MINUTES OF MEETING OF MAYOR AND CITY COUNCIL HELD
JUNE 2, 2014

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 June 2, 2014 with attendance as follows:

Present:
Mayor Alfonzo King, Presiding
Mayor Pro Tem Bill Broadaway
Councilmember Michael Headen
Councilmember Chuck Allen
Councilmember William Goodman
Councilmember Charles J. Williams, Sr.
Councilmember Gene Aycock
Jim Womble, City Attorney
Scott Stevens, City Manager
Melissa Corser, City Clerk
Kim Best, Public & Government Affairs Director
Angel Wright-Lanier, Assistant City Manager
Randy Guthrie, Assistant City Manager
Jimmy Rowe, Planning Director
Kaye Scott, Finance Director
Jeff Stewart, Police Chief
Betsy Rosemann, Travel & Tourism Director
Scott Barnard, Parks & Recreation Director
Felicia Brown, Parks & Recreation
Raehanna Evans, Intern
Faye Reeves, HR Director
Julie Metz, DGDC Director
Allen Anderson, Chief Building Inspector
Scott Williams, IT Director
Matt Caulder, Goldsboro News-Argus
Lonnie Casey Citizen
Rick Sumner, Citizen

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

Invocation. Councilmember Williams provided the invocation.

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

Item C. Budget Ordinance for Fiscal Year 2014-15. Councilmember Allen stated he and some of the other councilmembers would like to increase the donation to the museum. Ms. Scott recommended Council adopt the budget tonight and staff could come back in July with a budget amendment.

Item G. Site and Landscape Plan – RPW Properties, LLC (Eastern Laundries). Councilmember Aycock expressed concerns with traffic at the ATM located beside this property. Mr. Stevens asked Mr. Rowe to see if the Credit Union planned to move the ATM once the new location was opened across from this property.

Item J. Site and Landscape Plan – Trinity Auto Body Repair. Mr. Rowe stated NCDOT had previously recommended that since this site had access on James Street that the existing driveway closest to the intersection of James and Grantham Street be closed. He shared he received a letter from NCDOT today about 4:50 p.m. stating they had revisited that situation and would leave open requiring the individual to posts signage for a right in, right out at that curb cut.

Councilmember Allen asked where they would be storing cars and Mr. Rowe replied there is a note on the site plan indicating storage of vehicles will be inside of the building.

Councilmember Allen asked if they were removing the concrete and Mr. Rowe stated he would contact the owner.

Item K. Z-3-14 Berkeley Boulevard Investors, LLC. Councilmember Allen stated someone needed to look at widening Ridgecrest Drive, at least to the proposed restaurant's driveway. Mr. Rowe stated he would talk to the developer.

Item L. CU-3-14 Phoenix T, LLC. Councilmember Allen stated he had never seen more than 10 cars at the business.

Additional items discussed included the following:

RTP 2014 Application. Mr. Scott Barnard shared information regarding a third grant application they would like to make for construction of a greenway beginning at the intersection of Elm Street and Stoney Creek continuing south to where Stoney Creek Parkway changes into Harris Street. This is approximately 6/10 of a mile. The total award out of this grant has been reduced, this year's max is $100,000 and the match would be 100% in-kind with existing city resources. Mr. Barnard stated once they are awarded the grant, we would still have an opportunity to accept or decline the grant.

Recreation Fees. Mr. Barnard shared information regarding current recreation fees. He stated the fees have not been adjusted in years and do not distinguish between city and county residents. Current rental fees were reviewed and discussed. Mr. Barnard stated in comparison to market norms, the fees are low. He stated many have gone away from giving nonprofits a discount and we currently offer a 50% discount to nonprofits.

Council discussed charging a difference between city and non-city residents. Mr. Barnard cautioned it could be difficult to determine whether or not a person is a city resident or not.

Mr. Barnard shared he is coming to Council without an official recommendation from the Recreation Advisory Commission (RAC). He stated they have discussed a cost difference in the past with the RAC and members were in agreement with the cost difference between city residents and non-residents.

Mr. Barnard stated he would like to see the programs remain at a low cost and Council agreed.

Mayor Pro Tem Broadaway shared he has received some calls regarding golf course fees. Mr. Barnard stated the golf course fees are market driven and they try to be competitive with surrounding courses. Mr. Barnard stated he would prefer to offer a city resident discount.

Council discussed the golf course and fees. Council also discussed raising rental fees.

Street Sweepers. Mr. Guthrie stated included in your upcoming budget is funding for a street sweeper. We had previously discussed with Council the possibility of leasing the unit in advance of the purchase to improve our street sweeping program. He stated in talking to the vendor they will lease us the unit and apply 80% of the lease rate towards the purchase. It is $8500 to lease it and 80% of that will go towards the purchase price in July.

Mr. Guthrie shared staff did a more in-depth study of down time for the currently owned sweepers looking back from May 1, 2013 to May 27, 2014. Staff found the street sweepers were down 69.9% of the time. He shared they compared this with other municipalities who provide street sweeping services and they shared their sweepers are down 65% of the time on average.

Councilmember Aycock shared the greenway on New Hope Road needs sweeping.

Mr. Stevens asked if staff could proceed with leasing the street sweeper. Council agreed staff could move forward with the lease.

City Logo. Ms. Kim Best shared information regarding the proposed city logo. She shared the (3) o's in Goldsboro reflect a picture of City Hall (Be More), a bicycle (Do More) and a jet (Seymour). This will help to create branding.

Mayor King stated he liked the proposed logo.

Mr. Stevens asked if any of Council had any concerns regarding the proposed logo.

Council's consensus was for staff to proceed with the proposed logo.

JAG Grant. Ms. Kaye Scott shared information regarding the JAG Grant. She stated this year the Police Department would like to purchase a Chevrolet line car which is approximately $27,000. Grant funding is $24,000. She asked if Council was comfortable with staff preparing a budget amendment for approximately $3,100 for the purchase of the line car. Council agreed staff could proceed. Ms. Scott stated staff will bring back a budget amendment.

Wayne County Museum. Council discussed the request from Wayne County Museum. The Museum requested $22,000 this year. The budgeted amount was the same amount given last year, $12,000. Council discussed and agreed to add $10,000 to the donation budgeted for this upcoming fiscal year. Council agreed it was a one-time increase but would take a look at it again in future years. Councilmember Allen stated we could challenge the County to do more.

Councilmember Williams stated he serves as an ex-officio member on the Appearance Commission. He stated the Appearance Commission has not met recently due to a lack of quorum. He stated when they did meet he would listened to their discussion but did not see a need to sit in on every meeting. Mr. Stevens stated it varies from board to board.

Councilmember Allen stated he would like staff and Council to encourage everyone to help keep the city clean. He stated he would like to see a letter encouraging and reminding property owners, citizens, business owners to keep properties clean. He stated he would like us to be more proactive versus being so reactive. Councilmember Goodman stated maybe the media could assist with our efforts. Mr. Stevens stated that was a good idea but we could not make the media participate they would have to agree to it voluntarily. Mr. Stevens stated staff would draft a letter and share the draft with Council.

Closed Session Held. Upon motion of Councilmember Headen, seconded by Councilmember Williams and unanimously carried Council convened into Closed Session to discuss a potential litigation matter.

There being no further business, the work session adjourned at 6:45 p.m.

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 June 2, 2014 with attendance as follows:

Present:
Mayor Alfonzo King, Presiding
Mayor Pro Tem Bill Broadaway
Councilmember Michael Headen
Councilmember William Goodman
Councilmember Charles J. Williams, Sr.
Councilmember Chuck Allen
Councilmember Gene Aycock

The meeting was called to order by Mayor King.

The invocation was given by Councilmember Williams.

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

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. Councilmember Headen moved the items on the Consent Agenda, Items A, B, C, D, E, F, G, H, I, J, K and L be approved as recommended by the City Manager and staff. The motion was seconded by Councilmember Allen, and a roll call vote resulted in all members voting in the affirmative. Mayor King declared the Consent Agenda approved as recommended. The items on the Consent Agenda were as follows:

FY 2013 TIGER Discretionary Grant Agreement, Grant No. NC-79-0003. Approved. The City of Goldsboro applied for funding through the Transportation Investment Generating Economic Recovery Grant Program in the 2013 cycle. The City received notification in September, 2013 of a $10,000,000 award to support the following projects: 1) Center Street Streetscape Project; 3 blocks of Center Street including the 100 N. Center Street block and extending south to the 200 S. Center Street block, 2) Walnut & Other Streetscape Project; eight blocks of streetscape that include the 200 block of W. Walnut Street and extend west along Walnut Street to the Union Station/Gateway Transfer Center property and include street segments around all sides of the property, 3) Construction of Gateway Transfer Center and Property Site Improvements.

Once notified of the successful award, the United States Department of Transportation assigned our project to the Region IV Federal Transit Administration to administer the grant on their behalf. City staff has been working with FTA and the Office of the Secretary of Transportation to meet and prepare all the necessary documents to permit us to move forward with the receipt of the funds and begin construction. The final necessary document is the attached Grant Agreement between the City of Goldsboro and the United States Department of Transportation (DOT).

The agreement states expectations in terms of responsibilities, timelines, benchmarks, reporting requirements, scope of work, source and use of funds, and cause for termination/expiration and modifications. Highlights of the Agreement include the following:

1) The City of Goldsboro (Grantee) is being granted $10,000,000 by USDOT to complete the above mentioned projects.
2) The City of Goldsboro has committed 25% of the proposed project costs equaling to $3,331,250.
3) If there are any cost savings, or if the contract award is under the engineer's estimate, the City of Goldsboro funding amount and percentage share may be reduced, provided the City's share of the costs may not be reduced below 20%.
4) Quarterly Progress Reports are due beginning August 15, 2014 and will continue through the completion of the project.
5) USDOT reserves the right to terminate the Agreement if the following benchmarks are not met:
    a. The Grantee fails to begin construction before August 31, 2014;
    b. The Grantee fails to begin expenditure of Grant funds by September 30, 2014;
6) Funds made available under this Agreement, once obligated, are available for liquidation and adjustment through September 30, 2019.

The following City staff is identified in the Agreement with certain roles: Randy Guthrie, Primary Contact; Julie Metz, Secondary Contact, Kaye Scott, TEAM Contact. TEAM is the federal program mechanism for the grant funds. Scott Stevens is also authorized to access and utilize TEAM. These City staff persons have reviewed the Agreement thoroughly and in its entirety.

Staff recommended Council authorize the Mayor to sign this grant agreement, on behalf of the City of Goldsboro, between the City of Goldsboro (Grantee) and the United States Department of Transportation permitting the City to execute the TIGER V Grant. Consent Agenda Approval. Headen/Allen (7 Ayes)

Water/Sewer Rates, Late Fee and Service Penalty. Resolution Adopted. The City of Goldsboro's current water and sanitary sewer rate structure was adopted effective January 1, 1987, after a comprehensive study was performed by Arthur Young and Associates. The staff annually evaluates the City's utility functions to determine if the operations are self-supporting. This procedure compares the total anticipated revenues to be received from the City's water and sanitary sewer operations against the projected expenditures. An analysis of the proposed budget for the fiscal year revealed that the water and sanitary sewer rates remain uniform.

The recommended Fiscal Year 2014-15 Budget does not provide for an increase in the water and sanitary sewer rates. The water and sanitary sewer rate for industrial bulk usage for users with 200,000 cubic feet or over per year is recommended to remain at the current rate. It is also proposed that the minimum charge based upon meter size and the double outside rates for water and sewer volume continue. It is recommended that these rates be effective with the first utility billing after July 1, 2014.

The Late Fee charged on utility accounts past due and the Service Penalty, implemented in July 1991 to recover the cost of providing additional services for utility customers with two bills past due, will remain the same for Fiscal Year 2014-15. It is recommended that the water reconnection fee of $10.00 remain the same and be charged before water service is restored to the customer who was disconnected due to nonpayment.

Staff recommended Council adopt the following entitled Resolution establishing the Water and Sewer Rate Schedule, retaining the Late Fee and the Service Penalty and establishing the reconnection fee effective with the July 1, 2014 billing. Consent Agenda Approval. Headen/Allen (7 Ayes)

RESOLUTION NO. 2014 – 35 "RESOLUTION AMENDING THE WATER RATE AND SANITARY SEWER RATE, THE MONTHLY MINIMUM CHARGE, THE LATE FEE AND UTILITY SERVICE PENALTY FOR THE CITY OF GOLDSBORO"

Budget Ordinance for Fiscal Year 2014-15. Ordinance Adopted. A Budget Ordinance must be adopted each year in order to implement the provisions of a new budget for the upcoming Fiscal Year. In specific, the Budget Ordinance establishes the tax rate and dictates in which fund delinquent taxes shall be placed upon their collection. It also establishes special taxes which may be levied during a fiscal year, such as the Special Downtown Municipal District Tax. The intention of a city to issue licenses upon businesses, trades and professions is also described within the contents of this document.

The major emphasis of a Budget Ordinance is to identify by fund the estimated revenues a municipality anticipates to collect during a fiscal year and to delineate by fund, department, and activity how these monies shall be appropriated. The Budget Ordinance may also describe any special authorizations granted to the Budget Officer.

Passage of the Budget Ordinance is an annual occurrence. No budget for the fiscal year can be implemented without the formal adoption of the provisions of this document. The Budget Ordinance reflects the decisions made by the City Council during its budget reviews and discussion. The Budget Ordinance assures compliance with all pertinent State Fiscal laws. It must show an exact balance between revenues and expenditures. If circumstances do not warrant the adoption of this document by the prescribed date, an interim budget must be approved by the governing body. The specific authorizations granted the Budget Officer are the same as were delegated in Fiscal Year 2013-14 that relate to the reallocation of departmental appropriations, interdepartmental transfers, and inter-fund loans and transfers. Also, the Finance Director and Assistant Finance Director are authorized to sign all pre-audit certifications for budgetary appropriations as required by G.S. 159-28.

The recommended budget for FY 2014-15 includes no increases in the property tax and utility rates. The Fund Balance withdrawal for the Occupancy Tax Fund is $180,485 and the total Fiscal Year Recommended Budget for all annually adopted Funds is $54,592,836.

Staff recommended Council adopt the following entitled Budget Ordinance for the Fiscal Year 2014-15. Consent Agenda Approval. Headen/Allen (7 Ayes)

ORDINANCE NO. 2014 - 24 "BUDGET ORDINANCE FOR THE 2014-15 FISCAL YEAR"

General Fund Budget Amendment/Loan from Utility Fund. Ordinance Adopted. At the November 18, 2013 meeting, Council appropriated funding for $2.7M for the City's portion of an insurance settlement. Since the City was unaware of the amount of this settlement, it was necessary to appropriate the funds needed. The City Council adopted a reimbursement resolution declaring its intent to finance all or a portion of the City's share of this settlement.

With the City wanting to replenish the General Fund's appropriation, it was determined that the City could finance a portion of this amount using 2/3rd non-voting general obligation bonds. It was found that it would be better to finance in FY 2014-15 so that the larger amount of $1.7M would be available and a loan from the Utility Fund for $1M.

The City of Goldsboro strives to maintain available fund balance in the General Fund at a level sufficient to meet its obligations. It is recommended that a loan be appropriated from the Utility Fund for the full $2.7M and transferred to the General Fund. Once the financing for the 2/3rd non-voting general obligations bonds has been finalized, the $1.7M would be paid to the Utility Fund. The $1M balance would be financed over a 4-year term with a payment of $250,000 per year starting with FY 2014-15.

Staff recommended the following entitled budget ordinance be adopted decreasing the Unassigned Fund Balance of the Utility Fund in the amount of $2,700,000 and loaning this amount to the General Fund. Consent Agenda Approval. Headen/Allen (7 Ayes)

ORDINANCE NO. 2014-25 "AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE CITY OF GOLDSBORO FOR THE 2013-2014 FISCAL YEAR"

Sale of Surplus Real Property, Tax ID #25-9985-6457, 101 West Chestnut Street as recorded in the Wayne County Registry. Offer Accepted. The property located at 101 West Chestnut Street was donated to the City in 2009 by Mr. David Weil. Mr. Weil asked that the City only accept offers that would be considered a productive use in relation to the Paramount Theatre. With this in mind, all parties have been required to submit offers with their proposed use of the property along with rehabilitation plans, which includes a timeline and schedule.

On May 14, 2014, the Wooten Development Company submitted an offer in the amount of $40,000. Their intended use would be to restore the building and open as a bar/entertainment venue that would include outside dining. The buyer will be meeting with the City's Inspections Office and State Historic Preservation Office in May and June to determine the building code and rehabilitation requirements. It is estimated that we should be able to close on this property by July 30, 2014. Construction should begin in August with an estimated completion date of February 2015.

Standard surplus lots will be offered for sale in accordance with the provisions of the G.S. 160A-266 provided, however, the minimum sales price will be at least fifty percent (50%) of the property's tax value. According to the property tax values at the Wayne County Tax Office, the building and land values are listed as $42,970. An advertisement appeared in the Goldsboro News-Argus on May 20, 2014. The ten (10) day upset bid period expired on May 30, 2014, with no counter-offers received.

Staff recommended Council accept the offer of the Wooten Development Company in the amount of $40,000.00 and authorize the Mayor and City Clerk to execute a deed on behalf of the City of Goldsboro. Consent Agenda Approval. Headen/Allen (7 Ayes)

Resolution Approving A Proposed Installment Financing Agreement to finance costs of the construction of a Transit Transfer Stations, Related Street Improvements and Improvements to the City's Fire/Police Complex and Refinance Various Installment Financing Agreements and Actions Relating Thereto and Authorizing Other Official Action in Connection Therewith. Resolution Adopted. A Public Hearing was held at the May 19, 2014 Council Meeting for the proposed financing and refinancing installment agreements. Council approved contracting with Capital One for the installment financing and authorized the Finance Director to file the application with the North Carolina Local Government Commission.

It was determined that it was necessary to finance the City's portion of the TIGER V grant and improvements to the City's Fire/Police Complex. Along with the new financing, the City will be refinancing City Hall Phase I and Paramount Theater. The City and Capital One Public Funding propose to enter into an installment financing agreement. With an estimated closing date, the first of July, 2014, the City has reviewed the proposed installment financing agreement, deed of trust, and escrow agreement.

Staff recommended Council adopt the following entitled Resolution approving and authorizing the Mayor, City Manager, Finance Director, City Attorney, City Clerk and the Assistant City Clerk to execute the installment financing agreement, deed of trust and escrow agreement for the transfer station, related street improvements and improvements to the City's Fire/Police Complex along with refinancing various installment financing agreements.

RESOLUTION NO. 2014-36 "RESOLUTION APPROVING A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE COSTS OF THE CONSTRUCTION OF A TRANSIT TRANSFER STATION, RELATED STREET IMPROVEMENTS AND IMPROVEMENTS TO THE CITY'S FIRE/POLICE COMPLEX AND REFINANCE VARIOUS INSTALLMENT FINANCING AGREEMENTS, APPROVING CERTAIN OTHER DOCUMENTS AND ACTIONS RELATING THERETO AND AUTHORIZING OTHER OFFICIAL ACTION IN CONNECTION THEREWITH"

Site and Landscape Plan – RKW Properties, LLC (Eastern Laundries). Approved. The site is located on the south side of Cashwell Drive between Berkeley Boulevard and Boxwood Lane.

Frontage:	180 ft.
Depth:	326 ft. (approx.)
Lot Area:	1.25 Acres
Zoning:	General Business

The property is currently vacant and the applicant proposes construction of a coin operated laundry.

The submitted site plan indicates a proposed 4,975 sq. ft. one-story building placed parallel to Cashwell Drive. In addition 40 parking spaces (including 1 handicapped space) are shown.

Property can be served by City water and sewer. A bio-retention pond is being proposed to address stormwater however calculations have not been submitted for review. Stormwater calculations and a grading plan will be required and reviewed by staff prior to issuance of building permit.

The proposed laundry use requires a total of 23 parking spaces and, as indicated previously, the site plan shows 40 parking spaces (including one handicapped space). Interconnectivity has been provided with the adjacent property to the north and the applicant is requesting a modification of the interconnectivity with the adjacent property to the south (Post Office).

Access to the property is provided with a new curb cut on Cashwell Drive.

The submitted landscape plan indicates street trees along Cashwell Drive. Maple trees will be installed within the 8 ft. protected street yard to meet the street tree requirements.

Type A buffers are required along the northern, southern and western property lines and will consist of a combination of Maples, Little Gem Magnolias, Japanese Privet and Carissa Hollies.

Vehicular Surface Area plantings are being installed within the parking lot islands and will consist of Flowering Cherry Trees, Dwarf Yaupon Hollies and Dwarf Abelia.

Five foot exterior sidewalks are being proposed along Cashwell Drive and 6.5 foot interior sidewalks are also shown.

The proposed dumpster location will be properly screened by a brick masonry wall enclosure constructed to match the building and a chain link gate with vinyl slates will provide access to the dumpster. HVAC units are grounded and properly screened.

A lighting plan is not required however, if proposed, plans would be subject to staff approval and the requirements of the Unified Development Ordinance.

Elevation plans have been submitted and the building is predominately constructed of brick with accent brick trim and columns to provide an attractive architectural design. Metal awnings are also being proposed over the entrances along the northern and western elevations. Colors will be red in tone and staff will ensure design standards are met with regards to recommended façade colors.

The Planning Commission, at their meeting held on May 19, 2014, recommended approval of the site and landscape plans for Eastern Laundries with the requested modification of the interconnectivity requirement to the south (Post Office). The Planning Commission also recommended revising the site plan to show an easement to the property line for future interconnectivity to the Post Office.

Staff recommended Council accept the recommendation of the Planning Commission and:

1. Approve the site and landscape plans for Eastern Laundries with the requested modification of the interconnectivity requirement to the south (Post Office); and

2. Revise the site plan to show an easement to the property line for future interconnectivity to the Post Office. Consent Agenda Approval. Headen/Allen (7 Ayes)

Site and Landscape Plan – Robbie Ashton (Used Car Lot). Approved. The property is located on the northeast corner of North Berkeley Boulevard and East New Hope Road.

Frontage:	300 ft. (Berkeley Boulevard)
	398 ft. (East New Hope Road)
Area:	1.297 Acres
Zoning:	General Business Conditional District

On November 4, 2013, the City Council approved a rezoning request for this property from O&I-1 to General Business Conditional District. At that time, no use for the property was proposed. As a Conditional District zone, a site plan for any use, including those which would normally require a Conditional Use Permit, would have to be approved by the City Council prior to development.

The use was formerly operated as First Citizens Bank. The existing single-story brick veneer building on the site is now vacant.

The applicant has submitted site and landscape plans for the proposed used car lot which indicates the following:

1. Parking
   a. Display Vehicles: 16
   b. Customers: 5
   c. Employees: 2
2. Method of Delivery: Car Carrier or driven to site;
3. Hours of Operation
   10:00 a. m. to 6:00 p. m. (Monday thru Friday)
   10:00 a. m. to 3:00 p. m. (Saturday)

A grassed area adjacent to the east will not be utilized as part of the used car lot. The owner of the property has currently listed the entire site for sale, including the grassed area, and will continue to do so while the site is operated as a used car lot if approved by Council. The used car lot is intended to only be a temporary use until the property is sold.

The property currently contains three driveways including two on North Berkeley Boulevard and one on East New Hope Road. The submitted site plan indicates that the southernmost curb cut on Berkeley Boulevard will be closed and not utilized in conjunction with the use.

There is existing plant material on the site including mature Crepe Myrtles which will serve as street trees and parking lot trees and hollies are shown as foundation plantings. Additional plantings including ground cover and Nandinas within the non-display areas are also shown.

Additional Crepe Myrtles will be provided along Berkeley Boulevard.

The applicant has requested a modification of the street tree and vehicular surface buffer requirements to allow the existing plant material to serve in these capacities.

The applicant has also requested a modification of the sidewalks and fee in lieu requirement for both street frontages.

Although there are a total of sixteen (16) spaces delineated for display of vehicles, the applicant has indicated that up to 25 vehicles may be displayed with some of them being located at the rear of the lot in spaces which are not delineated.

The Planning Commission, at their meeting held on May 19, 2014, recommended approval of the site and landscape plans for Robbie Ashton (Used Car Lot) with the requested modifications.

Staff recommended Council accept the recommendation of the Planning Commission and approve the site and landscape plans for Robbie Ashton (Used Car Lot) with the following modifications.

1. Modification of the street tree and vehicular surface buffer requirement to allow the existing plant material to serve in these capacities; and

2. Modification of the sidewalk installation and fee in lieu requirement for both street frontages. Consent Agenda Approval. Headen/Allen (7 Ayes)

Site and Landscape Plan–Smithfield's Chicken and Bar-B-Q. Approved. The site is located on the north side of U. S. Highway 70 West and consists of a vacant outparcel just east of the main entrance to Shoppes of Goldsboro (Wal-Mart location).

Frontage:	188 ft.
Depth:	256 ft. (approx.)
Lot Area:	1.11 Acres
Zoning:	Shopping Center

The submitted site plan indicates a proposed 4,143 sq. ft. one-story building placed perpendicular to US 70 West along with a total of 52 parking spaces (including 2 handicapped spaces).

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

The proposed restaurant use requires a total of 50 parking spaces and, as indicated previously, a total of 52 spaces are shown which includes two handicapped spaces. One additional handicapped space will be required in order to meet State requirements.

No direct access will be provided to the site from US 70 West. Access is to be provided internally through the existing shopping center parking lot. Interconnectivity to the east is shown and will tie-in to a shared access drive which will serve both lots.

The submitted landscape plan indicates small ornamental trees to be provided as street trees along both US 70 West and the shopping center access drive.

Vehicular Surface Area plantings are being installed within the parking lot islands and will consist of Saucer Magnolia, Sherwood Abelia and Needlepoint Holly.

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

The proposed dumpster location will be properly screened by a concrete masonry wall enclosure constructed to match the building and a chain link gate with vinyl slats will be included for access.

The staff has reviewed and approved the submitted lighting plan for the site which will contain decorative acorn lighting on the building as well as typical ground-mounted poles within the parking area.

Elevation plans have been submitted which indicate the building will contain a brick veneer with brick veneer columns. Canopies are to be provided on all elevations. Brick accent bands are provided along the top of the building as well at the bottom of the building and above window locations which will break up the mass of the brick walls.

The Planning Commission, at their meeting held on May 19, 2014, recommended approval of the site and landscape plans for Smithfield's Chicken and Bar-B-Q

Staff recommended Council accept the recommendation of the Planning Commission and approve the site and landscape plans for Smithfield's Chicken and Bar-B-Q. Consent Agenda Approval. Headen/Allen (7 Ayes)

Site and Landscape Plans – Trinity Auto Body Repair. Approved. The site is located on the southeast corner of North James Street and West Grantham Street (formerly W. P. Rose Supply Co., Inc.)

Frontage:	140.02 ft. (James Street)
Frontage:	243.02 ft. (Grantham Street)
Area:	34,846 sq. ft. or 0.8 acres
Zoning:	I-2 General Industry

The owner proposes to operate an auto body repair shop at this location. Auto body repair shops are a permitted use in the I-2 General Industry zoning district.

The site is currently occupied by two buildings containing a total area of 13,814 sq. ft. The submitted site plan shows an existing 8,203 sq. ft. brick veneer building which will include offices, restrooms and storage space. The existing 5,611 sq. ft. metal building is shown as warehouse space for auto body repair.

Hours of operation:	8:00 a.m. to 5:00 p.m. (Monday through Friday)
No. of employees:	4

Refuse collection will be provided by private carrier. Applicant states that if a commercial dumpster is used, it will be located behind the existing warehouse space and appropriately screened.

Auto body repair facilities require one parking space per working bay and one per employee. A total of 21 parking spaces are provided on the site which includes one handicapped space. The warehouse is not divided into separate bay areas, however, no more than four bays could be provided for the repair operation which would then require a total of eight parking spaces.

Three curb cuts currently exist on the site including one on North James Street and two on West Grantham Street. No new curb cuts have been proposed and the plan was submitted to NCDOT for their recommendations.

NCDOT had previously recommended that since this site has access on James Street that the existing driveway closest to the intersection of James and Grantham Street be closed. Staff received notification today from NCDOT stating they had revisited that situation and would leave open, requiring the individual to posts signage for a right in, right out at that curb cut.

The submitted landscape plan indicates Autumn Fantasy Maples and Fringetrees that will serve as street trees along James and Grantham Streets. A 15-foot vehicular surface buffer will be planted with Winter Green Boxwoods along North James Street. Autumn Fantasy Maples and Winter Green Boxwoods will be included within the vehicular surface area.

A Class A (5 ft. wide) landscape buffer is required along the southern and western property lines. The applicant is requesting a modification of this requirement. There is an existing 6 ft. chain link fence directly behind the applicant's property which is not owned by the proposed body shop. Permission has been given by the property owner to install vinyl slats within the fence which will screen the rear of the body shop from Grantham Street. A note has been included on the site plan indicating that there will be no outside storage of vehicles on the property.

A dedicated 20 ft. access easement exists adjacent to the southern property line. The applicant contends that installing the required 5 ft. wide landscape buffer in this location will hinder access to the rear property and result in damage to plantings from vehicles entering the site adjacent to the buffer.

Stormwater calculations are not required since no additional land is to be disturbed. Interconnectivity is not proposed to adjacent property to the south.

Sidewalks are required along Grantham and James Streets or a fee in lieu of sidewalk installation will be required based on $15.00 per linear foot of public road frontage. The applicant has requested a modification of both requirements.

No additional lighting is proposed. If added later, a lighting plan will be required to be reviewed and approved by the Planning Director.

The applicant has requested the following modifications:

1. Modification of the front yard setback for the existing building from 20 ft. to 13.30 ft. along the northern (Grantham Street) property line; and

2. Modification of a Class A buffer along the western and southern property lines; and

3. Modification of the required 5 ft. exterior sidewalks along James Street and Grantham Street and fee in lieu payment; and

4. Modification of the interconnectivity requirement to the south.

The Planning Commission, at their meeting held on May 19, 2014 recommended approval of the site and landscape Plans for Trinity Auto Body Repair with the above listed modifications.

Staff recommended Council accept the recommendation of the Planning Commission and approve the site and landscape plans for Trinity Auto Body Repair with the requested modifications. Consent Agenda Approval. Headen/Allen (7 Ayes)

Z-3-14 Berkeley Boulevard Investors, LLC – Northeast corner of North Berkeley Boulevard and Ridgecrest Drive (Neighborhood Business Conditional District limiting the use to a combination of retail shopping and a sit-down restaurant to General Business Conditional District limiting the use to a sit-down restaurant with drive-through service). Ordinance Adopted. On July 23, 2012, the Council approved a rezoning request from Office and Institutional-1 and R-16 Residential to Neighborhood Business Conditional District to allow either retail shopping or a combination of retail shopping and a sit-down restaurant. The plans at that time included an additional lot that allowed access from Summit Road.

The developer now proposes to utilize the property for a sit-down restaurant and wishes to include drive-thru service. Drive-through service is not permitted in the current Neighborhood Business Conditional District zone. It would, however, be permitted within the requested General Business Conditional District zone if approved by Council.

Frontage: 300 ft. (Berkeley Boulevard)
185 ft. (Ridgecrest Drive)
Lot Area: 55,168 sq. ft., or 1.27 Acres

Surrounding Zoning: North: Highway Business
South: R-16 Residential
East: Office and Institutional-1
West: O&I-1 CD and R-16

Existing Use: The property is currently vacant.

Proposed Use: The applicant proposes a sit-down restaurant with drive-through service.

Land Use Plan Recommendation: The City's Comprehensive Land Use Plan designates the property for commercial use.

The proposed plan submitted by the applicant now indicates driveway access only from Ridgecrest Drive as well as a right-in/right-out curb cut on Berkeley Boulevard which has been reviewed and approved by NCDOT. Driveway permits must be obtained prior to construction.

The submitted site plan indicates a proposed 4,280 sq. ft. one-story building with drive through access along the southern and eastern elevations. A total of 48 parking spaces (including 2 handicapped spaces) are shown.

Hours of Operation: 6:00 a. m. to 10:00 p. m.
(Monday thru Saturday)\
6:00 a. m. to 9:00 p. m.
(Sunday)

A total of 10 employees and one delivery per week by semi-truck is anticipated at this location.

The property can be served by City water and sewer. A bio-retention pond is proposed to address stormwater, however calculations have not been submitted for review. Stormwater calculations and a grading plan will have to be reviewed and approved by staff prior to issuance of any building permits for this site.

The proposed sit-down restaurant with drive-through service requires a total of 43 parking spaces and the site plan shows 48 parking spaces (including two handicapped spaces). Interconnectivity is not practical with this site due to the proposed use being adjacent to residential property and due to the location of the proposed bio-retention pond along the eastern property line.

The submitted landscape plan indicates a Type A buffer (10 ft. wide) along the eastern property line which will contain combinations of Maples, Arborvitae and Loropetalum.

A 20 ft. wide Type C buffer is required along the southern property line adjacent to residentially zoned property. An eight (8) foot tall opaque wood privacy fence is proposed along with supplemental landscaping to allow the reduction of the opaque buffer by 50%. The landscaping will consist of combinations of Maples, Arborvitae, Loropetalum and Knock Out Roses.

An 8 ft. wide street yard is proposed along both Berkeley Boulevard and Ridgecrest Drive. Street trees and Vehicular Surface Buffer shrubs will be installed within the street yard and will consist of a combination of Maples, Carissa Hollies and Knock Out Roses.

Vehicular Surface Area plantings will include Cherry Trees, Carissa Hollies and Knock Out Roses. These plants will be interspersed as interior plantings within end aisles.

Five ft. sidewalks have been shown along Berkeley Boulevard and Ridgecrest Drive and interior walkways are shown along the front and western elevations of the building.

The proposed dumpster location will be screened by an 8 ft. concrete masonry wall enclosure constructed to match the building and a chain link gate with vinyl slats.

A lighting plan will be required and reviewed by staff prior to the issuance of a building permit.

Proposed exterior building elevations have been submitted and facades will incorporate wall plane projections and recesses to provide an attractive development. The exterior walls will be a combination of modular faced brick veneer in shades of red and tan, EIFS in shades of yellow-gold, red, and sage green and a feature wall at the outdoor patio area of fiber cement lap siding in a mahogany-color stained cedar.

At the public hearing held on May 19, 2014, attorney Will Spicer appeared in favor of the request representing the applicant. Three people appeared in opposition of the request.

The Planning Commission at their meeting held on May 19, 2014 recommended approval of the change of zone request to General Business Conditional District limiting the use to a sit-down restaurant with drive-through service. The submitted site, landscape and elevation plans were also recommended for approval.

Staff recommended Council accept the recommendation of the Planning Commission and:

1. Adopt the following entitled Ordinance changing the zoning of the property from Neighborhood Business to General Business Conditional District limiting the use to a sit-down restaurant with drive-through service.

2. Approve the site, landscape and elevation plans detailing the operation as submitted. Consent Agenda Approval. Headen/Allen (7 Ayes)

ORDINANCE NO. 2014 - 26 "AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF GOLDSBORO, NORTH CAROLINA CODE OF ORDINANCES"

CU-3-14 Phoenix T, LLC – East side of US 117 South between Arrington Bridge Road and South George Street (Internet Café – Increase No. of Games). Denied. The applicant requests a Conditional Use Permit to allow an additional 20 internet sweepstake machines in an existing facility which was previously approved by the City Council on September 3, 2013. The initial approval included a total of 20 machines and this new request would increase that number to a total of 40 machines.

Frontage:	454.3 ft.
Depth:	214 ft. (average)
Area:	97,220.2 sq. ft., or 2.23 acres
Zoning:	General Business

Hours of Operation: 10:00 a. m. to 2:00 p. m. (7 Days)
No. of Employees: 2

The site and landscape plans for this operation were previously approved with a number of modifications as follows:

a. Rear buffer due to grade separation at railroad tracks;
b. Vehicular surface buffer at front due to existing paving and right-of-way;
c. Street tree requirement to allow placement elsewhere; and
d. Distance from vacant residentially zoned property from 200 ft. to 125 ft.

A revised floor plan has now been submitted which indicates the location of the 20 additional game machines as well as restrooms and storage.

The original approved site plan included a total of 53 parking spaces. Based on the City's requirement of two parking spaces for each machine and two employees, a total of 82 parking spaces would be required if the number of machines is increased from 20 to 40.

The applicant has requested a parking modification from 82 spaces to the 52 spaces provided. They contend that there are more than enough parking spaces provided on the site and that less than half the spaces are now being occupied.

If approved, the use will be required to pay a $2,500 privilege tax for the location and $500 for each machine utilized within the establishment.

At the public hearing held on May 19, 2014, the applicant appeared in favor of the request and expressed her justification for the parking modification. No one appeared in opposition.

The Planning Commission at their meeting held on May 19, 2014 recommended denial of request to increase the number of machines from 20 to 40. They felt that the applicant needed to provide the required parking for the site based on the requirements of the UDO as it relates to parking for Internet Cafés.

Staff recommended Council accept the recommendation of the Planning Commission and deny the request to increase the number of machines for the existing Internet Cafe from 20 to 40. Consent Agenda Approval. Headen/Allen (7 Ayes)

End of Consent Agenda.

City Manager's Report. Mr. Stevens stated he would like to mention, we have had a lot of events recently downtown, and while he thinks it is really good for the community he would like to say thanks to the businesses who have allowed us to do those as well. He stated he knows it has an impact on them. He stated most recently we held the bicycle criterion on Saturday and basically had a lot of our downtown closed on Saturday. Mr. Stevens stated it was an interesting event and would like to commend the Parks and Recreation Department on looking for those kinds of things for the community.

City Attorney's Report and Recommendations. No report.

Mayor and Councilmembers' Reports and Recommendations.

Resolution Expressing Appreciation for Services Rendered by William D. Super as an Employee of the City of Goldsboro for More Than 11 Years. Resolution Adopted. William D. Super retired on May 30, 2014 as a Heavy Equipment Operator in the Public Works Department of the City of Goldsboro with more than 11 years of service. The Mayor and City Council of Goldsboro would like to express to William D. Super their deep appreciation and gratitude for the dedicated service rendered during his tenure with the City of Goldsboro and offered William their very best wished for success, happiness, prosperity and good health in his future endeavors.

Upon motion of Mayor King, seconded by Councilmember Allen and unanimously carried, Council adopted the following entitled Resolution.

RESOLUTION NO. 2014-14 "RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY WILLIAM D. SUPER AS AN EMPLOYEE OF THE CITY OF GOLDBSORO FOR MORE THAN 11 YEARS"

Mayor King congratulated and thanked William Super for his service to the City.

Mayor Pro Tem Broadaway stated Goldsboro is a military friendly town; we certainly treasure our Air Force. He stated on Friday, it will be the 70th Anniversary of D-Day. He stated we have a lot of WWII veterans and he feels we should pause on that day and thank them. He shared a story regarding Wyche Ray, a WWII Veteran, from Goldsboro who made 20 landings on Omaha Beach. We can't forget guys like that.

Mayor King stated he knew Wyche but did not that about him.

Councilmember Headen stated he would like to give a big shout out to Col. Leavitt. He stated she is very gracious and very honorable lady. He stated she is simply the best and will be missed. He stated the first Center Street Jam that did not get rained out was a big one and it was a great success. It was also Military Appreciation Night and the weather was very cooperative.

Councilmember Goodman shared he was very excited about the Veterans Program at the Paramount. It was very moving and a humbling experience. He stated he also attended the performance by Nicholas Cole. He is out of this world. All the artists were good.

Mayor King stated Nicholas Cole is homegrown, from Goldsboro and is a very talented young man.

Councilmember Goodman stated it was inspiring to see 24 and 28 year old men to write and direct music. Councilmember Goodman shared Nicholas has had the top3, top 2 and top 1, jazz cds on the billboard. He is awesome and his group is fantastic.

Councilmember Williams shared the Goldsboro Dillard Alumni activities were held this past weekend. He stated he took part in the parade. He also shared the Alumni issued a number of scholarships.

Councilmember Allen had no comments.

Councilmember Aycock stated he attended Col. Leavitt fini flight along with several others. He stated Goldsboro and Seymour Johnson are a better place because she was here.

Mayor King stated he would like to express his thanks and our citizens thanks to Col. Leavitt. He stated Col. Leavitt is the first female Commander of a Fighter Wing, pay attention to the name, Leavitt, pay no attention to the rank, she is going to go higher. Mayor King stated she became his friend and she is very dedicated and very good at what she does. He shared he attended the Change of Command Ceremony and the new commander is Col. Slocum. Mayor King stated he has worked with Col. Slocum in the past. He stated Col. Slocum and his wife are excited to be back in Goldsboro.

There being no further business, the meeting adjourned at 7:15 p.m.

Alfonzo King
Mayor

Melissa Corser, CMC
City Clerk