

MINUTES OF THE MEETING OF THE GOLDSBORO CITY COUNCIL
OCTOBER 16, 2023

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 October 16, 2023.

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

Roll Call.

Present: Mayor David Ham, Presiding
Mayor Pro Tem Brandi Matthews
Councilwoman Hiawatha Jones
Councilman Bill Broadway
Councilman Charles Gaylor, IV
Councilman Greg Batts

Also Present: Tim Salmon, City Manager
Matt Livingston, Assistant City Manager
Ron Lawrence, City Attorney
Laura Getz, City Clerk

Adoption of the Agenda. Upon motion of Councilman Broadway, seconded by Councilman Batts, and unanimously carried, Council adopted the agenda.

Old Business.

Public Safety Complex Repairs Update. Jamie Stanley, Deputy Public Works Director shared the following information. A Request for Quotes (RFQ) was sent out last week for this repair. Proposals are due back on November 9th. Once the proposals are back, the city's working group will evaluate the proposals based on the criteria.

City Manager Salmon shared they should have more information at the second November meeting. Mayor Ham asked that we move on this soon and carefully.

New Business.

Boards and Commissions Vacancies Discussion. Laura Getz, City Clerk shared there are two candidates for the Planning Commission vacancy. Ms. Getz reminded everyone we need citizen participation on our boards and commissions.

Mayor Pro Tem Matthews inquired about the districts of the current members for the Planning Commission. Councilman Gaylor recommended putting both applicants on a board. Council discussed current vacancies and current applicants. Ms. Getz shared there is a vacancy on the Commission on Community Relations and Development which was the second choice for Kyle Cramer. Council consensus was for the Clerk to bring a resolution to the 7:00 meeting appointing Duke Cox to the Planning Commission and Kyle Cramer to the Commission on Community Relations and Development.

Ms. Getz passed out a copy of the updated resolution appointing the members during the work session.

Consent Agenda Review. Items E- R on the consent agenda were reviewed. Further discussion included the following:

Item E. HOME-ARP Underwriting & Subsidy Layering Guidelines for Non-Congregate Shelter Unit Projects. The item was presented by Felecia Williams, Community Relations and Development Director. Mayor Pro Tem Matthews asked if the city could provide utility rent assistance payments through the allocation. Ms. Williams shared the city cannot provide rent assistance but can contract with a nonprofit or agency that does that type of work. Councilman Gaylor asked how the city will be looking at the organization's cash flows and sustaining themselves long term. Ms. Williams stated that we will have the underwriters determine the feasibility. Mayor Ham thanked Ms. Williams for her work on the project. Ms. Williams shared there will be an information session tomorrow at 3:00 pm.

Item G. Accept or Reject Initial Bid and Authorize Finance to Advertise for Upset Bids for E. Spruce and 706 E. Spruce Street. Catherine Gwynn, Finance Director presented the item. Ms. Gwynn shared these are two separate lots.

Councilman Broadway made a motion to accept the offer from Terrance Bynum for E. Spruce and 706 E. Spruce Street. The motion was seconded by Councilman Gaylor and unanimously carried.

Item P. Adoption of an Ordinance Amending Chapter 53: Water and Sewer Systems of the City of Goldsboro's Code of Ordinances. Matt Livingston, Assistant City Manager presented the item. Mayor Ham shared at the last meeting; Council consensus was to accept this change. City Manager Salmon shared the following comments: We've heard the county commissioners talk about potential billion dollar industries coming to the City of Goldsboro and if that were the case, the tax, at our current tax rate would be \$7.3 million a year and for the city to not collect that tax for seven years would be over \$50 million worth of funding that could go a long way to provide pay increases, buy equipment, operating costs, facilities etc. that's why the staff is recommending that we ask for petitions for voluntary annexation upon provision of services.

Councilman Gaylor stated when economic developments incentives come up, a lot of times, the county does tax rebates based off specific criteria, is there anything that stops us from being able to do that as well. City Manager Salmon

shared we can still coordinate with the county to do those tax incentives essentially for economic development based on how much the company would put in and how many jobs they hired etc.

Item Q. Advisory Board and Commission Appointment. The item was presented by Laura Getz, City Clerk. Council received the updated resolution appointing Duke Cox to the Planning Commission and Kyle Cramer to the Commission on Community Relations and Development and agreed to proceed with the revised resolution.

Closed Session.

Councilman Broadaway made a motion to go into Closed Session for Economic Development. The motion was seconded by Councilman Batts and unanimously carried.

After the Closed Session was held, Council came out of Closed Session and back into Open Session.

Mayor Ham recessed the meeting at 6:11 p.m.

CITY COUNCIL MEETING

The City Council of the City of Goldsboro, North Carolina, met in Regular Session in Council Chambers, City Hall, 214 North Center Street, at 7:00 p.m. on October 16, 2023.

Mayor Ham called the meeting to order at 7:00 p.m.

Councilwoman Jones provided the invocation. The Pledge of Allegiance followed.

Roll Call.

- Present:
- Mayor David Ham, Presiding
Mayor Pro Tem Brandi Matthews
Councilwoman Hiawatha Jones
Councilman Bill Broadaway
Councilman Charles Gaylor, IV
Councilman Greg Batts
- Also Present:
- Tim Salmon, City Manager
Matt Livingston, Assistant City Manager
Ron Lawrence, City Attorney
Laura Getz, City Clerk

Presentations.

Veterans Day Proclamation. Read by Mayor Ham: The Goldsboro City Council proclaimed November 11, 2023 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.

Eric Busse, President; Brian Volk, Treasurer and Andrew Nedimyer, Sergeant of Arms with the Wayne County Veterans and Patriots Coalition shared the parade will be held on November 11 at 11:00 a.m. and shared details regarding the parade. For more information, the Facebook page is Wayne County Veterans and Patriots Coalition.

Services Provided by the County Clerk of Courts Office. Juile Whitfield, Clerk of Court shared information regarding the County Clerk of Court’s Office.

Public Hearings.

Z-13-23 Harry and Mollie, LLC (General Business and Industrial Business Park-1 to General Business) – East side of McLain Street between Oak Forest Rd. and E. Ash St. Ext. Public Hearing Held. The item was presented by Kenny Talton, Planning Director.

- ADDRESS: TBD
- PARCEL #: 3519905459 (Portion of)
- PROPERTY OWNER: Harry and Mollie, LLC
- APPLICANT: Harry and Mollie, LLC c/o Robert “Bob” Ivey

The applicant is requesting a rezoning for 63.853 acres from General Business (GB) and Industrial Business Park (IBP-1) to the General Business (GB) Zoning District. The General Business (GB) Zoning District is established to accommodate the widest range of uses providing general goods and services to the community. The intent of this district is to promote high quality, accessible developments serving the needs of the community and surrounding area.

At the October 2, 2023, Council meeting, City Council voted to continue the public hearing until October 16, 2023.

- SURROUNDING ZONING:
- North: Industrial Business Park (IBP-I)
- South: General Business (GB), Residential (R16/R20A/R9CZ)
- East: Industrial Business Park (IBP-1) and General Business (GB)
- West: Shopping Center (SC) and Industrial Business Park (IBP-1)

Existing Use: The properties proposed for rezoning are currently vacant.

The City’s Land Use Plan locates this parcel within the Industrial land use designation. This designation was developed to establish and protect industrial areas for the use of prime industrial operations and for the distribution of products at wholesale.

The General Business (GB) Zoning District is not a corresponding zoning district within the Industrial land-use designation. As previously stated, this is a rezoning proposal for 63.853 acres to be rezoned from General Business (GB), Industrial Business Park (IBP-1) to General Business (GB) Zoning District. This is a general rezoning. As such, all uses must be considered in the proposal to rezone the property.

The subject property is adjacent to property commonly identified as the Park East Industrial Park. It is one of two industrial parks in Wayne County.

According to the City of Goldsboro’s Comprehensive Land-Use Plan (CLUP), incompatible non-industrial uses shall not be allowed to encroach upon existing or planned industrial sites. Rezoning the property to General Business will create opportunities for uses permitted by right in the General Business (GB) Zoning District to locate adjacent to existing or planned industrial sites. In addition, the CLUP encourages new industrial development to locate in existing or planned industrial parks. Rezoning the property to General Business (GB) could reduce opportunities for attracting new and existing industries to Park East. Lastly, it will decrease the existing industrial park’s potential for future growth and development.

Currently, Shopping Center (SC) Zoning District is located west of the General Business Zoning District proposed for the subject property (Portion of). This zoning district has the potential to accommodate a majority of the same types of land uses that the General Business Zoning District would accommodate.

TRC REVIEW: Staff has distributed this proposed rezoning to SJAFB and NCDOT. If the rezoning is approved, formal comments will be generated once a site-specific plan is submitted for development.

Staff is recommending denial of the rezoning request. There are several factors that would support not approving the rezoning request. According to the City of Goldsboro’s Comprehensive Land-Use Plan (CLUP), incompatible non-industrial uses shall not be allowed to encroach upon existing or planned industrial sites. Rezoning the property to General Business will create opportunities for uses permitted by right in the General Business (GB) Zoning District to locate adjacent to existing or planned industrial sites. In addition, the CLUP encourages new industrial development to locate in existing or planned industrial parks. Rezoning the property to General Business (GB) could reduce opportunities for attracting new and existing industries to Park East. Lastly, it will decrease the existing industrial park’s potential for future growth and development.

The City of Goldsboro Planning Commission met on September 25, 2023, to review and make a recommendation regarding the rezoning request. The Planning Commission voted 4 in favor and 2 against.

Council shall vote to approve the recommendation of the Planning Commission with the inclusion of the Consistency Statement and adopt the Approval Ordinance or City Council shall vote to deny the recommendation of the Planning Commission with the inclusion of the Consistency Statement. City Council may also continue the public hearing to a date certain if they determine further discussion is needed.

Councilman Gaylor shared they have received two letters, one from the Development Alliance and one from the Board of Commissioners (Exhibit A) expressing significant concern over the rezoning. Councilman Gaylor discussed the letters with Mr. Talton regarding restricted and protective covenants, rezoning and future growth in the park. Mr. Talton explained the uses in the zoning district.

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

- 1. Bryce Pike, representing the Ivey family and Harry & Mollie, LLC, Bob Ivey and Steve Sutton showed large copies of maps to council and spoke in favor of the proposed rezoning.

Council members asked questions about the proposed rezoning with Mr. Talton, Mr. Pike, Mr. Ivey and Mr. Sutton. Letters submitted to Council as part of the public hearing are attached as Exhibit B.

No one else spoke and the Public Hearing was closed.

Councilman Broadway made a motion to approve and adopt the Ordinance to approve with the inclusion of the consistency statement. The motion was seconded by Councilwoman Jones and unanimously carried.

ORDINANCE NO. 2023-56 “AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND COMPREHENSIVE LAND USE MAP OF THE CITY OF GOLDSBORO, NORTH CAROLINA”

SU-16-23 Joseph Taylor (Automobile Sales-Used) – West side of N. James St. between W. Holly St. and W. Vine St. Public Hearing Held and Findings Adopted. The item was presented by Kenny Talton, Planning Director, after being properly sworn in.

ADDRESS: TBD

PARCEL #: 2599982718

PROPERTY OWNER: Goldsboro Holdings, LLC.

APPLICANT: Joseph Taylor

The applicant requests a Special Use Permit for the establishment of Automobile Sales-Used, located in the General Industry Zoning District. The General Industry Zoning District is established to accommodate the widest range of manufacturing, wholesale, and distribution uses.

According to the City’s Unified Development Code, Automobile Sales-Used is permitted in the General Industry Zoning District only after obtaining a Special Use Permit from Goldsboro City Council. In addition, the following are approval criteria for the proposed special use:

1. The minimum lot area is fifteen thousand square feet.
2. The minimum lot frontage and width shall be one hundred feet, unless the cars for sale are driven to the site or delivered by nothing larger than a two-car carrier. If either of these conditions is met, there shall be no minimum lot frontage or width.
3. No parking of used vehicles or customer vehicles shall be allowed within the required street yard landscape area.
4. No vehicles for sale shall be parked within twenty feet of residentially zoned property or any buffer area as required in Section 6.3.9.
5. One loading area, not less than twenty by fifty feet shall be provided unless no vehicles will be delivered by car carrier.
6. The special use permit shall be issued for a five-year period with automatic renewal for an additional five years if the site and structures are maintained in a satisfactory manner as originally approved.
7. All vehicular display areas shall be improved with paving and curb and gutter.
8. Used automobile sales facilities shall be retrofitted to comply with the landscape requirements of Section 2.4.10 as a condition of Special Use Permit approval.

Frontage: Approx. 227.09 ft. (W. Holly St.)
 Approx. 245 ft. (N. James St.)

Zoning: General Industry (I-2)

Existing Use: The site is occupied by a commercial fabrication facility.

The City’s Land Use Plan locates this parcel within the Industrial land use designation. The General Industry Zoning District is a corresponding district for the Industrial land use designation.

According to the applicant’s submitted site plan application and site plan, the proposed use is for Automobile Sales-Used with no vehicular sales display or outside storage. The applicant desires to operate as a wholesale dealer of antique automobiles. According to the North Carolina Department of Motor Vehicles, a wholesale dealer’s license requires that a private office containing at least 96 square feet of floor space in a permanent, enclosed building or structure which is accessible to Division personnel be established for wholesale operations for book-keeping, record-keeping, files, and storage. According to the applicant, automobiles for sale will be stored off-site and outside of Goldsboro’s planning jurisdiction.

Hours of Operation

- M-F; 8am – 5pm

Employees:

- 1

Due to the nature of this proposal, the City Technical Review Committee was not asked to review. If the Special Use Permit is approved, building permits shall be obtained. Compliance with the North Carolina Department of Motor Vehicles and State building codes shall be achieved before a Certificate of Occupancy can be issued for the facility.

Council shall now close the Public Hearing, enter deliberation, and vote on each of the four findings in order to determine whether or not the Special Use Permit shall be issued. See the attached worksheet for the four findings to be voted on and staffs comments related to each finding. Council does have the ability to continue the hearing or place conditions upon its approval as long as Council is able to conclude that evidence exists in the record to support the condition. The Mayor of Goldsboro shall sign the Order to Approve or Deny, that reflects the results of the hearing and deliberation at the October 16, 2023, City Council meeting.

Mayor Ham stated: This appears to be a pretty large building based on the size here, but yet the only thing that’s going to be there is an office.

Mr. Talton stated: That is correct. Well, actually, the owner uses the facility as a manufacturing type facility of which he owns another business. He can probably speak more to that so in conjunction with that facility there would just be an office in there, just for the wholesale transaction sales for antique cars that he wants to have as an accessory to that main principle use of the manufacturing facility.

Mayor Ham stated: Do you know what the manufacturing facility consists of?

Mr. Talton stated: I do, but I think I need to let him speak to that because there's some confidentiality subject matter that I might need to let him discuss before I say anything.

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

Mayor Ham stated: I don't want you to disclose any confidential information, just curious as to what kind of manufacturing.

1. Joseph Taylor stated: I'm a military contractor. We manufacture ballistic panels. I'm an avid classic car collector so I need my dealers license and the State of North Carolina is making me jump through hoops. We've got four sales offices on the Holly Street side that Sportsman's World used that are now empty so we're going to designate one of those for a dealer's office so the State of North Carolina's happy, gives them a place to come and inspect records.

No one else spoke and the Public Hearing was closed.

City Council entered into deliberation and voted on each of the four findings in order to determine whether or not the Special Use Permit should be issued.

1. Councilman Gaylor made a motion that the use will not materially endanger the public health or safety. The motion was seconded by Councilman Batts and unanimously carried.
2. Councilman Batts made a motion that the use will not substantially injure the beneficial use of adjoining or abutting property. The motion was seconded by Councilman Gaylor and unanimously carried.
3. Councilman Gaylor made a motion that the use will be in harmony with existing development and uses within the area in which it is located. The motion was seconded by Councilwoman Jones and unanimously carried.
4. Councilman Batts made a motion that the use will be in general conformity with the City of Goldsboro Comprehensive Land Use Plan. The motion was seconded by Councilman Broadaway and unanimously carried.

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

1. Tenisha Saylor shared comments regarding caring for the families in Goldsboro.
2. Peter Stewart shared concerns regarding Throughfare Road traffic issues and asked for a speed limit change.
 - Assistant City Manager Livingston shared comments about an upcoming resolution to reduce the speed limit on Throughfare Road.
3. Pat Lechner distributed his comments regarding the chiller unit at City Hall (Exhibit C).
4. Karl Lundgren shared information about an upcoming event for Liberty First Wayne.
5. Warren Edwards shared concerns regarding Throughfare Road traffic issues and lighting concerns.

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

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

The items on the Consent Agenda were as follows:

HOME-ARP Underwriting & Subsidy Layering Guidelines for Non-Congregate Shelter Unit Projects.
Approved. The item was presented by Felecia Williams, Community Relations and Development Director.

The City has been allocated \$907,913 of HOME-ARP funds by the U.S. Department of Housing and Urban Development (HUD) to assist individuals or households who are homeless, at risk of homelessness, and other vulnerable populations. On January 23, 2023, Council voted to approve splitting the allocation at 60/40, with 60% (\$463,035) being allocated to Non-Congregate shelter and 40% (\$308,690) being allocated to Supportive Services.

Before the City can commit HOME-ARP funds to a project, it must evaluate the project to determine the amount of HOME-ARP capital subsidy and operating cost assistance necessary to provide quality affordable housing that meets the requirements of CPD Notice 21-10 and is financially viable throughout the minimum 15-year HOME-ARP compliance period. The City must evaluate the project in accordance with underwriting and subsidy layering guidelines it has developed for HOME-ARP projects.

The City's project underwriting must include an in-depth review of underlying project assumptions, development sources and uses, and projected operating income and expenses, and the project's long-term financial viability to determine the project's need for HOME-ARP assistance while preventing over-subsidization of the project. HUD anticipates that project developers will rely on Low-Income Housing Tax Credit (LIHTC) financing, HOME funds, Housing Trust Fund grants, project-based vouchers, project-based rental assistance, operating cost reserves, state or local sources, or a combination of these and other resources to create a feasible HOME-ARP project and maintain compliance with HOME-ARP requirements.

The Community Relations & Development department has developed a thorough and detailed program guide pursuant to CPD Notice 21-10: Requirements for the Use of Funds in the HOME-ARP Program.

Once approved, HOME-ARP RFP's and supporting applications will be published on October 19, 2023.

It was recommended that Council adopt the newly developed HOME-ARP Underwriting & Subsidy Layering Guidelines for Non-Congregate Shelter Unit Projects. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

HOME-ARP Supportive Services Program Guidelines & Application. *Approved.* The item was presented by Felecia Williams, Community Relations and Development Director.

The City has been allocated \$907,913 of HOME-ARP funds by the U.S. Department of Housing and Urban Development (HUD) to assist individuals or households who are homeless, at risk of homelessness, and other vulnerable populations. On January 23, 2023, Council voted to approve splitting the allocation at 60/40, with 60% (\$463,035) being allocated to Non-Congregate shelter and 40% (\$308,690) being allocated to Supportive Services.

HOME-ARP funds may be used to provide a broad range of supportive services to qualifying individuals or families as a separate activity or in combination with other HOME-ARP activities. There are three categories specifically included as supportive services under HOME-ARP: McKinney-Vento Supportive Services, Homelessness Prevention Services, and Housing Counseling Services. These eligible Supportive Services are listed and detailed in the Supportive Services Program Guidelines and Application.

The Community Relations & Development department has developed a thorough and detailed program guide and application pursuant to CPD Notice 21-10: Requirements for the Use of Funds in the HOME-ARP Program.

Upon receiving Council’s approval of the HOME-ARP Supportive Services Program Guide and Application, the department, with assistance from the City’s Procurement Manager, will publish all HOME-ARP Request for Proposals and Applications on October 19, 2023.

It was recommended that Council adopt the newly developed HOME-ARP Supportive Services Program Guidelines & Application. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

Accept or Reject Initial Bid and Authorize Finance to Advertise for Upset Bids for E. Spruce and 706 E. Spruce Street. *Resolution Adopted.* The item was presented by Catherine Gwynn, Finance Director.

Staff has received two offers to purchase city/county owned property. Council must either accept or reject the offer, and if accepted authorize advertisement for upset bids (G.S. 160A-266 and 160A-269).

The following offers have been received for the sale of surplus real property under Negotiated offer, advertisement, and upset bid process (G.S. §160A-266(a) (3))

E. Spruce Street and 706 E. Spruce Street
Offeror #1: Terrance A. Bynum
Offer: \$3,950.00
Bid Deposit: \$197.50

The offer is at least 50% of the tax value of the property. The bid deposit of 5% has been received in the form of money orders.

Offeror #2: Melissa Bynum Gill
Offer: \$3,770.00
Bid Deposit: \$188.50

The offer is at least 50% of the tax value of the property. The bid deposit of 5% has been received in the form of cashier checks.

Parcel #: 51001, 51002 Pin #: 3509148035 (E. Spruce)
3509148085 (706 E. Spruce)
Combined Tax Value: \$3,770.00 Zoning: R-6

Planning has confirmed that both lots are non-conforming. It is the recommendation of staff to sell both lots together, and require the winning bidder to combine the lots into one lot upon recording of the deed.

Staff recommends the Council accept the higher of the 2 offers in order to start the upset bid process.

It was recommended that Council accept or reject offer on E. Spruce and 706 E. Spruce Street from Terrance Bynum and if accepted, adopt the following entitled resolution authorizing Finance to advertise for upset bids. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

RESOLUTION NO. 2023-77 “RESOLUTION AUTHORIZING UPSET BID PROCESS”

Authorization of Sale of Jointly Owned Property for 409 North Slocumb Street (The Fairlene Group, LLC). *Resolution Adopted.* The item was presented by Catherine Gwynn, Finance Director.

Wayne County has requested concurrence by the City Council for jointly owned city/county-owned property. The County conducted the sale under the upset bid process (NCGS §160A-269), and approved at the September 19, 2023 commissioners meeting.

Buyer: The Fairlene Group, LLC
Sales Price: \$1,000.00

It was recommended that Council adopt the following entitled resolution declaring the property surplus and authorize City officials to execute instruments necessary to transfer ownership for 409 N. Slocumb Street to The Fairlene Group, LLC. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

RESOLUTION NO. 2023-78 “RESOLUTION AUTHORIZING SALE OF SURPLUS REAL PROPERTY UNDER NCGS § 160A-269”

Amending Special Revenue Fund Ordinance – Edward Byrne Memorial Justice Assistance Grant (JAG) (P3102). Ordinance Adopted. The item was presented by Catherine Gwynn, Finance Director.

On August 21, 2023 Council approved a resolution to allow the Goldsboro Police Department to apply for the 2023 Justice Assistance Grant in the amount of \$47,702.00. On October 2, 2023 Council approved a resolution to accept the Federal grant for the purchase of four in-car cameras and individual first aid kits (IFAK) for the Police department, and individual first aid kits (IFAK) for the Wayne County Sheriff’s department.

At this time a budget amendment is needed to appropriate the revenues and expenditures so that the terms of the grant may be fulfilled. The City of Goldsboro Police Department will share the grant funding with the Wayne County Sheriff in accordance with the signed Memo of Understanding. There is no local match required.

Goldsboro Police	\$29,433.00
Wayne County Sheriff	\$18,269.00
Total	\$47,702.00

It was recommended that the following entitled Special Revenue Fund Ordinance for the Edward Byrne Memorial Justice Assistance Grant (JAG) (P3102) be amended for \$47,702.00 for the 2023 JAG Grant. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

ORDINANCE NO. 2023-57 “AN ORDINANCE AMENDING A SPECIAL REVENUE PROJECT FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) (P3102)”

Grant Project Budget Ordinance amendment for the State Grants Miscellaneous Grant Project Fund (G1109). Ordinance Adopted. The item was presented by Catherine Gwynn, Finance Director.

When the North Carolina General Assembly adopted the FY23 budget, included was a grant for the City of Goldsboro for \$150,000 split between capital improvements or equipment of \$100,000 and parks and recreation expenses for \$50,000. At the November 7, 2022 Council meeting, Council approved 2 resolutions to accept both awards. At the April 17, 2023 meeting, Council created the grant project budget ordinance to create the fund to account for the grant.

The North Carolina Office of State Budget and Management has approved the scope of work and has executed the grant agreement with the City of Goldsboro for the \$100,000 portion of the grant related to transportation. Funding was received after execution of the agreement in the amount of \$100,000 on October 3, 2023. The Assistant City Manager, Matthew Livingston, has requested an appropriation of the expenditures in accordance with the scope of work so that Public Works and Engineering may begin fulfilling the terms of the agreement in a timely manner. In accordance with the grant agreement, these funds are being accounted for in a grant project ordinance.

According to the scope of work the funds will be expended as follows:

Resurfacing	\$ 57,000.00
Sidewalk extension Ash Street	\$ 43,000.00
Total	\$100,000.00

It was recommended that Council adopt the following entitled ordinance amending the State Grants Miscellaneous (G1109). Consent Agenda Approval. Broadaway/Batts (6 Ayes)

ORDINANCE NO. 2023-58 “AN ORDINANCE AMENDING THE GRANT PROJECT FUND FOR STATE GRANTS MISCELLANEOUS (G1109)”

Operating Budget Amendment FY23-24. Ordinance Adopted. The item was presented by Catherine Gwynn, Finance Director.

Council adopted the FY23-24 annual operating budget on June 20, 2023.

Street Paving Division (4136) General Fund

On October 2, 2023, City Council authorized the award of a street resurfacing project to Daniels, Inc. in the amount of \$278,150.95. It was presented that \$154,665.91 was to be funded with a fund balance appropriation from the General Fund.

Fire (5120) General Fund

There was an equipment failure of a fire truck that caused the cab of the truck to open within the garage bay causing damage to the truck and the bay door. The insurance company (VFIS) will provide a rental fire truck to the City for a period of 40 days at a cost not to exceed \$250 per day. It is necessary to appropriate the cost of the rental in the amount of \$10,000, and this will be funded with insurance proceeds.

Analysis of Appropriated Fund Balance – General Fund

Date	Description	Adopted
6/20/2023	Ord 2023-43 FY23-24 Adopted Budget	\$ 1,500,000.00
8/7/2023	FY22-23 Purchase Order Rollovers	2,063,324.43
8/7/2023	Balance of trash compactor for Solid Waste	119,000.00
10/2/2023	Rebuilding Broken Places NPO	13,636.00
	Current Year Appropriations	<u>\$ 3,695,960.43</u>
10/16/2023	Resurfacing Project FY24	\$ 154,665.91
	Proposed	\$ 154,665.91
	Current Year with Proposed	<u>\$ 3,850,626.34</u>

Water Reclamation Facility (4177) Utility Fund

Mr. Robert Sherman, Public Utilities Director, presented a request to authorize a change order in the amount of \$49,395.36 to Aqua-Aerobics Systems, Inc. for additional unexpected work on the rebuild of sand filter #2. This will be funded with an appropriation of fund balance in the Utility Fund.

Analysis of Appropriated Fund Balance – Utility Fund

Date	Description	Adopted
6/20/2023	Ord 2023-43 FY23-24 Adopted Budget	\$ -
8/7/2023	FY22-23 Purchase Order Rollovers	2,911,751.36
10/2/2023	Additional appropriation for Lead & Copper Inventory Project	55,060.00
	Current Year Appropriations	<u>\$ 2,966,811.36</u>
10/16/2023	Change order Sand Filter #2 Rebuild Project	\$ 49,395.36
	Proposed	\$ 49,395.36
	Current Year with Proposed	<u>\$ 3,016,206.72</u>

It was recommended that Council adopt the following entitled ordinance to amend the FY23-24 Operating Budget for the General Fund and Utility Fund. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

ORDINANCE NO. 2023-59 “AN ORDINANCE AMENDING THE BUDGET ORDINANCE OF THE CITY OF GOLDSBORO FOR THE 2023-24 FISCAL YEAR”

Chiller Replacement for Historic City Hall and City Hall Addition. Resolution Adopted. The item was presented by Scott Williams, Information Technology Director.

The chiller providing AC to Historic City Hall and City Hall Addition was purchased in 2004 when the City Hall Addition was constructed. Two circuit boards that control the chiller have failed, along with some other parts. The boards are obsolete, and the manufacturer cannot provide any replacements. No existing supply of boards have been found in supply houses or online searches.

The City Manager has authorized the rental and installation of a portable chiller to provide cooling for the building while we wait for the new unit. This unit was put in place last week. The approximate cost of the rental unit will be \$163,400. The current lead time on the new unit is currently eight months.

G.S. 143-129 requires formal bidding when the estimated expenditure of public money is greater than \$90,000 for apparatus, supplies, materials, or equipment, and further requires that the governing body must award the contract. Subsection (e) (3) is an exception that allows procurement through a cooperative purchasing group.

The statute allows the governing body to delegate the authority to award contracts, reject bids, or readvertise bids on behalf of the unit to the Manager or other employee. City Council authorized the City Manager or the Finance Director this authority on April 19, 2021, in RES 2021-30.

The procurement of the new chiller equipment is being done through the Omnia Partners Cooperative Purchasing Group. The City Manager and Finance Director stipulate that the delegated authority limit is \$250,000, and contracts over this amount shall be presented to City Council for approval and award.

It was recommended that Council approve the following entitled resolution awarding the purchase of a new chiller to Brady and approve the creation of a Purchase Order to Brady in the amount of \$385,843. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

RESOLUTION NO. 2023-79 “RESOLUTION TO APPROVE AWARD AND PURCHASE ORDER FOR CHILLER REPLACEMENT”

HVAC Unit for Goldsboro Event Center. Resolution Adopted. The item was presented by Felicia Brown, Parks and Recreation Director.

One of the 7.5 ton units that cools and heats the Ballroom at the Goldsboro Event Center has failed and needs to be replaced. The unit that failed is 27 years old.

Goldsboro Event Center requested three (3) quotes and has been successful in obtaining two (2) quotes to replace the 7.5 ton unit that heats and cools the Ballroom area. The lower of the quotes is \$19,870. Money was not budgeted for HVAC replacement for FY24.

It was recommended that Council approve the following entitled resolution authorizing staff to purchase a new HVAC unit for the Goldsboro Event Center. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

RESOLUTION NO. 2023-80 “A RESOLUTION AUTHORIZING THE CITY OF GOLDSBORO TO REPLACE THE HVAC AT THE GOLDSBORO EVENT CENTER”

Veterans Day Parade – Temporary Street Closure. *Approved.* The item was presented by Mike West, Police Chief.

The Annual Veterans Day Parade is a parade to Honor all US Military Veterans from all branches of the U.S. Armed Forces for their service. The parade is organized, coordinated, and sponsored by the Wayne County Veterans & Patriots Coalition.

The street closing request for Saturday, November 11, 2023 is as follows:

Parade Route: South on Center Street beginning at Ash Street to Pine Street; going around the traffic circle heading north on Center Street back to Ash Street, ending at Ash Street.
Staging Areas (streets closed for staging): S. Center Street - between Ash and Holly Street; Oak Street - between James and William Street; Vine Street - between James and William Street; Beech Street - between Center and William Street.
Additional Closures recommended by the Police Department to manage traffic flow will encompass: James Street - between Oak and Ash Street; Ash Street - between James and John Street; Mulberry Street - between James and John Street; Walnut Street - between James and John Street; Chestnut Street - between James and John Street; Spruce Street - between James and John Street; Pine Street - between James and John Street; and Center Street at Elm Street.

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

The time requested for the street closing is from 7:00am to 3:00pm. Police have indicated that traffic will be restricted from 7:00am until 10:30am and all traffic stopped at 10:30am. The actual parade will begin at 11:00am and end at approximately 12:30pm.

As with all downtown events, affected city departments will be contacted and the following concerns are to be addressed:

1. All intersections remain open for Police Department traffic control.
2. A 14-foot fire lane is to be maintained to provide access for fire and emergency vehicles.
3. All activities, change in plans, etc., will be coordinated with the Police Department.
4. The Police and Fire Departments and Public Works Departments are to be involved in the logistical aspects of the event.

It was recommended that Council grant the requested temporary street closures of the sections of Pine Street, Spruce Street, Center Street, Walnut Street, John Street, Mulberry Street, Ash Street, James Street, Chestnut Street, Oak Street, Vine Street, and Beech Street for the Veterans Day Parade route and staging area from 7:00am to 3:00pm on Saturday, November 11, 2023, as stated above. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

Change Order No.1 Price Change for the Rehabilitation of Sand Filter #2. *Resolution Adopted.* The item was presented by Bert Sherman, Public Utilities Director.

In the FY23 Budget the rehabilitation for sand filter #2 was approved and resolution adopted in the Council Meeting on December 19, 2022, for \$201,702.00 (Resolution No. 2022-126).

During the rebuilding of sand filter #2, it has been found that there was extensive damage to the existing fiberglass cell dividers. In order to repair the damage, additional parts and labor, beyond that in original scope, is required. The cost for the unforeseen repairs would be an additional \$49,395.36, which includes sales tax.

It was recommended that Council adopt the following entitled resolution authorizing a change order to the contract with Aqua-Aerobics Systems Inc. for the additional labor and materials for the unforeseen repairs to sand filter #2 at the WRF. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

RESOLUTION NO. 2023-81 “RESOLUTION AWARDING AND AUTHORIZING EXECUTION OF CONTRACT FOR THE SAND FILTER REHABIILATION PROJECT”

Adoption of an Ordinance Amending Chapter 53: Water and Sewer Systems of the City of Goldsboro’s Code of Ordinances *Ordinance Adopted.* The item was presented by Matt Livingston, Assistant City Manager.

City Ordinance 53.17, last amended 8-15-83, states the conditions for making water and sewer connections for residential, commercial, and industrial property. For residential and commercial property (paragraph (A)(1)): “Access to water and sewer lines will be provided to a requesting developer or private property owner outside the city limits only upon the receipt and approval of a voluntary petition for annexation by a developer or private property owner who are deemed the same.” For industrial property (paragraph (B)(3)): “An industry requesting access to water and sewer lines will be granted such access upon execution of a formal agreement with the city to file a petition for voluntary annexation on or before the expiration of seven years from the date occupancy begins.”

It is a standard practice for cities to request voluntary annexation upon satisfactory provision of water and sewer services for residential, commercial, and industrial property. Changing the industrial property voluntary annexation period from seven years from the date occupancy begins to the date occupancy begins would be consistent with local government practices and treat residential, commercial, and industrial properties the same. A water and sewer agreement with an industrial customer that includes voluntary annexation may also include economic development incentives.

City management recommends City Ordinance 53.17 paragraph (B) for industrial property be modified to state:

- (2) “The city will agree to provide access to water and sewer lines to any industry requesting such extension, subject to available capacity, provided that industry locates within three miles of the city limits.”
- (3) “An industry requesting access to water and sewer lines will be granted such access upon execution of a formal agreement with the city to file a petition for voluntary annexation on or before the expiration of seven years from the date occupancy begins.” Consent Agenda Approval. Broadaway/Batts (6 Ayes)

ORDINANCE NO. 2023-60 “AN ORDINANCE AMENDING CHAPTER 53: WATER AND SEWER SYSTEMS OF THE CITY OF GOLDSBORO’S CODE OF ORDINANCES”

Advisory Board and Commission Appointment. Resolution Adopted. The item was presented by Laura Getz, City Clerk.

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

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

The City Council met during the Work Session on October 2, 2023, to review vacancies and applications received to fill the current vacancies. With this appointment, one position on the Commission on Community Relations and Development, one alternate position on the Historic District Commission, one position on the Recreation Advisory Commission, one position on the Mayor’s Committee for Persons with Disabilities, and one position on the Planning Commission remains.

It was recommended that Council adopt the following entitled Resolution appointing a member to the Goldsboro Planning Commission in the City of Goldsboro.

At the work session, after Council discussion, the Clerk revised the resolution appointing Duke Cox to the Planning Commission to add the appointment of Kyle Cramer to the Commission on Community Relations and Development. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

RESOLUTION NO. 2023-82 “RESOLUTION APPOINTING MEMBERS TO ADVISORY BOARDS AND COMMISSIONS”

Departmental Monthly Reports. Accepted as Information. The various departmental reports for September 2023 were submitted for Council approval. It was recommended that Council accept the reports as information. Consent Agenda Approval. Broadaway/Batts (6 Ayes)

City Manager’s Report.

City Manager Salmon had no comments.

Mayor and Councilmembers’ Comments.

Councilman Batts had no comments.

Councilman Gaylor had no comments.

Mayor Pro Tem Matthews shared the following comments: I just want to remind everybody that early voting starts this Thursday, so let's make sure we get to the polls. I also want to announce that Bachelor Brothers Funeral establishment is doing limos to the polls so if anybody needs a ride or wants to just ride in style to go and vote, you can contact them during the week. Monday through Friday would be appointment only and then on the weekends when the polls are open, they will run all day. So, that number to make an appointment is 919-988-9077 or you can always contact me via the Councilwoman page on Facebook and I can get you in contact with the right people.

Councilman Broadaway shared the following comments: The only thing I said is, the last meeting I appealed for everyone to vote if they could and obviously, I wasn't very successful because we only had 13.8% of eligible voters work in the last primary. We simply have got to do better as that, as a city and a county. All of us have to, we can't continue to function with only 13 or 14% of the people voting on important elections.

Councilwoman Jones shared the following comments: I would just like to say that October is Red Ribbon Month. The dates are 23rd to the 31st and it is the largest substance use abuse campaign and the Continentals will be in various schools talking about drugs, asking that you talk to your children about drugs and what's going on in their lives. Talk to them. See if they got any information about red ribbon and how drugs affect the home and the community and your family.

Mayor Ham shared the following comments: Let me also speak to the voter turnout. It is disappointing. Low numbers and we all have spoken about this before but again ladies and gentlemen of the City of Goldsboro, please, please make this a priority in your life. It's something that is continually talked about, your constitutional rights and voting is one of the most important of those rights so please, when the primary starts next week, go out and vote. The second thing I want

to mention is tonight when the Patriots Coalition announced that the veterans parade will include an opportunity for Vietnam Veterans to march, one of the things that was often heard after Vietnam was that Vietnam Veterans returning were not received very well, that there was never a parade for them, so let's let Goldsboro show our Vietnam Veterans, and there are numerous Vietnam Veterans here and numerous Purple Heart veterans of Vietnam here as well. I want all the veterans that are looking at this meeting to come out on November 11th and participate in the parade. I want the public to also come out and not only support the Vietnam Veterans but support all veterans. There are veterans here from Korea and Vietnam, and of course we have the Middle East veterans and you'll be surprised if you ever knew how many of them of them exist and live here in in the City of Goldsboro and Wayne County. So, please support that and veterans participate in this opportunity.

There being no further business, Mayor Ham adjourned the meeting at 8:26 p.m.




David Ham
Mayor


Laura Getz
City Clerk

WAYNE COUNTY BOARD OF COMMISSIONERS



WAYNECOUNTY
NORTH CAROLINA

Ph: (919) 731-1435
Fax: (919) 731-1446

September 29, 2023

Mr. Kenny Talton
Planning Director
City of Goldsboro
PO Drawer A
Goldsboro, NC 27530

RE: Rezoning Proposal; Z-13-23 Harry and Mollie, LLC c/o Bob Ivey

Mr. Talton:

I am writing in response to your September 26, 2023 email requesting Wayne County's official position regarding Rezoning Proposal Z-13-23. The proposed rezoning would change the property owned by Harry & Mollie, LLC from IBP-1 to GB. As you are aware, Wayne County owns several adjoining parcels which make up the ParkEast Industrial Park. Wayne County opposes the rezoning of this property from IBP-1 to GB.

The County has several ongoing projects in ParkEast. These efforts are in conjunction with the Wayne County Development Alliance (WCDA) and the North Carolina Global TransPark Economic Development Region (NCGTPEDR). The status of these projects is as follows:

- ParkEast Lot 8; Hosokawa Custom Processing Services LLC (PIN: 3529210269): Wayne County, the City of Goldsboro, and the NC Department of Commerce provided economic development incentives to the company in exchange for 16 jobs and \$6,335,169 in capital improvements. The company offers custom processing for chemicals, minerals, polymers, and plastics. The County finalized the sale of the property in August 2022 and Hosokawa opened in the Spring of 2023.
- ParkEast Lot 18; Select Genetics (PIN: 3528194974): Wayne County and the NC Department of Commerce announced economic development incentives to Select Genetics in the Spring of 2023. The company will construct a state-of-the-art turkey hatchery on Lot 18, will create 39 jobs, and make \$36,000,000 in capital improvements. The County is currently finalizing the sale of the property and expects to close in the coming months.



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P.O. BOX 227
GOLDSBORO, NC 27533

- Wayne County/WCDA Shell Building Partnership (PIN: 3519915801): WCDA and the County are currently overseeing construction of 50,000 square feet and 30,000 square feet shell buildings on the parcel. The parties anticipate the buildings to be completed by the end of 2023. WCDA is actively marketing the shell buildings to numerous industries. Wayne County has committed \$4,398,894 to the project with WCDA obligating an additional \$600,000.
- Ivey Drive Project: ST Wooten began construction on future Ivey Drive in early September of this year with completion anticipated in the Spring of 2024. Once completed, the road will provide secondary access to ParkEast. The lack of secondary access to the park has been a significant barrier to recruitment. The project consists of approximately \$475,000 from Wayne County, \$400,000 from NC DOT, and additional grant funding from NC Department of Commerce, the Golden LEAF Foundation, and Duke Energy.
- ParkEast Lots 7 and 9 (PINs: 3529211787 & 3529200615): The County and NCGTPEBDR are currently marketing these two lots and have received numerous inquiries. Recruitment continues and the Count is optimistic that industries will be secured in the coming months.

The above projects have resulted in job creation in Wayne County and a significant increase in the tax base for both Wayne County and the City of Goldsboro.

The City's Comprehensive Land Use Plan designates ParkEast as Industrial (Page 7-2, Map 38). A substantial reason for the park's success has been the industrial designation within the City's Land Use Plan and the accompanying zoning protections afforded to the park as a result. The park's development plan and recruitment strategy centers around what properties may be developed around the park in the future. Section 7(B)(3) of the City of Goldsboro's existing Comprehensive Plan entitled "Industries" states:

"All of the industrial areas indicated on the Land Use Plan should be buffered with either Office/Institutional/High Density Residential or Conservation land uses. Buffering should be provided to help prevent land use conflicts between industrial development and neighboring land uses. The width of the buffer should be based on the type or industry and its potential to create compatibility problems. The objective is not to acquire land to be utilized as buffer areas, but rather to encourage industries to incorporate adequate buffers into their development plans. The buffer areas indicated on the future land use map should be established as development or redevelopment occurs". Section 7(B)(3), Goldsboro Urbanized Area Comprehensive Plan

Furthermore, NCGS §160D-701 states that "Zoning regulation[s] shall be made in accordance with a comprehensive plan and shall be designed to promote the public health, safety, and general welfare". North Carolina law mandates that any rezoning considered by the City Council with respect to ParkEast be done in such a way to comply with the City's Land Use Plan. The permitted uses for GB contained in the Goldsboro UDO contain a wide array of Residential and Business-Personal Services which are inconsistent with industrial buffering requirements contained in the Land Use Plan. Some of the problematic GB uses include but are not limited to: duplexes, residential care facilities (full time convalescent/attendant nursing/rehabilitation care), modular

housing, single family housing, special population housing, and daycares. The business activities in ParkEast consist of chemical processing, manufacturing, commercial shipping and a future hatchery. These industrial activities would not be compatible with many of the GB permitted uses and would result in conflict between industry and neighboring GB landowners. The Land Use buffering requirements exist to avoid such conflict. The rezoning request from IBP-1 to GB must therefore be denied under Chapter 160D of the North Carolina General Statutes as it is inconsistent with the City's Land Use Plan.

The successful economic development projects outlined above are a result of the City's adherence to its Land Use Plan, specifically with respect to rezoning requests for properties affecting existing industries. The County has complied with all planning requests from the City of Goldsboro in the development of ParkEast and strictly adhered to the City's UDO. The approval of the Harry and Mollie, LLC rezoning request from IBP-1 to GB would jeopardize current and future projects in ParkEast.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara Aycock". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Barbara Aycock
Chairwoman

CC: Wayne County Board of Commissioners

RECEIVED
OCT 02 2023



Mr. Kenny Talton
Planning Director
City of Goldsboro
PO Drawer A
Goldsboro, NC 27530

RE: Rezoning Proposal; Z-13-23 Harry and Mollie, Inc. c/o Bob Ivey

Mr. Talton:

The Wayne County Development Alliance (WCDA) is an advocate for sustainable development and economic stability for the citizens of Wayne County and the municipalities within. WCDA opposes the rezoning of property owned by Harry & Mollie, LLC from IBP-1 to GB. As you are aware WCDA owns property in ParkEast with significant investment as a partner constructing two industrial shell buildings.

While promoting commercial activity is undoubtedly valuable for growth, it is crucial that we carefully consider the potential ramifications such a rezoning decision may have on our existing industries. We believe the City of Goldsboro staff understands how vital maintaining a healthy balance between industry and commerce truly is, as is evident in the Comprehensive Plan. The City's plan designates ParkEast as Industrial (Page 7-2, Map 38). A substantial reason for the park's success has been the industrial designation within the City's plan and the accompanying zoning protections afforded to the park as a result. We would also like to point out that the City's Comprehensive Plan gives an overview of ParkEast and plainly indicates it is only one of two Industrial Parks in the County and the only one in the Goldsboro Urbanized Area (Page 3-32).

Furthermore, NCGS §160D-701 states that "Zoning regulation[s] shall be made in accordance with a comprehensive plan and shall be designed to promote the public health, safety, and general welfare". North Carolina law mandates that any rezoning considered by City Council with respect to ParkEast be done in such a way to comply with the City's Comprehensive Plan. By preserving dedicated industrial zones, we can safeguard jobs, foster innovation, and sustain long-standing businesses that form the backbone of our local economy.

Allow us to share some key concerns opposing this rezoning request:

1. Negative Impact on Existing Industries: Rezoning industrial land risks introducing incompatible activities or increased competition within these areas. This could disrupt established businesses' operations and jeopardize their ability to thrive.

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Environmental Considerations: The proposed change may lead to heightened traffic congestion, noise pollution, air pollution levels or inadequate waste disposal systems—factors detrimental not only for industry but also for nearby communities where people live and work.

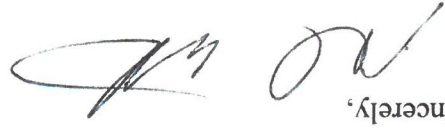
2. Infrastructure Considerations: The proposed change would reduce the available industrial land having access to rail, water, sewer, natural gas, and electrical capacities that are only seen in three industrial parks in North Carolina's Southeast Region. Building new electrical capacity alone is not only costly but would take years.
3. Economic Consequences: Encroachment from general business activities into designated industrial zones might result in job losses if companies face challenges coexisting with new ventures less compatible with their operations.
4. Community Disruption: Altering zoning classifications may bring about changes impacting residents' quality of life through increased noise levels, altered aesthetics or property value fluctuations—all factors requiring careful consideration.

We believe the County and landowners who signed the Wayne County Industrial & Business Park Protective Covenants understood these issues as recorded in Book 1309 Page 878 in the Wayne County Register of Deeds. Article II: Goal of Development states, "The goal in the development of the Park is the creation of a harmonious development which will preserve and enhance long term property values and which will provide a pleasant and productive working environment for manufacturing, warehousing, distribution, office operations, and commercial and business development in the area designated "Commercial Area." To achieve this goal, the Park shall be improved with attractive, well-spaced buildings that are properly constructed, durable and easily maintained. The Protective Covenants are established and promulgated in the interest, of promoting this goal in a manner that encourages planning and design consistent with this goal."

We believe the Goldsboro City Council should do exactly what the Comprehensive Plan states, "...establish and **protect** industrial areas for the use of prime industrial operations and for the distribution of products at wholesale. These areas should have excellent transportation access (or potential access) and available essential infrastructure including water, sewer, and gas. These areas may be individual industrial sites or integrated industrial parks." (Page 7-5). Anything less than denying this request would be a failure to protect industrial areas.

In light of these concerns, we kindly request careful consideration be given to the intricate balance between industry and commerce. This balance is crucial in shaping a sustainable future for our community. Preserving industrial land while still fostering responsible growth is not an easy task, but together we can find a way forward that benefits existing industries, recruitment of new industry, and broader economic development efforts. We genuinely appreciate your time and consideration on this matter.

Sincerely,



Neal Benton
Chairman

Timothy Salmon

From: Andrew Neal <andrew.neal@waynegov.com>
Sent: Monday, October 16, 2023 11:28 AM
To: Kenny Talton; Matthew Livingston; 'rlawrence@goldsboronclawyers.com'
Cc: Timothy Salmon; Chip Crumpler
Subject: RE: [External] - Rezoning Proposal; Z-13-23 Harry and Mollie, Inc. c/o Bob Ivey
Attachments: Goldsboro City Council.doc

CAUTION: External Email. Be careful when clicking links or opening attachments.

Good morning,

I wanted to provide an update for the rezoning request. The Commissioners met this morning and approved a version of the MOU which contained some restrictive uses and some buffer requirements. This version is different than what the developer proposed last week. After speaking with the Iveys' attorney, I don't believe that a MOU will be finalized by tonight's meeting. The negotiation effort continues and I'm not sure what the timeline is on the reaching an agreement.

I'm not sure whether the developer will continue with the application, but the County's position has not changed. We will not withdraw our objection without a MOU in place. We do not plan to attend tonight's meeting or speak publicly on the zoning request.

Hosokawa requested that I forward along a letter from their President to the planning office. Attached their letter.

Feel free to call me with any questions or concerns. Thank you.



Andrew J. Neal
Staff Attorney
PO Box 227
Goldsboro, NC 27533
Office: 919.705.1713
Fax: 919.988.6495

From: Kenny Talton <KTalton@goldsboronc.gov>
Sent: Thursday, October 12, 2023 11:33 AM
To: Matthew Livingston [External] <mlivingston@goldsboronc.gov>; Andrew Neal <andrew.neal@waynegov.com>; 'rlawrence@goldsboronclawyers.com' <rlawrence@goldsboronclawyers.com>
Cc: Tim Salmon <tsalmon@goldsboronc.gov>; Chip Crumpler <Chip.Crumpler@waynegov.com>
Subject: RE: [External] - Rezoning Proposal; Z-13-23 Harry and Mollie, Inc. c/o Bob Ivey

All,

I have no comment.

I concur with Matt.

Thanks.

Kenneth K. Talton
Planning Director
City of Goldsboro
ktalton@goldsboronc.gov
P: 919-580-4335
F: 919-580-4291
P.O. Drawer A
Goldsboro, NC 27530

“It’s not how much time you have; it’s what you do with the time you have!”

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

From: Matthew Livingston <MLivingston@goldsboronc.gov>
Sent: Thursday, October 12, 2023 11:00 AM
To: Andrew Neal <andrew.neal@waynegov.com>; Kenny Talton <KTalton@goldsboronc.gov>;
'lawrence@goldsboronclawyers.com' <rlawrence@goldsboronclawyers.com>
Cc: Timothy Salmon <TSalmon@goldsboronc.gov>; Chip Crumpler <Chip.Crumpler@waynegov.com>
Subject: RE: [External] - Rezoning Proposal; Z-13-23 Harry and Mollie, Inc. c/o Bob Ivey

All:

That sound like a positive development. From a technical standpoint this item was tabled if the petitioner wishes to resubmit a different application i.e. conditional GB subject to below provisions they will need to do so in writing and request a waiver of the normal six month resubmittal period. If the City Council grants the time waiver, then can immediately pursue another application and we will readvertise according to NC Zoning Law.

Kenny:

Did I miss anything or is there something you would like to add?

R,

Matt

From: Andrew Neal <andrew.neal@waynegov.com>
Sent: Thursday, October 12, 2023 10:49 AM
To: Kenny Talton <KTalton@goldsboronc.gov>; 'lawrence@goldsboronclawyers.com'
<rlawrence@goldsboronclawyers.com>
Cc: Timothy Salmon <TSalmon@goldsboronc.gov>; Matthew Livingston <MLivingston@goldsboronc.gov>; Chip Crumpler <Chip.Crumpler@waynegov.com>
Subject: RE: [External] - Rezoning Proposal; Z-13-23 Harry and Mollie, Inc. c/o Bob Ivey

CAUTION: External Email. Be careful when clicking links or opening attachments.

Good morning,



HOSOKAWA CUSTOM PROCESSING SERVICES, LLC
400 Challen Court, Goldsboro, North Carolina 27534
Tel. (908) 830-9500

October 13, 2023

City Council of Goldsboro North Carolina
200 North Center Street
Goldsboro, NC
27530

Dear Honorable City Council Members,

We have been advised of the City Council’s tentative plans for rezoning of the property adjoining Park East. Through the exhaustive efforts of Mark Pope and other members of the Development Board, we made the decision to open our Hosokawa Custom Processing Services, LLC operation in Park East.

We fully disclosed the nature of our operations and plans for expansion prior to our purchase of the property. That business segment is rapidly expanding. While it is our understanding that any rezoning of the property adjoining Park East will not prohibit our expansion of the facility and potential 24-hour operation, we look to you for reassurance that our understanding is correct.

Should there be any possibility that our future expansion on the property or industrial operation of three eight-hour shifts, please consider this letter to be our opposition to any rezoning efforts.

Respectfully,

Robin Voorhees
President HCPS

Patrick Lechner

TO: MAYOR, CITY COUNCIL & CITY MANAGER

Address concerns of mismanagement of funds

Plechner2168@yahoo.com

919.394.5409

1607 E. Mulberry St. Goldsboro

TOPIC OF CONCERN

- Chiller unit

Dear Mayor, City Council & City Manager,

I am here to express my deep dissatisfaction and concern regarding the chiller unit.

Primarily being the mismanagement and oversight of the chiller unit in City Hall. Last council meeting (10/2/23) IT director Scott Williams very casually and nonchalantly addressed you all stating that the city hall chiller unit that provides climate control to both historic and new city hall has gone down and replacement of failed components are obsolete. Proposing a temp be delivered and rented at an estimated cost of \$120k (if new unit is installed on time, this is based of the 8mo delivery and install) in addition to the new unit at an estimated cost of \$400k totaling an estimated \$520k of tax payers dollars. That additional \$120k could have and should have been avoided through proper maintenance and planning. IT Director stating "two circuit boards and some other parts" IT Director was correct when he said "cant just go pick one up so to speak" he mentioned a lead time of 8 months. Does this ETA include the bidding process? Realistically, this will take 12 -18 months for delivery. I know this time frame is more accurate because after the bid process the awarded bidder will still have to have mechanical engineering drawings.

I know this because I have been in this field of work for over 25yrs. In fact I served for the city of Goldsboro in the maintenance department for 19yrs. From 2016 to 2019 I served as the maintenance Superintendent prior to transferring.

- This issue should have been placed on the CIP before it got to critical failure.
- The maintenance of HVAC and chiller unites should fall directly under maintenance and not under IT. I understand that the chiller is tied directly to an automated system and that IT THINKS this should fall under their authority; consequently, this is the outcome.
- Maintenance is provided via contracted services.
 - What is the scope of the contract?
 - Software updates?
 - Hardware updates ie. Bacnet?
 - Maintenance/replacement to what degree?
 - Why was this not foreseen by contractors, building maint. or IT?
 - Is there a record of maintenance, chilled water testing?
 - Training?
- WHERE IS THE ACCOUNTABILITY?