

MINUTES OF THE MEETING OF THE GOLDSBORO CITY COUNCIL
APRIL 3, 2023

WORK SESSION

The City Council of the City of Goldsboro, North Carolina, met in a Work Session in the Council Chambers, City Hall, 214 North Center Street, at 5:00 p.m. on April 3, 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 Taj Polack
Councilman Bill Broadaway
Councilman Charles Gaylor, IV

Absent: Councilwoman Hiawatha Jones
Councilwoman Brandi Matthews
Councilman Greg Batts

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

Adoption of the Agenda. Mayor Ham requested the removal of Item K, Authorization of sale of jointly owned property for 200 N. Carolina Street (Norris Uzzell) from the Consent Agenda. Mayor Ham also asked for the addition of the following items: NPO Third Party Administrator discussion to the work session under Old Business, and an item from the Planning Department, Certification of Sufficiency - Contiguous Annexation Petition - Perry Real Estate Group as Item U on the Consent Agenda. Upon motion of Mayor Pro Tem Polack, seconded by Councilman Broadaway, and unanimously carried, Council adopted the agenda as amended.

Old Business.

NPO Third Party Administrator Discussion. Mayor Ham shared that Council voted to use a nonprofit to administer the NPO allocations for the FY 23-24 budget. WAGES and United Way submitted a proposal to administer the funding.

During the adoption of the agenda, Councilman Broadaway asked to be excused from this discussion and decision due to the fact he is on the WAGES board. Councilman Gaylor made a motion to allow Mr. Broadaway to be excused from any discussion here forward on this item. The motion was seconded by Mayor Pro Tem Polack. Mayor Ham, Mayor Pro Tem Polack and Councilman Gaylor voted for the motion and it passed unanimously.

Councilman Broadaway stepped out of the room at 5:10 p.m.

Mayor Ham stated the two applicants presented their proposal at the March 20 meeting. Council discussed the two applicants. Mayor Pro Tem Polack made a motion to allow United Way to handle our third party NPO allocations. The motion was seconded by Councilman Gaylor and unanimously carried.

Councilman Broadaway returned at 5:14 p.m.

New Business.

EPA Brownfields Planning Grant. Hayley Irick with Terracon presented the following presentation:

**Goldsboro City Council
Meeting: Let's Talk
Brownfields Grants**

Hayley Irick, PG
April 3, 2023



Hayley M. Irick, P.G.
Brownfields Program Manager



Kathleen Markey
Brownfields Project Manager



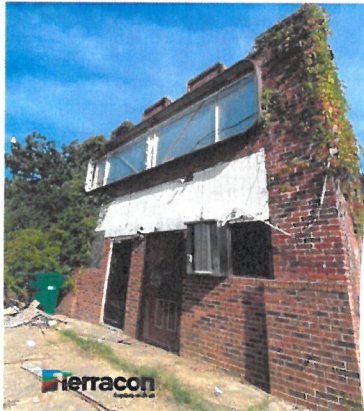
Explore with us

- "Abandoned, idled, or underused property where redevelopment is hindered by real or perceived environmental contamination."
- A brownfields site is a property where actual or perceived environmental contamination complicates its expansion or redevelopment.
- Cleanup costs and risks deter potential developers and create a barrier to community revitalization and economic development.



- **Federal Program (EPA)**
 - Grant Funding (Assessment, Cleanup, Revolving Loan Fund)
 - Technical Guidance
 - Targeted Brownfields Assessment funds

Explore with us



- **Assessment Grants** provide funding for communities to:
 - Inventory sites
 - Characterize sites
 - Assess sites
 - Conduct redevelopment planning
 - Conduct cleanup planning
 - Provide community outreach
- Up to \$500,000 to assess sites across the community
- No cost share/matching required
- Grant life cycle:
 - Grant applications due in the fall
 - Awards announced in the spring
 - Funding in October, start of federal fiscal year
 - 4 years to spend down the grant funds

Explore with us

- Bipartisan Infrastructure Law (BIL)
- \$1.5 BILLION in historic funding to support EPA Brownfields
- For FY23 – EPA is offering \$170 M in grant funds



Explore with us

- Narrative Information Sheet
 - 3 pages, single-spaced
 - Place information on your organization's letterhead
- Narrative
 - 10 pages, single-spaced for Community-wide Assessment
- Required Attachments
 - Limit attachments to required/relevant documents (i.e., threshold criteria, documentation of leveraged resources, etc.).



- 1995: Working the Brownfield Program since inception
- 1997: First full-service contract
- 1999: Assisted with first grant writing efforts
- 290+ Cooperative agreement (grants) funded projects
- 100+ brownfield experienced staff nationwide
- 130+ communities assisted with successful brownfields programs
- Terracon staff has assisted clients in obtaining \$59 million in EPA brownfield grant funding
- Perfect Scoring Assessment Grant (1 of 2 in the Country) during Fiscal Year 2020 grant cycle
- 78% grant writing success rate, well above industry average



Explore with us

Hayley Irick, PG
Brownfields Department Manager
(919) 436-2954
Hayley.Irick@terracon.com

Kathleen Markey
Brownfields Project Manager
(919) 436-2948
Kathleen.Markey@terracon.com



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

The meeting recessed at 6:03 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 April 3, 2023.

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

Pastor Cynthia Whaley with Destiny Walker Ministries provided the invocation. The Pledge of Allegiance followed.

Roll Call.

Present: Mayor David Ham, Presiding
Mayor Pro Tem Taj Polack
Councilman Bill Broadway
Councilman Charles Gaylor, IV

Absent: Councilwoman Hiawatha Jones
Councilwoman Brandi Matthews
Councilman Greg Batts

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

Approval of Minutes. Mayor Pro Tem Polack made a motion to approve the minutes of the Work Session and Regular Meeting of March 20, 2023. The motion was seconded by Councilman Broadway and unanimously carried.

Presentations.

Month of the Military Child (Purple Up Day) Proclamation. Read by Councilman Broadway: The Goldsboro City Council proclaimed April 2023 as the MONTH OF THE MILITARY CHILD and April 21st as Purple Up Day for Wayne County Public Schools. They encouraged all school personnel and City of Goldsboro residents to recognize the contributions of our military families and to celebrate the spirit of military children across our city and nation by wearing purple on April 21st as an outward symbol of appreciation for our youngest heroes.

Cristy Barnes-Williams, School Liaison at Seymour Johnson Air Force Base and Heather Winstead, District Military Liaison for Wayne County Public Schools received the proclamation and invited everyone to Purple Up on April 21st to support Military students and invited everyone to join in the Purple (Walking) Parade at 9:15 a.m.

Children and Families Month Proclamation. Read by Mayor Pro Tem Polack: The Goldsboro City Council, in recognition of efforts to support Child Abuse Prevention Month, Week of the Young Child, and Month of the Military Child, proclaimed April 2023 as CHILDREN AND FAMILIES MONTH in the City of Goldsboro and urged all citizens to recognize this month by dedicating themselves to the task of improving the quality of life for all children and their families.

Melissa Harrell, Mental Health Services Manager with WAGES received the proclamation and invited everyone to the Child Abuse Prevention Month event downtown tomorrow, April 4.

Goldsboro/Wayne Certificate of Appreciation. No one from the Purple Heart Foundation attended.

Re-Entry Month Proclamation. Read by Councilman Gaylor: The Goldsboro City Council proclaimed the month of April as SECOND CHANCE MONTH in Goldsboro, North Carolina and encouraged residents to observe this month and recognized the efforts of those who work to improve rehabilitation and reintegration of formerly incarcerated individuals.

Michelle Bass with the Wayne County Re-Entry Council accepted the proclamation and invited the Mayor and Council to attend the event on April 19 from 10-1 at the Day Reporting Center parking lot where they will have food and community resources.

Public Hearings.

UDO-1-23 Article 5: Section 5.5.4 – Special Use Specific Use Regulations (E) Bars, Nightclubs, Pool Halls, Microbreweries, Places of Entertainment (Both Public Private and for Profit) w/ ABC Permit – Continued from 3/20/23. Public Hearing Held and continued to April 17, 2023.

APPLICANT: Kyle Merritt

The applicant is proposing for the text located in Section 5.5.4 (E) of the City of Goldsboro UDO to be amended. The proposed amendment would remove language regarding how distance is measured to determine that there is at least 50 feet between Bars, Nightclubs, Pool Halls, Microbreweries, and Places of Entertainment (Both Public Private and for Profit) w/ ABC Permit. The way that distance is currently measured reads as follows.

The separation distance required by this section shall be measured in a straight line from property line to property line, with no consideration as to intervening structures, roads, or landforms.

The applicant is requesting for the portion of this text that reads “with no consideration as to intervening structures, roads or landforms.” to be removed from the City of Goldsboro UDO.

By removing this, it creates a situation where you could include things such as a public right of way in the required distance separation to achieve the minimum 50 feet needed. These types of uses that are required to meet this 50 feet separation are still identified as Special Uses and would require quasi-judicial review and approval from City Council before any operation would be allowed to take place.

The applicant is requesting this Text Amendment to relocate “Church Spirits & Cocktails” to 116 W. Mulberry Street, which adjacent to St. Stephens Episcopal Church. The only thing separating the property lines is the Mulberry St. right-of-way. This text amendment, if approved, would create an opportunity for Kyle Merritt to apply for a Special Use Permit to establish “Church Spirits & Cocktails” at 116 W. Mulberry St.

Land Use Plan Recommendation: The City of Goldsboro Comprehensive Plan classifies the Central Business District to be in the Mixed-Use Downtown designation. An identified goal of the comprehensive land use plan is to continue to focus on improvement of the downtown Goldsboro area.

See below for the language for the proposed amendment.

ARTICLE 5: SECTION 5.5.4 SPECIAL USE SPECIFIC REGULATIONS (E)

The separation distance required by this section shall be measured in a straight line from property line to property line, with no consideration as to intervening structures, roads, or landforms.

Staff is neither recommending approval nor recommending denial. Staff is acknowledging the fact that if the text is amended that these types of uses (Bars, Nightclubs, Pool Halls, Microbreweries, and Places of Entertainment (Both Public Private and for Profit) w/ ABC Permit) would still be required to undergo the Special Use Permit process which would require City Council to perform quasi-judicial review on each separate request and apply conditions as they see necessary to mitigate the use.

The City of Goldsboro Planning Commission met on February 27, 2023, to review and make a recommendation regarding the text amendment. The Planning Commission voted to adopt the Inconsistency Statement (attached) and recommend denial to City Council for the proposed text amendment. The vote was 3-2.

Mayor Ham opened the Public Hearing. The following people spoke:

1. Kyle Merritt- owner of Church Spirits and Cocktails shared comments of support from a local business and other neighboring businesses. He also shared comments in support of the UDO text amendment.
2. Cameron Yarborough- shared support of the proposed UDO text amendment.

No one else spoke and the Public Hearing was closed.

Councilman Gaylor made a motion to continue this until our April 17 meeting, at which time we take a vote. The motion was seconded by Mayor Pro Tem Polack and unanimously carried.

Non-Contiguous (Satellite) Annexation Petition – Goldsboro (Hwy 70) WW, LLC - Located on the southwest corner of US Hwy. 70 W. and NC 581. Public Hearing Held and Ordinance Adopted. Hwy Tax Parcel #: 2671815879
Acreage: 2.64 acres

The City Council, at their meeting on March 20, 2023, scheduled a public hearing for the proposed annexation of the subject property. A public hearing notice was properly advertised stating the time, place and purpose of the meeting.

Pursuant to G. S. 160A-58, at the public hearing all persons owning property in the area proposed to be annexed, as well as the residents of the municipality, shall be given an opportunity to be heard on the proposed annexation.

If the Council determines that the proposed annexation meets all the requirements of G. S. 160A-58, it has the authority to adopt an annexation ordinance.

A report was prepared by the Planning Department in conjunction with other departments, concerning the subject annexation area. All City services can be provided to the property except for City water and sewer. These utilities will be provided by Fork Township.

Mayor Ham opened the Public Hearing. No one spoke and the Public Hearing was closed.

Mayor Pro Tem Polack made a motion to adopt the following entitled Ordinance annexing Tax Parcel # 2671815879 effective April 3, 2023. The motion was seconded by Councilman Broadway and unanimously carried.

ORDINANCE NO. 2023-12 “AN ORDINANCE ANNEXING CERTAIN NON-CONTIGUOUS REAL PROPERTY TO THE CITY OF GOLDSBORO, NORTH CAROLINA”

Z-2-23 John E. Darden (Neighborhood Business to General Business) – North side of E Elm St. between Dail St. and Linwood Ave. (site of Elm St. Detail Shop). *Public Hearing Held and Approval Ordinance Adopted.* ADDRESS: 1011 E Elm St.

PARCEL #: 3509322453
PROPERTY OWNER: Karol DeVaughn
APPLICANT: John E. Darden

The applicant is requesting a rezoning from the Neighborhood Business Zoning District (NB) to the General Business (GB) Zoning District. The purpose of the General Business (GB) Zoning District is to accommodate the widest range of uses providing general goods and services to the community. The district is intended to promote high quality, accessible developments serving the needs of the community and surrounding area.

Access: E Elm St.
Area: 0.37 acres

SURROUNDING ZONING:
North: Residential 6
South: Office & Institutional I
East: Residential 6
West: Neighborhood Business

Existing Use: The property currently consists of a vacant commercial structure, utilized as a body/detail shop.

The City’s Land Use Plan locates this parcel within the High-Density Residential land use designation.

High-Density Residential: This designation was given based off existing residential development patterns and constraints to development, as well as the location of infrastructure.

The General Business (GB) Zoning District is not identified as a corresponding district for the High-Density Residential land use designation.

This is a rezoning proposal for a 0.37-acre parcel to be rezoned from the Neighborhood Business Zoning District (NB) to the General Business (GB) Zoning District. The subject property is utilized as the “Elm St. Detail Shop” and operates as a shop to serve the automotive industry. The adjacent uses are the “D&C Mini Mart” located across Dail St., vacant undeveloped property directly across Elm St., a vacant undeveloped property located behind the subject parcel, and a single-family dwelling located to the east across Linwood Ave. This parcel has direct frontage on Elm St. as well as frontage on Dail St. and Linwood Ave.

TRC REVIEW: Staff has distributed this proposed rezoning to several different departments as well as Seymour Johnson Air Force Base and NCDOT. There were no comments or recommendations due to this being a straight rezoning request.

Staff is recommending approval of the rezoning request based on the fact that this parcel has a history of being utilized for commercial purposes. The use of the adjacent property being commercial, as well as the unique characteristic of the property being bordered on 3 sides by rights-of-way serves as a detriment to potential residential development, which is what the land use plan desires. The rezoning of this property to a General Business Zoning District would allow for expanded list of uses that could serve the surrounding community. The rezoning of this property would provide an opportunity for infill development to take place as well.

The City of Goldsboro Planning Commission met on March 27, 2023, to review and make a recommendation regarding the rezoning request. The Planning Commission voted to adopt the consistency statement (attached) and recommend approval to City Council for the proposed rezoning. The vote was 5-0.

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

1. Carl Darden spoke in favor of the rezoning request and shared she had a petition with names of support.

No one else spoke and the Public Hearing was closed.

Mayor Pro Tem Polack made a motion to adopt the Approval Ordinance with the inclusion of the consistency statement. The motion was seconded by Councilman Gaylor and unanimously carried.

ORDINANCE NO. 2023-13 “AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND COMPREHENSIVE LAND USE MAP OF THE CITY OF GOLDSBORO, NORTH CAROLINA”

Z-3-23 Nelson Chavarria (Residential 16 to Residential 9) – South side of McLain St. off of Central Height Rd. Public Hearing Held and Approval Ordinance Adopted. ADDRESS: McLain St.

PARCEL #: 3519738942
PROPERTY OWNER: Nelson Chavarria
APPLICANT: Charles R. Covar

The applicant is requesting a rezoning from the Residential 16 Zoning District (R-16) to the Residential 9 (R-9) Zoning District. The purpose of the Residential 9 (R-9) Zoning District is to accommodate both single-family and multi-family residential uses and to prohibit all activities of a commercial nature.

Access: McLain St.
Area: 0.61 acres

SURROUNDING ZONING:
North: Office & Institutional I
South: Residential 16
East: Residential 16
West: Residential 9

Existing Use: Vacant, uncleared lot.

The City’s Land Use Plan locates this parcel within the Commercial land use designation.

Commercial: This designation puts a future emphasis on in-fill development, the desired development density is 10,000 square feet of building per acre.

The Residential 9 (R-9) Zoning District is not identified as a corresponding district for the Commercial land use designation.

This is a rezoning proposal for a 0.61-acre parcel to be rezoned from the Residential 16 Zoning District (R-16) to the Residential 9 (R-9) Zoning District. The subject property currently exists as a wooded lot. The adjacent uses are the Goldsboro Pentecostal Free Will Baptist Church, multi-family townhouses and single-family dwellings. The key difference between the R-16 district and the R-9 district is that the R-9 would allow the property to be utilized for multi-family purposes at a development density of 9,000 square feet for the first unit and 4,500 square feet for each subsequent unit. The maximum density that could potentially take place on the subject property would be 5 units. The property is not required to develop as multi-family due to this being a straight rezoning.

TRC REVIEW: Staff has distributed this proposed rezoning to several different departments as well as Seymour Johnson Air Force Base and NCDOT. There were no comments or recommendations due to this being a straight rezoning request.

Staff is recommending approval of the rezoning request based on the presence of an adjacent Residential 9 Zoning District. Despite this parcel being identified as falling within the Commercial land use designation, the surrounding parcels have not developed in this manner and this parcel is not an ideal site for that type of development or zoning to occur here. The rezoning of this property to a Residential 9 Zoning District would allow for multi-family development to occur but not at a density that may be detrimental to the adjacent properties.

The City of Goldsboro Planning Commission met on March 27, 2023, to review and make a recommendation regarding the rezoning request. The Planning Commission voted to adopt the consistency statement (attached) and recommend approval to City Council for the proposed rezoning. The vote was 5-0.

Mayor Ham opened the Public Hearing. No one spoke and the Public Hearing was closed.

Councilman Broadway made a motion to adopt the Approval Ordinance with the inclusion of the consistency statement. The motion was seconded by Mayor Pro Tem Polack and unanimously carried.

ORDINANCE NO. 2023-14 “AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND COMPREHENSIVE LAND USE MAP OF THE CITY OF GOLDSBORO, NORTH CAROLINA”

Z-4-23 SOS Management Inc. (Residential 20A to Residential 12) – East of Piedmont Airline Rd. off Thel Dr.
Public Hearing Held and Ordinance Adopted. ADDRESS: Piedmont Airline Rd.

PARCEL #: 3518758167
PROPERTY OWNER/APPLICANT: David Simmons

The applicant is requesting a rezoning from the Residential 20 A Zoning District (R-20A) to the Residential 12 (R-12) Zoning District. The purpose of the Residential 12 (R-12) Zoning District is to accommodate both single-family and multi-family residential uses and to prohibit all activities of a commercial nature.

Access: Piedmont Airline Rd.
Area: 12.92 acres

SURROUNDING ZONING:
North: R-20 & R-12 within 200 feet
South: R-20A
East: R-20 & RM-9
West: R-20A & RM-9

Existing Use: Woodland

Land Use Plan: The City’s Land Use Plan locates this parcel within the Low-Density Residential land use designation.

Low-Density Residential: This designation was given based off existing residential development patterns and constraints to development, as well as the location of infrastructure.

The Residential 12 (R-12) Zoning District is not identified as a corresponding district for the Low-Density Residential land use designation.

This is a rezoning proposal for a 12.92-acre parcel to be rezoned from the Residential 20A Zoning District (R-20A) to the Residential 12 (R-12) Zoning District. The subject property currently exists as a wooded lot. The adjacent uses are non-conforming & conforming manufactured homes and single-family dwellings. The difference between the R-20A district and the R-12 district is that the R-12 would allow the property to be utilized for multi-family purposes at a development density of 12,000 square feet for the first unit and 6,000 square feet for each subsequent unit. This has the potential to result in a significant increase in density. The maximum density that could potentially take place on the subject property would be between approximately 70-75 units (including open space in this calculation). If this property were to be subdivided for a subdivision there is the potential for 40-45 lots, depending on the arrangements of rights-of way, this number could be less.

The property is not required to develop as multi-family or as a single-family subdivision due to this being a straight rezoning. This property is located within the ETJ and would be required to annex into the City of Goldsboro to receive water and sewer service.

TRC REVIEW: Staff has distributed this proposed rezoning to several different departments as well as Seymour Johnson Air Force Base and NCDOT. There were no comments or recommendations due to this being a straight rezoning request. Staff acknowledges this is within the DNL 70-74 noise contour and that the development of this property would be required to incorporate noise level reduction measures as identified in the City of Goldsboro UDO.

Staff is recommending approval of the rezoning request based on several factors. There is a Residential 12 Zoning District in very close proximity to the subject property which has been utilized for multi-family development. There is also sewer along Piedmont Airline Rd. which could be extended to support a higher density type of development on the subject property. The City of Goldsboro Comprehensive Land Use Plan also expresses that the development of vacant parcels accessible to water and sewer should be encouraged. Despite this parcel being identified as falling within the Low-Density Residential land use designation, the surrounding area has not developed as such, with the most recent development in this area being the multi-family development to the north occurring over 20 years ago. The rezoning of this property to a Residential 12 Zoning District would allow the opportunity for new types of high-density development to occur. High density development could also cater to a situation where housing may be more affordable, due to smaller lot sizes/structures.

The City of Goldsboro Planning Commission met on March 27, 2023, to review and make a recommendation regarding the rezoning request. The Planning Commission voted to adopt the consistency statement (attached) and recommend approval to City Council for the proposed rezoning. The vote was 5-0.

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

1. David Simmons spoke in support of the rezoning request.
2. Marvin Worrell III, spoke in support of the rezoning request.

No one else spoke and the Public Hearing was closed.

Councilman Broadway made a motion to adopt the Approval Ordinance with the inclusion of the consistency statement. The motion was seconded by Mayor Pro Tem Polack and unanimously carried.

ORDINANCE NO. 2023-15 “AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND COMPREHENSIVE LAND USE MAP OF THE CITY OF GOLDSBORO, NORTH CAROLINA”

Public Comment Period. Mayor Ham opened the public comment period. No one 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. Item K, Authorization of sale of jointly owned property for 200 N. Carolina Street was removed from the Consent Agenda during the Adoption of the Agenda. Item U, Certification Of Sufficiency -Contiguous Annexation Petition – Perry Real Estate Group – Located at the intersection of New Hope Rd. & Hare Rd. was added to the agenda during the Adoption of the Agenda and Item P, SU-3-23 Place of Entertainment w/ ABC Permit (Bricks Restaurant) – 223 N Center St. was removed from the Consent Agenda and added to Items Requiring Individual Action. Mayor Pro Tem Polack moved the items on the Consent Agenda, Items J, L, M, N, O, Q, R, S, T and U be approved as recommended by the City Manager and staff. The motion was seconded by Councilman Gaylor and a roll call vote resulted in all members voting in favor of the motion.

The items on the Consent Agenda were as follows:

Accept or Reject Initial Bid and Authorize Finance to Advertise for Upset Bids for 111 N. Slocumb to Christopher Michael Jones. Offer Accepted and Resolution Adopted. Staff has received an offer to purchase city 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 offer has been received for the sale of surplus real property under Negotiated offer, advertisement, and upset bid process (G.S. §160A-266(a) (3))

111 N. Slocumb Street

Offeror: Christopher Michael Jones	
Offer: \$3,500.00	
Bid Deposit: \$175.00	
Parcel #: 51031	Pin #: 3509152348
Tax Value: \$6,880.00	Zoning: R-9

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 cash.

It was recommended that Council accept the offer on 111 N. Slocumb Street and adopt the following entitled resolution authorizing Finance to advertise for upset bids. Consent Agenda Approval. Polack/Gaylor (4 Ayes)

RESOLUTION NO. 2023-22 “RESOLUTION AUTHORIZING UPSET BID PROCESS”

Ratifying the Economic Development Agreements between the City of Goldsboro, WNB Landlord, LLC., and County of Wayne. Resolution Adopted. The City of Goldsboro entered into an economic development agreement for a performance based loan on February 15, 2019 and an economic development agreement for a property tax grant on February 18, 2019 with WNB Landlord, LLC, a subsidiary of Rehab Development, Inc.

Rehab Development, Inc. completed a \$13.9M historic rehabilitation project in April 2022. The project included six historic buildings, 10,900 sq. ft. of commercial, ready-to-lease space and 63 market rate residential units, successfully repurposing 67,000 sq. ft of formerly vacant, non-productive space.

The performance-based loan of \$300,000 was distributed in three installments and forgiven after thresholds of performance were met and substantiated.

The property tax grant reduces the City property tax cost by 90% in years 1-5, 75% year 6, 60% year 7, 45% year 8, 30% year 9 and 15% year 10, for a total current estimated tax value grant of \$469,463.

The original agreements were amended on June 15, 2020 and approved by Council. The amendment included updated official measurements and an increase in anticipated units from 55 to a minimum of 60. Staff is requesting that Council approve the resolution to ratify the agreements executed on February 15, 2019 and February 18, 2019, as well as the amended agreements executed on June 16, 2020.

Pursuant to General Statute 158-7.1, a public hearing was held on November 20, 2017. A resolution is not required, but preferred.

It was recommended that Council adopt the following entitled resolution ratifying the economic development agreement performance-based loan executed on February 15, 2019 and the economic development agreement property tax grant executed on February 18, 2019, as well as the amended agreements executed on June 16, 2020 between the City of Goldsboro, WNB Landlord, LLC., and the County of Wayne. The original executed agreements are attached as part of the agenda packet. Consent Agenda Approval. Polack/Gaylor (4 Ayes)

RESOLUTION NO. 2023-23 “RESOLUTION RATIFYING THE ECONOMIC DEVELOPMENT AGREEMENTS BETWEEN THE CITY OF GOLDSBORO, WNB LANDLORD, LLC., AND COUNTY OF WAYNE ON FEBRUARY 15, 2019, FEBRUARY 18, 2019, AND JUNE 16, 2020”

Set Public Hearing - Contiguous Annexation Petition – Highland Trails (JD Gupta) - Located on the south side of W New Hope Rd. between Somervale Ln. and Twin Oaks Pl. *Public Hearing Set.* Tax Parcel #: 3600971450, 3600974104, 3600969806

Acreage: 19.35 acres

The City Council, at their meeting on January 23, 2023, requested that the City Clerk examine the voluntary contiguous annexation petition for sufficiency.

On March 14, 2023, the City Clerk completed the examination and determined that the petition is sufficient. Sufficiency indicates that all property owners have signed the petition for voluntary annexation and that all information listed upon the application is accurate.

Pursuant to G. S. 160A-31, Council shall fix a date for public hearing on the annexation once the petition is considered sufficient by the City Clerk.

The attached Notice of Public Hearing would schedule April 17, 2023, as the date for the public hearing. A report prepared by the Planning Department, in conjunction with other City departments, will be submitted to the Council on that date.

It was recommended that Council schedule a public hearing for the proposed voluntary contiguous annexation of Highland Trails (JD Gupta), Tax Parcels 3600971450, 3600974104 and 3600969806 for April 17, 2023. Consent Agenda Approval. Polack/Gaylor (4 Ayes)

Set Public Hearing - Contiguous Annexation Petition – New Hope Place, LLC - Located on the north side Cuyler Best Rd. between Oxford Blvd. and Glendas Dr. *Public Hearing Set.* Tax Parcel #: 3610508709

Acreage: 14.04 acres

The City Council, at their meeting on March 20, 2023, requested that the City Clerk examine the voluntary contiguous annexation petition for sufficiency.

On March 24, 2023, the City Clerk completed the examination and determined that the petition is sufficient. Sufficiency indicates that all property owners have signed the petition for voluntary annexation and that all information listed upon the application is accurate.

Pursuant to G. S. 160A-31, Council shall fix a date for public hearing on the annexation once the petition is considered sufficient by the City Clerk.

The attached Notice of Public Hearing would schedule April 17, 2023, as the date for the public hearing. A report prepared by the Planning Department, in conjunction with other City departments, will be submitted to the Council on that date.

It was recommended that Council schedule a public hearing for the proposed voluntary contiguous annexation of New Hope Place, LLC, Tax Parcel 3610508709 for April 17, 2023. Consent Agenda Approval. Polack/Gaylor (4 Ayes)

Split-Jurisdiction Agreement between the City of Goldsboro and County of Wayne. *Resolution Adopted.*
Tax Parcel Id: 3610-97-5195

Owner: Roy Barnes Heirs

Acres: 11.3; 6 acres (County of Wayne)/5 acres (City of Goldsboro)

On September 6, 2022, City Council approved a Resolution Authorizing by Mutual Agreement Between the City of Goldsboro and the County of Wayne To Assign Exclusive Planning and Development Regulation Jurisdiction From One (the City of Goldsboro) to the Other (County of Wayne) pertaining to the subject property referenced above.

Recently, City officials were informed that the Wayne County Tax Office identified errors in their database reflecting incorrect tax parcel identification numbers and property owners associated with the property. As such, Goldsboro City Council and the County of Wayne are required to revise the split jurisdiction agreement.

Zoning and other development regulations are state powers delegated to local governments. North Carolina state legislature sets the rules for which local governments can exercise these powers and where that can be done within their respective jurisdictions.

The City of Goldsboro exercises the enforcement of planning and development regulations throughout the corporate City limits and one-mile extra-territorial jurisdiction. The County of Wayne exercises planning and development regulations outside of the City's corporate limits and one-mile extra-territorial jurisdiction.

City and County jurisdictional boundaries do not have to follow property lines. In Wayne County, it is not uncommon for part of a parcel of land to be in the City of Goldsboro's planning jurisdiction and the remainder of the property to be in Wayne County.

Historically, the City and County released planning and development regulation jurisdiction from one unit of local government to another based on which unit of local government had the majority acreage within their respective jurisdiction. Informal administrative development approvals were authorized by the City Planning Director and the County Planning Director.

According to GS 160D-203, property shall be subject to City or County development regulations. New land-use law dictates that if the landowner and both units of government agree, exclusive planning and development regulation jurisdiction for the entire parcel may be assigned to one jurisdiction. An agreement on development regulation must be approved by resolution formally adopted by both the City of Goldsboro and the County of Wayne.

Owners of the subject property desire that the entire parcel have continuity in planning and development regulations by assigning exclusive jurisdiction to the County of Wayne.

Staff is recommending that City Council agree to the release of City planning and development jurisdiction to the County of Wayne for the portion of said property within the City's jurisdiction.

It was recommended that Council approve the recommendation of Planning staff and adopt the following entitled Resolution Authorizing by Mutual Agreement Between the City of Goldsboro and the County of Wayne To Assign Exclusive Planning and Development Regulation Jurisdiction From One (the City of Goldsboro) to the Other (County of Wayne). Consent Agenda Approval. Polack/Gaylor (4 Ayes)

RESOLUTION NO. 2023-24 "RESOLUTION AUTHORIZING BY MUTUAL AGREEMENT BETWEEN THE CITY OF GOLDSBORO AND THE COUNTY OF WAYNE TO ASSIGN EXCLUSIVE PLANNING AND DEVELOPMENT REGULATION JURISDICTION FROM ONE TO THE OTHER"

SU-4-23 Licensed Massage Therapy (Aim 2 Ease) – 3888 E Ash St. *Approved.* This Special Use Permit was voted on and approved at the March 20, 2023, meeting and is not eligible for further deliberation or discussion.

It was recommended that Council review the Order to Approve, and Mayor Ham sign the order. Consent Agenda Approval. Polack/Gaylor (4 Ayes)

Roosevelt Group Engagement Letter. *Resolution Adopted.* The Roosevelt Group provides advocacy and consulting services to the City of Goldsboro and Wayne County governments. They have significant experience representing military communities and in-depth understanding of the federal budget process, Base Realignment and Closure (BRAC) activities, and national security policy. The Roosevelt Group was approved in the City of Goldsboro's FY22-23 budget for services in the amount of \$30,000.

This engagement letter represents a continuation of an engagement that began on November 1, 2015 and is based on a flat retainer of \$60,000.00 for the contract year. The City of Goldsboro and Wayne County governments will pay \$30,000 each. The total amount due from the City and the County will be paid upon receipt of invoice from the Roosevelt Group. The term of the contract is for a one-year period unless determined by either party with a 30-day notice for contract change or termination of services. Fees will be pro-rated accordingly.

Should the City of Goldsboro and/or Wayne County seek additional support utilizing the full resources of the Roosevelt Group, the agreement can be modified to reflect those changes.

Staff recommended Council adopt the following entitled Resolution authorizing the Mayor and City Clerk to execute the engagement letter with the Roosevelt Group. Consent Agenda Approval. Polack/Gaylor (4 Ayes)

RESOLUTION NO. 2023-25 "RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE ROOSEVELT GROUP"

A Resolution in Support of Rail Service from Goldsboro, NC to Wilmington and Raleigh, NC. *Resolution Adopted.* Every year, railroads save consumers billions of dollars while reducing energy consumption and pollution, lowering greenhouse gas emissions, cutting highway gridlock, and reducing the high costs to taxpayers of highway construction and maintenance. North Carolina's first system dates back to 1833 when the Wilmington & Weldon Railroad

was charted to connect its namesake cities, which it completed on March 7th, 1840. By doing so the railroad became the longest railroad operated in the world at that time, spanning some 161 miles.

The North Carolina Railroad (NCR) manages a 317-mile rail corridor spanning the state of North Carolina from Morehead City to Charlotte, over which about 60 Norfolk Southern freight trains and 10 Amtrak passenger trains travel each day. Since its creation, NCR has been a driver for economic growth in the state. Annually, North Carolina's passenger rail services contribute to 430 jobs, \$20.1 million in earned wages, \$30.6 million in gross state product, and \$47.4 million in benefits rail passengers receive from taking the train instead of other modes of travel.

Nearly 900,000 passengers boarded trains in North Carolina in 2016, served by six intercity passenger routes with stops in 16 cities and towns. Nine of those stops are along the busy, 174-mile Piedmont Corridor between Charlotte and Raleigh. Eastern North Carolina would benefit in the same way with job creation, a reduction of highway construction and maintenance, as well as reducing highway gridlock, energy consumption and pollution, and lowering greenhouse gas emissions. Goldsboro and Wayne County are home to Goldsboro Union Station, a once thriving rail depot from 1907 to 1968, which could one day support passenger and freight service again.

This resolution is to request that the State of North Carolina begin the process to bring rail service back to Goldsboro and Wayne County; connecting to Wilmington and Raleigh, North Carolina.

It was recommended that Council adopt the following entitled Resolution in Support of Rail Service from Goldsboro, NC to Wilmington, NC. Consent Agenda Approval. Polack/Gaylor (4 Ayes)

RESOLUTION NO. 2023-26 "A RESOLUTION IN SUPPORT OF RAIL SERVICE FROM GOLDSBORO, NC TO WILMINGTON AND RALEIGH, NC"

Advisory Board and Commission Appointments. Resolutions Adopted. There are currently several vacancies on Advisory Boards and Commissions. Citizen involvement is vital to the performance of City government. 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 at large.

The City Council met during the Work Session on March 20, 2023, to review vacancies and applications received to fill the current vacancies. With these appointments, one student position on the Recreation Advisory Commission and one alternate position on the Historic District Commission remains.

It was recommended that Council adopt the following entitled Resolutions appointing members to various Advisory Boards and Commissions in the City of Goldsboro, and commending individuals who have served on Advisory Boards and Commissions of the City of Goldsboro. Consent Agenda Approval. Polack/Gaylor (4 Ayes)

RESOLUTION NO. 2023-27 "RESOLUTION APPOINTING MEMBERS TO ADVISORY BOARDS AND COMMISSIONS"

RESOLUTION NO. 2023-28 "RESOLUTION COMMENDING INDIVIDUALS WHO HAVE SERVED ON ADVISORY BOARDS AND COMMISSIONS OF THE CITY OF GOLDSBORO"

Items Requiring Individual Action

Change Order No.1 Price Change for the Bulk Storage Tank replacement for the WRF. Resolution Adopted.

In the FY23 Budget the Bulk Storage Tank Replacement was approved for \$45,000. The City received bids on July 15, 2022, the lowest bid came at \$118,450. During the November 21, 2022 council meeting, Council approved the use of the Utilities Capital Reserve Fund for amount of \$73,450 in addition to the \$45,000 that was originally budgeted for a total of \$118,450.00. Council adopted Resolution 2022-116 at the December 5, 2022 meeting to authorize the City Manager to execute the contract with Dellinger Inc. in the amount of \$118,450 to replace the caustic soda bulk storage tank.

The original contract amount had a price increase on the materials of \$8,202. Also, the contract did not include sales taxes for materials used in the project, therefore an additional \$8,549.01 is needed to cover sales tax. Staff recommends issuing a change order to increase the contract amount to include the sales taxes and the increase cost of the bulk storage tank. Finance will request a tax refund in 2023 to recoup the sales taxes. The total change order requested is \$16,751.01, which would put the total contract price at \$135,201.01.

It was recommended that Council adopt the following entitled resolution authorizing Change Order No. 1 to the contract with Dellinger Inc. for the Bulk Storage Tank Replacement at the WRF.

Mayor Pro Tem Polack made a motion to adopt the following entitled resolution authorizing Change Order No. 1 to the contract with Dellinger Inc. The motion was seconded by Councilman Gaylor and unanimously carried.

RESOLUTION NO. 2023-29 "RESOLUTION AUTHORIZING EXECUTION OF CHANGE ORDER NO. 1 TO DELLINGER, INC. FOR THE BULK STORAGE TANK REPLACEMENT PROJECT"

SU-3-23 Place of Entertainment w/ ABC Permit (Bricks Restaurant) – 223 N Center St. *Approved.* This Special Use Permit was voted on and approved at the March 20, 2023, meeting and is not eligible for further deliberation or discussion.

Mayor Ham requested to be excused. Councilman Broadway made a motion to excuse Mayor Ham from discussion on this item. The motion was seconded by Councilman Gaylor. Mayor Pro Tem Polack, Councilman Broadway and Councilman Gaylor voted for the motion which passed unanimously.

Mayor Ham left the room at 8:04 p.m.

Councilman Gaylor made a motion to have Mayor Pro Tem Polack be the signatory for the document and approve the document with that modification. The motion was seconded by Councilman Broadway. Mayor Pro Tem Polack, Councilman Broadway and Councilman Gaylor voted for the motion which passed unanimously.

It was recommended that Council review the Order to Approve, and Mayor Pro Tem Polack sign the order.

Mayor Ham returned at 8:05 p.m.

City Manager’s Report.

City Manager Salmon congratulated Dr. David Lewis for his retirement as the Wayne County Public School Superintendent and thanked him for his service to our community. He also mentioned the 135th US Colored Troop Marker dedication was held on March 27th, Downtown at the HUB was very well attended and well done. He shared Balanced Choice Vending Café will be open on April 6th at the Goldsboro Golf Course and it's open at 7:30 a.m. every day and City offices are closed on Friday for Good Friday.

Mayor and Councilmembers’ Comments.

Councilman Broadway stated the following: As I was coming up here to the meeting this afternoon, coming up Mulberry Street (very nice leaves are out on the trees), first thing to happen to me coming up is a young child ran right out in front of me chasing a ball and what happened shortly after that, some guy passed me about 45 miles an hour. I just want to say now's the time- leaves are out, people are out - we've got to watch what we're doing and we've just got to encourage people to stop this speeding, especially on our cross streets. It's a dangerous time and people aren't watching right now.

Mayor Pro Tem Polack stated the following: I just want to thank all the department heads for all that you do. I will give special shout out to Mr. Austin in the Planning Department for helping me with a constituent, kind of last minute. That individual is in a better situation now through your help. Also, just want everybody to remember the season that's coming upon us with Easter and I hope everybody enjoys time with their family.

Councilman Gaylor stated the following: For those that will be participating in all the various spring breaks this week and next week and the I guess the week after that too, be safe. Remember these things follow you home when you put things on social media. Also echoing Mayor Pro Tem Polack, for those who observe Easter, this is an incredibly special time. Make sure you take the time to actually enjoy it, pay attention to what you're doing and spend some time with some family.

Mayor Ham stated the following: I'd like to mention that among the other events I attended last week, I had the privilege of attending the Vietnam Veterans Celebration. Us Vietnam Veterans didn't receive the welcome that a lot of us felt that we should have or that families of us Veterans felt that we should've received. It took a long time for our government to acknowledge and pass any acknowledgement of appreciation for Vietnam Veterans. Last week at the Museum, our Veterans Coalition of Wayne County sponsored an event and while we did not have many Vietnam Veterans to attend, we did have a good showing of supporting of citizens from the county and city there to show some degree of appreciation for Vietnam Veterans. I was privileged to speak (but didn't know I was speaking until I got there to the ceremony), but I'm told I did a good job. It's easy to speak about my service in the military and it's because I'm proud of what I did. I had two tours in Vietnam and this is not about David Ham's Vietnam service, it's just about the fact that there are lots of Vietnam Veterans that are around today but we're losing a lot of them daily. If you see a Vietnam Veteran (and we see a lot of them these days wearing caps or jackets or whatever) just go up and say hello to them and thank them for their service, it means a lot to those guys. We here in the city, we acknowledge a lot of special days, we acknowledged three or four of them today and that's one that I think we should always remember as well.

There being no further business, Mayor Ham adjourned the meeting at 8:11 p.m.




David Ham
Mayor

Laura Getz
City Clerk