

MINUTES OF MEETING OF MAYOR AND CITY COUNCIL HELD
OCTOBER 5, 2016

WORK SESSION

The Mayor and 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 5, 2016 with attendance as follows:

Present: Mayor Chuck Allen, Presiding
Mayor Pro Tem Gene Aycock
Councilmember Antonio Williams
Councilmember Bill Broadway
Councilmember Mark Stevens
Councilmember Bevan Foster
Councilmember David Ham
Scott Stevens, City Manager
Melissa Corser, City Clerk
Jim Womble, City Attorney
Jimmy Rowe, Planning Director
Jennifer Collins, Assistant Planning Director
Kaye Scott, Finance Director
Mike West, Police Chief
Felicia Brown, Assistant Parks & Recreation Director
Tracie Davis, Marketing & Communications Director
Marty Anderson, City Engineer
Scott Williams, IT Director
Greg Anderson, McKim & Creed
Tim Baldwin, McKim & Creed
Rochelle Moore, News Argus Reporter
Bobby Mathis, Citizen
Della Mathis, Citizen
Yvonnia Moore, Citizen

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

Invocation. Councilmember Broadway provided the invocation.

Inflow & Infiltration Flow Reduction Program – McKim & Creed. Mr. Marty Anderson introduced Mr. Greg Anderson with McKim & Creed. Mr. Greg Anderson shared the following information:

- Flow Monitoring Results Summary
- Storm Water Inflow Analysis
 - Establish a criteria for recommending RDI/I source investigations, using smoke testing methods, the following parameters were established:
 - Complete smoke testing in sub-basins where wet weather peaking factor equals or exceeds 1.8 times the average daily dry weather flow.
 - Complete smoke testing in sub-basins where total 24-hour RDI/I exceeds 300,000 gallons
- Smoke Testing Results
 - Site 2A
 - 22 Potential Cross Connections Identified
 - Several Other Anomalies Discovered
 - Site 2B
 - 19 Potential Cross Connections Identified
 - Several Other Anomalies Discovered
 - Site 3
 - 3 Potential Cross Connections Identified

- Several Other Anomalies Discovered
- Site 3A
 - 9 Potential Cross Connections Identified
 - Several Other Anomalies Discovered
- Site 3B
 - 11 Potential Cross Connections Identified
 - Several Other Anomalies Discovered
- Site 7
 - 18 Potential Cross Connections Identified
 - Several Other Anomalies Discovered
- Site 13
 - 3 Potential Cross Connections Identified
 - Several Other Anomalies Discovered
- Site 20
 - 9 Potential Cross Connections Identified
 - Several Other Anomalies Discovered
- Renewal / Replacement Projects
 - Phase 1 – Storm Water Inflow Abatement
 - Phase 2 – Priority 1 Renewal / Replacement
 - Phase 3 – Basin 20 & 20A Rehabilitation
 - Phase 4 – Basins 6, 8, 9 & 16 Rehabilitation
 - Stoney Creek Outfall Rehabilitation
 - Big Ditch Outfall Inspection / Rehabilitation
- Big Ditch Outfall Inspection
 - Approximately 30,000 Linear Feet
 - Pipe Size Upstream is 18” and Downstream 42”
 - Pipe Materials Vary from Vitrified Clay to Reinforced Concrete
 - Age of the Piping Estimated to be 70 Plus Years
 - Consequence of Failure is Considered Extremely High

Mr. Stevens stated we have two major trunk lines 20” or larger primarily and that is the Big Ditch and Stoney Creek Outfall. We are doing some significant rehabilitation work on Stoney Creek Outfall. In speaking with Mr. Greg Anderson, he has convinced us we should come back to Council and do some investigation on the Big Ditch Outfall. Staff will be coming back in the next meeting or two so we can know what condition it is in.

Mayor Allen asked if staff had an estimated cost on the inspection proposal for the Big Ditch Outfall and Mr. Marty Anderson replied approximately \$175,000.

Park Maintenance Discussion. Mr. Scott Barnard reviewed the following information:

- What does Goldsboro Parks & Recreation do?
 - Cycling, Youth Sports, Special Olympics, Greenways, Flag Football, Senior Games, Easter Egg Hunt, Tube the Neuse, Pickleball, Volleyball, Kickball, Jingle in the Park, Wiffleball, Tball, Cornhole, Skiing, Swimming, Dodgeball, Cheer, Fitness, Basketball, Tennis Parks, Dance, etc...
- What does that look like?
- What resources does that take?
- What’s been accomplished?
- Where are we dropping the ball?
 - Park Repairs
 - Park Inspections
 - Preventative Maintenance
 - Caulking
 - Lubricating locks, doors, etc.
 - Tightening fences
 - In Season Maintenance (March-December)
 - Painting
 - Pressure washing
 - Shelter repair

- Fence Repair
- Needs
 - Additional mowing crew to free up existing resources/expertise to perform inspections and routine maintenance.
 - 1 crew leader, 1 park technician, truck capable of towing (3/4 ton), 2 seasonal. Approximate annual cost of 100K in salary/benefits/payroll. 20-25k vehicles (replaced every 7 years)
- Why?
 - 2009/2010
 - 13 Ops Staff
 - ~30k for temp labor
 - No tournaments
 - 2-3 events
 - 21 day mowing cycle
 - 193 Park Acres
 - 2015/2016
 - 15 Ops Staff
 - ~95k for temp labor
 - Lots of tournaments
 - 20 + events
 - <7 day mowing cycle
 - 457 Park Acres + Downtown and Goldsboro Event Center

Manpower was discussed. Mr. Stevens shared we are going through a benchmarking process with the School of Government which will help you see where Goldsboro compares with other communities with acreage and staff. The information should be available in January. Maybe we can discuss at the Retreat or at budget time. Condition of trees and tree trimming was also discussed.

Camera Discussion. Mr. Scott Williams shared information regarding current cameras around Goldsboro and shared the following information with Council regarding camera options:

Camera Options

- Tsunami 360 Degree – 4 cameras – 4 Megapixels each
 - Lease only - \$5,600 per year with a required 3 year contract
- Advidia 6 Megapixel – Single Camera
 - One time cost - \$1,100 each with a 3 year advance replacement warranty
- Arecont 180 Degree – 40 Megapixel
 - One time cost - \$2,600 each with a 3 year warranty

Cost Comparison

Lease	Tsunami 360 Degree	\$16,800.00	3 years	
Purchase	Advidia 6 Megapixel	\$1,100.00		
Purchase	Arecont 180 Degree	\$2,600.00		
	<u>Infrastructure Needs for Purchased Cameras</u>	<u>Quantity</u>	<u>Cost Each</u>	<u>Total</u>
	Video Servers	2	\$5,300.00	\$10,600.00
	Storage for Videos	2	\$3,000.00	\$6,000.00
	Access Points for Wireless Cameras	3	\$4,200.00	\$12,600.00
	Cable – 1,000 ft Spool	3	\$400.00	\$1,200.00
			Grand Total	\$30,400.00
	*Infrastructure good for 5-8 years			
	*Ability to handle up to 160 cameras			

Cost Comparison for 5 Cameras

Quantity	Camera	Cost Each	Total
5	Tsunami 360 Degree	\$16,800.00	\$84,000.00

5	Arecont 180 Degree	\$8,610.00	\$43,050.00
		Difference	\$40,950.00

Recommendations

- Lease two Tsunami Cameras for the Police Department to use for “hot spots” and special events (\$33,600)
- Purchase infrastructure to support the expansion of cameras on the City network (\$30,400)
- Cameras in locations outside of downtown will vary in cost depending on their proximity to City fiber. One location may cost \$800, whereas others may cost thousands to install a permanent camera. These should be addressed on a case-by-case basis when the Tsunami is not appropriate.
- A list of locations and cost per location can be developed by request.

Councilmember Williams asked if the cameras would work in other places than downtown and shared concerns regarding other areas within the city that may need cameras. Council discussed cameras and asked staff to see what other municipalities are doing. Council asked staff to bring back additional information regarding cameras that can be used in various areas throughout the city.

NCLM Voting Delegate. Council selected Mr. Scott Stevens, City Manager to serve as the Voting Delegate for the 2016 NCLM Annual Conference.

Cover Agenda. Each item on the cover agenda was generally discussed. Items with additional comments included the following:

Item G. Amendment to Chapter 70 and 72 entitled “Traffic Code” of the Code of Ordinances of the City of Goldsboro. Mr. Rowe reviewed the proposed amendments. Councilmember Williams and Councilmember Foster expressed concerns regarding the proposed (7) day period to pay a parking violation. Council discussed. Upon motion of Councilmember Stevens, seconded by Mayor Pro Tem Aycock and unanimously carried, Council changed the (7) day period to (15) day period to pay fines for a parking violation.

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

Council came out of Closed Session.

There being no further business, the work session adjourned.

CITY COUNCIL MEETING

The Mayor and Council of the City of Goldsboro, North Carolina, met in regular session in Council Chambers, City Hall, 214 North Center Street, at 7:00 p.m. on October 5, 2016 with attendance as follows:

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

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

Councilmember Broadaway provided the invocation.

The pledge to the Flag followed.

Approval of Minutes. Approved. Upon motion of Mayor Pro Tem Aycock, seconded by Councilmember Williams and unanimously carried, Council approved the Work Session and Regular Meeting Minutes of September 6, 2016 as submitted.

Public Comment Period. Mayor Allen opened the public comment period. No one spoke and the public comment period was closed.

Resolution Expressing Appreciation for Services Rendered by Ellen Hobbs as an Employee of the City of Goldsboro for more than 23 Years. Resolution Adopted. Ellen Hobbs retires on October 1, 2016 as an Administrative Assistant I with the Community Affairs Department of the City of Goldsboro with more than 23 years of service. On May 26, 1993, Ellen began her career as a Records Clerk with the Goldsboro Police Department. Ellen has served in various departments with the City of Goldsboro to include the: Fire Department, Finance Department, Parks and Recreation Department and the Human Resources Department. On January 1, 2016, Ellen served in the Community Affairs Department as an Administrative Assistant I where she has served until her retirement. Ellen has proven herself to be a dedicated and efficient public servant who has gained the admiration and respect of her fellow workers and the citizens of the City of Goldsboro. The Mayor and City Council of the City of Goldsboro are desirous, on behalf of themselves, City employees and the citizens of the City of Goldsboro, of expressing to Ellen Hobbs their deep appreciation and gratitude for the service rendered by her to the City over the years. We express to Ellen Hobbs our deep appreciation and gratitude for the dedicated service rendered during her tenure with the City of Goldsboro. We offer Ellen our very best wishes for success, happiness, prosperity and good health in her future endeavors.

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

RESOLUTION NO. 2016-75 “RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY ELLEN HOBBS AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 23 YEARS”

Mayor Allen presented a framed copy of the Resolution to Ms. Hobbs.

Ms. Shycole Simpson-Carter stated she would like to personally say she appreciated Ellen for her hard work and dedication to the City. She stated in her current capacity she did not have the privilege to work with Ellen very long but as a co-worker she has seen Ellen’s dedication and commitment to the City of Goldsboro. Ms. Simpson-Carter stated she can honestly say that Ellen was a true asset and will be truly missed.

Ms. Ellen Hobbs stated she enjoyed working with the City and she learned a lot.

Resolution Expressing Appreciation for Services Rendered by Rickey McKinney as an Employee of the City of Goldsboro for more than 13 Years. Resolution Adopted. Rickey McKinney retires on October 1, 2016 as an Equipment Operator with the Streets and Storms Division in the Public Works Department of the City of Goldsboro with more than 13 years of service. Rickey began his career on June 25, 2003 as a Laborer I in the Public Works Department. On December 25, 2004, Rickey was promoted to Laborer II in the Public Works Department. On September 12, 2007, Rickey was promoted to Equipment Operator in the Public Works Department where he has served until his retirement. Rickey has proven himself to be a dedicated and efficient public servant who has gained the admiration and respect of his fellow workers and the citizens of the City of Goldsboro. The Mayor and City Council of the City of Goldsboro are desirous, on behalf of themselves, City employees and the citizens of the City of Goldsboro, of expressing to Rickey McKinney their deep appreciation and gratitude for the service rendered by him to the City over the years. The Mayor and City Council of the City of Goldsboro, North Carolina express to Rickey McKinney our deep appreciation and gratitude for the dedicated service rendered during his tenure with the

City of Goldsboro. We offer Rickey our very best wishes for success, happiness, prosperity and good health in his future endeavors.

Upon motion of Mayor Allen, seconded by Mayor Pro Tem A and unanimously carried, Council adopted the following entitled Resolution.

RESOLUTION NO. 2016-76 “RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY RICKEY MCKINNEY AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 13 YEARS”

Mayor Allen presented a framed copy of the Resolution to Mr. McKinney.

Mr. Jose Martinez stated Rickey was one of the quiet leaders and always had a smile on his face. He stated Rickey never complained and he knew his job. Mr. Martinez stated we will replace your position but Rickey can never be replaced. He thanked Rickey for all he had done and shared how much he appreciated Rickey.

Mr. Doug Henricksen stated he appreciated Rickey and he will be missed.

Consent Agenda - Approved as Recommended. City Manager, Scott A. Stevens, 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. Mr. Stevens reminded Council Item G. Amendment to Chapter 70 and 72 entitled “Traffic Code” of the Code of Ordinances of the City of Goldsboro was amended during the work session to reflect a (15) day period to pay fines for a parking violation. Mayor Pro Tem Aycock moved the items on the Consent Agenda, Items D, E, F, G, H and I 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 the affirmative. Mayor Allen declared the Consent Agenda approved as recommended. The items on the Consent Agenda were as follows:

Site, Landscape and Building Elevation Plans - Verizon Wireless. Approved. The property is located on the north side of US 70 West and consists of a vacant outparcel east of the main entrance to the Shoppes of Goldsboro (Wal-Mart location) and adjacent to Smithfield Chicken ‘N BBQ and a new Wendy’s restaurant currently under construction.

Frontage:	217 ft.
Area:	59,768 sq. ft. or 1.37 acres
Zoning:	Shopping Center

The submitted site plan indicates a proposed 3,000 sq. ft. single-story retail building and a paved and striped parking area which will contain 20 parking spaces.

Hours of Operation:	10:00 a.m. to 8:00 p.m. Monday-Friday
	9:00 a.m. to 8:00 p.m. on Saturday
	12:00 p.m. to – 6:00 p.m. on Sunday

Number of Employees: 3

Stormwater calculations have already been approved for the site in conjunction with initial approval of the overall shopping center site plan in 2007.

No direct access is allowed from US 70 West. Access is to be provided internally through the existing shopping center parking lot.

Interconnectivity is not shown on the submitted site plan. The applicant has requested a modification of the interconnectivity requirement to the east (Wendy’s) because they feel

that this may permit cut-through traffic from the fast food restaurant and would interfere with customers transacting business at their location.

As previously stated, parking for the site will require a total of 12 parking spaces. The site plan shows a total of 20 parking spaces (including 2 handicapped parking spaces).

The City Council approved a modification of exterior sidewalks at the time of the initial shopping center site plan approval.

Pedestrian access from the parking lot into the building has been provided by a 5 ft. wide concrete sidewalk which surrounds the building.

A commercial dumpster is not required for the site. Private garbage carts will serve as collection receptacles.

The submitted landscape plan indicates a total of five Willow Oaks to serve as the required street trees along US 70 West. Due to the presence of overhead utilities, however, small trees will have to be substituted to meet the street tree requirement.

Street trees are not shown along the shopping center access drive, however, they will be required.

Elms, Azaleas and Hollies are proposed for the vehicular surface area plantings and as perimeter foundation plantings surrounding the building.

Type A, 10 ft. wide landscape buffer yards are required along and shown along the eastern and western property lines.

The submitted elevation plans indicate a cultured stone and stucco exterior veneer with an aluminum and glass insulated storefront.

The staff is in the process of reviewing the submitted lighting plan for the site. Staff will require fixture cut-sheet specifications and ensure that all fixtures be compliant with the City’s lighting ordinance.

The Planning Commission, at their meeting held on September 26, 2016, recommended approval of the site, landscape and building elevation plans subject to provision of all landscaping and interconnectivity and approval of the lighting plan by City staff.

Staff recommended Council accept the recommendation of the Planning Commission and approve the site, landscape and building elevation plans subject to provision of all landscaping and interconnectivity and approval of the lighting plan by City staff.
Consent Agenda Approval. Aycock/Ham (7 Ayes)

Z-6-16 Attaway Investments, LLC - Southeast corner of Wayne Memorial Drive and Gracie Place (NB to GBCD). Denied. The proposed zoning classification for the subject property is General Business Conditional District to limit the property for use as a retail auto parts and supply store. In conjunction with this request, the applicant has requested a waiver of the site plan requirement. If the rezoning is approved, the applicant will be required to have development plans approved by City Council before issuance of building permits.

Frontage:	110 ft. (Wayne Memorial Dr.) 210.50 ft. (Gracie Place)
Depth:	110 ft.
Area:	23,100 sq. ft. or 0.53 acres
North:	Neighborhood Business
South:	Office and Institutional
East:	Neighborhood Business
West:	Neighborhood Business

The property is currently zoned Neighborhood Business. As previously stated, the applicant proposes to rezone the subject property to General Business Conditional District to limit the property for use as a retail auto parts and supply store.

The property is currently vacant. It was previously occupied by a single-family dwelling which was demolished.

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

City water and sewer are available to the property. Subject property is not located within a special flood hazard area.

NCDOT has reviewed the proposed use and will require a driveway permit for access off of Wayne Memorial Drive.

At the public hearing held on September 19, 2016, one person spoke in favor of the request. No one appeared in opposition.

Although the Comprehensive Plan recommends commercial development, it should be noted that all properties fronting on Wayne Memorial Drive between Royall Avenue and Eighth Street are Neighborhood Business. The existing uses within this area are characterized by office-type uses as well as low-intensity retail. The requested General Business zone would not be compatible with either existing zoning or development in the area.

The Planning Commission, at their meeting held on September 26, 2016, recommended denial of the change of zone request. They felt that General Business zoning placed within this area would not be appropriate based on existing uses and zoning.

Staff recommended Council accept the recommendation of the Planning Commission and deny the change of zone request for Attaway Investments, LLC without prejudice. Consent Agenda Approval. Aycock/Ham (7 Ayes)

CU-12-16 Patrick Gallagher– East side of Leslie Street between Mulberry Street and Walnut Street. Denied. The applicant requests a Conditional Use Permit to allow the operation of a Bed and Breakfast to include receptions, private parties or similar activities on site.

The property is currently utilized as a private residence.

Frontage:	118.39 ft. (Leslie Street)
	166 ft. (Walnut Street)
Area:	100,188 sq. ft. or 2.3 acres
Zoning:	R-9 Residential

The Council, on March 7, 2016, denied a request by the applicant for rezoning this property to General Business Conditional District to limit the use of the property to a place of entertainment with ABC permits (event center) in conjunction with the present use as a single-family dwelling.

The applicant now proposes to operate a Bed and Breakfast where customers will utilize the guest house on the property. The applicant also wishes to allow rental of the activity building on the property for receptions, private parties or similar activities.

As part of the approval criteria for a bed and breakfast to operate within a residential district, the property must front on a major or minor thoroughfare or collector street as designated in the Metropolitan Transportation Plan (MTP) and the bed and breakfast may only be permitted within a principal residential structure. Leslie, Walnut and Lionel Streets are considered secondary streets and the guesthouse is not attached to the principal residential structure. The applicant requests a modification of the approval criteria to allow the bed and breakfast to be permitted along secondary roads and permit the use within the existing separate guesthouse.

The requested Conditional Use Permit will require that detailed development plans be reviewed and approved by the Planning Commission and City Council. The applicant has submitted a site plan which illustrates the intended use of the property.

The property is currently occupied by a number of one-story structures containing the following areas and existing or proposed uses.

1. A 5,467 sq. ft. building serves as the applicant's primary dwelling;
2. A 2,251 sq. ft. existing building proposed to serve as the proposed activity building;
3. A 1,200 sq. ft. existing guest house maintained for the proposed Bed and Breakfast use;
4. Existing Pool House;
5. Existing Greenhouse; and
6. Existing 3,000 sq. ft. metal building used for storage.

The applicant contends that the site is underutilized given the amenities and structures available on the property.

Brick pavers and concrete sidewalks provide interior pedestrian access to the pool house and greenhouse.

The applicant's dwelling, guesthouse and the activity building is currently accessed by a driveway on Leslie Street which leads to a parking area for eight vehicles adjacent to those buildings. There is also a concrete driveway on Lionel Street which extends through a 20 ft. wide access easement to the storage building at the rear of the site. An unused concrete drive extending from Walnut Street is to be removed and covered with a new parking area.

The applicant proposes the installation of a parking lot containing 70 spaces accessed from Walnut Street through two driveways. Based on one space required per 32 sq. ft. of proposed assembly area, a total of 70 parking spaces would be required. As noted previously, there are an additional eight parking spaces provided which are accessible from Leslie Street.

The entire site is encompassed by either fencing or masonry wall. Interconnectivity is not shown and the applicant believes that this would not be necessary and has requested a modification of that requirement.

While not shown on the plans, appropriate landscaping will be required to meet the Vehicular Surface Area. Landscape Buffers are not required.

Drainage plans will be required for the parking area and if the disturbed area for the site exceeds more than half an acre, stormwater calculations will be required by the City Engineering Department.

The following modifications have been requested by the applicant:

1. Modification to allow the bed and breakfast facility to be located in a freestanding building, not attached to the principal residence.
2. Modification to allow the bed and breakfast to be permitted on lots fronting on secondary streets rather than major or minor thoroughfare or collector streets as designated in the Metropolitan Transportation Plan (MTP).

3. Modification of the interconnectivity requirement.

At the public hearing held on September 19, 2016, five people spoke in opposition to the request. Three people appeared in favor.

The Planning Commission, at their meeting held on September 26, 2016, recommended denial of the Conditional Use Permit. They felt that the property should remain as a single-family residential site.

Staff recommended Council accept the recommendation of the Planning Commission and adopt an Order denying the requested Conditional Use Permit. Consent Agenda Approval. Aycock/Ham (7 Ayes)

Amendment to Chapter 70 and 72 entitled “Traffic Code” of the Code of Ordinances of the City of Goldsboro. Ordinance Adopted. With the completion of the first two phases of the Center Street Streetscape Project, there has been an increase in the amount of traffic in the Downtown area. As a result, there have been additional instances noticed where vehicles are parking improperly or in non-designated areas.

A number of merchants have expressed concerns about vehicle parking within crosswalks and in close proximity to fire hydrants.

In discussions with the Police Chief, it appears evident that it will be difficult for the Police Department to continually enforce parking regulations in the Downtown area with the current deficit of officers and with other duties that are more demanding.

In an effort to enforce parking regulations, it is proposed that the City’s Code Enforcement Officers participate in the issuance of citations for illegally or improperly parked vehicles within the City of Goldsboro.

While they would be unable to continually police this area, they would be available intermittently and upon call from the public or management.

Code Enforcement Officers are sworn and may, in accordance with North Carolina General Statutes, issue citations or tickets when a vehicle violates local ordinances as it relates to parking.

The City Code currently includes ordinances which regulate parking. However, there are no provisions regulating how fines for unpaid parking tickets can be collected.

Section 160A-175 (c) of the North Carolina General Statutes entitled “Enforcement of Ordinances” indicates that a local ordinance may provide that violation shall subject the offender to a civil penalty to be recovered by the city in a civil action in the nature of debt if the offender does not pay the penalty within a prescribed period of time after he has been cited. All citations issued for parking violations within the City of Goldsboro will be added to the DMV system which links the vehicle to the owner.

Therefore, rewriting and adding new sub-sections are proposed to the Code of Ordinances that will add provisions for the city to invoke civil action in the nature of debt for the collection of unpaid parking tickets through the court system.

Staff recommended Council adopt the following entitled Ordinance amending Chapter 70 and 72 entitled “Traffic Code” to include new sub-sections relative to civil penalties and fines for violations of parking ordinances. Consent Agenda Approval. Aycock/Ham (7 Ayes)

ORDINANCE NO. 2016-52 “AN ORDINANCE AMENDING CHAPTER 70 AND 72 ENTITLED “TRAFFIC CODE” OF THE CODE OF ORDINANCES OF THE CITY OF GOLDSBORO, NORTH CAROLINA”

Federal Property Forfeiture Program State Controlled Substance Tax. Ordinance Adopted. The United States Department of Justice administers a program

that transfers from the Federal Government property seized by local law enforcement agencies and the State of North Carolina administers a program whereby taxes are levied on unlicensed individuals involved in the arrest of such individuals. The property obtained through the United States Department of Justice has been confiscated during drug raids or other undercover operations and may include personal items such as vehicles or money. The State of North Carolina allocates a share of taxes collected to localities involved in the arrest of individuals and the seizure of their controlled substances.

Recently the City of Goldsboro Police Department assisted Federal authorities in concluding several drug operations. Based on Federal guidelines, Substance Tax Remittance funds totaling \$682.87 can be reimbursed to the City for:

07/26/16 #45PR0000650848	\$ 624.50
08/19/16 #45PR0000652986	\$ 30.84
09/23/16 #45PR0000655196	\$ 27.43

These funds can be used for the purchase of controlled substances, payment of informants, the purchasing of equipment or for the provision of training for sworn officers. All monies must be used for new activities and cannot replace previously appropriated funds.

Staff recommended Council adopt the following entitled ordinance to reflect an increase in General Fund revenues and an increase in the operating expenditures of the Police Department budget by a total of \$682.87. Consent Agenda Approval. Aycock/Ham (7 Ayes)

ORDINANCE NO. 2016-53 “AN ORDINANCE AMENDING THE BUDGET
ORDINANCE FOR THE CITY OF GOLDSBORO FOR 2016-2017 FISCAL YEAR”

End of Consent Agenda.

CU-11-16 Zackell Perry – North side of East Ash Street between Slocumb Street and Leslie Street. Approved. The applicant requests a Conditional Use Permit to allow the operation of a tattoo parlor.

Frontage:	50 ft.
Depth:	150 ft.
Area:	7,500 sq. ft., or 0.17 acres
Zoning:	General Business

The site is occupied by a brick structure which most recently contained offices. The site has been vacant for several months.

The applicant currently operates another tattoo parlor which was approved by the City Council in 2012 at 2046 US Highway 117 South. While Mr. Perry intends to utilize the Ash Street location for offices, receptionist and waiting areas, a retail showroom, dressing room and restrooms, he has requested the Conditional Use Permit to allow one of the remaining rooms containing approximately 100 sq. ft. to be utilized for tattooing.

Hours of Operation:	11:00 a. m. to 11:00 p. m. (Monday – Sunday)
No. of Employees:	1

Based on the size of office and retail uses within the building, approximately six parking spaces will be required for the site.

While only two paved parking spaces exist in front of the building, these spaces are not considered standard. A paved driveway just east of the building leads to an area behind the structure which could provide up to the required six paved parking spaces.

There is existing plant material along the western property line adjacent to the existing funeral home.

Due to space constraints, no plants are installed or proposed along the eastern property line.

At the public hearing held on August 15, 2016, one person representing the Church across Ash Street spoke against the request. The applicant appeared in favor and indicated that he would be willing to adjust the proposed hours of operation if necessary.

The Planning Commission, at their meeting held on August 29, 2016, recommended approval of the Conditional Use Permit request, however, they recommended that the applicant's hours of operation be limited to 1:00 p. m. to 11:00 p. m. on Sunday in order to avoid conflicts with the church located across Ash Street.

At their meeting held on September 6, 2016, Council deferred action on this request in order to allow staff to contact the church regarding the amended hours of operation. The Pastor of the church has indicated that the church has no objection to the request with the amended hours as recommended by the Planning Commission.

Upon motion of Mayor Pro Tem Aycock, seconded by Councilmember Stevens and unanimously carried, Council accepted the recommendation of the Planning Commission and:

1. Adopt an Order approving the Conditional Use Permit to allow the operation of a tattoo parlor; and
2. Approve the submitted development plans which indicate that hours of operation on Sunday will be limited to 1:00 p. m. to 11:00 p. m.

City Manager's Report. Mr. Stevens stated although it appears the path of Hurricane Matthew is turning away from us, I wanted to let the community know your departments have been working hard to prepare from Fire and Police, Public Works, Public Utilities, Recreation, Building Inspections; they have all met individually and we've met as a group. I think should the storm redevelop and impact our area, staff will be as prepared as can be to respond. Part of that is encouraging people to be prepared themselves. We encourage citizens to be prepared to sustain themselves for a period of three days with water and food. So again if you have an event coming of this magnitude, you need to think about what your plans would be, have a first aid kit, radio, and batteries; have those kinds of things available. Mr. Stevens stated again, I do want to reassure the community I think staff is prepared but also for the citizens to do their part.

Mr. Stevens stated secondly, as a reminder we do have a USTA Tournament throughout Wayne County October 13th – 16th. I am told this is the 3rd or 4th largest USTA tournament in the state. I think that speaks well for Goldsboro as we first put on this tournament maybe 4 or 5 years ago. If you have an interest in watching, it will be throughout Wayne County with the focal point at Herman Park.

City Attorney's Report and Recommendations. No report.

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

Proclamation – Safety First on Halloween. Mayor Allen proclaimed "SAFETY FIRST ON HALLOWEEN" and encouraged all citizens of Goldsboro promote and observe the following safety guidelines:

- Parents are asked to supervise the Halloween Trick or Treat activities of their children and to insure that Trick or Treat activities are limited to children under the age of 16 years.
- Trick or Treat hours will be observed from 6:00 p.m. until 8:00 p.m. on Monday, October 31, 2015.

- Trick or Treat activities should be confined to the youngster's own neighborhood.
- Residents who wish to participate in Trick or Treat are asked to leave a porch light, or other outdoor light, on during these hours.
- Parents are asked to explain to children that homes with no outdoor light are not participating in Trick or Treat and that these homes should be passed up during these activities.

These guidelines are set forth in the hope that all citizens of Goldsboro will enjoy a happy, safe, and orderly Halloween.

Mayor Pro Tem Aycock stated earlier in the week one of our own Suretha Williams had a fire in her apartment. She had a lot of damage and is going to need our help. If you can spare a few dollars, I think the City Clerk's Office will accept it and get it to her. She always had a smile on her face and I think she needs our help.

Councilmember Williams had no comment.

Councilmember Broadway had no comment.

Councilmember Stevens stated he hopes everyone has a great and safe Halloween. I would also like everyone to know Ms. Nnenna Freelon will be in concert this Friday at the Paramount Theatre. I encourage everyone to get tickets, come out and have a good time.

Councilmember Foster had no comment.

Councilmember Ham had no comment.

Mayor Allen shared one of our own, former Wing Commander, Mark Grace Kelly got promoted to a Three-Star General. There are only twelve Three-Star Generals in the Air Force, it is a big deal. He is commanding the 12th Air Force at Davis-Monthan Air Force Base in Arizona. We wish him the best. Mayor Allen stated just to follow up on Councilmember Stevens comments regarding Ms. Nnenna Freelon, she is a world renowned jazz singer, composer, producer, arranger, actress and six time nominee. It is a pretty big deal to have her at the Paramount Theatre and he encouraged everyone to get their tickets.

There being no further business, the meeting adjourned at 7:20 p.m.



Chuck Allen
Mayor



Melissa Corser, MMC
City Clerk