parking and an unloading and loading area capable of stacking 4 vehicles.

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

At the public hearing held on September 23, 2019, no one appeared to speak for or against the request.

The Planning Commission, at their meeting held on September 30, 2019, recommended approval of the Conditional Use Permit to allow the operation of an adult daycare in conjunction with an existing child daycare with the recommended modifications.

**RECOMMENDATION:** By motion, accept the recommendation of the Planning Commission and

1. Adopt an Order approving the Conditional Use Permit to allow the operation of an adult daycare in conjunction with a child daycare.
2. City landscape street tree requirements per Section 6.3 Landscaping, Screening and Buffering Standards of the Unified Development Ordinance.

Date: 10/01/19

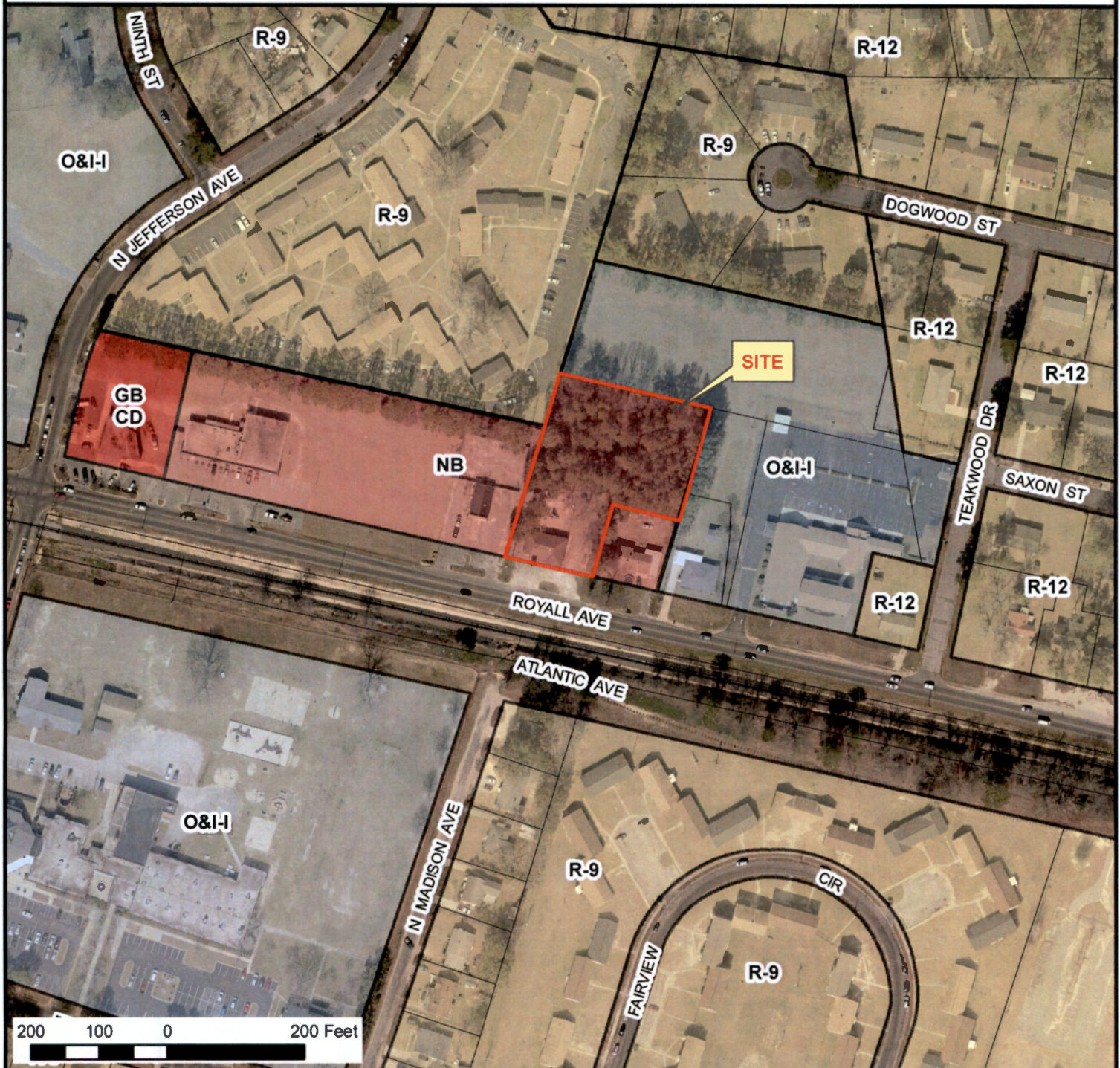
  
\_\_\_\_\_  
Planning Director

Date: \_\_\_\_\_

\_\_\_\_\_  
City Manager



CU - 10 - 19  
1701 ROYALL AVENUE  
ADULT DAYCARE IN NB



**CONDITIONAL USE**

**CASE NO:** CU-10-19  
**REQUEST:** Adult Daycare  
**ADDRESS:** 1701 Royall Ave  
**APPLICANT:** Regina Exum  
**HOURS OF OPERATION:**  
Monday - Friday  
5:30 am - Midnight  
**NUMBER OF EMPLOYEES:** 3 - 4

**MODIFICATIONS**



**GOLDSBORO**  
BE MORE DO MORE SEYMOUR

The data represented on this map has been compiled by the best methods available. Accuracy is contingent upon the source information as compiled by various agencies and departments both internal and external to the City of Goldsboro, NC. Users of the data represented on this map are hereby notified that the primary information sources should be consulted for verification of the information contained herein. The City of Goldsboro and the companies contracted to develop these data assume no legal responsibilities for the information or accuracy contained on this map. It is strictly forbidden to sell or reproduce these maps or data for any reason without the written consent of the City of Goldsboro.



CU - 10 - 19  
1701 ROYALL AVENUE  
ADULT DAYCARE IN NB



**CONDITIONAL USE**

**CASE NO:** CU-10-19  
**REQUEST:** Adult Daycare  
**ADDRESS:** 1701 Royall Ave  
**APPLICANT:** Regina Exum  
**HOURS OF OPERATION:**  
Monday - Friday  
5:30 am - Midnight  
**NUMBER OF EMPLOYEES:** 3 - 4

**MODIFICATIONS**

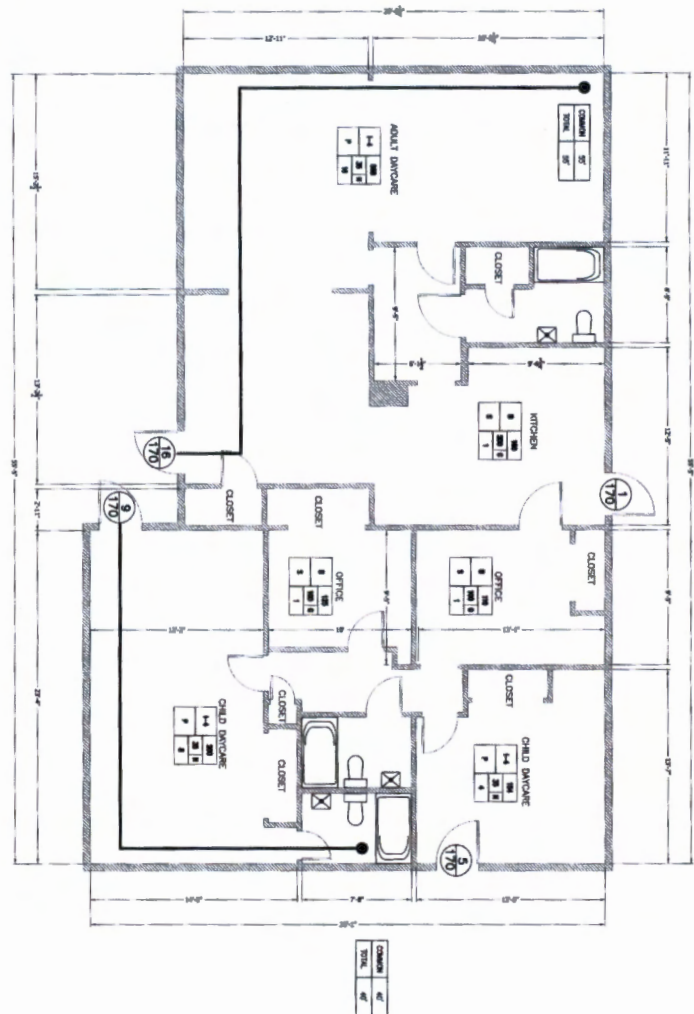


**GOLDSBORO**  
BE MORE DO MORE SEYMOUR

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**1**  
**LF-1**  
**LIFE SAFETY PLAN**  
SCALE: 1/4" = 1'-0"

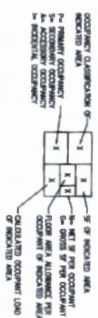


OCCUPANT LOAD LIMITATION	
1	20
2	20

TOTAL OCCUPANT LOAD = 20 PEOPLE

SYMBOL	DESCRIPTION
	COMMON PATH OF EXIT EGRESS TRAVEL
	ROUTE OF TRAVEL EXIT ACCESS TRAVEL DISTANCE
	REQUIRED OCCUPANT CAPACITY OF ROOM
	ACTUAL OCCUPANT CAPACITY OF ROOM

NOTE: ALL ASSUMED AND FINAL OCCUPANT LOADS ARE > 20



**CITY OF GOLDSBORO  
ORDER APPROVING A CONDITIONAL USE PERMIT**

The City Council of the City of Goldsboro, North Carolina, having held a public hearing on **September 23, 2019** to consider Conditional Use Permit application number:

**CU-10-19 Regina Exum - North side of Royall Avenue between Jefferson Street and Teakwood Drive (Adult Day Care)**

To allow the operation to allow the operation of an adult day care in conjunction with an existing child day care facility in the Neighborhood Business (NB) zoning district, having heard all the evidence and arguments presented and reports from City Officials, and having received recommendation for approval from the Goldsboro Planning Commission pertaining to said application, makes the following findings of fact.

**FINDINGS OF FACT**

The City Council makes the **CONCLUSION** that the proposed use **does** satisfy the general conditions imposed on the Council in its deliberations for issuing a Conditional Use Permit under Sections 5.4 Table of Permitted Uses; and 5.5.4 Special and Conditional Use Specific Regulations pertaining to child and adult daycare uses permitted within the Neighborhood Business (NB) zoning district.

In addition, the Council approved site and landscape plans detailing the proposed development as submitted. The following modifications apply to this request:

1. City landscape street tree requirements per Section 6.3 Landscaping, Screening and Buffering Standards of the Unified Development Ordinance.

Upon motion made by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_, the Council approved the applicant's request for a Conditional Use Permit to allow the operation of an adult day care in conjunction with an existing child day care facility in the Neighborhood Business (NB) zoning district.

Therefore, because the City Council concludes that all of the general conditions precedent to the issuance of a **CONDITIONAL USE PERMIT** have **BEEN** satisfied,

**IT IS ORDERED** that the application for the issuance of a **CONDITIONAL USE PERMIT** be **APPROVED**.

Thus ordered this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Chuck Allen, Mayor

\_\_\_\_\_  
Ronald T. Lawrence, City Attorney



**CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
OCTOBER 7, 2019 COUNCIL MEETING**

**SUBJECT:** CU-11-19 Louis Antonio Jimenez-East side of S. NC 111 Hwy between Mollie Drive and Sheridan Forest Road.

Applicant requests a Conditional Use Permit for outside storage as an accessory use for the operation of an automotive repair and service center. As part of the request, separate site plan approval is required.

Frontage: 125 ft. (S. NC 111 Hwy.)

Unit Area: 1.9 acres

Zone: General Business

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

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

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

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

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

Hours of Operation: 8:00 a.m.-5:30 p.m.

(Monday-Friday)

Number of employees: 2

Access: An existing 24 ft. wide driveway cut provides access to the site off S. US 111 Hwy. Applicant proposes to install a 20 ft. wide paved private access road approximately 590 ft. eastward from the existing terminus to the proposed metal garage building. 15 feet of the proposed 20 ft. access road is a recorded ingress, egress and regress easement for an existing private cemetery located adjacent to the southern property line.

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

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

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

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

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

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

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

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

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

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

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

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

Modifications: The following modifications are requested by the applicant:

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

At the public hearing held on September 23, 2019, no one appeared to speak for or against the request.

The Planning Commission, at their meeting held on September 30, 2019, recommended approval of the Conditional Use Permit to allow the operation an automotive repair and service center and outdoor storage as an accessory use with the recommended modifications.

RECOMMENDATION: By motion, accept the recommendation of the Planning Commission and

1. Adopt an Order approving the Conditional Use Permit to allow the operation an automotive repair and service center with outdoor storage as an accessory use, and;
2. Separate site plan approval required, and;
1. Approved the Conditional Use permit with the following modifications;
  - (1) Modification of the street tree requirement along the southern portion of the access drive.
  - (2) Modification of the landscape buffer yard requirement along portions of the northern and southern property line surrounding the storage area.
  - (3) Modification of the requirement to install City sidewalks.

Date: 10/01/19

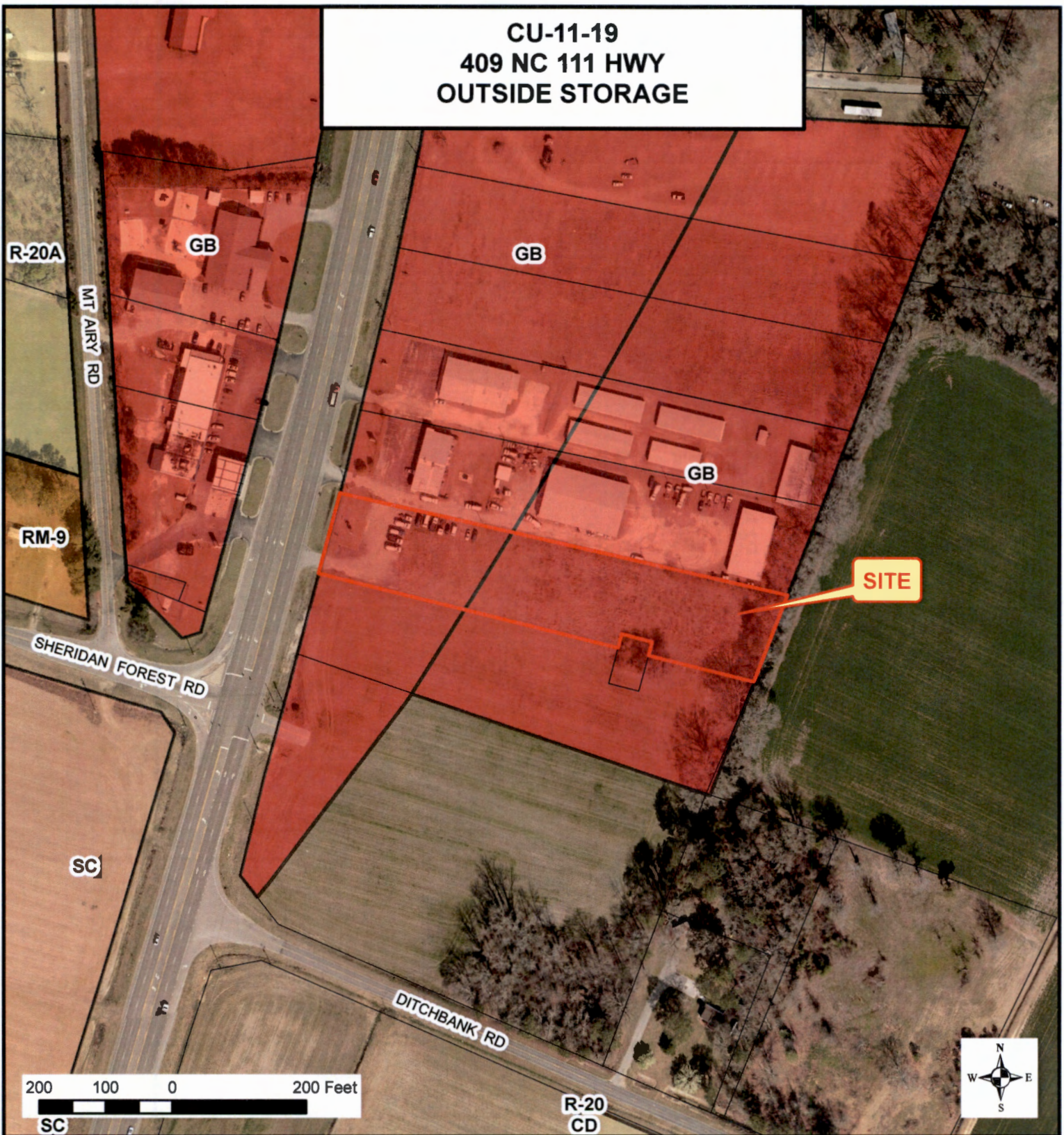
  
Planning Director

Date: \_\_\_\_\_

\_\_\_\_\_  
City Manager



**CU-11-19  
409 NC 111 HWY  
OUTSIDE STORAGE**



**CONDITIONAL USE APPLICATION**

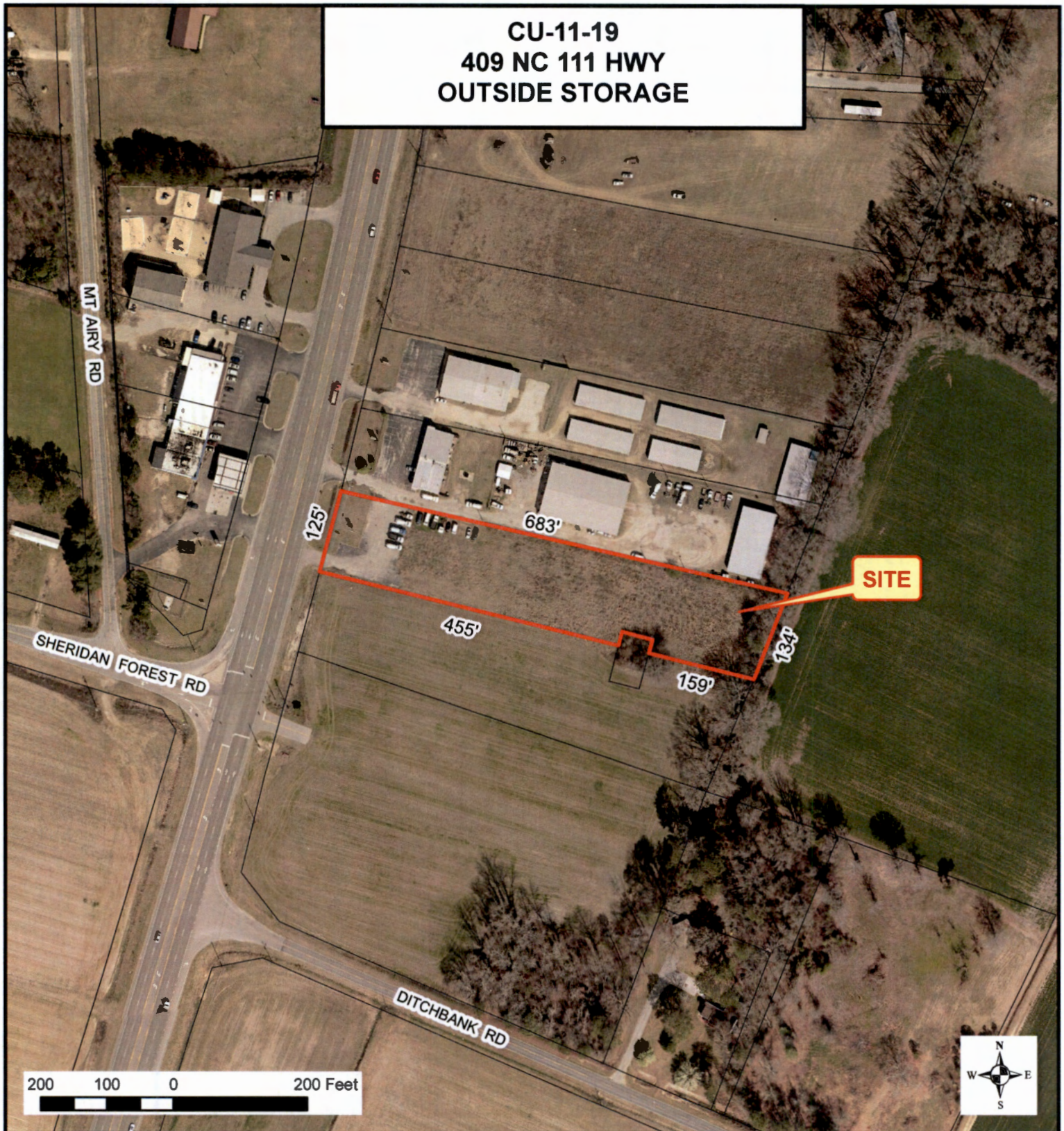
**CASE NO:** CU-11-19  
**APPLICANT:** Luis Antonio Jimenez  
**REQUEST:** Automobile Outdoor Storage  
**PARCEL ID:** 3527-28-2794  
**LOCATION:** 409 S. NC Hwy 111  
**HOURS OF OPERATION:** Monday - Friday  
8:00 am - 5:30 pm  
**NUMBER OF EMPLOYEES:** 2



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**CU-11-19  
409 NC 111 HWY  
OUTSIDE STORAGE**



**CONDITIONAL USE APPLICATION**

**CASE NO:** CU-11-19  
**APPLICANT:** Luis Antonio Jimenez  
**REQUEST:** Automobile Outdoor Storage  
**PARCEL ID:** 3527-28-2794  
**LOCATION:** 409 S. NC Hwy 111  
**HOURS OF OPERATION:** Monday - Friday  
8:00 am - 5:30 pm  
**NUMBER OF EMPLOYEES:** 2



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**CITY OF GOLDSBORO  
ORDER APPROVING A CONDITIONAL USE PERMIT**

The City Council of the City of Goldsboro, North Carolina, having held a public hearing on **September 23, 2019** to consider Conditional Use Permit application number:

**CU-11-19 Louis Antonio Jimenez-East side of S. NC 111 Hwy between Mollie Drive and  
Sheridan Forest Road**

To allow the operation of an automotive repair and service center with outdoor storage as an accessory use in the General Business (GB) zoning district, having heard all the evidence and arguments presented and reports from City Officials, and having received recommendation for approval from the Goldsboro Planning Commission pertaining to said application, makes the following findings of fact.

**FINDINGS OF FACT**

The City Council makes the **CONCLUSION** that the proposed use **does** satisfy the general conditions imposed on the Council in its deliberations for issuing a Conditional Use Permit under Sections 5.4 Table of Permitted Uses; and 5.5.4 Special and Conditional Use Specific Regulations pertaining to auto-oriented uses permitted within the General Business (GB) zoning district.

In addition, the Council approved site and landscape plans detailing the proposed development as submitted. The following modifications apply to this request:

1. Modification of the street tree requirement along the southern portion of the access drive.
2. Modification of the landscape buffer yard requirement along portions of the northern and southern property line surrounding the storage area.
3. Modification of the requirement to install City sidewalks. Applicant will pay fee-in-lieu of sidewalk installation in the amount of \$\$2,250.

Upon motion made by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_, the Council approved the applicant's request for a Conditional Use Permit to allow operation of an automotive repair and service center with outdoor storage as an accessory use in the General Business (GB) zoning district.

Therefore, because the City Council concludes that all of the general conditions precedent to the issuance of a **CONDITIONAL USE PERMIT** have **BEEN** satisfied,

**IT IS ORDERED** that the application for the issuance of a **CONDITIONAL USE PERMIT** be **APPROVED**.

Thus ordered this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Chuck Allen, Mayor

\_\_\_\_\_  
Ronald T. Lawrence, City Attorney



**CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
OCTOBER 7, 2019 COUNCIL MEETING**

**SUBJECT:** Z-16-19 KG Plaza, LLC – East side of Eleventh Street between Norwood Avenue and Englewood Drive

**BACKGROUND:** The applicant requests the rezoning from R-9CD (Residential 9 Conditional District) and R-16 (Residential) to O&I-1 (Office and Institutional). The owner/developer will be required to submit a site plan for review and approval by City Council before future development of the property.

**Frontage:** Approximately 660 ft. (Eleventh Street)

**Area:** 213,444 sq. ft., or 4.9 acres

**Zoning:** R-9CD/R-16 (Residential)

**Surrounding Zoning:**

**North:** R-16 (Residential);

**South:** R-16 (Residential);

**East:** R-16 (Residential); and

**West:** Office and Institutional (O&I-1)

**Existing Use:** The property is currently vacant and undeveloped.

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

The applicant intends to develop the property for commercial purposes.

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

**Engineering:** City water and sewer are available to serve the property. The applicant will be required to petition for annexation into

Goldsboro City limits since the site is within 1000 ft. of City sewer. The property is not located within a Special Flood Hazard Area.

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

At the public hearing held on September 23, 2019, one person spoke about concerns regarding the existing drainage issues and the additional development providing adequate drainage for the area. The applicant spoke in favor of the request.

The Planning Commission, at their meeting held on September 30, 2019, recommended approval of the change in zoning from Residential 9 Conditional District (R-9- CD) and Residential 16 (R-16) to Office and Institutional 1 (O&I-1) with development plan approval required separately.

**RECOMMENDATION:** By motion, accept the recommendation of the Planning Commission and

1. Adopt an Ordinance changing the zoning for the property from Residential 9 Conditional District (R-9- CD) and Residential 16 (R-16) to Office and Institutional 1 (O&I-1) with development plan approval required separately. Although not consistent with the City's adopted Comprehensive Land Use Plan, the proposed rezoning is directly across the street from property that is recommended for Office and Institutional development and would be in harmony with existing development.

Date: 10/01/19

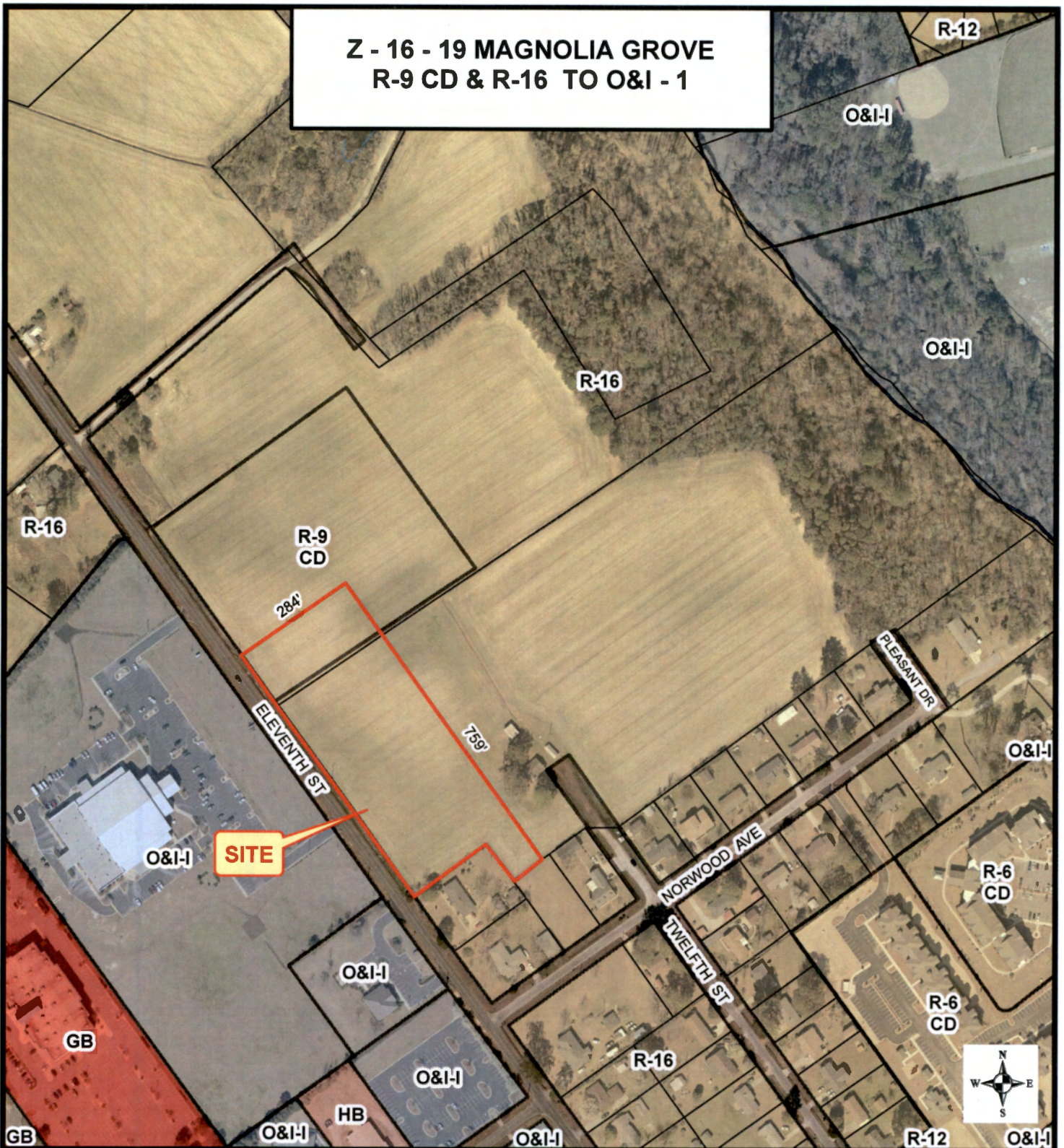
  
\_\_\_\_\_  
Planning Director

Date: \_\_\_\_\_

\_\_\_\_\_  
City Manager



**Z - 16 - 19 MAGNOLIA GROVE  
R-9 CD & R-16 TO O&I - 1**



**REZONING REQUEST - EXISTING ZONING**

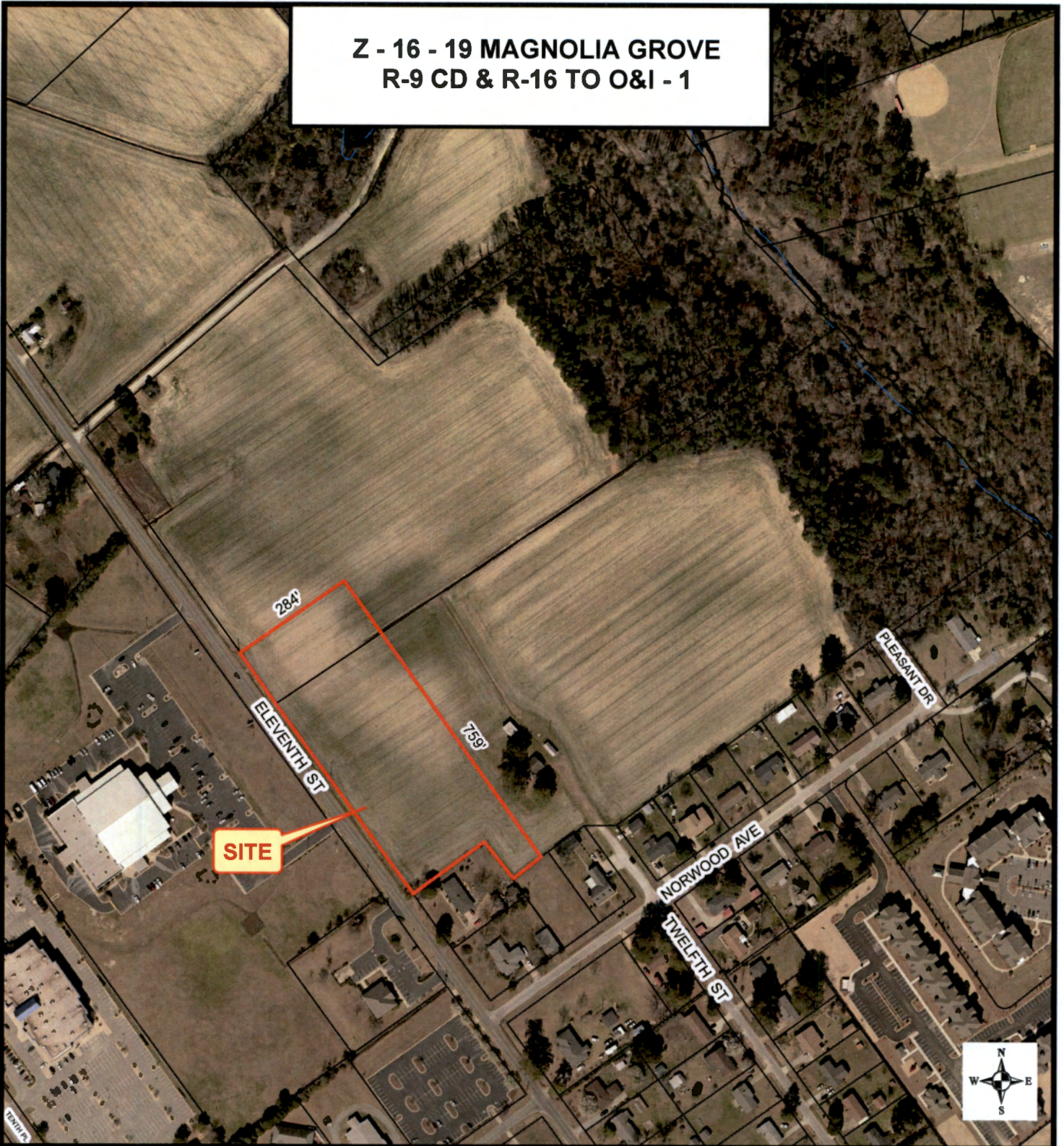
Request: R-9 CD and R-16 To O&I-1  
Applicant: KG Plaza LLC  
Owner: KG Plaza LLC  
Parcel Nos: 3600629842 (pt); 3600731567 (pt)  
Location: Eleventh Street



The data represented on this map has been compiled by the best methods available. Accuracy is contingent upon the source information as compiled by various agencies and departments both internal and external to the City of Goldsboro, NC. Users of the data represented on this map are hereby notified that the primary information sources should be consulted for verification of the information contained herein. The City of Goldsboro and the companies contracted to develop these data assume no legal responsibilities for the information or accuracy contained on this map. It is strictly forbidden to sell or reproduce these maps or data for any reason without the written consent of the City of Goldsboro.



**Z - 16 - 19 MAGNOLIA GROVE  
R-9 CD & R-16 TO O&I - 1**



**REZONING REQUEST**

Request: R-9 CD and R-16 To O&I-1  
Applicant : KG Plaza LLC  
Owner: KG Plaza LLC  
Parcel Nos : 3600629842 (pt); 3600731567 (pt)  
Location : Eleventh Street

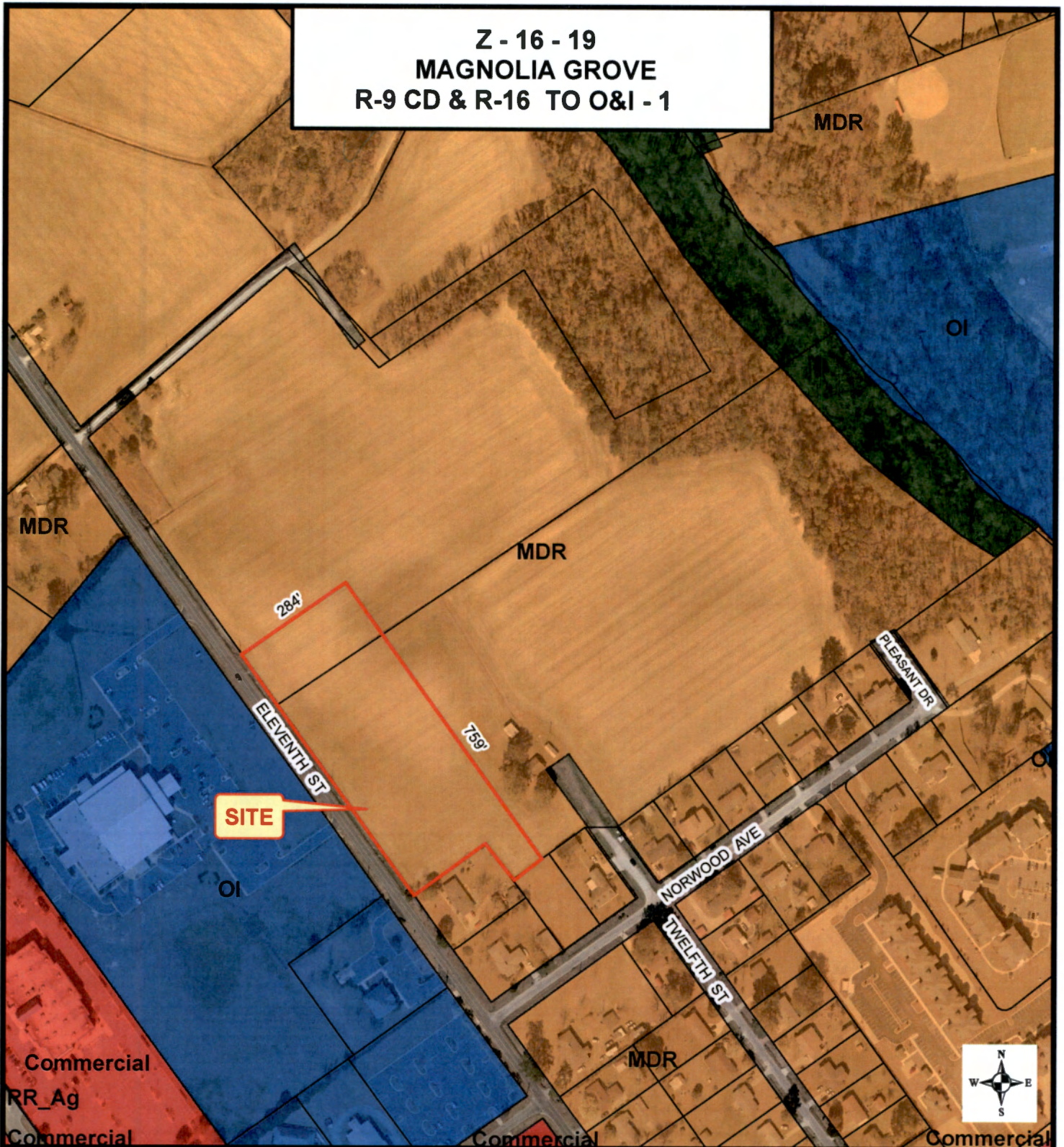


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300 150 0 300 Feet



**Z - 16 - 19  
MAGNOLIA GROVE  
R-9 CD & R-16 TO O&I - 1**



**REZONING REQUEST - PROPOSED ZONING**

Request: R-9 CD and R-16 To O&I-1  
Applicant : KG Plaza LLC  
Owner: KG Plaza LLC  
Parcel Nos : 3600629842 (pt); 3600731567 (pt)  
Location : Eleventh Street



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**ORDINANCE NO. 2019 -**

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE  
OF THE CITY OF GOLDSBORO, NORTH CAROLINA  
CODE OF ORDINANCES**

WHEREAS, after notice duly given according to law, a public hearing was held before the City Council and the Planning Commission at a regular meeting held in the Council Chamber, City Hall, on Monday, September 23, 2019, 2019, at 7:00 p. m., for the purpose of considering and discussing the passing of an ordinance amending the Unified Development Ordinance of the City of Goldsboro, North Carolina; and

WHEREAS, after completion of said public hearing and receipt of the recommendation of the Planning Commission, the City Council of the City of Goldsboro deems it advisable and for the best interest of the City and those residing within its zoning jurisdiction that the Unified Development Ordinance be amended as herein below set forth;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina:

1. That the Unified Development Ordinance of the City of Goldsboro, North Carolina Code of Ordinances, be and the same is hereby amended by changing:

**From Residential 9CD (R-9- CD) and Residential 16 (R-16) to Office and Institutional 1 (O&I-1) with site plan approval required separately for development;**

**Z-16-19 KG Plaza, LLC – East side of Eleventh Street between Norwood Avenue and Englewood Drive**

**The Wayne County Tax Identification Nos. are 3600-62-9842 (portion of) and 3600-73-1567 (portion of). The property has frontage of approximately 660 feet, an average depth of 285 feet and a total area of approximately 214,315 sq. feet or 4.92 acres.**

2. That the Official Zoning Map, Goldsboro, North Carolina, on file in the Office of the Director of Planning and Community Development be promptly changed to reflect this amendment and the appropriate entries in reference thereto be entered in the descriptive record of changes as provided in Section 2 of the Unified Development Ordinance.

3. That this Ordinance shall become effective from and after the entry of the changes or amendments herein made on the said Official Zoning Map.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

Attested by:

\_\_\_\_\_  
City Clerk

**CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
OCTOBER 7, 2019 COUNCIL MEETING**

**SUBJECT:** Z-17-19 KG Plaza, LLC – East side of Eleventh Street between Norwood Avenue and Englewood Drive

**BACKGROUND:** The applicant requests a change of zone from Residential 16 (R-16) and Residential 9 (R-9) Conditional District to Residential 6 (R-6 CD) Conditional District for a 303-lot cluster subdivision. In conjunction with the request, the applicant is requesting separate site plan approval by City Council.

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

**Surrounding Zoning:**

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

**Existing Use:** The four parcels are currently vacant and undeveloped.

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

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

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

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

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

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

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

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

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

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

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

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

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



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

At the public hearing held on September 23, 2019, five people spoke regarding the following concerns:

- Existing drainage issues and proposed drainage associated with this development.
- Concern regarding interconnectivity with the adjacent neighborhood along Norwood Avenue.

The Planning Commission, at their meeting held on September 30, 2019, recommended approval of the change in zoning Residential 16 (R-16) and Residential 9 (R-9) Conditional District to Residential 6 (R-6 CD) Conditional District for a 303-lot cluster subdivision with development plan approval required separately.

**RECOMMENDATION:** By motion, accept the recommendation of the Planning Commission and

1. Adopt an Ordinance changing the zoning for the property from Residential 16 (R-16) and Residential 9 (R-9) Conditional District to Residential 6 (R-6 CD) Conditional District for a 303-lot cluster subdivision with development plan approval required separately. Although not consistent with the City's adopted Comprehensive Land Use Plan, the proposed development is in an area where City water and sewer is available, therefore, higher densities are allowed and encouraged.

Date: 10/01/19

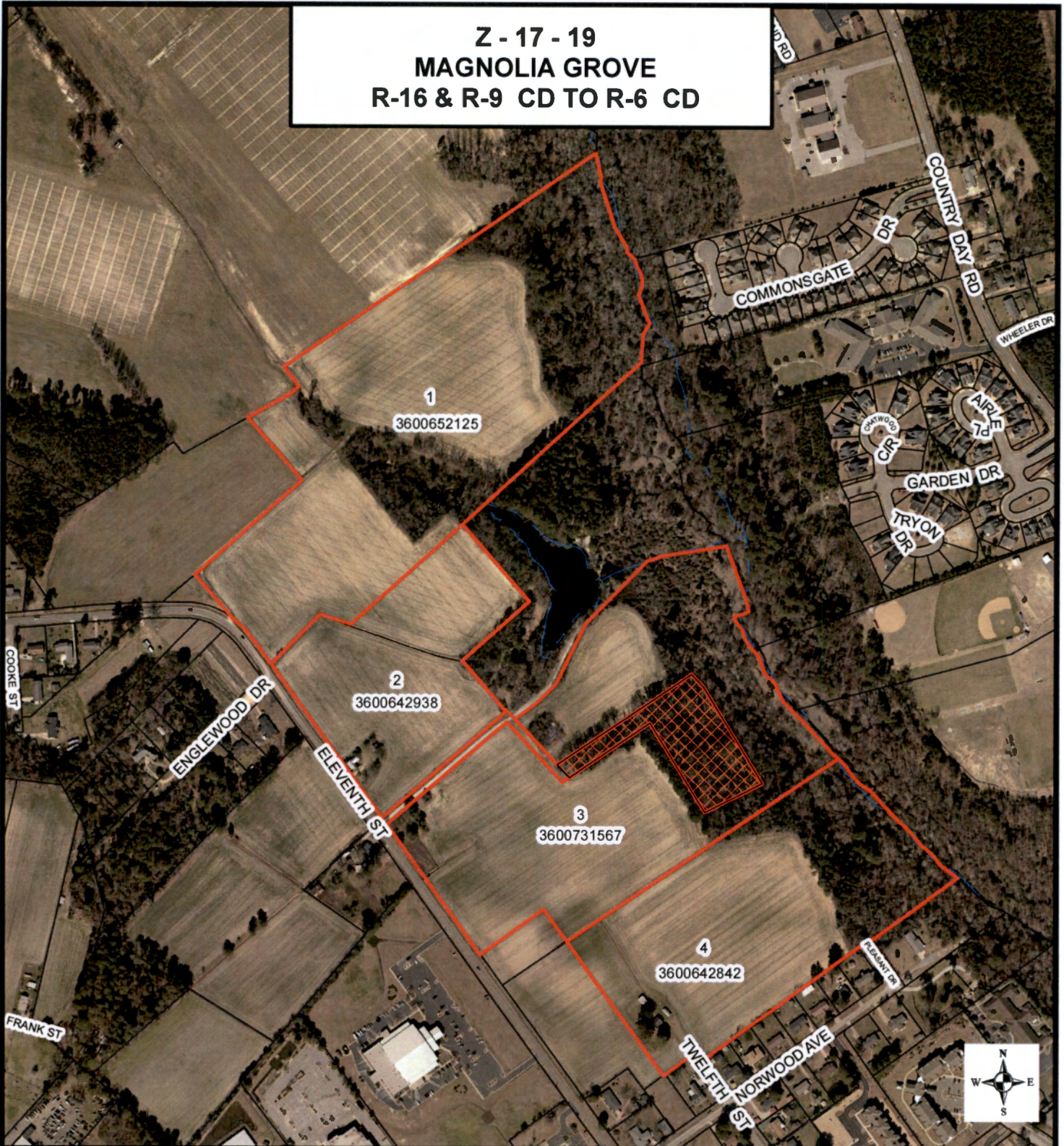
  
\_\_\_\_\_  
Planning Director

Date: \_\_\_\_\_

\_\_\_\_\_  
City Manager



**Z - 17 - 19  
MAGNOLIA GROVE  
R-16 & R-9 CD TO R-6 CD**



**REZONING REQUEST**

Request: R-16 and R-9 To R-6 CD  
Applicant : KG Plaza LLC  
Owner: KG Plaza LLC  
Parcel Nos : 3600652125; 3600642938;  
3600731567; 3600629842  
Location : Eleventh Street

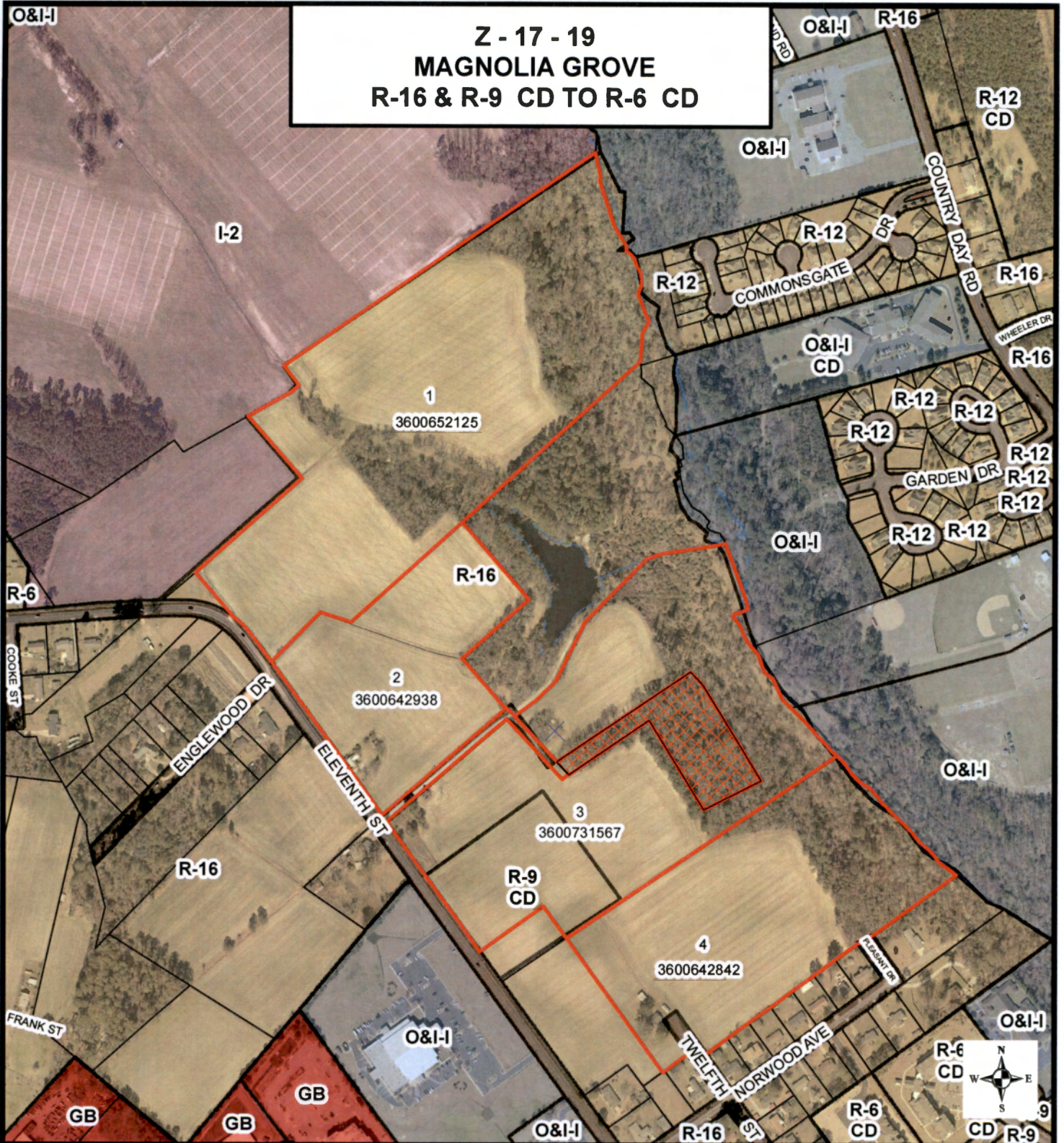
 Area not included in Rezoning

**GOLDSBORO**  
BE MORE DO MORE SEYMOUR

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500 250 0 500 Feet





## EXISTING ZONING

 Area not included in Rezoning

Request: R-16 and R-9 To R-6 CD  
 Applicant: KG Plaza LLC  
 Owner: KG Plaza LLC  
 Parcel Nos: 3600652125; 3600642938;  
 3600731567; 3600629842  
 Location: Eleventh Street

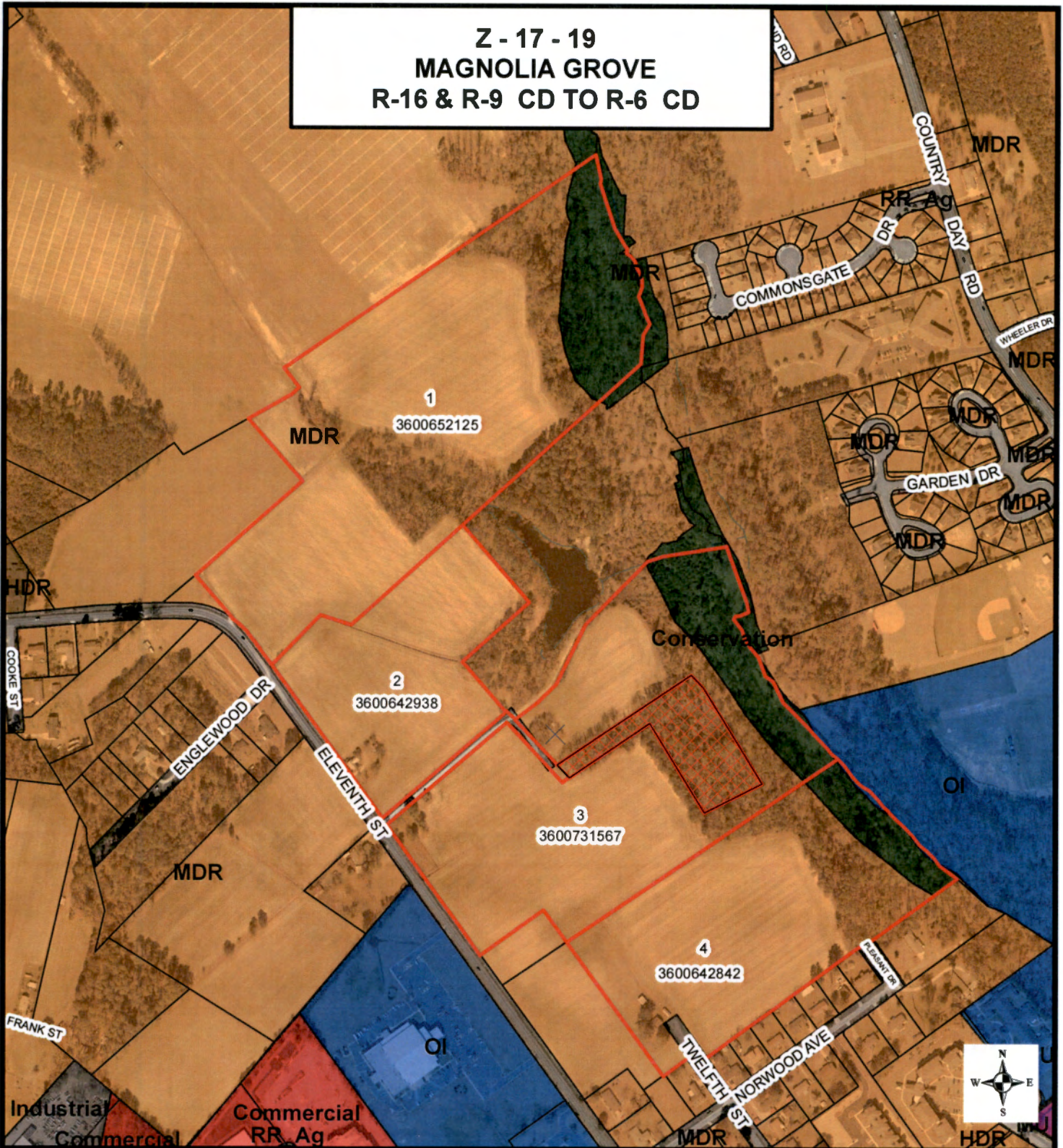
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**GOLDSBORO**  
 BE MORE DO MORE SEYMOUR

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**Z - 17 - 19**  
**MAGNOLIA GROVE**  
**R-16 & R-9 CD TO R-6 CD**



**PROPOSED ZONING**

 Area not included in Rezoning

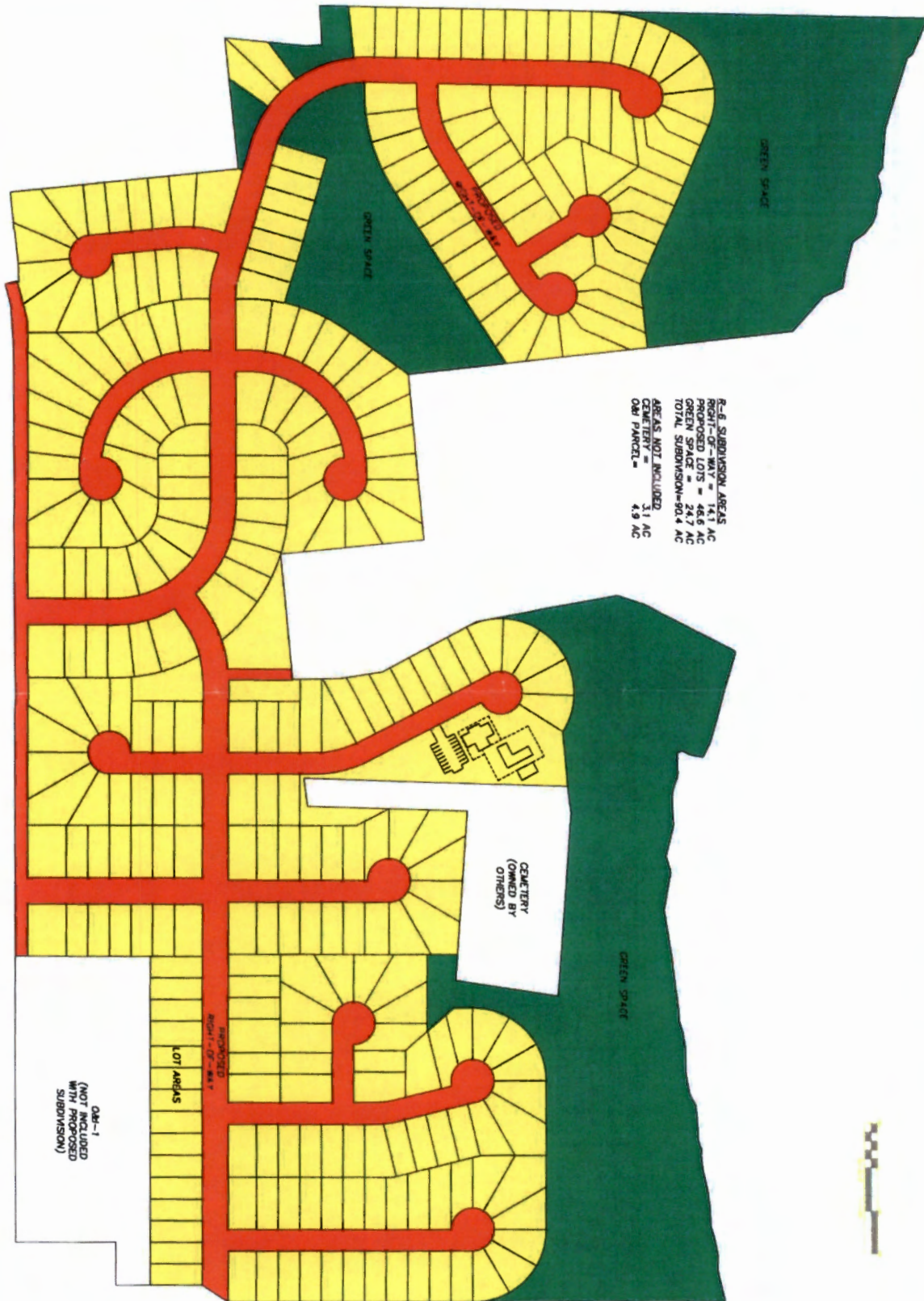
Request: R-16 and R-9 To R-6 CD  
 Applicant: KG Plaza LLC  
 Owner: KG Plaza LLC  
 Parcel Nos: 3600652125; 3600642938;  
 3600731567; 3600629842  
 Location: Eleventh Street

500 250 0 500 Feet

**GOLDSBORO**  
 BE MORE DO MORE SEYMOUR

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R-B SUBDIVISION AREAS  
 RIGHT-OF-WAY = 14.1 AC  
 PROPOSED LOTS = 46.6 AC  
 GREEN SPACE = 25.1 AC  
 TOTAL SUBDIVISION = 85.8 AC  
 AREAS NOT INCLUDED  
 CEMETERY = 3.1 AC  
 0&B PARCEL = 4.9 AC

PRELIMINARY SKETCH FOR  
**MAGNOLIA GROVE**  
 RESIDENTIAL SUBDIVISION

DATE: 11/1/00	BY: [Signature]	CHECKED: [Signature]	DATE: 11/1/00
PROJECT: MAGNOLIA GROVE RESIDENTIAL SUBDIVISION	SCALE: AS SHOWN	STATUS: PRELIMINARY	REVISIONS:
DESIGNED BY: [Signature]	PLANNED BY: [Signature]	ENGINEER: [Signature]	DATE: 11/1/00
CITY OF [City Name]	COUNTY OF [County Name]	STATE OF [State Name]	



**ORDINANCE NO. 2019 -**

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE  
OF THE CITY OF GOLDSBORO, NORTH CAROLINA  
CODE OF ORDINANCES**

WHEREAS, after notice duly given according to law, a public hearing was held before the City Council and the Planning Commission at a regular meeting held in the Council Chamber, City Hall, on Monday, September 23, 2019, 2019, at 7:00 p. m., for the purpose of considering and discussing the passing of an ordinance amending the Unified Development Ordinance of the City of Goldsboro, North Carolina; and

WHEREAS, after completion of said public hearing and receipt of the recommendation of the Planning Commission, the City Council of the City of Goldsboro deems it advisable and for the best interest of the City and those residing within its zoning jurisdiction that the Unified Development Ordinance be amended as herein below set forth;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina:

1. That the Unified Development Ordinance of the City of Goldsboro, North Carolina Code of Ordinances, be and the same is hereby amended by changing:

**From Residential 16 (R-16) and Residential 9 (R-9) Conditional District to Residential 6 (R-6 CD) Conditional District for a 303-lot cluster subdivision with site plan approval required separately for development;**

**Z-17-19 KG Plaza, LLC – East side of Eleventh Street between Norwood Avenue and Englewood Drive**

**The Wayne County Tax Identification Nos. are The Wayne County Tax Identification Nos. are 3600-62-9842 (portion of); 3600-73-1567 (portion of); 3600-64-2938 and 3600-65-2125. The property has frontage of approximately 1560 feet, an average depth of 1500 feet and a total area of approximately 3,937,824 sq. feet or 90.4 acres.**

2. That the Official Zoning Map, Goldsboro, North Carolina, on file in the Office of the Director of Planning and Community Development be promptly changed to reflect this amendment and the appropriate entries in reference thereto be entered in the descriptive record of changes as provided in Section 2 of the Unified Development Ordinance.

3. That this Ordinance shall become effective from and after the entry of the changes or amendments herein made on the said Official Zoning Map.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

Attested by:

\_\_\_\_\_  
City Clerk



**CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
OCTOBER 7, 2019 COUNCIL MEETING**

**SUBJECT:** Z-18-19 KG Plaza, LLC – West side of Eleventh Street between Norwood Avenue and Englewood Drive

**BACKGROUND:** The applicant requests the rezoning from R-16 (Residential) to R-6CD (Residential 6 Conditional District) for multi-family development. Separate site plan approval by City Council is required.

**Frontage:** Approximately 422 ft. (Eleventh Street)

**Area:** 561,924 sq. ft. or 12.9 acres

**Zoning:** R-16 (Residential)

**Surrounding Zoning:**

**North:** R-16 (Residential);

**South:** R-16 (Residential), GB (General Business),  
O&I-1 (Office and Institutional)

**East:** R-16 (Residential); and

**West:** R-16 (Residential)

**Existing Use:** The property is currently vacant and undeveloped.

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

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

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



At the public hearing held on September 23, 2019, one person spoke about concerns regarding the existing and proposed drainage and ditches for this development. The applicant said the concerns raised regarding the drainage would be addressed by the design of the retention ponds. The applicant said Norwood Avenue and Twelfth Street improvements can be considered and NCDOT is requiring the developer to conduct a traffic impact analysis (TIA) for any other necessary road improvements.

The Planning Commission, at their meeting held on September 30, 2019, recommended approval of the change in zoning from Residential 16 (R-16) to Residential 6 Conditional District (R-6- CD) for multi-family development with wavier of site plan at the time of rezoning.

**RECOMMENDATION:** By motion, accept the recommendation of the Planning Commission and

1. Adopt an Ordinance changing the zoning for the property from Residential 16 (R-16) to Residential 6 Conditional District (R-6- CD) for multi-family development with development plan approval required separately. Although not consistent with the City's adopted Comprehensive Land Use Plan, the proposed development is in an area where City water and sewer is available, therefore, higher densities are allowed and encouraged.

Date: 10/01/19

  
\_\_\_\_\_  
Planning Director

Date: \_\_\_\_\_

\_\_\_\_\_  
City Manager



**Z - 18 - 19  
MAGNOLIA GROVE  
R-16 TO R-6 CD**



**REZONING REQUEST**

Request: R-16 To R-6 CD  
Applicant : KG Plaza LLC  
Owner: KG Plaza LLC  
Parcel Nos : 3600536324  
Location : Eleventh Street

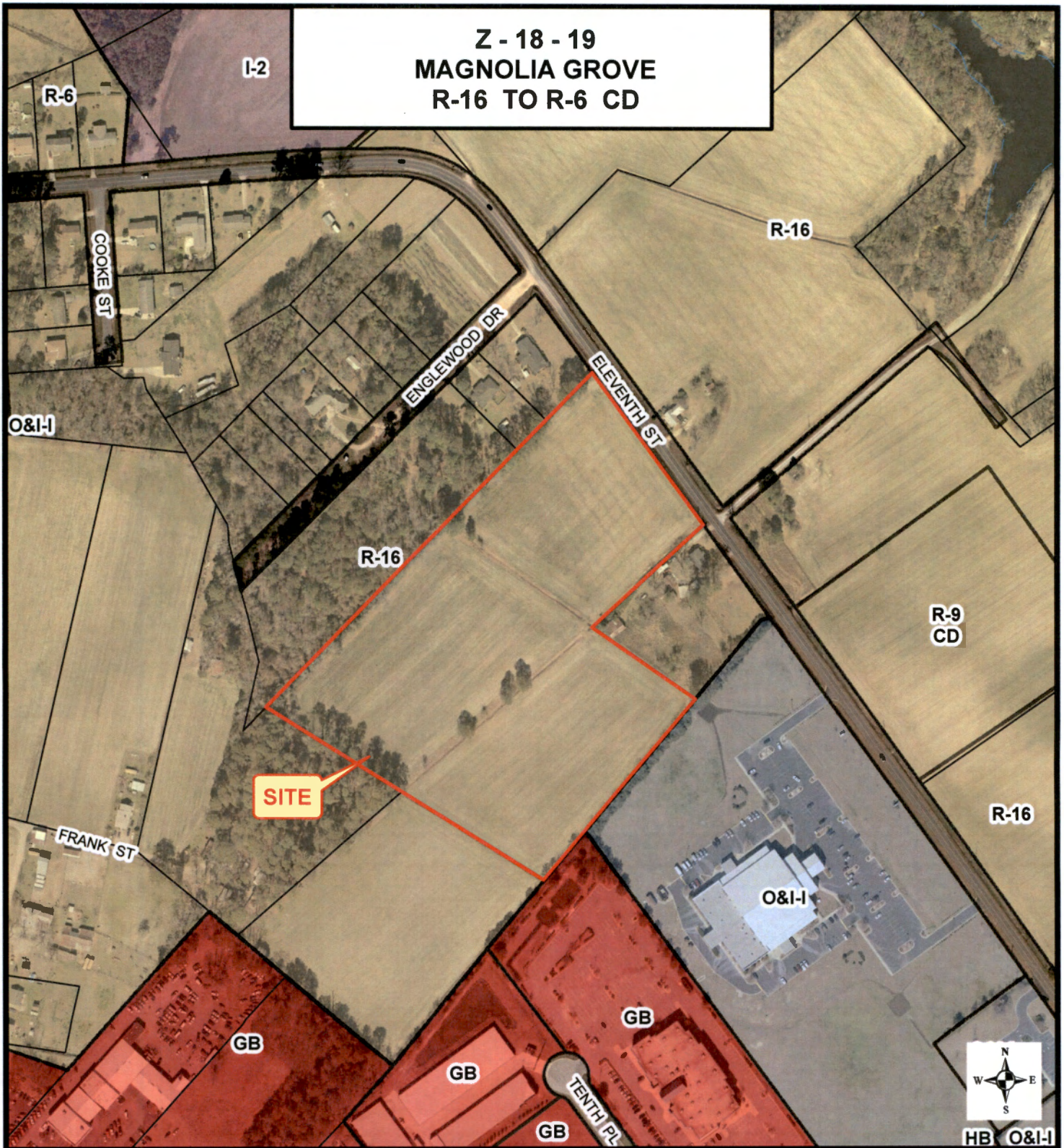


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## REZONING REQUEST - EXISTING ZONING

Request: R-16 To R-6 CD  
Applicant: KG Plaza LLC  
Owner: KG Plaza LLC  
Parcel Nos: 3600536324  
Location: Eleventh Street

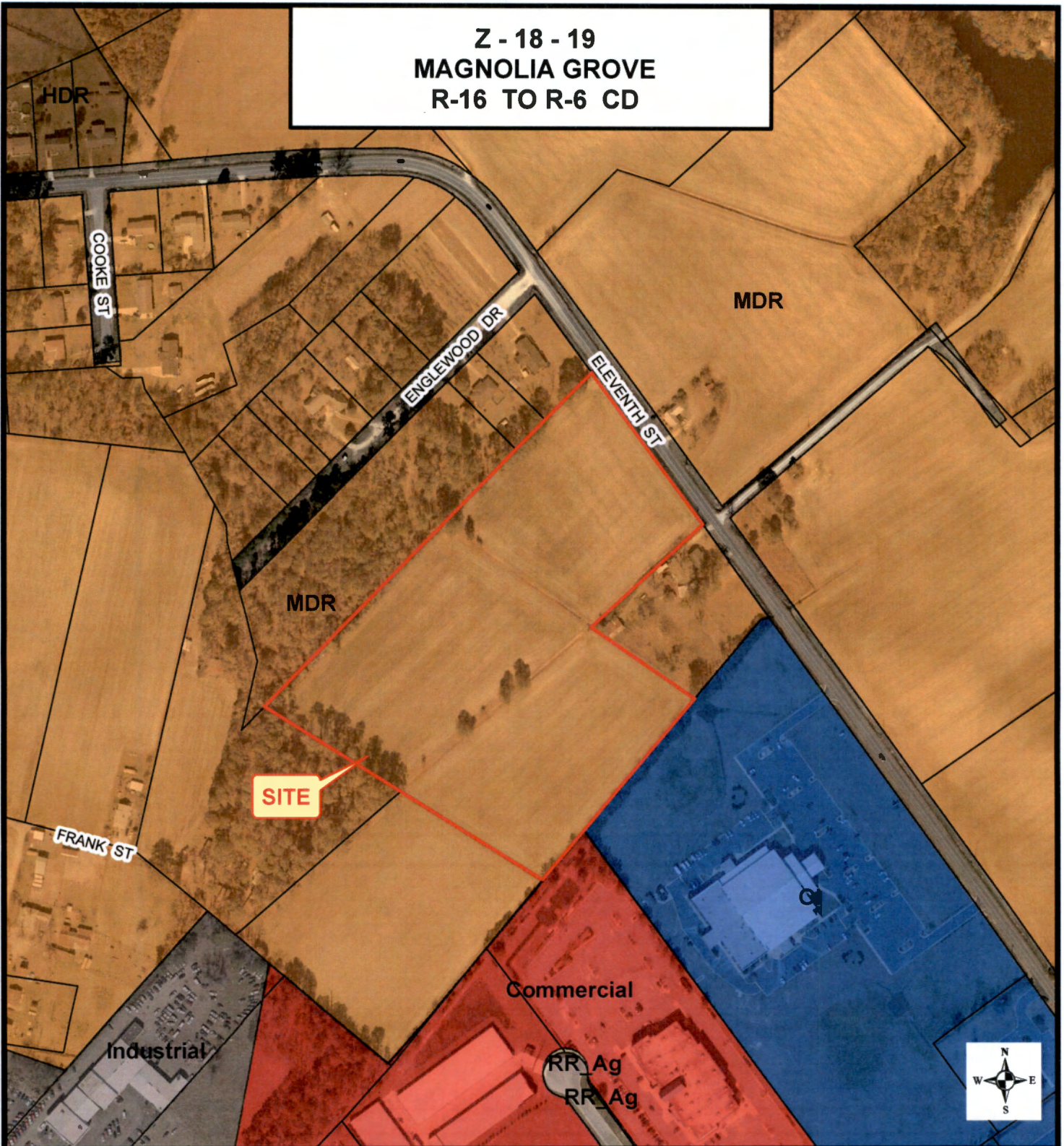
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**GOLDSBORO**  
BE MORE DO MORE SEYMOUR

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**Z - 18 - 19  
MAGNOLIA GROVE  
R-16 TO R-6 CD**



**REZONING REQUEST - PROPOSED ZONING**

*Request:* R-16 To R-6 CD  
*Applicant :* KG Plaza LLC  
*Owner:* KG Plaza LLC  
*Parcel Nos :* 3600536324  
*Location :* Eleventh Street

**GOLDSBORO**  
BE MORE DO MORE SEYMOUR

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NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina:

1. That the Unified Development Ordinance of the City of Goldsboro, North Carolina Code of Ordinances, be and the same is hereby amended by changing:

**From Residential 16 (R-16) to Residential 6 Conditional District (R-6 CD) for a multi-family development with site plan approval required separately prior to development;**

**Z-18-19 Magnolia Grove – West side of Eleventh Street between Norwood Avenue and Englewood Drive**

**The Wayne County Tax Identification No. 3600-53-6324. The property has frontage of approximately 422 feet, an average depth of 920 feet and a total area of approximately 561,924 sq. feet or 12.90 acres.**

2. That the Official Zoning Map, Goldsboro, North Carolina, on file in the Office of the Director of Planning and Community Development be promptly changed to reflect this amendment and the appropriate entries in reference thereto be entered in the descriptive record of changes as provided in Section 2 of the Unified Development Ordinance.

3. That this Ordinance shall become effective from and after the entry of the changes or amendments herein made on the said Official Zoning Map.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

Attested by:

\_\_\_\_\_  
City Clerk