

MINUTES OF THE MEETING OF THE CITY COUNCIL HELD
NOVEMBER 2, 2020

WORK SESSION

The City Council of the City of Goldsboro, North Carolina, met in a Work Session in the Large Conference Room, City Hall Addition, 200 North Center Street, at 5:00 p.m. on November 2, 2020 with attendance as follows:

Present: Mayor Chuck Allen, Presiding
Mayor Pro Tem Bill Broadway
Councilmember Antonio Williams
Councilmember Taj Polack
Councilmember Brandi Matthews
Councilmember David Ham
Councilmember Gene Aycock
Ron Lawrence, City Attorney
Tim Salmon, City Manager
Melissa Capps, City Clerk

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

Adoption of the Agenda. Upon motion of Mayor Pro Tem Broadway, seconded by Councilmember Ham and unanimously carried, Council adopted the agenda.

Council Meeting Dates for 2021. Ms. Melissa Capps, City Clerk, stated included in your packets is a copy of the proposed meeting dates for 2021. Council normally meets on the 1st and 3rd Monday of each month. The proposed calendar includes changes due to holidays, which include:

- Tuesday, January 19 (Monday, January 18th is a holiday – Martin Luther King, Jr. Day)
- Monday, July 12
- Tuesday, September 7 (Monday, September 6th is a holiday – Labor Day)

Proposed Retreat Dates 2021

- February 8 and 9 (Monday and Tuesday)
- February 24 and 25 (Wednesday and Thursday)

Ms. Capps asked Council to please take a look at their calendars to see if there are any conflicts. Staff will bring back an item at the next meeting for Council to adopt the 2021 Meeting Schedule.

Boards and Commissions Vacancies. Ms. Capps stated included in your folders is a listing of current board and commission members with the district that they live in; a listing of those members whose terms are expiring and copies of applications received to date. We ask that Council review the information and discuss recommendations for appointments at an upcoming Council meeting with Council adopting a Resolution appointing members at the December 21st council meeting.

Council discussed the proposed race relations commission, such as a name for the committee, mission, etc. Councilmember Matthews stated I still disagree that this should be a council lead board. Council continued discussions; consensus was to bring back the boards and commission vacancies to the next meeting and to continue to discuss the race relations commission.

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

Item D. Z-6-20 Capps Enterprises of Greenville – East Ash Street between N. Durant Street and Ridgewood Drive. Mayor Allen stated I have been at the Lantern Inn 20 something years, we have done this one time before. They did that to get an ABC permit and I do not want them to do the same, they would be out in the parking lot at 2:00 am drinking and

throwing everything in the parking lot. Ms. Collins stated if you recall the applicant has an existing tenant that did come to the public hearing, if you rezone tonight, it is a permitted use but it would come back to Council for a conditional use permit. Ms. Collins shared information regarding rezoning, conditional use permits and ABC permits. Councilmember Williams stated I do not think it is fair to judge this individual on someone else's behavior in the past.

Item E. Z-7-20 Wayne Oil Company, Inc. – Northwest Corner of Wayne Memorial Drive and Fourth Street. Councilmember Williams asked about notification of surrounding properties and the site plan. Ms. Collins stated we are in the process of notification and provided information regarding the review of the site plan and the need for DOT review as Wayne Memorial Drive is maintained by DOT.

Mayor Allen made a motion to move Item D. Z-6-20 Capps Enterprises of Greenville – East Ash Street between N. Durant Street and Ridgewood Drive from the Consent Agenda to Items Requiring Individual Action. The motion was seconded by Councilmember Aycock. Mayor Allen, Mayor Pro Tem Broadaway, Councilmembers Ham and Aycock voted in favor of the motion. Councilmembers Williams, Polack and Matthews voted against the motion. The motion passed 4:3.

Upon motion of Councilmember Williams, seconded by Councilmember Matthews and unanimously carried, Council removed Item E. Wayne Oil Company, Inc. – Northwest Corner of Wayne Memorial Drive and Fourth Street from the Consent Agenda and placed it under Items Requiring Individual Action.

Item G. CU-6-20 Site Plan (Jones Sawmill). Councilmember Polack expressed concerns regarding the width of Belfast Road. Ms. Collins shared DOT provided the following comments; driveway permits are required, however, at this time, due to the scale of the operation, there are no other road improvements necessary at this time.

Item H. Fire Department Budget Adjustments. Chief Dixon presented information regarding a request to use savings realized through the reorganization initiative. The Goldsboro Fire Department Reorganization initiative was approved by City Council at the November 5, 2018 session. The savings and adjustments to organizational cultural are being realized as projected. The savings were to be reinvested in the department for pay for certification. The annual cost of training replacements for employees lost to surrounding agencies is estimated at over One Hundred Thousand dollars. Funds are available within the FIRE/5120 budget line as a result of ongoing cost saving initiatives implemented by the department. The City Council is responsible for approving personnel policies, the position classification and pay plan, and making changes to policies and benefits.

Councilmember Polack stated I brought this up at the retreat. I think this is a great way to retain and recruit people. I am in support of the Resolution.

Chief Dixon shared in 3 years we have loss about 15 people.

Mayor Pro Tem Broadaway expressed concerns regarding the budget and total revenue at the end of the year.

Councilmember Williams stated Chief you said the money has already been allocated, right. Chief Dixon stated yes sir. Council and Chief Dixon discussed budgeted amounts, retirement of staff and over-time reductions.

Councilmember Polack made a motion to adopt the resolution to establish pay for certifications for Goldsboro Fire Department employees. The motion was seconded by Councilmember Williams.

Mr. Salmon stated I appreciate what the Chief is doing here for his people at the Fire Department, however, at this time, I do not support the resolutions in front of you, \$50,000 for this and \$10,000 for the 1919 fire truck for the exact reason Councilmember Broadaway brought up. COVID-19 has significantly affected local governments. Mr. Salmon shared information

regarding anticipated shortfalls in sales tax and the overall budget. There is no cost of living increase, no pay for performance and no holiday bonus.

Discussions continued regarding the 1919 fire truck and pay for certifications.

Mayor Allen called for a vote on the motion to adopt the resolution to establish pay for certifications for Goldsboro Fire Department employees. Mayor Allen, Councilmembers Williams, Polack, Matthews, Ham and Aycock voted in favor of the motion. Mayor Pro Tem Broadaway voted against the motion. Motion passed 6:1.

RESOLUTION NO. 2020- 72 “RESOLUTION TO ESTABLISH “PAY FOR CERTIFICATION” FOR GOLDSBORO FIRE DEPARTMENT EMPLOYEES”

Closed Session Held. Upon motion of Councilmember Aycock, seconded by Councilmember Polack, Council convened into Closed Session to discuss a personnel matter and a litigation matter.

Council came out of closed session.

The meeting recessed until the 7:00 p.m. meeting.

CITY COUNCIL MEETING

The City Council of the City of Goldsboro, North Carolina, met in regular session in Large Conference Room, City Hall Annex, 200 North Center Street, at 7:00 p.m. on November 2, 2020 with attendance as follows:

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

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

Councilmember Williams provided the invocation. The Pledge of Allegiance followed.

Approval of Minutes. Upon motion of Mayor Pro Tem Broadaway, seconded by Councilmember Polack and unanimously carried, Council approved the Minutes of the Work Session and Regular Meeting of October 19, 2020.

Employee Performance Award. Employee of the Quarter – Jamie Metz. As a Computer Systems Administrator II in the Information Technology Department, Jamie significantly exceeded expectations by completing the additional duties of department finance obligations and administrative work while conducting her Computer System Administrator duties in an exemplary manner. Most importantly, she assisted with the fiscal year FY20-21 budget preparation and FY19-20 year end closeout that led to an increase in department funding to address the ever increasing IT needs of every City department. Additionally, during this period, Jamie worked diligently on her professional development achieving her Associates in Applied Science - Information Technology, IT Business Support. She also received a number of support and office system certificates to include: MS Office Specialist in Excel and Access, CompTIA Network+, and Fiber Optic Basics. She is awaiting the following certificates: CompTIA A+ Fundamentals, IT Business Support, Database Support, Hardware/Software Support, Operating Systems Support, Systems & Hardware, and Windows Operating Systems. Jamie’s exceptional dedication to the City, professionalism, and focus on internal customers—the City staff—is highly commendable. She is often overloaded with tasks and at times overworked, working extensive hours during the week and on weekends, but she always approaches her work with a smile, positive attitude, and competence that has made the IT

department and other City departments better. Jamie Metz accomplishments reflect well on herself and the City of Goldsboro.

Public Comment Period. Mayor Allen opened the Public Comment Period and the following people spoke:

1. Gerald Whisenhunt shared concerns regarding homeless people on Royall Avenue.
2. Tiffany Kilgore with the Wayne County Association of Education shared information regarding Goldsboro Meals on Bus Wheels.
3. Richard Taylor shared concerns regarding boarded up houses on Deveraux Street. He also shared concerns regarding Senator Harris' visit.
4. Jamie Taylor shared concerns regarding prostitution along the 700 Block of Walnut Street.
5. Thomas Rice with MLFL shared information regarding a homeless shelter project.
6. A gentleman shared concerns regarding log trucks on Salem Church Road and Belfast Road.

Attorney Lawrence stated technically the information presented, because the public hearing has already been held, should not be considered.

7. Kaylon Williams shared information regarding a history project he is working on with Marty at the Library. He also shared concerns regarding the discussion of the firefighters at the work session, public comment period, homeless issue and COVID.

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

Consent Agenda - Approved as Recommended. City Manager, Timothy Salmon, presented the Consent Agenda. All items were considered to be routine and could be enacted simultaneously with one motion and a roll call vote. If a Councilmember so requested, any item(s) could be removed from the Consent Agenda and discussed and considered separately. In that event, the remaining item(s) on the Consent Agenda would be acted on with one motion and roll call vote. Mayor Allen reminded Council Item D. Z-6-20 Capps Enterprises of Greenville – East Ash Street between N. Durant Street and Ridgewood Drive and Item E. Wayne Oil Company, Inc. – Northwest Corner of Wayne Memorial Drive and Fourth Street were removed from the Consent Agenda and placed under Items Requiring Individual Action.

Councilmember Matthews asked Items F and G are the sawmill correct; and according to Jennifer, even if we approve they still have to go back to the Planning Commission to do the modifications as well as honor DOT and then it will come back. Mayor Allen stated correct. Mayor Pro Tem Broadaway stated as I understand that would be after DOT shows us their plan.

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

Ms. Jennifer Collins stated she was asking if it was going to come back to Council and it will not. Mayor Allen stated I thought you said the DOT stuff would come back. Ms. Collins stated DOT would reevaluate the need for road improvements in one year, for now there is no road improvements.

Councilmember Williams asked Ms. Collins if Item E would be coming back. Ms. Collins stated that is Wayne Oil, that is the one the applicant is asking for denial without prejudice and will come back before the board for a rezoning request.

Mayor Allen stated with the sawmill, you are saying it would not come back for a year. Ms. Collins stated it would not come back to Council if approved tonight it would be allowed to operate. It would come back to staff for grading, in a year we would make sure the landscaping and fencing is installed and DOT would reevaluate the road in a year.

Councilmember Matthews stated I cannot in good conscious say yes to the plan as presented. Councilmember Matthews stated I want to change my vote. Councilmember Polack stated I

want to change my vote. Councilmember Williams stated I would like to amend my vote as well.

Mayor Allen asked if anyone else would like to change their vote, no one else responded.

Mayor Allen, Mayor Pro Tem Broadaway, Councilmembers Ham and Aycock voted in favor of approving the consent agenda. Councilmembers Williams, Polack and Matthews voted against the motion. The motion passed 4:3. Although the motion passed, pursuant to NCGS §160A-75 – “no ordinance nor any action having the effect of any ordinance may be finally adopted on the date on which it is introduced except by an affirmative vote equal to or greater than two thirds of all the actual membership of the council, excluding vacant seats and not including the mayor unless the mayor has the right to vote on all questions before the council. For purposes of this section, an ordinance shall be deemed to have been introduced on the date the subject matter is first voted on by the council” therefore the ordinances did not pass at the first reading. **The result of the statute is that therefore at least five (5) must vote in favor for an ordinance to approved upon its first reading/vote.*

The items on the Consent Agenda were as follows:

Amending a Grant Project Fund Ordinance – Coronavirus Aid, Relief and Economic Security (CARES) Act Miscellaneous Grants Special Revenue Fund (R1106).
Resolution Adopted. The Parks and Recreation Department applied for a remote learning grant from North Carolina’s Coronavirus Relief Fund administered by the North Carolina Alliance of YMCA’s. The City was notified on October 15, 2020 that it was the recipient of an award in the amount \$94,616. The period of the performance is July 29, 2020 through December 30, 2020. This grant will be managed by Felicia Brown, Parks & Recreation Director.

There is no match required for the grant.

Staff requests that Council authorize staff to accept the award and execute the required documents.

Federal grant requirements call for the City to establish a means of tracking the expenditures for Single Audit purposes so that external auditors can verify compliance with the various Federal and State grant guidelines in the compliance supplements. The purpose of this project qualifies as a grant project under G.S. § 159-13.2, and staff requests that the Council appropriate expenditures in the amount of \$94,616.00. This will be funded with Federal grant revenue.

Staff recommended:

1. Council adopt the following entitled resolution to authorize staff to accept the award and execute required grant documents. Consent Agenda Approval. Aycock/Ham (4 Ayes: 3 Nays)
2. Council adopt a Grant Project Ordinance amendment for the Coronavirus Aid, Relief and Economic Security (CARES) Act Miscellaneous Grants Special Revenue Fund (R1106) in the amount of \$94,616.00. *Pursuant to NCGS §160A-75, “no ordinance nor any action having the effect of any ordinance may be finally adopted on the date on which it is introduced except by an affirmative vote equal to or greater than two thirds of all the actual membership of the council, excluding vacant seats and not including the mayor unless the mayor has the right to vote on all questions before the council.” Ordinance did not pass.*

RESOLUTION NO. 2020-71 “A RESOLUTION AUTHORIZING THE CITY OF GOLDSBORO TO ACCEPT A GRANT FROM NORTH CAROLINA’S CORONAVIRUS RELIEF FUNDS ADMINISTERED BY THE NORTH CAROLINA ALLIANCE OF YMCA’S AND THE YMCA OF THE TRIANGLE”

Z-8-20 – Jones Sawmill-Northwest corner of Belfast Road & I-795. The applicant requests to rezone subject property from Residential (R-20A) to General Industry Conditional District (I-2CD) in order to limit the use of the property to a commercial sawmill.

In conjunction with the rezoning request, the applicant is requesting separate site plan approval as required by the City's Unified Development Ordinance. The proposed change of zone request is associated with Conditional Use Permit request CU-6-20 and related site plans. More than half of subject property is located within the City limits of Goldsboro. A portion of the subject property is located within Wayne County. County officials have made written agreement to relinquish jurisdictional authority to the City of Goldsboro.

Frontage: (None)
Area: 574,207 sq. ft., or 13.18 acres
Zone: Residential (R-20A)/Wayne County Airport (Overlay)

Surrounding Zoning:
North: Residential Conditional District (R-20ACD)/County Airport;
South: Wayne County Residential-Agricultural (RA-20),
Wayne County Airport (Overlay);
East: General Business (GB)/Residential (R-16); and
West: Residential Conditional District (R-20ACD)

The subject property is currently clear and vacant.

As previously stated, the applicant desires to rezone the subject property from Residential (R-20A) to General Industry Conditional District (I-2CD) in order to limit the use of the property to a commercial sawmill.

The City's Comprehensive Land Use Plan recommends a portion of the property for industrial development and the remaining acreage for medium density residential development.

The property is not located in a Special Flood Hazard Area. City water and sewer are not available to serve the property. Water will be provided by a private underground water well. Sewer will be obtained through the use of private on-site (septic) pump and waste systems in accordance with the Wayne County Environmental Health Department.

Approximately 5.76 acres is located within Wayne County's Airport Overlay District. Wayne County Planning and Airport officials have been advised of the applicant's proposed rezoning request. As of date, no additional comments or requirements from Wayne County have been communicated to City officials.

At the public hearing held on October 19, 2020, the property owner and applicant were present however held their comments for the associated Conditional Use Permit public hearing which followed the rezoning request.

The Planning Commission, at their meeting held on October 26, 2020, recommended approval for the change of zone request from Residential (R-20A) to General Industry Conditional District (I-2CD) in order to limit the use of the property to a commercial sawmill.

It was recommended Council accept the recommendation of the Planning Commission and:

1. Find the request consistent with the City's adopted Comprehensive Land Use Plan and;
2. Adopt an Ordinance changing the zoning for the property from Residential (R-20A) to General Industry Conditional District (I-2CD) in order to limit the use of the property to a commercial sawmill. *Pursuant to NCGS §160A-75 "no ordinance nor any action having the effect of any ordinance may be finally adopted on the date on which it is introduced except by an affirmative vote equal to or greater than two thirds of all the actual membership of the council, excluding vacant seats and not including the mayor unless the mayor has the right to vote on all questions before the council." Ordinance did not pass.*

CU-6-20 Site Plan (Jones Sawmill). Subject property is located on the northwest corner of Belfast Road and I-795. The site plan is associated with a rezoning request Z-8-20 as previously presented.

If the Goldsboro City Council approves the applicant's rezoning request from R-20A (Residential-20A) to General Industry Conditional District (I-2CD), the use of the property will be limited for the operation of a commercial sawmill. A commercial sawmill requires a Conditional Use Permit when located in the General Industry (I-2) zoning district.

Frontage: (None)
Area: 574,207 sq. ft., or 13.18 acres
Zone: Residential (R-20A)/Wayne County (Airport Overlay)

The property is currently clear and vacant. The property is located directly east of an existing solar farm. On July 6, 2015, Goldsboro City Council approved a change of zone from R-40 to R-20A Residential Conditional District to allow the development of the solar farm.

The submitted site plan indicates four (4) commercial buildings to be utilized in the operation of the business. A 15ft. x 25ft. (375 sq. ft.) metal office building will serve as the principle structure in the operation of the business. A 50ft. x 50ft. (2,500 sq. ft.) enclosed metal storage shelter will serve as an add-on to the principle building. An 18ft. x 34ft. (612 sq. ft.) commercial dry kiln is proposed behind the proposed storage shelter along with a proposed 20ft. x 60 ft. (1,200 sq. ft.) commercial sawmill.

A floor plan has been provided which consists of an office, restrooms for customers and employees, storage areas and three (3) automobile service bays.

Hours of Operation: Monday-Friday: 7:00am-5:00pm
Saturdays: Varies
No. of Employees: 4

The applicant has proposed a new 24 ft. wide driveway cut off of Belfast Road to access the site. Belfast Road is an NCDOT maintained roadway. The applicant has consulted with NCDOT and has been made aware of the fact that driveway permits will be required, however, no other roadway improvements will be necessary.

The site has no frontage along Belfast Road. As such, a proposed 50ft. ingress, egress and regress easement off Belfast Road will provide access to the site, as well as, to employee and commercial trucking parking spaces. The applicant is proposing a 20ft. wide gravel access road for approximately 1,000 ft. since heavy log trucking operations will be conducted on site. Log trucks will enter and exit the site off Belfast Road.

Parking for the commercial sawmill requires 1 space per 2 employees on the maximum shift, plus 1 space for each vehicle stored on site. A total of 4 employee parking spaces have been proposed including 1 handicapped accessible parking space. According to the applicant, there will be no overnight parking conducted on the site.

The property is not located in a Special Flood Hazard Area. City water and sewer are not available to serve the property. Private water and on-site waste disposal systems will be incorporated. Grading and drainage plans have not been submitted. The applicant will be required to submit plans in accordance with City Engineering standards before construction permits are released.

In addition to the land-use requirements of the General Industry (I-2) zoning district, the following supplemental regulations are required for the proposed sawmill:

1. The entire area of the site shall be enclosed by a six foot high opaque fence set back one hundred feet from any public right of way or residentially developed or zoned property and/or fifty feet from any other adjacent property.
2. The yard area between the fence and the property line, not used for parking, shall be planted with grass and have landscaping composed of large trees spaced not more than forty feet apart and not less than one row of shrubs thirty inches in height, spaced so that they will form a continuous visual screen six feet in height within three growing seasons.

3. No loading or unloading of materials shall occur outside of the fenced area.
4. A statement shall be submitted with the plans indicating whether any manufacturing or processing operation will create smoke, offensive odor, dust, noise, fumes or vibrations beyond the lot lines of the proposed use. If one or more of such conditions exist, the developer shall explain what measures will be taken to mitigate such conditions to acceptable levels.
5. The uses shall be located a minimum of one thousand feet from any residentially developed or zoned property. The one thousand foot separation distance shall be measured in a straight line from property line to property line, with no consideration as to intervening structures, roads or landforms.

The applicant is requesting a modification of item #5 listed above as residentially-zoned and developed property is located within 1,000 ft. of the subject property.

The applicant is requesting a waiver of the fencing and landscaping requirements for a period not to exceed 1 year from site plan approval.

At the public hearing held on October 19, 2020, the property owner and applicant came forward to speak in favor of the request and no one appeared to speak against the request.

The Planning Commission, at their meeting held on October 26, 2020, recommended approval of the Site and Landscape Plan with the requested modifications.

It was recommended Council accept the recommendation of the Planning Commission and approve the site and landscape plan with the following modifications:

1. A modification of item #5 listed above as residentially zoned and developed property is located within 1,000 ft. of the subject property.
2. A waiver of the installation of fencing and landscaping requirements for a period not to exceed 1 year from site plan approval. *The Conditional Use Permit does not require a 2/3 vote; however, it is dependent on the approval of the associated rezoning.*

End of Consent Agenda.

Z-6-20 – Capps Enterprises of Greenville-East Ash Street between N. Durant Street and Ridgewood Drive. Ordinance Adopted. The applicant requests to rezone two commercially developed properties from Neighborhood Business (NB) to General Business (GB) zoning district.

Lot #1: 2203 - 2205A E. Ash Street (Existing Shopping Center)
 Frontage: 100 ft. (E. Ash Street)
 325 ft. (Fourth St.)
 Area: 20,274 sq. ft., or 0.46 acres
 Zone: Neighborhood Business (NB)

Lot #2: 2205B – 2207C E. Ash Street (Existing Shopping Center)
 Frontage: 100 ft. (Wayne Memorial Dr.)
 Area: 20,560 sq. ft., or 0.47 acres
 Zone: Neighborhood Business (NB)
 Surrounding Zoning:
 North: Residential (R-9);
 South: Residential (R-9);
 East: General Business (GB); and
 West: General Business (GB)

The subject properties are currently occupied by a brick veneer, single-story commercial shopping center of approximately 16,670 sq.ft.

As previously stated, the applicant desires to rezone the subject properties from Neighborhood Business (NB) to General Business (GB) zoning district.

Two 25 ft. wide asphalt driveways provide access to the site from E. Ash Street.

The City's Comprehensive Land Use Plan recommends commercial development for the property. The proposed rezoning would be compatible with the Comprehensive Plan.

The property is located in a Special Flood Hazard Area known as the 100-year floodplain. City water and sewer are available to serve the property.

In March of 2017, the Planning Commission recommended approval of a change of zone request for the property from Neighborhood Business to General Business Conditional District with waiver of site plan at time of rezoning. However, in April of 2017, City Council denied the change of zone request.

Since then, the property has been sold. The new owner/applicant is seeking the rezoning change to increase the allowable uses for the site, thereby, enhancing the marketability of his property to rent the individual spaces. Currently, a church, clothing store, beauty salon, sandwich shop and health and nutrition center occupy the commercial strip center.

At the public hearing held on October 19, 2020, the property owner and an existing tenant within the shopping center came forward to speak in favor of the request and no one appeared to speak against the request.

The Planning Commission, at their meeting held on October 26, 2020, recommended approval for the change of zone request from Neighborhood Business (NB) to General Business (GB) zoning district.

Councilmember Williams made a motion to approve and accept the recommendation of the Planning Commission and:

1. Find the request consistent with the City's adopted Comprehensive Land Use Plan and;
2. Adopt the following entitled Ordinance changing the zoning for the property from Neighborhood Business (NB) to General Business (GB) zoning district.

The motion was seconded by Councilmember Polack. Mayor Pro Tem Broadaway, Councilmembers Williams, Polack, Matthews, Aycock and Ham voted in favor of the motion. Mayor Allen voted against the motion. Motion passed 6:1.

OPRDINANCE NO. 2020-27 "AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF GODLSBORO, NORTH CAROLINA CODE OF ORDINANCES"

Z-7-20 – Wayne Oil Company, Inc. Northwest corner of Wayne Memorial Drive and Fourth Street (Neighborhood Business/General Business Conditional District to General Business). Denied. The applicant requests to rezone a portion of the subject property from Neighborhood Business (NB) to General Business (GB) zoning district. The requested zoning will be associated with the recombination of two individual lots described as follows:

Lot #1:

Frontage: 297.41 ft. (Wayne Memorial Drive)
325 ft. (Fourth Street)
Area: 141,700 sq. ft., or 3.25 acres
Zone: Neighborhood Business (NB) / General Business Conditional District (GB CD)

Lot #2:

Frontage: 83.69 ft. (Wayne Memorial Drive)
Area: 8,596 sq. ft., or 0.19 acres
Zone: Neighborhood Business (NB)

Area Proposed for Rezoning:

Frontage: 185.30 ft. (Wayne Memorial Drive)
Area: 70,154 sq. ft., or 1.621 acres
Zone: Neighborhood Business (NB)

Surrounding Zoning:

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

The subject properties are currently occupied by an existing business formally known as Wayne Oil Company, Inc.

As previously stated, the applicant proposes to rezone subject property from Neighborhood Business (NB) to General Business (GB) zoning district.

The City's Comprehensive Land Use Plan recommends commercial development for the property. The proposed rezoning would be compatible with the Comprehensive Plan.

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

On January 3, 2017, Goldsboro City Council approved a change of zone request for a portion of the property from Neighborhood Business (NB) to General Business Conditional District (GB CD) limiting the use of the property to retail sale of auto parts and accessories. As of this date, the property has not been developed. The remaining portion is now being considered for sale and commercial development.

At the public hearing held on October 19, 2020, the applicant came forward to speak in favor of the request and no one appeared to speak against the request.

After the public hearing, the applicant indicated to staff their desire to request rezoning the property to General Business Conditional District for the operation of an automatic car wash. Staff's recommendation to Planning Commission at their meeting held on October 26, 2020 was to deny the conventional General Business rezoning request without prejudice and allow the applicant to reapply for Conditional District rezoning without a six-month delay.

The Planning Commission, at their meeting held on October 26, 2020, recommended denial without prejudice for the change of zone request from Neighborhood Business (NB) to General Business (GB) zoning district.

Councilmember Polack asked that lot adjacent to Wayne Oil with pine trees is that a part of it. Ms. Collins stated the vacant lot you are referencing, it came before council previously and did have a conditional district on it; however, it was never developed. It would have to come back to Council.

Councilmember Aycock made a motion Council accept the recommendation of the Planning Commission and denied without prejudice the change of zoning for the property from Neighborhood Business (NB) to General Business (GB) zoning district. Mayor Pro Tem Broadaway seconded the motion. Councilmember Williams stated my only concern was originally this item, we thought was going to be something else. I will go with the motion. The motion passed unanimously.

City Manager's Report. No report.

Mayor and Councilmembers' Reports and Recommendations. Mayor Pro Tem Broadaway read the following Proclamation:

Veterans Day Proclamation. Mayor Allen proclaimed November 11, 2020 as

“VETERANS DAY” in the City of Goldsboro and urged all citizens to remember the service and sacrifice of our veterans who defend our freedom and preserve our way of life.

Councilmember Williams read the following Proclamation.

National Native American Heritage Month Proclamation. Mayor Allen proclaimed November 2020 as National Native American Heritage Month. In honor of National Native American Heritage Month, we recognize the contributions, sacrifices and accomplishments that Native Americans have made to our community and the United States.

Councilmember Williams stated I just want to ask everyone to get out and vote. I’ve heard 6,000 men and women of color have not voted. 6,000 citizens of color that live in Goldsboro, aren’t we all in need of a better life, don’t be one of the 6,000 that hadn’t voted. I say to you all don’t get distracted by those things that won’t better your life or the lives of your loved ones. Tomorrow you can be part of change, just by getting out and using your constitutional rights, rights that weren’t easy to get. People like me were sprayed with fire hoses, dogs were let loose on them, and others were beaten and killed for the right to vote. Those people cleared the way for you and me to vote. Let your voice be heard, vote, District 3, District 1 and District 4.

Mayor Pro Tem Broadway stated I would like to echo that, everybody should vote. If you hadn’t voted, you are not doing yourself or your country what you should really be doing.

Councilmember Polack stated I just want to commend the Goldsboro Police Department for doing their yard scape initiative. I think they started today. I also want to let you know the Arts Council is really turning things around in Goldsboro. I went to an event last weekend, they actually had a register to sign in, and about 40% of people there were there from neighboring counties, some as far away as Wilmington. People are getting the word about the arts.

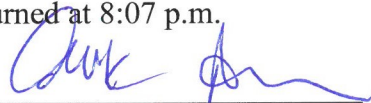
Councilmember Matthews stated no comment.

Councilmember Ham stated no comment.

Councilmember Aycock stated no comment.

Mayor Allen stated I would like to encourage everyone to vote tomorrow. It is important.

There being no further business, the meeting adjourned at 8:07 p.m.



Chuck Allen
Mayor



Melissa Capps, MMC/NCCMC
City Clerk