



AGENDA
REGULAR MEETING OF THE MAYOR AND CITY COUNCIL
CITY OF GOLDSBORO
COUNCIL CHAMBERS – CITY HALL – 214 N. CENTER STREET
FEBRUARY 1, 2016



(Please turn off, or mute, all cell phones and pagers upon entering the Council Chambers)

- I. WORK SESSION–5:00 P.M. – CITY HALL ADDITION, 200 N. CENTER ST., ROOM 206**
 - a. Discussion of Business Incentive Loans (City Manager)
 - II. CALL TO ORDER – 7:00 P.M. – COUNCIL CHAMBERS, 214 N. CENTER ST.**
 - Invocation (Pastor Steve Holder, Bethel Church)
 - Pledge to the Flag
 - III. ROLL CALL**
 - IV. APPROVAL OF MINUTES (*Motion/Second)**
 - A. Minutes of the Work Session and Regular Meeting of January 4, 2016
 - V. PUBLIC COMMENT PERIOD (TIME LIMIT OF 3 MINUTES PER SPEAKER)**
 - VI. PRESENTATIONS**
 - Little Washington Growing Group
 - VII. CONSENT AGENDA ITEMS (*Motion/Second--Roll Call)**
 - B. Site and Landscape Plan – Domino’s Pizza (Planning)
 - C. Site, Landscape and Building Elevation Plans – Precision Plumbing (Planning)
 - D. Site and Landscape Plans - The Soul Bowl Restaurant (Planning)
 - E. Z-11-15 Heights Solar Farm, LLC – West side of Thoroughfare Road between Central Heights Road and the Norfolk-Southern Railroad (Planning) *Denied*
 - F. FY 2015-16 Budget Amendments (Finance)
 - G. Authorization of Parks and Recreation Positions (Finance)
 - H. North Carolina Parks and Recreation Trust Fund Grant (Finance)
 - I. Resolution Establishing FY 2015-16 Tourism Allocation (Finance)
 - J. Audit Services for Fiscal Year Ending June 30, 2016 (Finance)
 - K. Revised Amendment No. 1 to Engineering Services Agreement for CWSRF Stoney Creek Sanitary Sewer Outfall Rehabilitation (Engineering)
 - L. Municipal Service District 2015-16 Budget (DGDC)
 - M. Advisory Board and Commission Appointments (City Manager)
 - N. Terminology Update for Code of Ordinances (City Manager)
 - VIII. ITEMS REQUIRING INDIVIDUAL ACTION (*Motion/Second)**
 - IX. CITY MANAGER’S REPORT**
 - X. CITY ATTORNEY’S REPORT AND RECOMMENDATIONS**
 - XI. MAYOR AND COUNCILMEMBERS’ REPORTS AND RECOMMENDATIONS(*Motion/Second)**
 - XII. CLOSED SESSION**
 - XIII. ADJOURN**
- **Denotes Action Requested**



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MINUTES OF MEETING OF MAYOR AND CITY COUNCIL HELD
JANAUARY 4, 2016

WORK SESSION

The Mayor and Council of the City of Goldsboro, North Carolina, met in a Work Session in the Large Conference Room, City Hall Addition, 200 North Center Street, at 5:30 p.m. on January 4, 2016 with attendance as follows:

Present: Mayor Chuck Allen, Presiding
Mayor Pro Tem Gene Aycock
Councilmember Antonio Williams
Councilmember Bill Broadaway
Councilmember Mark Stevens
Councilmember Bevan Foster
Councilmember David Ham
Jim Womble, City Attorney
Scott Stevens, City Manager
Melissa Corser, City Clerk
Randy Guthrie, Assistant City Manager
Jimmy Rowe, Planning Director
Kaye Scott, Finance Director
Marty Anderson, City Engineer
Jennifer Collins, Assistant Planning Director
Scott Barnard, Parks and Recreation Director
Andy Honeycutt, MeterSYS
Ethan Smith, Goldsboro News-Argus
Yvonnia Moore, Citizen
Lonnie Casey, Citizen
Rick Sessions, Citizen
Carol Sessions, Citizen

Call to Order. The meeting was called to order by Mayor Allen at 5:30 p.m.

Invocation. The invocation was provided by Councilmember Broadaway.

Automatic Meter Reading Discussion. Ms. Kaye Scott provided the history on the current automatic meter reading system. The City began using the current automatic meter reading system in August 2007 and was purchased for approximately \$1.6 million. In March 2008, some devices began to fail so we contacted the vendor Datamatic. In September 2009, Datamatic sent out technicians to replace 7,000 of the 15,000 devices. After the exchange, the devices continued to fail. In November 2013, Datamatic filed bankruptcy. At the Retreat in 2015, staff asked Council about contacting a consultant to look at a feasibility model of AMR or AMI. We contacted MeterSYS which specializes in utility meter feasibility and solutions. Ms. Scott introduced Mr. Andy Honeycutt. Mr. Honeycutt provided an overview of the utility metering assessment.

Council discussed staffing levels and software support. Ms. Scott also shared information regarding handhelds and new software that would cost approximately \$50,000. Council discussed project costs.

Mayor Allen asked if the meters could be installed in house and Mr. Honeycutt stated they could but cautioned doing so could elongate the project and end up costing more. Mayor Allen asked what the timetable would be for the project and Mr. Honeycutt stated approximately 2 to 2 ½ years.

Resurfacing Mulberry Street from Center Street to James Street Discussion.

Mr. Guthrie stated the City contracted to install a 10" water line on Mulberry Street from Center to James Street. This essentially left an asphalt patch the length of the road. The City solicited a proposal from Barnhill Contracting who is also doing our street resurfacing to repave the street and the estimated cost is \$20,003.36. This would be a utility fund expense. Staff would ask Council to consider adding this to our resurfacing contract. Council consensus was staff could proceed.

Councilmember Broadway stated this is the same problem we have had on Mulberry and Walnut. Mr. Stevens stated Council has approved as they do the sewer work, to come back and do resurfacing of those areas. Council shared concerns regarding recent patch jobs and potholes. Mr. Stevens stated we took the patching away from the contractor doing the sewer work and awarded it to Barnhill. Staff discussed the timeline of the contract and shared the contract ends in March.

Council Committees Discussion. Council reviewed the Council Committee listing and made the following appointments:

- Waynesborough Park – Councilmember Broadway
- Transportation Advisory Committee (TAC) – Councilmember Ham, Alternate
- GWTA Transportation Authority – Councilmember Williams
- Parks & Recreation Advisory Commission – Councilmember Foster
- Appearance Commission – Councilmember Ham
- Historic District Commission – Councilmember Williams
- Mayors Committee for Persons with Disabilities – Councilmember Stevens
- Law & Finance – Councilmembers Foster and Ham
- Inter-Governmental Committee – Mayor Allen and Councilmember Broadway
- Military Liaison Committee – Mayor Allen, Councilmembers Broadway & Ham
- Multi-Sports Complex – Councilmembers Foster & Williams
- Wayne Regional Agricultural & Convention Center – Mayor Allen, Councilmembers Aycock & Williams
- Police Evidence Storage – Councilmembers Aycock and Stevens

Retreat Topics Discussion. Mr. Scott Stevens reviewed suggested Retreat topics. Council asked that he add greenways (where we are and where we would like to be in 5 years), training, and Main Street Conference. Mr. Stevens suggested since the Main Street Conference is quickly approaching, staff and Council could discuss at an upcoming work session.

Cover Agenda. Each item on the cover agenda was generally discussed. Additional discussion included the following:

Item D. Amendment No. 1 to Engineering Services Agreement for CWSRF Stoney Creek Sanitary Sewer Outfall Rehabilitation. Councilmember Williams asked why additional funding was needed and Ms. Scott shared grant monies had not been received and the City would be reimbursed. Mayor Allen suggested staff look into adding an additional staff person to the Engineering Department due to the increase in sewer projects and discuss at the Retreat. Upon motion of Councilmember Aycock, seconded by Councilmember Stevens and unanimously carried, Council removed Item D. Amendment No. 1 to Engineering Services Agreement CWSRF Stoney Creek Sanitary Sewer Outfall Rehabilitation from the Consent Agenda and deferred action at this time.

There being no further business, the work session adjourned at 6:52 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 January 4, 2016 with attendance as follows:

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

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

Reverend James H. Harry of Saint Paul United Methodist Church provided the invocation.

Approval of Minutes. Approved. Upon motion of Councilmember Broadway, seconded by Councilmember Williams and unanimously carried, Council approved the Work Session and Regular Meeting Minutes of November 16, 2015 and Work Session and Regular Meeting Minutes of December 7, 2015 as submitted.

Public Comment Period. Mayor Allen opened the public comment period. The following person spoke:

Rick Sessions, 305 Lois Place, stated he is here tonight with his wife and they would like to urge Council to designate greenways as one of its priorities for 2016. We were quite pleased when Council selected the development of greenways as one of its priorities in 2015. We often hike on the greenways in the City and often see other citizens enjoying them as well. We look forward to the completion and connection of the network of greenways that will allow for safe and pleasant exercise for citizens. When the Council meets to consider its priorities for 2016, we urge you to keep greenways on the list. Thank you.

Mayor Allen asked if they have been to the greenway behind the hospital and Mr. Sessions replied, yes it is very nice. Mayor Allen stated he feels we are dedicated to greenways.

No one else 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. Mr. Stevens reminded Council Item D. Amendment No. 1 to Engineering Services Agreement CWSRF Stoney Creek Sanitary Sewer Outfall Rehabilitation was removed from the Consent Agenda during the work session and deferred. Councilmember Broadaway moved the items on the Consent Agenda, Items C, E and F be approved as recommended by the City Manager and staff. The motion was seconded by Mayor Pro Tem Aycock, and a roll call vote resulted in all members voting in the affirmative. Mayor Allen declared the Consent Agenda approved as recommended. The items on the Consent Agenda were as follows:

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

Recently the City of Goldsboro Police Department assisted Federal authorities in concluding several drug operations. Based on Federal guidelines, \$7,458.75 of forfeited money can be reimbursed to the City for:

10/27/15-CATS ID#15-DEA-607224; KN-13-0106	\$ 7,458.75
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“Substance Tax Remittance” funds totaling \$319.44 for:

10/27/15 #45PR0000632747	\$ 141.31
11/20/15 #45PR0000634863	\$ 178.13

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

It is recommended the following entitled Ordinance be adopted to reflect an increase in General Fund revenues and an increase in the operating expenditures of the Police Department budget by a total of \$7,778.19. Consent Agenda Approval. Broadaway/Aycock (7 Ayes)

ORDINANCE NO. 2016-1 “AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE CITY OF GOLDSBORO FOR 2015-2016 FISCAL YEAR”

Amendment No. 1 1 to Engineering Services Agreement for 2015 Priority Sewer Rehabilitation Project, Phase III. Resolution Adopted. On August 17, 2015 the City Council authorized the City Manager to execute an engineering agreement with McKim & Creed for Phase III of the 2015 Priority Sewer Rehabilitation Project. Task 1 of this study identified 39,000 LF of gravity sewer pipeline that had not been inspected with CCTV during the previous sewer investigations. Task 2 of this study included assumptions on the length of sewer for CCTV and allowances that were unused resulting in \$18,000 left on the original agreement. McKim and Creed has completed Task 2- CCTV services and will need to provide additional information on the existing underground utility conflicts in areas proposed for pipe bursting and open cut replacement/point repairs.

With the City’s approval, McKim & Creed will re-appropriate the remaining funds to cover a portion of the Additional Subsurface Utility Engineering (SUE) services in Task 3 as outlined in the table below:

Task 3 – Phase III Sanitary Sewer Rehab and Additional Services

• Additional SUE Services:	
Quality Level B SUE	\$ 55,000.00
Quality Level A SUE	\$ <u>16,100.00</u>
Amendment No. 1 Subtotal	\$ 71,100.00

Amendment 1 Total	\$ 53,100.00
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The City's Land Use Plan, which was adopted in 2013, designates the subject property for commercial use.

The property is currently used as a mobile or manufactured home park. The current zoning is General Business which does not permit mobile or manufactured home parks.

Manufactured home parks that existed prior to the extension of the City's extraterritorial jurisdiction are allowed to continue as a nonconforming use as long as the number of spaces is not increased and the City's removal and replacement guidelines are followed.

The City's Ordinance allows replacement of mobile homes in mobile home parks within six month of one being removed. If a unit is not replaced within that time, the lot loses its legal nonconforming status and can no longer be replaced. This requirement helps to ensure that nonconforming situations, which may or may not be appropriate in their present state or location, are either upgraded or eliminated over a period of time.

The mobile home park was originally designed for a total of 49 lots in 1972. At the present time only 19 mobile units occupy 19 of the total 49 lots. The remaining 30 lots have been vacant for more than six months and, therefore, cannot now be replaced.

The applicant wishes to purchase and upgrade the mobile home park but wants to be able to utilize all 49 of the lots within the park. Rezoning of the property and site and landscape plan approval will be required in order to insure that the City's current mobile home park ordinance is met.

The City's UDO requires that new manufactured home parks meet design and performance standards including minimum individual lot size, paved streets, street lighting, open space, interior sidewalks, landscaping, refuse disposal, water and sewer facilities, parking, and landscaping.

In this case, the developer is attempting to meet as many of the City's standards as possible based on the existing configuration of the mobile home park. If the applicant cannot or does not wish to meet any of the City's requirements, modifications have to be requested and approved by City Council.

The submitted site plan addresses the City's design and performance standards as follows:

1. Access: There is an existing 24 ft. wide access drive to the park from Highway 70 West. A paved 20 ft. private circle drive is provided for access to each lot as well as refuse and recreation areas.
2. Landscaping: Existing wooded areas will serve as vegetative buffers between the subject property and adjacent properties to the north, south and west.

3. Street Trees: Applicant proposes to install a total of 7 Autumn Fantasy Maple trees to serve as the required street trees within the protected street yard along the highway frontage.

In addition, a total of 68 Autumn Fantasy Maples have been proposed to serve as required street trees along the private circle drive serving as access to each mobile home lot.

4. Utilities: The site is served with City water, however, City sewer is not available. Existing septic systems are in place to serve each of the 49 lots. The addition, removal and replacement of homes shall meet the approval of Wayne County Environmental Health regarding the operation of existing and newly installed septic systems.
5. Refuse Collection: A commercial dumpster is shown near the southwestern property line which will be served by a private carrier. The dumpster will be screened and gated in accordance with City standards.
6. Floodplain: Subject property is located within the City of Goldsboro's 100-year and 500-year floodplain. The addition, removal and replacement of homes will be required to meet the City's Floodplain ordinance subject to approval by City Engineering.

The following modifications have been requested by the applicant:

1. Minimum size lot: From 8,000 sq. ft. to 6,000 sq. ft. (Average Existing Lot Size)
2. Minimum lot width: From 80 ft. to 50 ft. (Average Existing Lot Width)
3. Paving: To allow gravel in lieu of paved parking spaces for individual lots.
4. Provision of paved or concrete patios and walkways to each home entrance.
5. Interior sidewalks within the boundary of the park.
6. Dedication of open space ownership. The City's Unified Development Ordinance requires that 15% of the entire park be preserved for recreation use and owned and maintained privately.

At the public hearing held on December 21, 2015, one person spoke in favor of the request. No one appeared in opposition.

The Planning Commission, after the public hearing, recommended denial of the applicant's request without prejudice. The Commission felt that too many modifications would be required as proposed and that the mobile home park should meet the specific requirements of the requested RM-8 Residential Mobile Home Park Ordinance. If the

request is denied without prejudice, the applicant will be able to reapply for rezoning within six months of the denial date, provided a revised site plan is submitted that meets the requirements of the Residential RM-8 zoning district.

Staff recommended Council accept the recommendation of the Planning Commission and deny the rezoning request without prejudice. Consent Agenda Approval.

Broadaway/Aycock (7 Ayes)

End of Consent Agenda.

City Manager's Report. Mr. Stevens stated he would like to wish everyone a safe and Happy New Year.

City Attorney's Report and Recommendations. No report.

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

Proclamation – Goldsboro School Choice Week. Goldsboro has many high-quality teaching professionals in traditional public schools, public magnet schools, public charter schools, and nonpublic schools who are committed to educating our children. School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective education options. Mayor Allen proclaimed January 24-30, 2016 as Goldsboro School Choice Week in the City of Goldsboro and called this observance to the attention of all citizens.

Councilmember Ham had no comments.

Councilmember Foster had no comments.

Mayor Pro Tem Aycock stated he hoped everyone had a good holiday season. He stated he hoped some of the New Year resolutions include not littering. He shared his mom passed and he would like to thank everyone for their thoughts and prayers.

Councilmember Williams wished everyone a Happy New Year. He shared on New Year's Day he spoke with a gentleman who was homeless and the homeless shelters had turned away. He stated we must do better, be more caring and compassionate to those who are less fortunate. He encouraged everyone to be more mindful of those who are less fortunate and provide a helping hand when able.

Councilmember Broadaway expressed condolences to Councilmember Aycock and his family. He also wished everyone a Happy New Year. He encouraged everyone to be mindful of school kids who may be hungry because they are not in school and shared many students do not have textbooks. He stated let's make it a priority this year, no child

should ever be hungry. Councilmember Broadway stated Mayor Allen did a great job with the feeding program last summer.

Councilmember Stevens also expressed condolences to Councilmember Aycock and his family. He stated he would like for all of us to remember where we came from, help the City to be a better place, reach out to others. He stated he hoped we can carry this throughout all districts and encouraged citizens to share concerns and talk with him and other members of Council.

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

Chuck Allen
Mayor

Melissa Corser, CMC
City Clerk

CITY OF GOLDSBORO

AGENDA MEMORANDUM

FEBRUARY 1, 2016 COUNCIL MEETING

SUBJECT: Site and Landscape Plan – Domino's Pizza

BACKGROUND: The site is located on the northeast corner of Sunburst Drive and Royall Avenue.

Frontage: 140 ft. (Sunburst Drive)

200 ft. (Royall Avenue)

Depth: 199 ft. (approx.)

Lot Area: 0.59 Acres

Zoning: HB – Highway Business

The property is currently vacant.

DISCUSSION: The submitted site plan indicates a proposed 2,039 sq. ft. one-story building placed parallel to Royall Avenue. In addition 14 parking spaces (including 1 handicapped space) are shown.

Hours of operation are being proposed at Monday thru Sunday 10:00am to 12:00am with 7 employees expected to be associated with the use.

The property can be served by City water and sewer. Stormwater detention and/or nitrogen calculations are not required due to less than half an acre being disturbed.

The proposed take-out restaurant with drive through service requires a total of 11 parking spaces and the site plan shows 14 parking spaces (including one handicapped space). Interconnectivity is not practical with this site to the north due to this use being adjacent to residential property and interconnectivity access has been provided to the east with a 24 ft. access easement for future connection.

Access to the property will be provided with a new curb cut along Sunburst Drive. Proper driveway permits will be required from NCDOT. There is no curb cut proposed on Royall Avenue.

The submitted landscape plan indicates street trees along Sunburst Drive and Royall Avenue. Applicant has proposed a combination of small ornamental trees and large overstory trees as street trees due to overhead utilities. Vehicular Surface Area plantings will include Crape Myrtles, Golden Mop and Indian Hawthorne. These plants will be interspersed as interior plantings within parking lot islands. Staff is working with applicant to ensure required quantities are met by providing plantings adjacent to proposed parking within 15' of the right-of-way.

A 20-foot Type C buffer is required along the northern property line adjacent to the residential property. A 6-foot opaque wood privacy fence is being proposed along with supplemental landscaping to allow the reduction of the opaque buffer by 50%. The landscaping will consist of a combination of Maples, Crape Myrtles, Cyprus and Indian Hawthorne.

A Type A 5-foot buffer is required along the eastern property line and a combination of existing trees and proposed trees and shrubs will meet the landscape buffer requirements.

Interior sidewalks have been provided to access the building, however the applicant is requesting to pay the fee of \$4,740 in lieu of constructing exterior sidewalks along Sunburst Drive and Royall Avenue.

The proposed dumpster location will be properly screened by a 7-foot tall wood privacy fence, however the applicant is requesting a modification to allow the placement of the dumpster to encroach within the 20-foot Type C landscape buffer along the northern property line.

A lighting plan proposing parking lot ground-mounted poles, has been submitted and meets the requirements of the City's lighting design standards.

Proposed exterior elevation plans have been submitted and the building is constructed of brick veneer with EFIS parapet. Staff is working with the applicant to ensure the front façade incorporates wall plane projections or recesses to create an interesting and attractive architectural design.

At their meeting held on January 25, 2016, the Planning

Commission recommended approval of the site, landscape and building elevation plans subject to all staff revisions being completed and with the following modifications.

1. Modification of interconnectivity to the north;
2. Modification to allow the dumpster location to encroach within the 20 ft. landscape buffer on the north; and
3. Modification to allow payment of a fee in lieu in the amount of \$4,740 for exterior sidewalks.

RECOMMENDATION:

By motion, accept the recommendation of the Planning Commission and approve the site, landscape and building elevation plans with the following modifications:

1. Modification of interconnectivity to the north;
2. Modification to allow the dumpster location to encroach within the 20 ft. landscape buffer on the north; and
3. Modification to allow payment of a fee in lieu in the amount of \$4,740 for exterior sidewalks.

Date: 1 - 26 - 2016


Planning Director

Date: 1-28-16


City Manager

ssj

SITE PLAN DOMINO'S PIZZA

SUNBURST DR

NORTH PARK DR

E US 70 HWY BYP

BILLY FRANCIS DR

ROYALL AVE

140.54'

199'

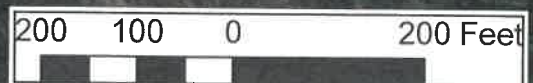
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200.62'

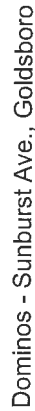
200 100 0 200 Feet



SITE PLAN DOMINO'S PIZZA



Occupancy:
7 - Kitchen
12 - Dining Area

[illegible]

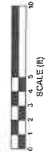
ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY
1	STAINLESS STEEL DOUGH ROLLY	1	1
2	SEE EAS	1	1
3	STAINLESS STEEL DOUGH COMPART	1	1
4	1/2" PLD PERFLINED ALUMENUE	1	1
5	PC 30000	1	1
6	ALUMENUE STEEL HAND RACK STUCK ON 2" EXTEND	1	1
7	10" X 12" 2500 STEEL THREE STUCK ON 2" EXTEND	1	1
8	12" X 16" 4000 1/2" HOOK PIVOT	1	1
9	4" X 6" METRIC PIVOT HINGE LINING MAT	1	1
10	1" X 2" 220000	1	1
11	DOUGH TABLE W/ 1" HOLE TOP OVERBILT PC 30000/2	1	1
12	6" ROUTE STAIR	1	1
13	W/ 2500 STEEL STRIPS PC 3000/3	1	1
14	DOUGH COMPARTMENTS ON 4" WIDE SHELVE W/ 3" SLIDES	1	1
15	3" X 10" 1000	1	1
16	MODULAR METAL DOUGH BOX	1	1
17	DOUGH DOOR DOOR DOOR	1	1
18	PC 30000	1	1
19	DOUGH DOOR DOOR DOOR	1	1
20	W/ 2500 STEEL STRIPS PC 3000/3	1	1
21	W/ 2500 STEEL STRIPS PC 3000/3	1	1
22	W/ 2500 STEEL STRIPS PC 3000/3	1	1
23	W/ 2500 STEEL STRIPS PC 3000/3	1	1
24	W/ 2500 STEEL STRIPS PC 3000/3	1	1
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56	W/ 2500 STEEL STRIPS PC 3000/3	1	1
57	W/ 2500 STEEL STRIPS PC 3000/3	1	1
58	W/ 2500 STEEL STRIPS PC 3000/3	1	1
59	W/ 2500 STEEL STRIPS PC 3000/3	1	1
60	W/ 2500 STEEL STRIPS PC 3000/3	1	1
61	W/ 2500 STEEL STRIPS PC 3000/3	1	1
62	W/ 2500 STEEL STRIPS PC 3000/3	1	1
63	W/ 2500 STEEL STRIPS PC 3000/3	1	1
64	W/ 2500 STEEL STRIPS PC 3000/3	1	1
65	W/ 2500 STEEL STRIPS PC 3000/3	1	1
66	W/ 2500 STEEL STRIPS PC 3000/3	1	1
67	W/ 2500 STEEL STRIPS PC 3000/3	1	1
68	W/ 2500 STEEL STRIPS PC 3000/3	1	1
69	W/ 2500 STEEL STRIPS PC 3000/3	1	1
70	W/ 2500 STEEL STRIPS PC 3000/3	1	1
71	W/ 2500 STEEL STRIPS PC 3000/3	1	1
72	W/ 2500 STEEL STRIPS PC 3000/3	1	1
73	W/ 2500 STEEL STRIPS PC 3000/3	1	1
74	W/ 2500 STEEL STRIPS PC 3000/3	1	1
75	W/ 2500 STEEL STRIPS PC 3000/3	1	1
76	W/ 2500 STEEL STRIPS PC 3000/3	1	1
77	W/ 2500 STEEL STRIPS PC 3000/3	1	1
78	W/ 2500 STEEL STRIPS PC 3000/3	1	1
79	W/ 2500 STEEL STRIPS PC 3000/3	1	1
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81	W/ 2500 STEEL STRIPS PC 3000/3	1	1
82	W/ 2500 STEEL STRIPS PC 3000/3	1	1
83	W/ 2500 STEEL STRIPS PC 3000/3	1	1
84	W/ 2500 STEEL STRIPS PC 3000/3	1	1
85	W/ 2500 STEEL STRIPS PC 3000/3	1	1

NOTE: VERIFY EXISTING TO BE RE-USED EQUIPMENT VS. NEWLY PURCHASED EQUIPMENT REQUIREMENTS

M. FLOYD ADAMS, P.E.
CONSTRUCTION AND DEVELOPMENT

DATE:	01/11/16
DRAWN BY:	RAM
CHECKED BY:	MFA
SCALE:	$\frac{1}{4}'' = 1'-0''$
SHEET NO.	

A01



CITY OF GOLDSBORO

AGENDA MEMORANDUM

FEBRUARY 1, 2016 COUNCIL MEETING

SUBJECT: Site, Landscape and Building Elevation Plans – Precision Plumbing

BACKGROUND: The site is located on the north side of Fedelon Trail between N. William Street and Salem Church Road.

Frontage: 140 ft. (Fedelon Trail)
Depth: 636 ft. (approx.)
Lot Area: 3.96 Acres
Zoning: I-2 General Industry

In 2014, development plans to add a parking lot for Precision Plumbing on vacant land between their existing office and an existing mini-storage development were approved by the Planning Commission and City Council. The parking lot was never developed and they now wish to construct a new building on the vacant land and reconfigure the lot lines to reduce the land area associated with the existing mini-storage operation.

DISCUSSION: The submitted site plan indicates a proposed 6,000 sq. ft. one-story office/storage building placed perpendicular to Fedelon Trail. 2,000 sq. ft. of the total square footage will be used for office space and the other 4,000 sq. ft. will be used for storage. A 4,000 sq. ft. one-story garage/storage building is also proposed at the rear of the property. In addition 25 parking spaces (including 1 handicapped space) are shown.

The property can be served by City water and sewer. Stormwater detention and/or nitrogen calculations are required and subject to review and approval by the Engineering Department.

The proposed office/storage use requires a total of 20 parking spaces and the site plan shows 25 parking spaces (including one handicapped space). Applicant is requesting

a modification of the interconnectivity requirement due to existing vegetation to the west and an existing chain link fence and vegetation to the east.

Access to the property will be provided with a new curb cut along Fedelon Trail. Proper driveway permits will be required from NCDOT.

The submitted landscape plan indicates three Flowering Cherry trees along Fedelon Trail to serve as required street trees.

Vehicular Surface Area plantings will include English Boxwoods and Fountain Grass. These plants will be interspersed as interior plantings within parking lot islands and adjacent to parking within 15 feet of the right-of-way. Based on the size of the lot, a total of 68 shrubs and 14 trees would be required within the vehicular surface area. Because a large portion of the property to the rear is to remain vacant, the applicant has requested a modification to reduce the number plantings to seven trees (Flowering Cherries) and 40 shrubs (Boxwoods).

A Type A (5 ft.) buffer is required along the eastern and western property lines and a combination of existing trees and proposed trees and shrubs will meet the landscape buffer requirements.

Interior sidewalks have been provided to access the building however the applicant is requesting a modification of the sidewalk construction or fee in lieu requirement. The developer feels that sidewalks in this location would not be appropriate since the area is characterized by industrial uses.

The proposed dumpster location will be properly screened by a 6-foot tall chain link fence with slats. HVAC units are ground mounted and properly screened from the right-of-way with plantings.

Proposed exterior elevation plans have been submitted and the building is constructed of split face block, EIFS and metal panels with a standing seam metal roof.

At their meeting held on January 25, 2016, the Planning Commission recommended approval of the site, landscape and building elevation plans with the following modifications:

1. Modification of interconnectivity to the east and west; and
2. Modification to reduce the required number of vehicular surface plantings from 14 trees and 68 shrubs to 7 trees and 40 shrubs.

The Commission did not approve a modification of the sidewalk installation or fee in lieu requirement.

RECOMMENDATION:

By motion, accept the recommendation of the Planning Commission and approve the site, landscape and building elevation plans with the following modifications:

1. Modification of interconnectivity to the east and west; and
2. Modification to reduce the required number of Vehicular Surface plantings from 14 trees and 68 shrubs to 7 trees and 40 shrubs.

Date: 1-26-2016

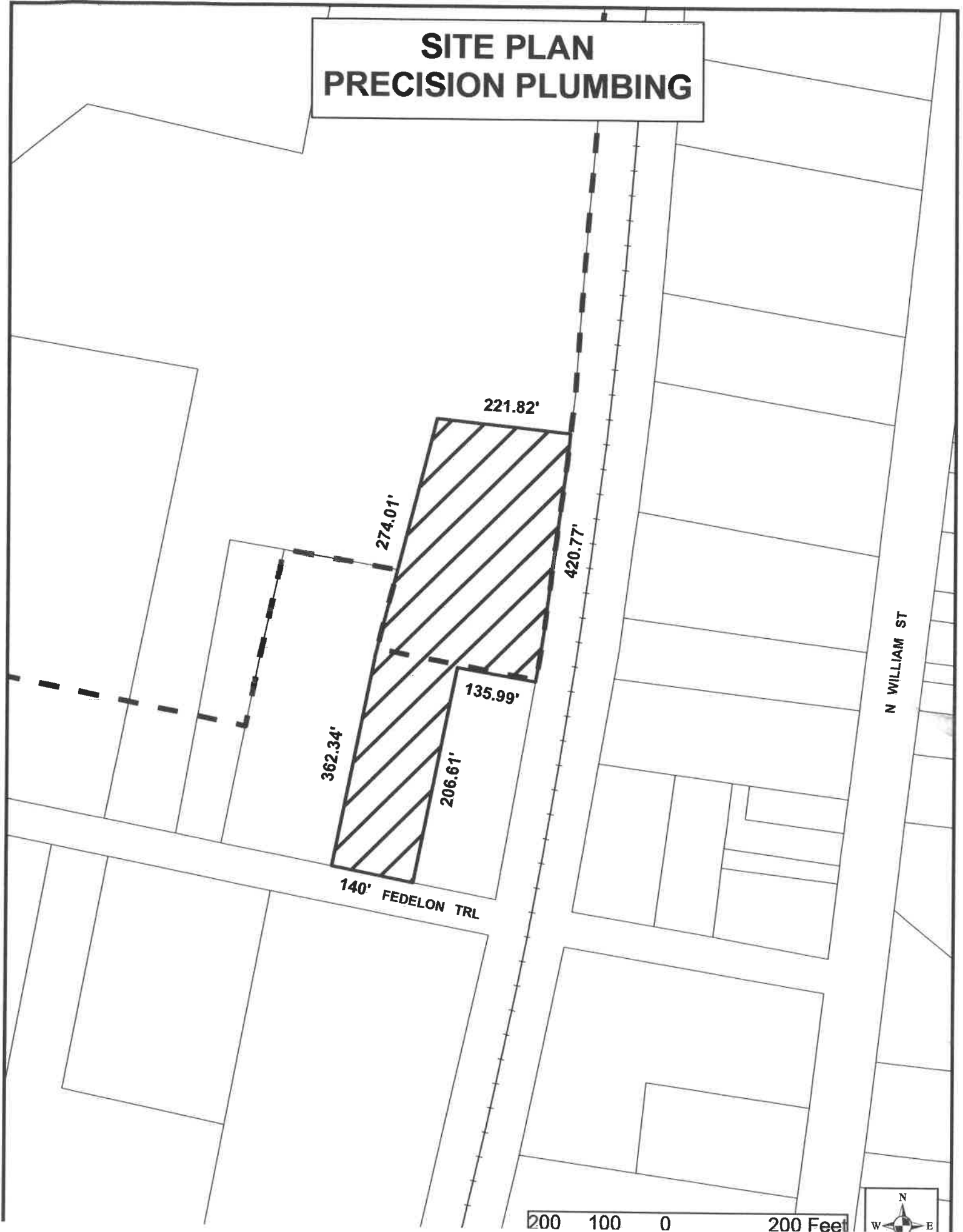

Planning Director

Date: 1-28-16


City Manager

ssj

SITE PLAN PRECISION PLUMBING



SITE PLAN PRECISION PLUMBING



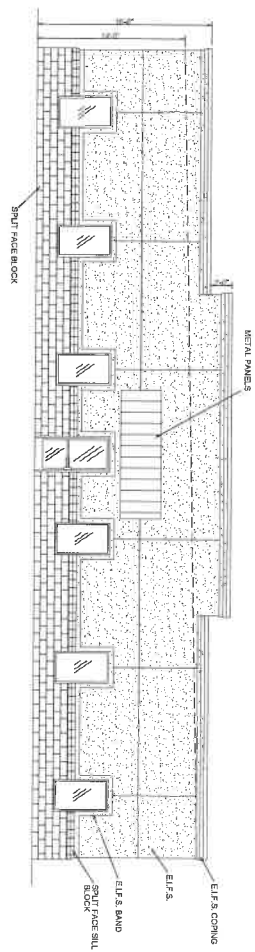


**JOHNS CONSULTING
ENGINEERS, P.A.**

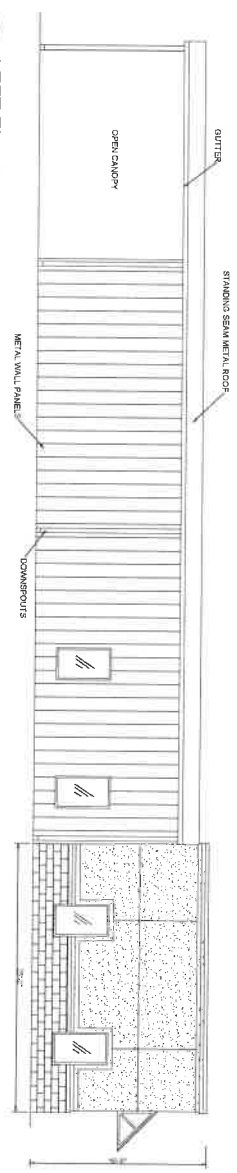
D.R.
 Post Office Box 10882
 Jacksonville, FL 32210
 919.231.5200
 bdehne@jce.com
 Lic# C-30065

JCE PROJECTING - 2018
 DATE: 7/15/16

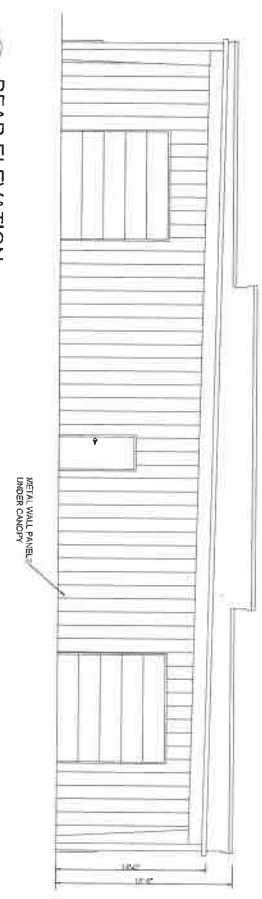
continues



1
G-1 FRONT ELEVATION
SCALE 3/8"=1'-0"



2
G-1 LEFT ELEVATION
SCALE 3/8"=1'-0"

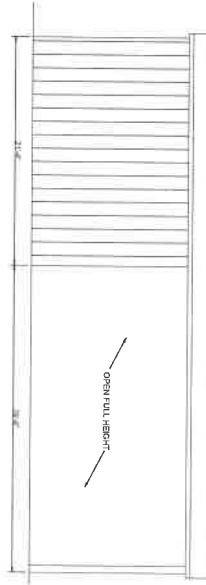


3
G-1 REAR ELEVATION
SCALE 3/8"=1'-0"

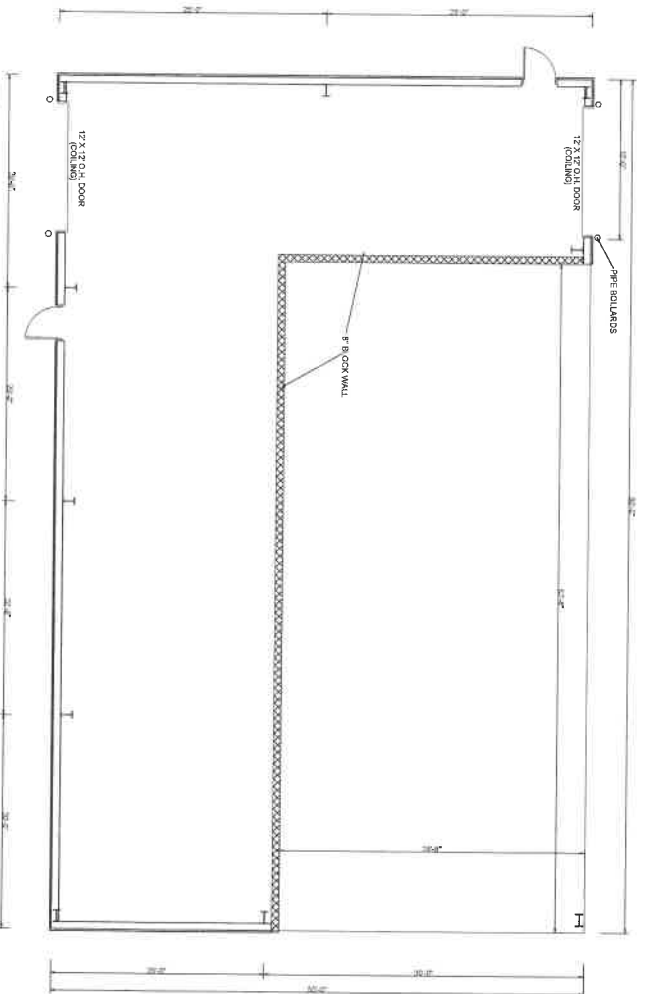


4
G-1 RIGHT ELEVATION
SCALE 3/8"=1'-0"

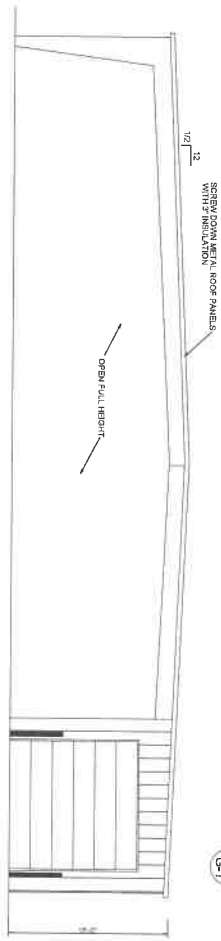
3 RIGHT SIDEWALL ELEVATION
SCALE 3/8"=1'-0"



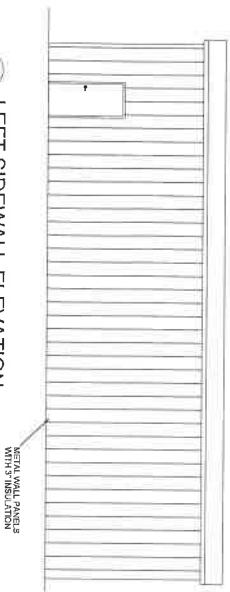
1 FLOOR PLAN
SCALE 3/8"=1'-0"



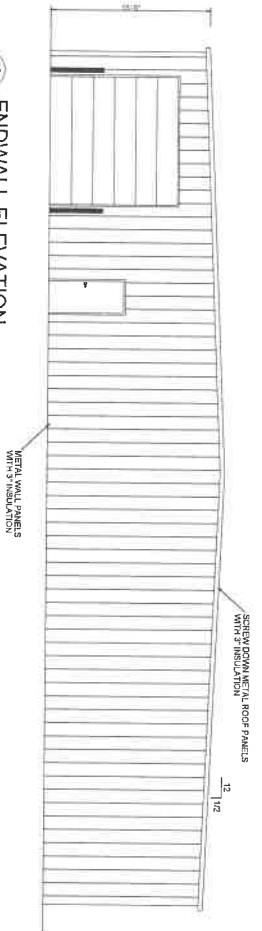
4 ENDWALL ELEVATION
SCALE 3/8"=1'-0"



5 LEFT SIDEWALL ELEVATION
SCALE 3/8"=1'-0"



2 ENDWALL ELEVATION
SCALE 3/8"=1'-0"



G-1

Precision Plumbing
Storage Building
205 Fedelon Trail
Goldeboro, NC

REVISIONS		
REV	DATE	DESCRIPTION

CONSTRUCTED BY
JACKSON BUILDERS INC.
1008 HWY 70 W.
GOLDSBORO, NC
714 (919) 754-5408
FAX (919) 754-1084
URL www.JacksonBuilders.com
A QUALITY CONTRACTOR

PRELIMINARY
NOT FOR
CONSTRUCTION

CITY OF GOLDSBORO

AGENDA MEMORANDUM

FEBRUARY 1, 2016 COUNCIL MEETING

SUBJECT: Site and Landscape Plans - The Soul Bowl Restaurant

BACKGROUND: The site is located on the northeast corner of Elm Street and Leslie Street.

On October 5, 2009, the City Council approved a two-lot preliminary subdivision plat for this property. A final plat has not yet been submitted. There is an existing dwelling to the north which is known as Lot no. 1 and Lot no. 2 is proposed for the restaurant development.

The building on the site was originally constructed in 1949 and was operated as "The Soul Bowl Café" until it closed in 2003.

On February 1, 2010, the City Council approved site and landscape plans for renovation of the take-out dining facility. After that approval, the applicant's father became ill and plans to develop the property were delayed.

The applicant now wishes to begin developing the site, however, since site plan approval is valid for only a one-year period, it is necessary that the plans again be reviewed and approved.

DISCUSSION: The applicant has now proposed substantial changes to the site and landscape plans approved by City Council on February 1, 2010. New plans have been submitted which would again propose to utilize the existing 1,635 sq. ft. structure on Lot No. 2 for a take-out and dining restaurant. In order to utilize the existing structure, setback modifications will be required.

Frontage: 73.15 ft. (Leslie Street)
Frontage: 163.82 ft. (Elm Street)
Area: 10,563 sq. ft. or 0.242 acres
Zoning: General Business

Hours of Operation: 6:00 a.m. to 11:00 p.m.
Monday through Thursday

6:00 a.m. to 12:00 p.m.
Friday and Saturday

6:00 a.m. to 10:00 p.m.
Sunday

Number of Employees: 6
Refuse Collection: Private Carrier

Parking Required: 27 spaces
Parking Provided: 17 spaces (including one handicapped
space)

Two small cinderblock and brick buildings on the property will be removed in order to accommodate required parking. While a total of 27 parking spaces are required, the applicant has requested a modification to reduce that number to the 17 spaces shown on the site plan just east of the existing structure. The applicant contends that much of the anticipated traffic for the business will be on foot.

There are two existing curb cuts providing access to the site from Elm Street. The westernmost curb cut (closest to Leslie Street) will not be utilized and will be blocked by landscaping. The easternmost curb cut on Elm Street will be expanded to a width of 28 ft. to allow for access to the parking area.

An existing gravel drive aisle existing on Leslie Street is proposed for deliveries only and to provide access to the commercial garbage dumpster and grease trap enclosures. Applicant is requesting a modification of the requirement that all vehicular surface areas be paved.

Pedestrian access is not shown from the parking lot to the restaurant facility. Paved surface areas and accessible walkways will be required. Staff will require applicant to show these improvements as revisions to the submitted plans.

Although interconnectivity is shown to the north, applicant has requested a modification since the adjacent property is utilized as a residence and interconnectivity is not necessary or desirable.

The submitted landscape plan indicates a total of four street trees along Elm Street. Applicant is requesting a modification of the street tree requirement along Leslie Street due to limited street yard area. A modification of the required street yard from 8 ft. to 5 ft., 9 in. has been requested. Required landscape material is proposed along Elm Street and will include a mix of trees (Laurel Oaks and Crape Myrtles) and shrubs (Hollies and privets).

Class C (20 ft. wide) opaque buffers are required along the northern and eastern property lines. A 6 ft. tall masonry wall is shown within these areas which allows for a reduction in the planted buffer width from 20 ft. to 10 ft. Due to limited space available, the applicant has requested a modification to reduce the 10 ft. wide buffer to a width of 5 ft. Landscaping within that area would include Crape Myrtles, Hollies and Privets.

All HVAC equipment, dumpster and grease trap enclosures will be appropriately screened in accordance with City standards.

A lighting plan will have to be reviewed by staff prior to issuance of building permits for the development.

Stormwater calculations are not required because the proposed disturbed area is less than one-half acre.

The following modifications are requested in conjunction with the proposed development:

1. Modification to reduce the width of the protected street yard area along Leslie Street from 8 ft. to 5 ft., 9 in.;

2. Modification of the parking requirement from 27 spaces to 17 spaces;
3. Modification of paving requirement to allow the graveled driveway extending from Leslie Street to remain;
4. Modification of the street tree requirement along Leslie Street;
5. Modification of the northern and eastern Class C opaque buffer with a solid fence from 10 ft. to 5 ft.;
6. Modification of the interconnectivity requirement along the northern property line;
7. Modification of front yard setback for the existing building from 20 ft. to 19.4 ft. along Elm Street and from 20 ft. to 5.9 ft. along Leslie Street; and
8. Modification of the rear setback for the existing building from 25 ft. to 17.6 ft.

At their meeting held on January 25, 2016, the Planning Commission recommended approval of the site and landscape plans as submitted with the above modifications.

RECOMMENDATION: By motion, accept the recommendation of the Planning Commission and approve the site and landscape plans with the following modifications:

1. Modification to reduce the width of the protected street yard area along Leslie Street from 8 ft. to 5 ft, 9 in.;
2. Modification of the parking requirement from 27 spaces to 17 spaces;
3. Modification of paving requirement to allow the graveled driveway extending from Leslie Street to remain;
4. Modification of the street tree requirement along Leslie Street;

5. Modification of the northern and eastern Class C opaque buffer with a solid fence from 10 ft. to 5 ft.;
6. Modification of the interconnectivity requirement along the northern property line;
7. Modification of front yard setback for the existing building from 20 ft. to 19.4 ft. along Elm Street and from 20 ft. to 5.9 ft. along Leslie Street; and
8. Modification of the rear setback for the existing building from 25 ft. to 17.6 ft.

Date: 1-26-2016


Planning Director

Date: 1-28-16

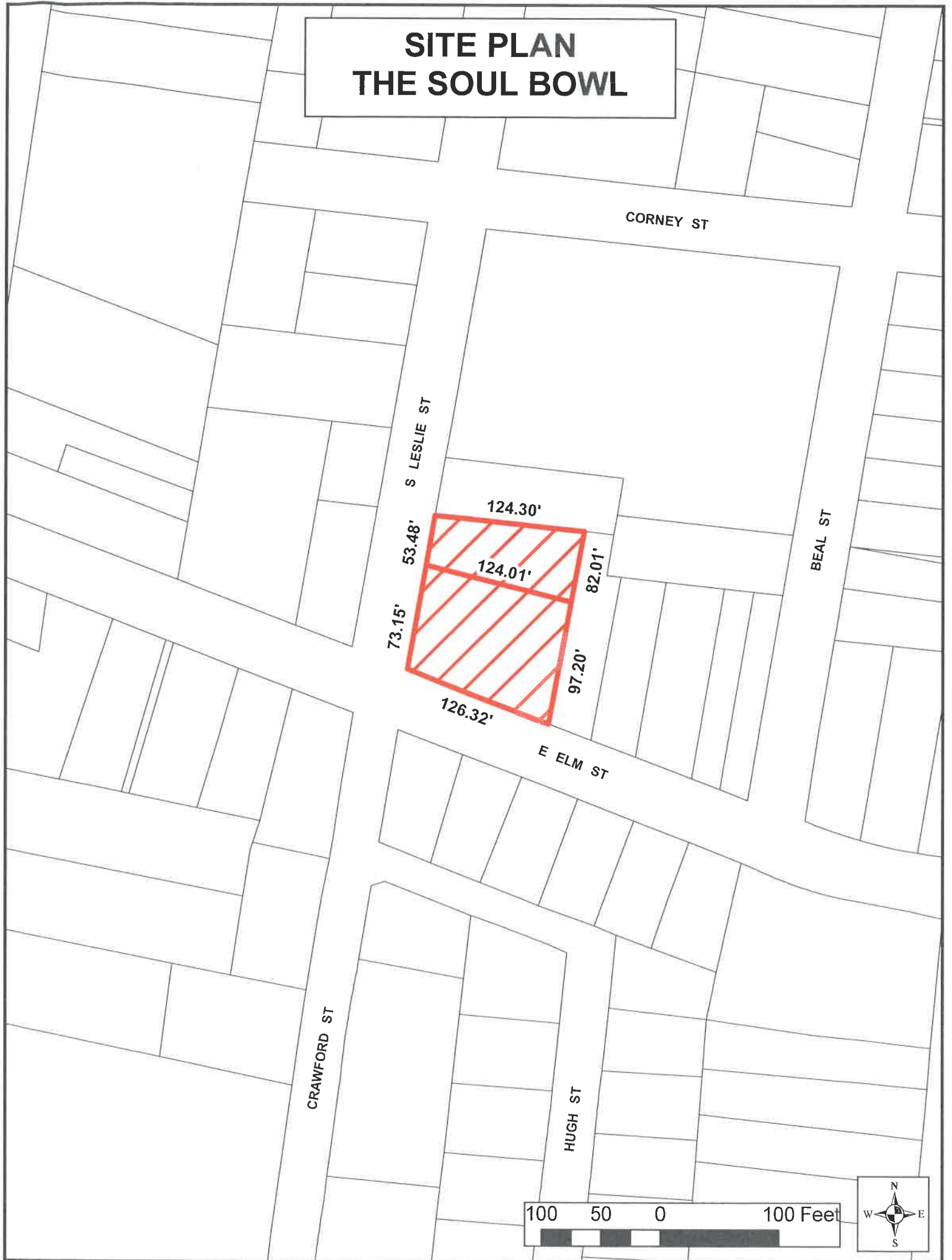

City Manager

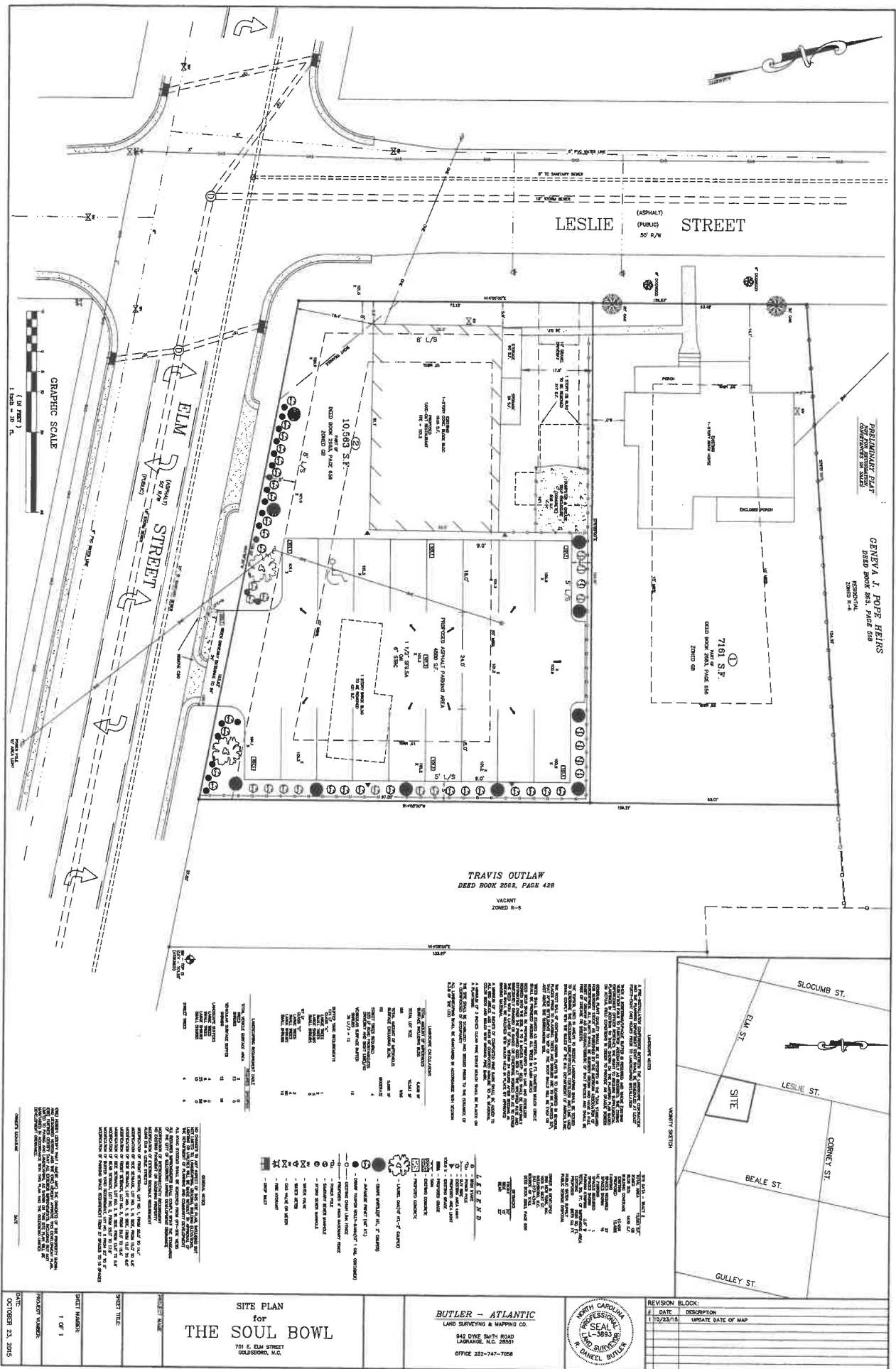
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SITE PLAN THE SOUL BOWL



SITE PLAN THE SOUL BOWL





Item E
Denied-
moved to
Consent
Agenda

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 1, 2016 COUNCIL MEETING

SUBJECT: Z-11-15 Heights Solar Farm, LLC – West side of
Thoroughfare Road between Central Heights Road and the
Norfolk-Southern Railroad

BACKGROUND: The applicant requests a change of zone from R-16 Single-Family Residential to R-20A Residential Conditional District to limit the use of the property to a solar facility. Development plans detailing the project would have to be approved in conjunction with the rezoning request.

Frontage: 515 ft.
Depth: 2,000 ft. (approximately)
Area: 43.0 Acres

Surrounding Zoning: North:	R-12 and R-16 Residential and RM-9 Residential Mobile Home
South:	Industrial and Business Park-1
East:	R-12 and R-16 Residential and RM-9 Residential Mobile Home
West:	R-16 Residential and RM-8 Residential Mobile Home Park

Existing Use: The property is currently vacant woods.

Proposed Use: If rezoned to the R-20A Conditional District, the use for the property would be limited to a solar facility and development plans detailing the use would be required.

Land Use Plan Recommendation: The City's Comprehensive Land Use Plan designates this property for Medium Density Residential development.

DISCUSSION:

Engineering Comments: The City is currently holding water and sewer assessments for the property in abeyance until the property is annexed or until the developer requests connection to City utility lines. The costs are \$4,080 for water and \$7,650 for sewer. Although the submitted development plans do not include hooking on to City utilities, the utility assessments currently held in abeyance will have to be paid. Annexation will not be required. This property is not located within a Special Flood Hazard Area.

The submitted site plan indicates a gated 20 ft. wide soil access drive beginning at Thoroughfare Road and extending westerly through the development terminating at a cul-de-sac. Two spaces will provide parking at time of construction and for scheduled site visits twice a year.

The solar panels will be installed within a 32-acre area (out of the entire 43-acre site) surrounded by a six-ft. tall chain link fence topped with barbed wire. Existing woods will be retained for a width of at least 50 ft. along the frontage as well as the sides and rear of the property. Existing woods will also be retained along the railroad line which extends just to the south of the property. Staff will evaluate the need for supplemental landscaping in the event the existing 50 ft. vegetative buffer does not meet the landscape buffer requirements.

The Air Installation Compatible Use Zone Study (AICUZ) shows that there are two mapped flight tracks which traverse the subject property.

Officials at Seymour Johnson AFB have analyzed the request and the Solar Glare Hazard Analysis Tool submitted by the applicant and, based on the parameters for development that have been proposed, they have no objections and find the proposal would be compatible relative to Height, Visual, Light Emissions, Bird/Wildlife Aircraft Strike Hazard (BASH), and Radio Frequency/Electromagnetic Interference protocol.

The applicant has indicated that construction on the site would take four to six months and that the operation will be basically unmanned with no daily personnel or activity at the site. Only twice-yearly site visits will be made to this location.

At the initial public hearing held on December 21, 2015, one person spoke in opposition to the request. Although no one appeared in favor, the applicant requested, in writing, that the public hearing be continued to January 19, 2016 in order to allow further time to address questions from a community meeting held previously. The Council continued the hearing to January 19, 2016.

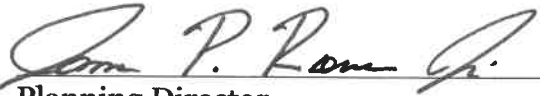
At the continued public hearing held on January 19, 2016, four persons representing the applicant spoke in favor of the request.

The Planning Commission, at their meeting held on January 25, 2016, recommended approval of the zoning change and submitted development plans as presented.

Staff, however, recommends denial of the zoning change since the City's Comprehensive Land Use Plan designates this property for Medium Density Residential Development. The requested R-20A zone is considered low-density according to the Plan.

RECOMMENDATION: By motion, accept the recommendation of the staff and deny the change of zone request and submitted development plans. The request to R-20A Residential would not be consistent with the recommendations contained within the adopted Comprehensive Land Use Plan which designate medium-density residential development for the property.

Date: 1-26-2016



Planning Director

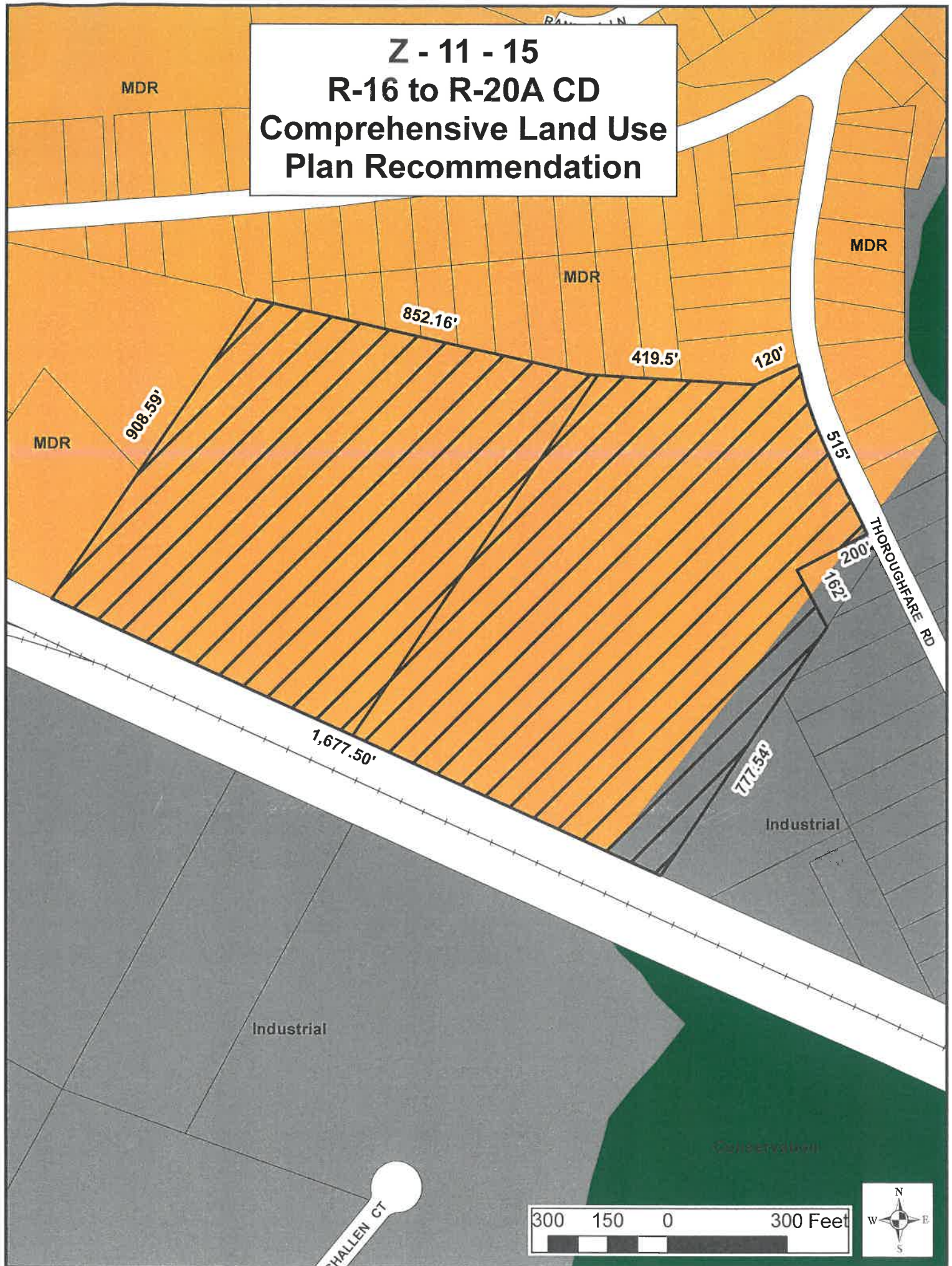
Date: 1-28



City Manager

ssj

Z - 11 - 15
R-16 to R-20A CD
Comprehensive Land Use
Plan Recommendation



Z - 11 - 15
Heights Solar Farm, LLC
R-16 to R-20A CD

CENTRAL HEIGHTS

908.59'

852.16'

419.5'

120'

515'

THOROUGHFARE RD

200'

162'

777.54'

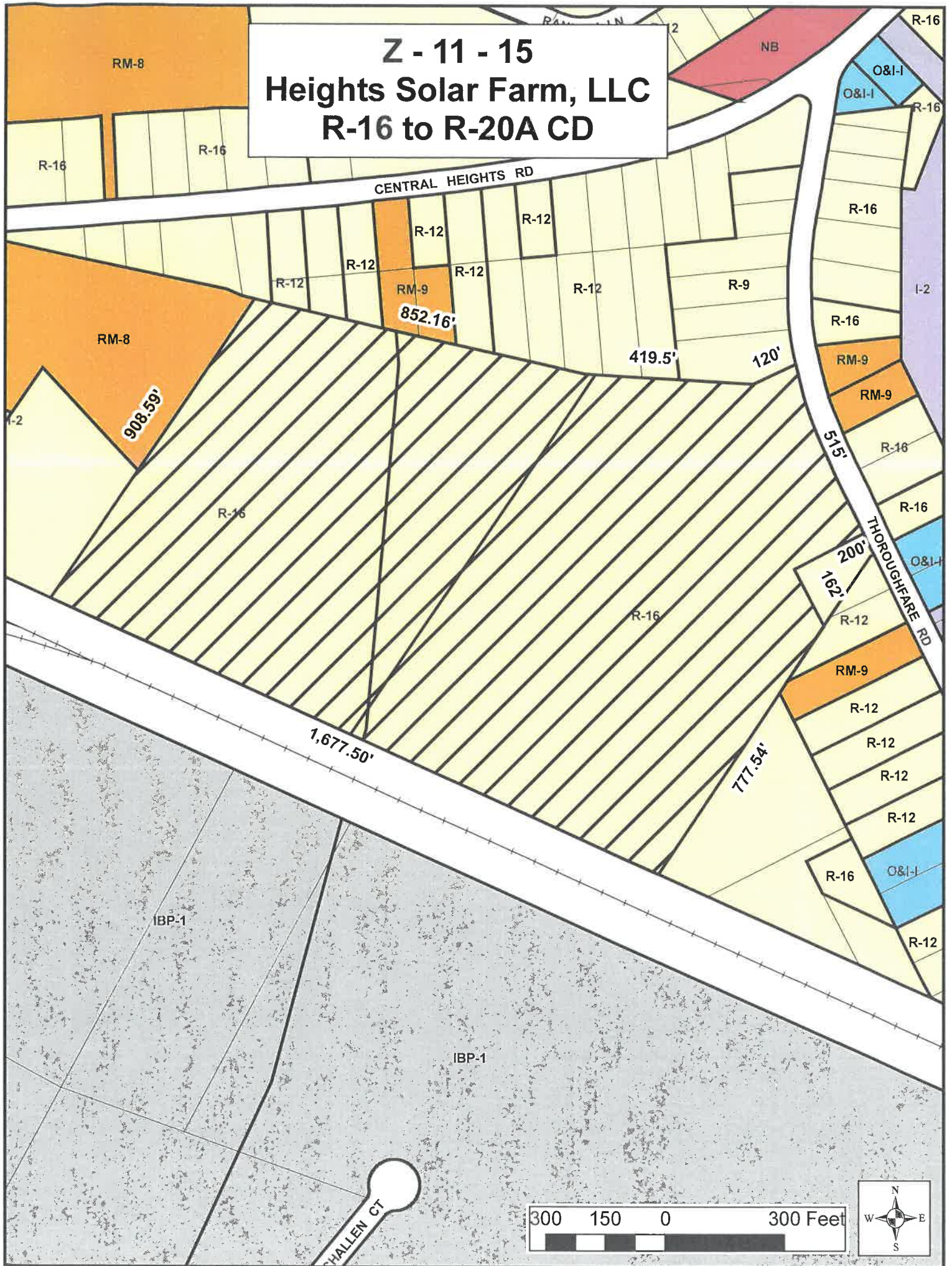
1,677.50'

CHALLENGE CT

300 150 0 300 Feet



Z - 11 - 15
Heights Solar Farm, LLC
R-16 to R-20A CD



Z - 11 - 15
Heights Solar Farm, LLC
R-16 to R-20A CD



CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 1, 2016 COUNCIL MEETING

SUBJECT: FY 2015-16 Budget Amendments

BACKGROUND: During the past few months, there have been several discussions with Council in regards to budget allocations for additional departmental expenditures.

DISCUSSION: There are several departments/divisions that require budget revisions for FY 2015-16.

1. In March 2015, Council approved for the Fire Department to purchase containers to construct a fire training facility. The training ground construction included additional expenditures for the foundation, erection of the containers, and fencing. The Fire Department utilized existing operating funding within their budget in the amount of \$35,000 for these expenditures. An appropriation is necessary for \$35,000 so that the Fire Department can continue to pay normal operating expenditures for the rest of this fiscal year.
2. NC Main Street Conference upcoming expenditures:
General Fund:

a) Union Station Window Coverings	\$3,200
b) Main Street Conference Fees	<u>\$4,610</u>
Total	\$7,810

Municipal Service District Fund:

a) JC Penney Parking Lot	\$4,000
b) John St. Parking Lot	\$3,500
c) Gidden's Clock Repairs	\$3,000
d) Light Pole Painting	<u>\$8,450</u>
Total	\$18,950
3. Council approved for staff to move forward with the repairs and resurfacing for Mulberry Street from Center to James Street at a cost of \$20,004. An appropriation of \$20,004 for funding is required.
4. Council approved for the resurfacing to surrounding streets associated with the Transfer Station and Walnut Street Improvements that was not funded with the Tiger funding. The additional resurfacing totaled \$110,457. An appropriation of \$110,457 for funding is needed.
5. Within the Travel and Tourism Division, the City received the reimbursement for the N.C. Tennis Association expenses in the amount of \$9,054.
6. The City Manager discussed with Council the repairs to the sidewalks and meter boxes on John Street.

Appropriation is needed from the General Fund for the sidewalk repairs in the amount of \$12,300 and \$16,000 from the Utility Fund for the meter box adjustments and retrofits.

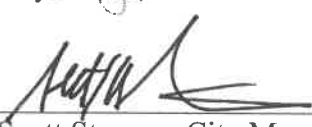
7. In accordance with the intergovernmental agreement, the County of Wayne contributed \$200,000 towards the renovations of the Goldsboro Country Club. These funds will be used to complete the parking lot improvements, landscaping installation, site and cart path renovations, additional furnishings and demolition to current club house facility. Amended the budget to reflect the additional revenue and expenditure is needed.

RECOMMENDATION: It is recommended that the attached budget ordinance be adopted to reflect the changes to the City's FY 2015-16 budget, which will be decreasing the Unassigned Fund Balance of the General Fund by \$165,567, Utility Fund by \$36,004 and Municipal Service District by \$18,950.

DATE: 1-28-16


Kaye Scott, Finance Director

DATE: 1-28-14


Scott Stevens, City Manager

ORDINANCE NO. 2016- 4

AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE
CITY OF GOLDSBORO FOR THE 2015-16 FISCAL YEAR

WHEREAS, the City of Goldsboro needs to adjust revenue and expenditure line items to reflect changes; and

WHEREAS, since the funds were not appropriated in the operating budget for FY 2015-16, the City of Goldsboro needs to appropriate the revenues and expenditures in the General and Occupancy Tax Funds along with appropriating unassigned fund balance from the General Fund by \$185,571, Utility Fund by \$16,000 and Municipal Service District by \$18,950.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro that the Budget Ordinance for the Fiscal Year 2015-16 be amended by:

1. General Fund:

- A. Increasing the revenue line item entitled "Miscellaneous Revenue" (11-0006-8190) in the amount of \$200,000 in the General Fund.
- B. Decreasing the Unassigned Fund Balance of the General Fund in the amount of \$165,567.
- C. Increasing the expenditure line item entitled "Operating Expenditures" (11-5120-2993) in the Fire Department in the amount of \$35,000.
- D. Increasing the expenditure line item entitled "Building Maintenance" (11-1025-3511) in the Downtown Goldsboro Development Division in the amount of \$3,200.
- E. Increasing the expenditure line item entitled "Fees and Dues" (11-1025-4912) in the Downtown Goldsboro Development Division in the amount of \$4,610.
- F. Increasing the expenditure line item entitled "Street Resurfacing" (11-4136-3588) in the Street Paving Division in the amount of \$110,457.
- G. Increasing the expenditure line item entitled "Sidewalk Repairs" (11-4134-3594) in the Streets and Storms Division in the amount of \$12,300.
- H. Increasing the expenditure line item entitled "GCC Renovations" (11-7310-5162) in the Special Expense Division in the amount of \$200,000.

2. Utility Fund:

- A. Decreasing the Unassigned Fund Balance of the Utility Fund in the amount of \$36,004.
- B. Increasing the expenditure line item entitled "Water Improvements" (61-4178-5982) in the Utility Capital Expenses in the amount of \$36,004.

3. Occupancy Tax Fund:

- A. Increasing the revenue line item entitled "Miscellaneous Revenue" (95-0006-8190) in the amount of \$9,054 in the Occupancy Tax Fund.
- B. Increasing the expenditure line item entitled "Travel Expenses" (95-9077-3121) in the Travel and Tourism Department in the amount of \$9,054.

4. Municipal Service District Fund:

- A. Decreasing the Unassigned Fund Balance of the Municipal Service District in the amount of \$18,950.
- B. Establishing the expenditure line item entitled "Downtown Projects" (70-8350-5960) in the Downtown District in the amount of \$18,950.

5. This Ordinance shall be in full force and effect from and after the 15th day of February 2016.

Approved as to form only:


City Attorney

Reviewed by:


City Manager

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 1, 2016 COUNCIL MEETING

SUBJECT: AUTHORIZATION OF PARKS AND RECREATION
POSITIONS

BACKGROUND: When the FY 2015-16 budget was adopted in June, Council reaffirmed the 442 full-time positions outlined in the budget document. There were 3 positions within the Golf Course Division that were authorized and funded until October 31, 2015.

DISCUSSION: The City of Goldsboro entered into an agreement with the Wayne County Public Schools in November 2015. The agreement will allow the City's Park and Recreation Department to utilize school facilities which have gymnasiums and athletic fields. The obligation of the City will be to maintain several of the athletic grounds and cleaning and trash removal at its events and functions. The additional maintenance requirements that comes along with this agreement will involve more maintenance staff.

It is recommended that two of the positions eliminated within the Golf Course Division be authorized to support the maintenance requirements necessary with the school agreement.

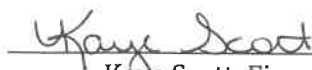
The City's budget document lists all of the full-time positions with the appropriate pay grades, I am recommending that the following positions be authorized in the FY 2015-16 budget.

<u>Position</u>	<u>Grade</u>	<u>Pay Range</u>
Heavy Equipment Operator	71	\$33,563 - \$53,029
Maintenance Technician	67	\$27,612 - \$43,627

Since funding for these positions were not appropriated after October 31, 2015, it is requested that additional funding be allocated for salary and fringes in the amount of \$56,600.

RECOMMENDATION: By motion, authorize the Heavy Equipment Operator and Maintenance Technician positions within the FY 2015-2016 budget and adopt the attached budget ordinance allocating the funding for these positions.

Date: 1-26-16


Kaye Scott, Finance Director

Date: 1-28-16


Scott Stevens, City Manager

ORDINANCE NO. 2016-5

AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE
CITY OF GOLDSBORO FOR THE 2015-2016 FISCAL YEAR

WHEREAS, the Heavy Equipment Operator and Maintenance Technician positions are being authorized in the Parks and Recreation Department to assist the City's efforts with the Wayne County Public Schools agreement; and

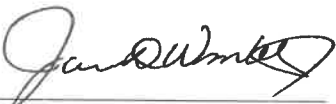
WHEREAS, these positions will assist with maintenance of the athletic grounds, cleaning and trash removal at events and functions; and

WHEREAS, since the current fiscal year's budget does not contain sufficient monies to meet these obligations for the salaries and benefits, the City of Goldsboro needs to appropriate \$56,600 from the General Fund.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro that the Budget Ordinance for the Fiscal Year 2015-2016 be amended by:

1. Decreasing the Unassigned Fund Balance of the General Fund in the amount of \$56,600.
2. Increasing the following line items in the Human Resources Department's budget of the General Fund:
 - a. Salaries and Wages – Full-time (11-7460-1210) \$41,450.00
 - b. Social Security (11-7460-1810) \$ 3,170.00
 - c. Retirement (11-7460-1821) \$ 2,800.00
 - d. Hospital Insurance (11-7460-1830) \$ 7,950.00
 - e. 401K (11-7460-1822) \$ 1,230.00
3. This Ordinance shall be in full force and effect from and after the 1st day of February 2016.

Approved as to form only:



City Attorney

Reviewed by:



City Manager

Item No. H

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 1, 2016 – COUNCIL MEETING

SUBJECT: North Carolina Parks and Recreation Trust Fund Grant

BACKGROUND: The NC Parks and Recreation Trust Fund (PARTF) is grant funding that assists in building and renovating facilities. PARTF provides dollar-for-dollar matching grants to local governments for parks and recreation projects to serve the public.

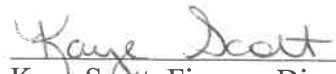
The Goldsboro City Council adopted the conceptual Master Plan for Mina Weil Park and encouraged staff to search for additional funding sources to help with the cost of this project.

DISCUSSION: At the January 20, 2015 meeting, the City Council agreed for staff to apply for a PARTF grant to support with the construction of the recreation center and improvements to Mina Weil Park. The City has been awarded a \$250,000 grant towards these improvements. The City's match will be the construction of the new W. A. Foster Recreation Center.

RECOMMENDATION: It is recommended that Council:

1. Adopt the attached resolution authorizing the Mayor to sign the grant agreement with the NC Department of Natural and Cultural Resources.
2. Adopt the attached ordinance to reflect an increase in General Fund revenues and an increase in the operating expenditures of Parks and Recreation's budget by a total of \$250,000.

Date: 1-27-16


Kaye Scott, Finance Director

Date: 1-28-16


Scott Stevens, City Manager

ORDINANCE NO. 2016- 6

AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE
CITY OF GOLDSBORO FOR THE 2015-16 FISCAL YEAR

WHEREAS, the City of Goldsboro has been awarded North Carolina Parks and Recreation Trust Fund Grant from the North Carolina Department of Environment and Natural Resources in the amount of \$250,000; and

WHEREAS, the grant funding will be used for the construction and improvements to Mina Weil Park; and

WHEREAS, the City will utilize the W. A. Foster Recreation Center construction as matching funding; and

WHEREAS, since the funds were not appropriated in the operating budget for FY 2015-16, the City of Goldsboro needs to appropriate the revenues and expenditures in the General Fund.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro that the Budget Ordinance for the Fiscal Year 2015-16 be amended by:

1. Establishing a revenue line item entitled "PARTF Grant Reimbursement" (11-0003-8913) in the amount of \$250,000.
2. Establishing the expenditure line item entitled "PARTF Grant" (11-7460-5079) in the Recreation and Parks Department's budget of the General Fund in the amount of \$250,000.
3. This Ordinance shall be in full force and effect from and after the 1st day of February 2016.

Approved as to form only:



City Attorney

Reviewed by:



City Manager

RESOLUTION NO. 2016-7

A RESOLUTION AUTHORIZING THE CITY OF GOLDSBORO TO ACCEPT THE
NORTH CAROLINA PARKS AND RECREATION TRUST FUND GRANT

WHEREAS, the North Carolina Parks and Recreation Trust Fund is grant funding that assists in building and renovating facilities for local governments; and

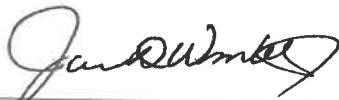
WHEREAS, the City of Goldsboro has been awarded grant funds in the amount of \$250,000 to assist with the improvements to Mina Weil Park; and

WHEREAS, since this is a matching grant, the City will utilize the W. A. Foster Recreation Center construction for its match.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina, that:

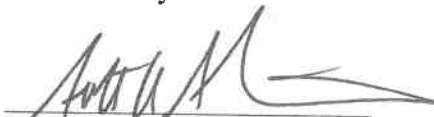
1. The Mayor is hereby authorized to enter into an agreement on behalf of the City of Goldsboro with the North Carolina Department of Natural and Cultural Resources for the improvements to Mina Weil Park in the amount of \$250,000.
2. This resolution shall be in full force and effect from and after the 1st day of February 2016.

Approved as to form only:



City Attorney

Reviewed by:



City Manager

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 1, 2016 COUNCIL MEETING

SUBJECT: Resolution Establishing FY 2015-16 Tourism Allocation

BACKGROUND: The City of Goldsboro recognized the need to advance development of tourism and increased the occupancy tax from 3% to 5% on July 15, 2002. Our local legislation describes how occupancy tax funds are to be used on whether a civic center is feasible or not feasible at present. At the June 16, 2008 meeting, Council adopted a resolution allocating 50% of the net proceeds from the occupancy tax collections be assigned towards support of tourism efforts, which indicated that the civic center was not feasible at present. Since that time, the City has been allocating all occupancy tax proceeds 50% towards tourism and 50% towards civic center.

DISCUSSION: On March 6, 2015, the City of Goldsboro entered into an intergovernmental agreement with the County of Wayne to construct the Wayne County Agricultural and Convention Center. The City agreed to donate approximately 12 acres of land at the corner of New Hope Road and Wayne Memorial Drive for the development of this center.

The County of Wayne has the authority to levy a 1% room occupancy tax and the intergovernmental agreement with the City on how the County and City occupancy tax will be distributed to support tourism marketing and facilities. Based on the determination that the convention center is feasible and the intergovernmental agreement distributes the occupancy tax for tourism related purposes, it is recommended that the City Council change the occupancy tax collections proceeds for tourism to 20% for marketing and 80% for facilities effective February 1, 2016.

On January 27, 2016, staff met with the Goldsboro Tourism Council and discussed the abovementioned distribution change and the Council was in favor of this distribution change.

RECOMMENDATION: By Motion: Adopt the attached resolution changing where the Civic Center is feasible and remit up to twenty percent (20%) of the net proceeds from occupancy tax collections to the Goldsboro

Tourism Council for tourism related marketing efforts and eighty percent (80%) of the net proceeds from the occupancy tax collections to tourism related facility construction, maintenance, and/or operation expenses.

DATE: 1-26-16

Kaye Scott
Kaye Scott, Finance Director

DATE: 1-28-16

Scott Stevens
Scott Stevens, City Manager

RESOLUTION NO. 2016-8

RESOLUTION ESTABLISHING FY 2015-16 TOURISM ALLOCATION

WHEREAS, the City of Goldsboro has the authority to levy a 5% room occupancy tax to support tourism related marketing and facilities; and

WHEREAS, the local legislation describes how these occupancy tax funds shall be used depending on whether a convention center is feasible or not feasible at present; and

WHEREAS, due to the partnership with the County of Wayne to construct the Wayne County Agricultural and Convention Center, the City Council has determined that construction of a convention center is feasible; and

WHEREAS, the County of Wayne has the authority to levy a 1% room occupancy tax and has entered into an intergovernmental agreement with the City on how the County and City occupancy tax will be distributed to support tourism marketing and facilities; and

WHEREAS, the current distribution of the City's occupancy tax revenue for tourism related activities is 50% for marketing and 50% for facilities; and

WHEREAS, tourism related facilities are needed within the community to attract additional visitors and encourage those visitors to spend the night in Goldsboro or surrounding areas; and

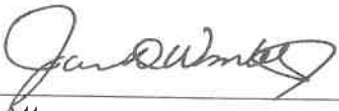
WHEREAS, based on the determination that a convention center is feasible and the intergovernmental agreement distributes the occupancy tax revenue for specific tourism related purposes, the Goldsboro City Council desires to change the occupancy tax revenue distribution for tourism to 20% for marketing and 80% facilities effective with revenues received after February 1, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina, that:

1. Goldsboro City Council has determined that the Civic Center is feasible which gives the City of Goldsboro the authority to remit up to twenty percent (20%) of the net proceeds from the occupancy tax collections to the Goldsboro Tourism Council for tourism related marketing efforts and eighty percent (80%) of the net proceeds from the occupancy tax collections to tourism related facility construction, maintenance, and/or operations expenses.

2. This Resolution shall be in full force and effect from and after this the 1st
day of February 2016.

Approved as to Form Only:



City Attorney

Reviewed by:



City Manager

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 1, 2016 COUNCIL MEETING

SUBJECT: Audit Services for Fiscal Year Ending June 30, 2016

BACKGROUND: The General Statutes of the State of North Carolina require that the City of Goldsboro undertake an independent audit of its financial records on an annual basis. The Audit examines, by fund, all categories of the City's revenues and expenditures. It also illustrates revenues and expenditures by reporting the amounts on the original budget plus the final budget compared to the amounts that were actually received and spent throughout the Fiscal Year.

DISCUSSION: The CPA firm of Carr, Riggs and Ingram, LLC has performed the City's audit for the past several years, and they are very familiar with the City's financial records. Mr. Dean Horne, CPA, has provided a quote of \$45,000 and it is felt that this price is accurate for the amount of work that is essential and the requirements placed upon the auditors by the Local Government Commission, and the quality of the reports provided by this firm. This figure does include the auditing requirements for the Federal Transportation Authority for the TIGER funding.

RECOMMENDATION: It is recommended that the Council, by motion, award the auditing services for the Fiscal Year ending June 30, 2016 to Carr, Riggs and Ingram, LLC.

Date: 1-27-16


Kaye Scott, Finance Director

Date: 1-28-16


Scott Stevens, City Manager

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 1, 2016 COUNCIL MEETING

SUBJECT: Revised Amendment No. 1 to Engineering Services Agreement for CWSRF Stoney Creek Sanitary Sewer Outfall Rehabilitation

BACKGROUND: The City Council reviewed Amendment No. 1 at the January 4, 2016 council meeting. Upon review and discussions with City staff, a recommendation was made to revise Amendment No. 1 authorizing The Wooten Company to perform "select" construction administration services prior to construction and during construction closeout. It is also understood that City staff will handle the majority of construction administration and all resident project representative services during the construction period.

DISCUSSION: Upon recommendation by City staff, The Wooten Company revised Amendment No. 1 for additional services and modifications to services set forth above. The Wooten Company shall provide select bidding and award and construction administration services to the City during the bidding and construction phases of the project. This work will be conducted on an hourly rate basis within an established ceiling fee as outlined in the table below:

Fee Schedule (Hourly rate w/ceiling fee):

Advertisement, Bidding & Award	\$2,500.00
Construction Administration	<u>\$7,250.00</u>

Revised Amendment No. 1 Total	\$9,750.00
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We have reviewed the financing of this project with the Finance Director and determined that appropriation from the utility fund is required.

RECOMMENDATION: It is recommended that the City Council by motion,

- Adopt the attached budget ordinance appropriating funds for additional engineering services for the Stoney Creek Sanitary Sewer Outfall Rehabilitation Project.
- Adopt the attached resolution authorizing the City Manager to execute Revised Amendment No. 1 with The Wooten Company pertaining to additional engineering services.

Date: 27 Jan 16


Guy M. Anderson, P. E., City Engineer

Date: 1-28-16


Scott A. Stevens, City Manager

ORDINANCE NO. 2016- 7

AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE
CITY OF GOLDSBORO FOR THE 2015-2016 FISCAL YEAR

WHEREAS, the N.C. Department of Environment and Natural Resources approved the engineering report for the Stoney Creek Sanitary Sewer Outfall Rehabilitation Project; and

WHEREAS, the Wooten Company was selected for the engineering services pertaining to the survey, design and permitting for this project; and

WHEREAS, additional services for advertisement, bidding, awarding, and construction administration are required at a cost not to exceed \$9,750; and

WHEREAS, since the current fiscal year's budget does not contain sufficient monies to meet these obligations, the City of Goldsboro needs to appropriate \$9,750 from the Utility Fund.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro that the Budget Ordinance for the Fiscal Year 2015-16 be amended by:

1. Decreasing the Unassigned Fund Balance of the Utility Fund in the amount of \$9,750.
2. Increasing the line item entitled "Consultant Fees" (61-4178-1991) in the amount of \$9,750 in the Utility Capital Projects Division.
3. This Ordinance shall be in full force and effect from and after the 1st day of February 2016.

Approved as to form only:

Reviewed by:



City Attorney



City Manager

RESOLUTION NO. 2016-9

RESOLUTION AUTHORIZING EXECUTION OF REVISED AMENDMENT NO. 1
FOR ADDITIONAL ENGINEERING SERVICES FOR STONEY CREEK SANITARY SEWER
OUTFALL REHABILITATION PROJECT BETWEEN THE CITY OF GOLDSBORO AND
THE WOOTEN COMPANY

WHEREAS, the City Council of the City of Goldsboro has determined that it is necessary and in the best public interest to undertake the Stoney Creek Sanitary Sewer Outfall Rehabilitation Project; and

WHEREAS, the City Council awarded an engineering services agreement to The Wooten Company on April 15, 2015 for the surveying, designing and permitting phase; and

WHEREAS, the City Council of the City of Goldsboro desires to revise Amendment No. 1 pertaining to the professional engineering services agreement for contract advertising, bidding, awarding, and construction administration phase of the Stoney Creek Sanitary Sewer Outfall Rehabilitation Project;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina, that:

1. The City Manager is hereby authorized and directed to execute Revised Amendment No. 1 to the professional engineering services agreement in the amount of \$9,750 with The Wooten Company pertaining to the contract bidding process and construction administration services for the Stoney Creek Sanitary Sewer Outfall Rehabilitation Project.
2. This resolution shall be in full force and effect from and after this 1st day of February, 2016.

Approved as to Form Only:

Reviewed by:



City Attorney



City Manager

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 1, 2016 COUNCIL MEETING

SUBJECT: Municipal Service District 2015-16 Budget Needs

BACKGROUND: The Municipal Service District (MSD) is a downtown tax district that collects \$0.235 per \$100 valuation of property. It was established in 1979 as a result of a NC General Statute that allows municipalities to create such districts for the benefits of the downtown commercial district of a city or town. These funds cannot be utilized for improvements or benefits outside the District.

Since the last Wayne County property tax reevaluation in 2011, this District generally collects \$72,000. Each year, the downtown staff prepares a budget that allocates this sum to projects or efforts to benefit downtown. Furthermore, the staff, with input from the DGDC, works to balance the allocation of those funds to reflect the national Main Street™ Four Step Approach to downtown revitalization, including; Design, Economic Restructuring, Promotions and Organization.

Due to unplanned costs associated with the Center Street Streetscape project, including light pole banners, holiday decoration needs, public art installations, signage, communication and marketing needs, the appropriated allocation of the 2015-16 MSD Budget has been utilized for these costs and depleted necessary funds for planned and committed expenses. In addition, the Center Street investment has spurred an influx of new private investment as the City desired.

DISCUSSION: Since 1985 the City and the Downtown Goldsboro Development Corporation (DGDC) have administered a public-private financial incentive program funded by the monies derived by the MSD for downtown building façade improvements. Both tenants and property owners are eligible for these grant monies if the building is used commercially, the property owner pays property tax and the building is located within the boundaries of the MSD. The grant is applicable for repairs, restorations, or improvements made to building exterior facades facing a public street or rights-of-way. The procedure to participate in the program requires an application reviewed and supported by the Historic District Commission and the City of Goldsboro Inspections Department, renderings of the end product, an itemized list of work to be completed and at least two itemized quotes. The application is submitted to the DGDC Design Committee for review and recommendation to the DGDC Board of Directors.

The Façade Grant Program is the single local direct financial incentive offered as a tool toward building improvements. The 2015/16 FY budgeted \$20,000 to support this program. Due to the influx of new property acquisitions and business investments, the Downtown Development office is experiencing an increase of requests for façade grant applications.

To date, the façade grant program has supported six façade grant projects for the following properties:

- 1) 205/207 E. Walnut Street in the amount of \$3,939.25.
- 2) 201 S. Center Street in the amount of \$8,296.72.
- 3) 143 N Center in the amount of \$5,180.00.
- 4) 117 S. Center Street in the amount of \$4,669.59.
- 5) 101 N. Center Street in the amount of \$10,000.

The total façade improvement investment for these five projects by the private investor, based on their lowest bid, is \$139,248.57.

These projects were funded at a total MSD cost of \$32,085.56 resulting in a 334% return on investment.

The DGDC has received four additional façade grant applications for the following properties: 205 N. John Street, 207 N. John Street, 209 N. John Street and 201 N. Center Street. The first three properties meet the Special Projects category providing up to 25% of the façade project cost, not to exceed \$10,000. The latter project, 201 N. Center Street, meets the regular project category allowing a maximum \$2,500 award. Due to the current balance, we require \$14,853.66 to fully award these grants.

With the recent reductions of the MSD Fund Balance to support needed housekeeping items at the January 19, 2016 Council Meeting, the MSD unappropriated fund balance is \$38,906.

RECOMMENDATION: By motion, adopt the attached budget ordinance reducing the Municipal Service District unappropriated fund balance in the amount of \$14,853.66 to increase the façade grant/project line item by the same amount to permit the DGDC to:

- 1) Award the outstanding four façade grant projects, according to the standards of the façade grant program.

Date: _____

Downtown Goldsboro Development Corp. Director

Date: 1-28-14



City Manager

ORDINANCE NO. 2016- 8

AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE
CITY OF GOLDSBORO FOR THE 2015-2016 FISCAL YEAR

WHEREAS, the City of Goldsboro and the Downtown Goldsboro Development Corporation has administered a financial incentive program funded by monies derived by the Municipal Service Tax District for downtown building façade improvements; and

WHEREAS, the grant is applicable for repairs, restorations, or improvements made to building exterior facades facing a public street or rights-of-ways ; and

WHEREAS, this program has been instrumental in improving the appearance of downtown Goldsboro and securing the integrity of many historic properties; and

WHEREAS, this project is highly visible to the public and visitors of Goldsboro and would have a positive impact to the overall revitalization; and

WHEREAS, due to the influx of façade grant requests, the need for additional \$14m853.66 is sought to finance these improvements; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro that the Budget Ordinance for the Fiscal Year 2015-2016 be amended by:

1. Decreasing the Unassigned Fund Balance of the Municipal Service District Fund in the amount of \$14,853.66.
2. Increasing the line item entitled "Façade Grant" (70-8350-9956) in the amount of \$14,853.66.
3. This Ordinance shall be in full force and effect from and after the 1st day of February 2016.

Approved as to form only:



City Attorney

Reviewed by:



City Manager

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 1, 2016 COUNCIL MEETING

SUBJECT: Advisory Board and Commission Appointments

BACKGROUND: 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 in an effort to fill these vacancies.

DISCUSSION: Recommendations for appointments were requested from the respective Boards and Commissions. Applications were also solicited from the general public at large.

The City Council met in a work session on December 21, 2015, to review vacancies and applications received to fill the current vacancies. To date, nine applications have been received to fill the vacancies of three boards and commissions. With these appointments, three vacancies on the Appearance Commission, three vacancies (2 are alternates) on the Historic District Commission, six vacancies on the Mayor's Committee for Person with Disabilities, one vacancy (at-large) on the Goldsboro Tourism Council and one vacancy on the Community Affairs Commission remain.

RECOMMENDATION: It is recommended that the City Council by motion, adopt the attached Resolution appointing members to various Advisory Boards and Commissions in the City of Goldsboro.

Date: 1-28-16



City Manager

RESOLUTION NO. 2016- 10

RESOLUTION APPOINTING MEMBERS
TO ADVISORY BOARDS AND COMMISSIONS

WHEREAS, continued involvement of citizens is vital to the performance of City government; and

WHEREAS, the terms of several members on the City's Advisory Boards and Commissions have expired or been vacated due to members moving or resigning; and

WHEREAS, the following distinguished citizens have expressed a desire to serve upon the indicated Board or Commission;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina, that:

1. The following individuals be and are hereby appointed to the specified Boards and Commissions. The terms of the appointees shall expire on the dates indicated:

Advisory Committee on Community Development

Filling an Unexpired Term

Debbie Smith	Term Expires	12-31-16
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First Term Appointee

Yvonnia Moore	Term Expires	12-31-18
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Elizabeth Brewington	Term Expires	12-31-18
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Gregory Robinson	Term Expires	12-31-18
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Mayor's Committee for Persons with Disabilities

First Term Appointee

Bessie Yarborough	Term Expires	12-31-19
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Appearance Commission

Elton Brewington	Term Expires	12-31-18
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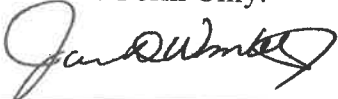
Dennis Town	Term Expires	12-31-18
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Wendy Town	Term Expires	12-31-18
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Amy Bauer	Term Expires	12-31-18
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2. This Resolution shall be in full force and effect from and after this 1st day of February, 2016.

Approved as to Form Only:



City Attorney

Reviewed by:



City Manager

Laura Getz

From: Darren Goroski
Sent: Friday, November 27, 2015 9:49 PM
To: Melissa Corser; Laura Getz
Subject: New submission from Boards and Commissions Online Application

Full Name

Debbie L Smith

Address

127A East Walnut Street

Home Phone

9193441397

Business Phone

9193594486

Which Board or Commission are You Applying For

- Committee on Community Development
- Commission of Community Affairs
- Planning Commission / Board of Adjustment

Residency

Within the City of Goldsboro

Present Occupation:

Assistant Sample Specialist at Grifols Therapeutics in Clayton

Educational Background

Enrolled at SNHU for Spring semester to complete Bachelors in Business

Employment History

Ten years at Grifols Therapeutics/Talecris Biotherapeutics in Clayton, NC

Additional Information

From Wayne County but have lived in downtown Goldsboro for 10 years. Interested in giving back to our community.



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

CITY OF GOLDSBORO
RESUME FOR APPOINTMENT TO BOARDS AND COMMISSIONS

Board or Commission Applied for: (If interested in more than one, please list in order of preference) Planning

Community Development

Name: YVONNIA MOORE

Address: 143 N. Center St. Goldsboro, NC

Phone: (Home) 919-617-1418 (Business) _____

Residency: I reside (check one): ☒ within the City of Goldsboro
☐ within the one-mile jurisdiction of the City
☐ outside the City and the one-mile but within Wayne County

Present Occupation: The Ice Storm - partner

Educational Background: _____

Employment History: First Fidelity - senior loan officer

Civic Organization Membership: _____

Additional Information: _____

Signature [Signature]

12-30-14
Date

Laura Getz

From: Darren Goroski
Sent: Tuesday, January 12, 2016 4:04 PM
To: Melissa Corser; Laura Getz
Subject: New submission from Boards and Commissions Online Application

Full Name

Elizabeth Clare Brewington

Address

1512 Scotty Drive Goldsboro NC 27534

Home Phone

202-999-6824

Business Phone

919-891-0145

Which Board or Commission are You Applying For

- Committee on Community Development
- Commission of Community Affairs
- Historic District Commission
- Tourism Council

Residency

Within the City of Goldsboro

Present Occupation:

Grants, Training, Events and Marketing Consultant

Educational Background

Post Graduate Diploma in Advanced Media Studies
Graduate in Economics and Statistics. University of Mumbai, India

Completed the School of Government Class of 2015 City of Goldsboro, NC

Employment History

Self Employed. Has over 17+years of Madison Avenue New York Marketing Expertise. Served Government Clients like the United States Census Bureau, United States Postal Services. Worked with City Mayors of Westchester, New York and Eastern Pennsylvania.

Goldsboro Clients Include: Wayne Community College & the Arts Council of Wayne County

Civic Organization Membership

NC Citizens for Public Health
Health Ministry First African Baptist Church

Additional Information

Elizabeth Clare Brewington is a member of the Wayne County Chamber of Commerce



Laura Getz

From: Darren Goroski
Sent: Thursday, December 31, 2015 5:49 PM
To: Melissa Corser; Laura Getz
Subject: New submission from Boards and Commissions Online Application

Full Name

Gregory Robinson

Address

106B Marybeth Pl, Goldsboro, NC 27534

Home Phone

919 750-1623

Which Board or Commission are You Applying For

- Committee on Community Development
- Planning Commission / Board of Adjustment

Residency

Within the one-mile jurisdiction of the City

Present Occupation:

Information Technology

Educational Background

NC Wesleyan College
B.S. Business Administration
B.S. Computer Information Systems

Currently Enrolled at East Carolina University
Master's in Network Technology focus in Network Security
Tentative date of completion 6/2017.

Employment History

BB&T - Network Control Support Specialist 6/2015 to Present
Wayne County Public Schools - District Computer Technician and other various support position Jan. 2011 to June 2015.
Sam's Club - Receiving manager 2002-2005
Sam's Club - Part-time various positions June 2011-2015

Civic Organization Membership

I'm the President of the Young Adult Mission for First Baptist Eureka - 5/2014 to present

Additional Information

I graduated from Eastern Wayne High School in 2000. Goldsboro has come a long way since then. I would like to get more involved in the city, and to help Goldsboro with it's continual growth opportunity.



Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any

Laura Getz

From: Darren Goroski
Sent: Friday, January 08, 2016 2:44 PM
To: Melissa Corser; Laura Getz
Subject: New submission from Boards and Commissions Online Application

Full Name

Yarborough, Bessie

Address

1104 Berry Street 27530

Home Phone

919-736-7623

Business Phone

same

Which Board or Commission are You Applying For

- Mayor's Committee for Persons with Disabilities

Residency

Within the City of Goldsboro

Present Occupation:

Retired/Teacher88

Educational Background

B.S. in HS Science & Math
24 Graduate Hours in Special Ed.
30 Hours on Graduate Science & Math Courses

HS-1958 Kittrell HS
AS-1960 Kittrell Jr. College B.S. -1962-Allen Univ, Columbia, SC
1978-1995-Summer Institute Stipends /Science /Math
NCCU-Durham. Fayetteville State-Fayetteville. UNC-Chapel Hill, NC A& T State, East Carolina Univ. St. Augustine's Coll, Raleigh

Employment History

1963 HS Biology-Washington, GA
1965- HS Math Culpeper, VA
1966-88- HS Science/Math Lenoir County Schools Kinston, NC
-1990-91 Biology/ Southern Wayne High, Dudley, NC
1992-2001-Wayne Comm Coll./ Samarkand Correctional School, Louisburg High, Belfast Alternative School Goldsboro
Science/Math
2002-2005 Garner Middle School-Wake County/Special Ed.
2005-2007-HS Science/Math Duplin County
Years in Teaching 41.5

Civic Organization Membership

NCAE NC Association of Educators
NC Democratic Party.

NC & National NAACP

Additional Information

Having Taught Special Needs Adults & Children...I feel
that I can help in some way.



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

Laura Getz

From: Darren Goroski
Sent: Tuesday, January 12, 2016 4:10 PM
To: Melissa Corser; Laura Getz
Subject: New submission from Boards and Commissions Online Application

Full Name

Elton Brewington

Address

1512 Scotty Drive Goldsboro NC 27534

Home Phone

202-999-2846

Business Phone

919-891-0145

Which Board or Commission are You Applying For

- Appearance Commission
- Housing Authority
- Municipal Golf Course Committee
- Planning Commission / Board of Adjustment

Residency

Within the City of Goldsboro

Present Occupation:

Training, Events, Grants and Marketing Consultant

Educational Background

Elton R Brewington is a Dale Carnegie Trained Coach and holds a Bachelor's degree from NCA&T University.

Completed 2015 City of Goldsboro School of Government

Employment History

25+years of Training, Marketing, Events and Grant Consulting. Specialized in International Import/Export and New Business Expansion.

Worked with City Mayors of Westchester, New York and Eastern Pennsylvania

Current Client: Wayne Community College

Additional Information

Member of the Wayne Chamber of Commerce



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

CITY OF GOLDSBORO
RESUME FOR APPOINTMENT TO BOARDS AND COMMISSIONS

Board or Commission Applied for: (If interested in more than one, please list in order of preference) Appearance Committee

Name: Dennis A. Town - Wendy L. Town

Address: 413 N. James St. Goldsboro

Phone: (Home) 919 285 5353 (Business) Same

Residency: I reside (check one): ☒ within the City of Goldsboro
☐ within the one-mile jurisdiction of the City
☐ outside the City and the one-mile but
within Wayne County

Present Occupation: Antiques merchant

Educational Background: 12th + 2 yrs. College

Employment History: Self-employed - Town's Antiques

Civic Organization Membership: _____

Additional Information: _____


Signature

1/26/16
Date

CITY OF GOLDSBORO
RESUME FOR APPOINTMENT TO BOARDS AND COMMISSIONS

Board or Commission Applied for: (If interested in more than one, please list in order of

preference)

APPEARANCE COMMITTEE

Name:

Amy Bauer

Address:

108 N. Virginia St.

Phone: (Home)

805-990-0553 (Business) None

Residency:

I reside (check one:

☒

within the City of Goldsboro

☐ within the one-mile jurisdiction of the City

☐ outside the City and the one-mile but

within Wayne County

Present Occupation:

Insurance Broker 20 yrs

Educational Background:

Employment History:

Ins Broker 20 yrs, Real Estate agent 5 yrs. Interior Designer 4 yrs owner of Country Flair Int. in Evergreen Co.

Civic Organization Membership:

Vice president Evergreen Garden Club, Wayne Co Historical Assoc. board member, DGDC promotions committee member

Additional Information:

Chairman of The Design House 2015

Signature

Amy Bauer

Date

1/20/16

Item No. N

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 1, 2016 COUNCIL MEETING

SUBJECT: Terminology Update for Code of Ordinances

BACKGROUND: The Goldsboro City Council was formerly known as the “Board of Alderman” and some of the old terminology is still found in our Code of Ordinances.

DISCUSSION: To be consistent throughout the Code of Ordinances, staff would recommend updating the remaining instances of the old terminology.

Replace the words “Board of Alderman” or “Alderman” to “City Council” in the following places:

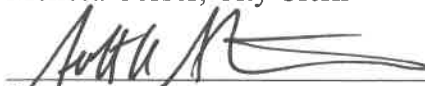
- Article IV: § 4.1, 4.2
- Article V: § 5.1, 5.2
- Article VI: § 6.1, 6.2
- Article VII: § 7.1, 7.3
- Article VIII: § 8.1, 8.2
- Article IX: § 9.1, 9.2, 9.3, 9.5, 9.6, 9.7
- Article X: § 10.1, 10.4, 10.10, 10.24, 10.25
- Article XI: § 11.1, 11.2, 11.4
- Article XIII: § 13.1, 13.2
- Article XIV: § 14.1
- Article XV: § 15.1, 15.2
- Article XVI: § 16.1
- Appendix A
- Chapter 927: Sec. 11; Sec. 13

RECOMMENDATION: It is recommended the City Council adopt the attached ordinance updating “Board of Alderman” to “City Council.”

Date: _____

Date: 2-3-16

Melissa Corser, City Clerk



Scott Stevens, City Manager

ORDINANCE NO. 2016- 9

AN AMENDMENT OF THE CODE OF ORDINANCES OF THE CITY OF
GOLDSBORO, NC UPDATING TERMINOLOGY FROM
"BOARD OF ALDERMAN" TO "CITY COUNCIL"

WHEREAS, the terminology of "Board of Alderman" was historically used in reference to Goldsboro City Council; and

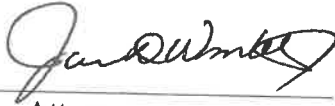
WHEREAS, in an attempt to be consistent throughout the Code of Ordinances, staff recommended Council update the reference of "Board of Alderman" to "City Council" in the following places:

- Article IV: § 4.1, 4.2
- Article V: § 5.1, 5.2
- Article VI: § 6.1, 6.2
- Article VII: § 7.1, 7.3
- Article VIII: § 8.1, 8.2
- Article IX: § 9.1, 9.2, 9.3, 9.5, 9.6, 9.7
- Article X: § 10.1, 10.4, 10.10, 10.24, 10.25
- Article XI: § 11.1, 11.2, 11.4
- Article XIII: § 13.1, 13.2
- Article XIV: § 14.1
- Article XV: § 15.1, 15.2
- Article XVI: § 16.1
- Appendix A
- Chapter 927: Sec. 11; Sec. 13

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, that:

1. The City Council adopts the revisions as shown above to reflect the requested change of "Board of Alderman" to "City Council."
2. This ordinance shall be in full force and effect from and after the 1st day of February, 2016.

Approved as to Form Only:


City Attorney

Reviewed By:


City Manager



Quick Search:
alderman

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TOC

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Results

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North Carolina	
Goldsboro, North Carolina Code of Ordinances	
City of Goldsboro, North Carolina Code of Ordinances	
Adopting Ordinance	
Charter	
TITLE I: GENERAL PROVISIONS	
TITLE III: ADMINISTRATION	
TITLE V: PUBLIC UTILITIES	
TITLE VII: TRAFFIC CODE	
TITLE IX: GENERAL REGULATIONS	
TITLE XI: BUSINESS REGULATIONS	
TITLE XIII: GENERAL OFFENSES	
TITLE XV: LAND USAGE	
TABLE OF SPECIAL ORDINANCES	
PARALLEL REFERENCES	

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1 - 2 of 2 results

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Title	Location
1. Charter	Goldsboro, North Carolina Code of Ordinances
2. Chapter 927	Goldsboro, North Carolina Code of Ordinances

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Article

I. Incorporation and Corporate Powers, § 1.1

II. Corporate Boundaries, §§ 2.1, 2.2

III. Mayor and City Council, §§ 3.1 - 3.9

IV. Election Procedure, §§ 4.1, 4.2

V. City Manager, §§ 5.1, 5.2

VI. City Attorney, §§ 6.1, 6.2

VII. Administrative Officers and Employees, §§ 7.1 - 7.3

VIII. City Departments; Creation, Powers and Duties, §§ 8.1, 8.2

IX. Sale and Disposition of Property, §§ 9.1 - 9.7

X. Local Improvements and Assessments For Local Improvements, §§ 10.1 - 10.25

XI. Roads and Streets, §§ 11.1 - 11.6

XII. Eminent Domain, § 12.1

XIII. Regulatory Powers, §§ 13.1, 13.2

XIV. Miscellaneous, § 14.1

XV. Claims Against The City, §§ 15.1 - 15.3

XVI. Charter Amendments, § 16.1

Appendix A. List of Acts Relating to Goldsboro

Appendix B. Municipal Airport

Sec. 4.1. REGULAR MUNICIPAL ELECTIONS.

Elections shall be held quadrennially on the Tuesday after the first Monday in November. The municipal primary election, if one be required, for the nomination of candidates for the offices of Mayor and Aldermen shall be held on the fourth Tuesday, preceding the regular municipal election.

('70 Code, Charter Sec. 4.1)

Editor's note:

Session Laws 1975, Ch. 245, § 1, amended § 3.3(a) of the Charter by changing the terms of the mayor and board of aldermen from two years to four years. In § 4.1 the editors have substituted the term "quadrennially" for the term "biennially" in order to avoid conflict between § 3.1(a) and § 4.1.

Sec. 4.2. ELECTIONS TO BE BY NONPARTISAN PRIMARY METHOD.

Elections for mayor and board of aldermen shall be by the nonpartisan primary and election method set out in North Carolina General Statute 163-294. All elections and referendums of the City of Goldsboro shall be held and conducted as provided by the applicable General Statutes of North Carolina.

('70 Code, Charter Sec. 4.2)

ARTICLE V. CITY MANAGER

Sec. 5.1. APPOINTMENT; COMPENSATION.

The board of aldermen shall appoint an officer whose title shall be city manager and who shall be the head of the administrative branch of the city government. The city manager shall be chosen by the board of aldermen solely on the basis of his executive and administrative qualifications with special reference to actual experience in, or knowledge of, accepted practice in respect to the duties of his office as hereinafter prescribed. At the time of his appointment, he need not be a resident of the city or state, but shall reside therein during his tenure of office. The city manager shall serve at the pleasure of the board of aldermen and shall receive such salary as the board of aldermen shall fix. In case of absence or disability of the city manager, the aldermen may designate a qualified administrative officer of the city to perform the duties of the manager during such absence or disability.

('70 Code, Charter Sec. 5.1)

Sec. 5.2. POWERS AND DUTIES OF MANAGER.

The city manager shall be responsible to the board of aldermen for the proper administration of all the affairs of the city. In exercising his duties as chief administrator, he shall have the following powers and duties:

- (a) He shall appoint and suspend or remove all city employees, except the city attorney [H-and the tax

collector], in accordance with such general personnel rules, regulations, policies, or ordinances as the board of aldermen may adopt.

(b) He shall direct and supervise the administration of all departments, offices, and agencies of the city, subject to the general direction and control of the board of aldermen, except as otherwise provided by law.

(c) He shall attend all meetings of the board of aldermen and recommend any measures that he deems expedient.

(d) He shall see that all laws of the state, the city charter and the ordinances, resolutions and regulations of the board of aldermen are faithfully executed within the city.

(e) He shall prepare and submit the annual budget and capital program to the board of aldermen.

(f) He shall annually submit to the board of aldermen and make available to the public a complete report on the finances and administrative activities of the city as of the end of the fiscal year.

(g) He shall make any other reports that the board of aldermen may require concerning the operations of the city departments, offices, and agencies subject to his direction and control.

(h) He shall perform any other duties that may be required and authorized by the board of aldermen.

('70 Code, Charter Sec. 5.2)

ARTICLE VI. CITY ATTORNEY

Sec. 6.1. APPOINTMENT; QUALIFICATIONS; TERMS; COMPENSATION.

The board of aldermen shall appoint a city attorney who shall be an attorney at law licensed to engage in the practice of law in North Carolina and who need not be a resident of the city during his tenure. The city attorney shall serve at the pleasure of the board of aldermen and shall receive such compensation as the aldermen shall determine. The aldermen may appoint such assistant city attorneys as they deem necessary.

('70 Code, Charter Sec. 6.1)

Sec. 6.2. DUTIES OF CITY ATTORNEY.

It shall be the duty of the city attorney to prosecute and defend suits for and against the city; to advise the mayor, board of aldermen, city manager, and other city officials with respect to the affairs of the city; to draw all legal documents relating to the affairs of the city; to draw proposed ordinances when requested to do so; to inspect and pass upon all agreements, contracts, franchises, and other instruments with which the city may be concerned; and to perform such other duties as may be required of him by virtue of his position of city attorney.

('70 Code, Charter Sec. 6.2)

ARTICLE VII. ADMINISTRATIVE OFFICERS AND EMPLOYEES

Sec. 7.1. CITY CLERK.

The city manager shall appoint a city clerk to keep a journal of the proceedings of the board of aldermen and maintain in a safe place all records and documents pertaining to the affairs of the city, and to perform such other duties as may be required by law or as the city manager may direct. He shall receive such compensation and be required to give such bond as the board may from time to time determine.

('70 Code, Charter Sec. 7.1)

Sec. 7.2. CITY FINANCE OFFICER.

The city manager shall appoint a city finance officer, whose powers and duties shall be as defined in "The Local Government Budget and Fiscal-Control Act" of the General Laws of North Carolina.

('70 Code, Charter Sec. 7.2)

Sec. 7.3. TAX COLLECTOR.

The board of aldermen shall appoint a tax collector whose powers and duties shall be as defined in Chapter 105 of the North Carolina General Statutes.

('70 Code, Charter Sec. 7.3)

Sec. 8.1. DEPARTMENTS CREATED.

There shall be and are hereby created or continued, until changed by the board of aldermen, the following departments of the City of Goldsboro:

- (a) Department of finance.
- (b) Department of public works.
- (c) Department of planning.
- (d) Department of general services.
- (e) Fire department.
- (f) Police department.

(g) And any such other departments as may from time to time be created by ordinance adopted by the board of aldermen upon the recommendation of the city manager.

('70 Code, Charter Sec. 8.1)

Sec. 8.2. POWERS AND DUTIES.

The following shall constitute the general powers and duties of the department heads of the City of Goldsboro which may from time to time, unless otherwise prohibited by law, be added to, eliminated or exchanged by the city manager with concurrence by the board of aldermen:

(a) The director of finance shall be responsible for the collection, disbursement, and accounting system prescribed by law and in keeping with policies established by the board of aldermen. The director of finance shall, in addition, perform the duties of the finance officer as required by the Local Government Budget and Fiscal Control Act of the General Statutes of North Carolina.

(b) The director of public works shall be responsible for all matters relating to the construction, maintenance and operation of the physical properties of the city utilizing the following divisions: Sanitation, cemeteries, garage, street, engineering, inspection and general services. He shall also be responsible for all matters relating to the operation of the water and sewer and other utility systems of the city in keeping with policies established by the board of aldermen.

(c) The director of planning shall be responsible for the preparation, review and revision of the city's comprehensive planning program, as well as the supervision of the department's administration, including the coordinating of all city planning activity and current planning projects in keeping with policies established by the board of aldermen.

(d) The director of general services shall be responsible for installation and maintenance of all electrical operations within the city including traffic signals, printing, installation and maintenance of street name signs and traffic-control signals and devices, alterations and repairs to city buildings, maintenance of city-owned buildings, maintenance of city-owned cemeteries, control and care of animals at the city dog pound and enforcement of animal control regulations, maintenance of city equipment and vehicles, including disbursement of fuels, tires and miscellaneous accessories. It shall further be his responsibility to administer the operation of the department in keeping with policies established by the

board of aldermen.

(e) The chief of the fire department acting under the city manager shall be responsible for the efficiency and discipline of the fire department. All orders shall pass through him and he shall see that the rules and regulations applicable to the department are carried out. The chief of the fire department and its other officers shall have full police powers during fires and are authorized to make arrests for interference with their operations. In the absence of the chief, the assistant chief shall have the powers and duties of the chief. The fire department and its officers shall have such additional powers and duties as may be conferred upon them by general law and by ordinance or other direction of the board of aldermen consistent with such general law or this charter.

(f) (1) The chief of police, acting under the city manager, shall have supervision and control of the police force and shall enforce discipline therein.

(2) The chief of police and each member of the police force shall have, for the purpose of enforcing city ordinances and regulations, of preserving the peace of the city, of suppressing disturbances and apprehending offenders, and for serving civil process, the powers of peace officers vested in sheriffs and constables. They shall have such other powers, duties and responsibilities as may be placed upon their office by the General Laws of North Carolina, this charter and as prescribed by the board of aldermen. Such powers may be exercised within the corporate limits of the city and one mile beyond, upon city real property wherever located and within the limits of the watershed of the city water supply.

(3) If in the exercise of any powers or in the performance of any duties herein or otherwise by law vested in or assigned to them any police officer shall pursue and continually follow within Wayne County any person who has violated or is believed to have violated any law, then in such circumstances, such officer shall have all of the powers and authority and be governed by the laws of North Carolina applicable to sheriffs and constables in their respective districts.

('70 Code, Charter Sec. 8.2)

ARTICLE IX. SALE AND DISPOSITION OF PROPERTY

Sec. 9.1. SALE OF CITY PROPERTY.

The board of aldermen may sell or exchange all city property, both real and personal, which in its opinion is not required for municipal purposes. All such sales or exchanges shall, except as otherwise authorized in sections 9.2 and 9.3, be subject to confirmation or rejection by the board and shall be at public auction after advertisement as hereinafter described, except that where otherwise authorized and provided by general law such sale or exchange may be made under the authority and provisions of such general law, and that as to the following, such sale or exchange may be by private sale or otherwise, as the board may determine to be for the best interest of the city:

(a) Cemetery lots.

(b) Real or personal property where the value does not exceed the sum of two thousand dollars (\$2,000.00), or if jointly owned, where the value of the city's interest therein does not exceed such sum.

(c) Where the city is selling to or exchanging with any other governmental unit or the agency thereof within the United States.

(d) Where the property has been acquired for delinquent taxes and the sale is being made to the former

owner.

('70 Code, Charter Sec. 9.1)

Sec. 9.2. DISPOSAL OF SURPLUS REAL PROPERTY

The board of aldermen shall have power, in addition to the power granted by the general laws, to sell any real property which the board has declared to be surplus in the following manner:

(a) Upon receipt of a deposit of five per cent (5%) of an offer to purchase any such lot or parcel of land, the board of aldermen may cause a notice to be published once a week for four (4) successive weeks in some newspaper published in the city, describing the property and stating the amount of the offer received therefor, and inviting other and better bids for the property and giving notice that any and all better bids for the property should be filed with the city manager, with a deposit in the amount of five per cent (5%) of each increased offer, on or before twelve o'clock noon on a date to be specified in the notice, which shall not be less than twenty-one (21), nor more than thirty-one (31) days next following the first publication of the notice as above provided for. No bid shall be received after twelve o'clock noon of the date so specified unless the board of aldermen shall cause the property to be readvertised and again offered for sale as hereinafter provided.

(b) At any time after the expiration of the date of the time limited for the receipt of bids as aforesaid, not exceeding sixty (60) days, the board of aldermen shall proceed to consider any and all bona fide offers made for the property, accompanied by the deposit of five per cent (5%) of the amount thereof as hereinabove provided, and may thereupon confirm the sale of the property to the party, person or persons so making the highest bona fide offer, with deposit as aforesaid; provided, the board of aldermen shall find that, in its opinion, the price so offered is fair and adequate and all that the property is reasonably worth.

(c) The board of aldermen, in its discretion, instead of confirming any such sale, shall have the right, power and authority to proceed to readvertise and again offer such property for sale in like manner as in the first instance; or it may discontinue further action in the premises and indefinitely postpone or terminate all negotiations and proposals for the sale of the property.

(d) Two (2) or more offers for two (2) or more separate lots or parcels of land may be combined and advertised in the same notice.

(e) The board of aldermen, in their resolution declaring the real property to be surplus, shall direct the city manager or other appropriate officials whether to follow the procedure set forth under the general laws or the alternate procedure set forth in this article.

('70 Code, Charter Sec. 9.2)

Sec. 9.3. DISPOSAL OF SURPLUS PERSONAL PROPERTY.

The board of aldermen shall have power, in addition to the power granted by the general laws, to sell or to direct any of its officers or employees to sell any personal property which the board of aldermen has declared to be surplus property in the following manner:

(a) Without bids or advertisement, at private sale, if the property has a market value of two thousand dollars (\$2,000.00) or less.

(b) To the highest bidder upon receipt of informal written bids, with only such advertisement as the board of aldermen may direct, if the property has a market value of more than two thousand dollars (\$2,000.00) but no more than two thousand five hundred dollars (\$2,500.00); provided, all such bids received shall be recorded on the minutes of the board of aldermen.

(c) To the highest bidder upon receipt of sealed bids after one week's public notice, if the property has a market value in excess of two thousand five hundred dollars (\$2,500.00); provided, all such sealed bid proposals shall be opened in public and recorded on the minutes of the board of aldermen.

('70 Code, Charter Sec. 9.3)

Sec. 9.4. NOTICE; PUBLICATION AND POSTING.

Whenever advertisement is required for the sale or other disposition of city property, notice of such sale, describing the property to be sold, the time, place and terms of the sale, the amount of deposit required and other information deemed pertinent, shall be run once a week for four (4) consecutive weeks preceding the sale in a newspaper having general circulation in the city and which is qualified to carry legal notices. A copy of such notice shall also be posted at the Wayne County Courthouse for thirty (30) days preceding the sale.

('70 Code, Charter Sec. 9.4)

Sec. 9.5. LEASE OF CITY PROPERTY.

The board of aldermen shall have power, in addition to the power granted by the general laws to rent or lease any property owned by the city, whether originally acquired for governmental or other purposes, if, in the opinion of the board of aldermen, the property will not be needed by the city for the period of the lease. The term of the lease shall not exceed ten (10) years. A lease may be made privately by the board or publicly after notice is given in such manner and for such length of time as prescribed by the board. In any case, however, where the lessee enters into a binding obligation to erect upon property owned by the city improvements to cost not less than one hundred thousand dollars (\$100,000.00), the board may rent or lease such property for a term not to exceed forty (40) years, and such lease may be made by the board either privately or publicly and upon such terms as in the judgment of the board will promote the best interest of the city.

('70 Code, Charter Sec. 9.5)

Sec. 9.6. CEMETERY LOTS; SALE.

The city manager may sell cemetery lots in the city cemeteries, subject to the rules and regulations adopted by the board of aldermen. All deeds or instruments conveying title to such lots shall be signed by the city manager and attested by the city clerk.

('70 Code, Charter Sec. 9.6)

Sec. 9.7. RELEASES AND QUIT CLAIMS.

(a) *Release, amount and form.* The city manager is hereby authorized to execute releases of persons, firms and corporations because of damages to personal property belonging to the city when the full amount of damages to such property is ascertained and statement thereof has been furnished to the manager by the city attorney, and the amount of such release does not exceed five hundred dollars (\$500.00). In the event that a draft or check is presented to the city which constitutes a release, instead of a regular release form, the manager may direct that such draft or check be handled as other payments to the city, and when approved by the manager, it shall constitute a release to the extent stated on the draft or check.

(b) *Quit claim, unused public property.* The city may quit claim any rights it may have in property not needed for public purposes upon report by the city attorney and city manager and adoption of a resolution by the board of aldermen, both finding that the property is not needed for public purposes, and that the city's interest has no readily ascertainable monetary value.

('70 Code, Charter Sec. 9.7)

Sec. 10.1. AUTHORITY TO MAKE LOCAL IMPROVEMENTS.

The board of aldermen shall have authority to make the local improvements described in this charter, as in its discretion it may deem appropriate, with or without any petition so to do and to assess the total cost against the abutting property. The procedure set forth in this article shall not be exclusive, but shall be in addition to any other procedure provided by law.

('70 Code, Charter Sec. 10.1)

Sec. 10.2. SEPARATE PROCEEDINGS NOT REQUIRED.

One or more local improvements may be made in a single proceeding, and assessments for one or more local improvements may be combined.

('70 Code, Charter Sec. 10.2)

Sec. 10.3. DEFINITIONS.

Certain words and phrases will be used with the following meanings with reference to local improvements, unless some other meaning is plainly intended:

(a) A "street" is the entire width between property lines of every way or place, of whatever nature, when any part thereof is dedicated or open to the use of the public as a matter of right for the purpose of vehicular or pedestrian traffic, and whether such portion devoted to traffic be divided by any railroad, or other utility right-of-way, parkway or in any other manner.

(b) A "sidewalk" is the part of a street which is used or to be used for pedestrian traffic.

(c) A "storm sewer" is a conduit above or below ground for the passage of storm water and may include a pumping station and outlet where deemed necessary and may also include the building of culverts over or the enclosing of streams where needed to carry off storm water.

(d) A "sanitary sewer" is an underground conduit for the passage of sewage and may include a pumping station and outlet.

(e) A "water main" is a pipe for the passage of city water for public hydrants and private and public use and consumption.

(f) A "lateral" is a pipe connecting a storm or sanitary sewer or water main with the line of adjacent property or the curblin, being either a sewer lateral or water lateral, but does not include a building connection, that is, a pipe extending from a lateral at the property line or curblin to the house or plumbing fixture to be served.

(g) A "roadway" is the part of a street which is used or to be used for vehicular traffic.

(h) The word "sewer" includes both sanitary and storm sewers unless a contrary intention is shown.

('70 Code, Charter Sec. 10.3)

Sec. 10.4. IMPROVEMENTS DESCRIBED.

The board of aldermen shall have authority to make the following local improvements:

- (a) Roadway paving improvements, which include the grading regrading, paving, repaving and widening of roadways, or the improvement thereof with any treatment designed to provide an improved wearing surface with necessary drainage, sewer inlets, manholes and catch basins and the construction or reconstruction of retaining walls made necessary by any change of grade incident to such improvement, and, in any case where the improvement is made, if the board so directs, it may include the construction or reconstruction of curbs, gutters, drains and sidewalks.
- (b) Water main improvements, which include the laying or construction of water mains, the relaying where necessary of parts of paved roadways and sidewalks torn up or damaged by the laying or construction of such mains, and, in any case where the improvement is made and the board so directs, the laying of water laterals.
- (c) Sanitary sewer improvements, which include the laying or construction of sanitary sewers, the relaying where necessary of parts of paved roadways and sidewalks torn up or damaged by the laying or construction of such sewers, and, in any case where the improvement is made and the board so directs, the laying of sanitary sewer laterals.
- (d) Storm sewer improvements, which include the laying or construction of storm sewers, the relaying where necessary of parts of paved roadways and sidewalks torn up or damaged by the laying or construction of such sewers, and, in any case where the improvement is made and the board so directs, the laying of storm sewer laterals.
- (e) Sidewalk improvements, which include the grading, regrading, construction, reconstruction and repair of paved or other improved sidewalks, the construction or reconstruction of retaining walls made necessary by and incident to such improvements, and in any case where the improvement is made, if the board so directs, it may include the construction or reconstruction of curbs, gutters and drains, and the construction or reconstruction of all such portions of driveways as in the judgment of the board ought to be laid in the street area.
- (f) Grass plot improvements, which include the grading and planting of grass plots in a street.

('70 Code, Charter Sec. 10.4)

Sec. 10.5. WATER AND SEWER MAINS BETWEEN STREETS; ASSESSMENT; CITY TO BEAR COSTS OF RIGHT-OF-WAY.

Whenever the board finds it in the public interest, and it will be more economical and the interest of the property owners will best be served by construction of either water or sanitary sewer mains, or both, between streets rather than in a street, they may be constructed between streets. The cost of the construction of such water or sewer mains and laterals shall be assessed according to the street frontage in the same manner and to the same extent that it would be assessed if the improvements were constructed in a street; provided that the city shall provide the rights-of-way for construction and maintenance of such mains at its own expense without assessing the cost thereof.

('70 Code, Charter Sec. 10.5)

Sec. 10.6. INCLUSION OF MORE THAN ONE IMPROVEMENT IN SINGLE PROCEEDING.

(a) *Uniformity of cost and kind.* Any proceeding may include one or more local improvements on one or more streets, but all improvements included in one procedure shall be practically uniform in cost and kind. A proceeding may include improvements on only one side of a street.

(b) *Assessment of costs, manner and method.* The proceeding may provided for making any one or more local improvements in or on a street or streets and for the assessment of the cost thereof, except the city's portion, wholly against the property abutting one side of such street or streets or otherwise against such abutting property as may be designated in the petition, if one, and if not in the resolution ordering the proceeding, in any of the following cases:

(1) In any case, where there is a park land or unimproved land abutting one side or a part of one side of a street; or

(2) Where the land abutting one side or a part of one side of a street is of such a nature or is devoted to such purpose that a special assessment against it cannot be made, or, if made would probably exceed the value of the land assessed; or

(3) Where the owners of all the property to be assessed agree thereto.

('70 Code, Charter Sec. 10.6)

Sec. 10.7. RESOLUTION ORDERING IMPROVEMENTS; PUBLICATIONS.

(a) After the board determines to make the improvements proposed, it shall adopt a resolution which shall contain:

(1) If the improvements are to be made by petition, a finding by the board as to the sufficiency of the petition, which finding shall be final and conclusive.

(2) If the improvements are to be made without petition, a finding by the board of such facts as are required in order to authorize improvements without petition.

(3) A general description of the improvements to be made, and the designation of the street or streets or parts thereof where the work is to be done.

(4) If the improvement directed to be made includes the construction of water mains or sewers, and in order to provide the mains or sewers in the street or streets to be improved, it is necessary to extend them beyond the limits of the street or streets, the resolution shall contain a provision for the necessary extension of such mains or sewers, and a further provision that the cost of such extension shall be assessed against the lots or parcels of land abutting the street or streets in which such extensions are made, but that assessments shall not be made until such time as the board shall thereafter determine by appropriate resolution.

(5) If the improvement directed to be made is the paving of a roadway or part thereof, or the construction of sidewalks, the resolution may, but need not, contain a direction that the owner of each lot abutting the part of the street to be improved connect his lot by means of laterals with water mains, gas or sewer pipes, or any one or more thereof, located in the street adjacent to his premises in accordance with the requirements governing the laying of laterals, and that unless the owners cause laterals to be laid on or before a date specified in the resolution, the date to be not less than thirty (30) days after the date of the resolution, the board will cause the same to be laid.

(6) A designation of the proportion of the cost of the improvements to be assessed against abutting property, and of the number of equal annual installments in which assessments may be paid.

(b) *Publication and posting of notice.* The resolution after its passage shall be published at least once in some newspaper of general circulation in the city which is qualified to carry legal notices, or if there be no such newspaper, the resolution shall be posted in three (3) public places in the city for at least five (5) days, except that in any case where the board directed that the notice should be served or mailed instead of being published, the resolution ordering the improvements need not be either published or posted.

('70 Code, Charter Sec. 10.7)

Sec. 10.8. DETAILS OF CONSTRUCTION; CONTRACTS FOR CONSTRUCTION.

The board shall have power to determine the character and type of construction and of material to be used and to determine any other details of plan or construction necessary to be determined in making any local improvements and to determine whether any work to be done by the city shall be done by contract or by the city. The board shall have power, also, unless otherwise limited, to determine the number of water, sewer and gas laterals that shall be laid to any lot on any street to be improved. If the work or any part thereof is to be done by contract, the board may let all of the work in one contract, or it may divide it into several contracts and may let contracts separately.

('70 Code, Charter Sec. 10.8)

Sec. 10.9. DETERMINATION AS TO COST OF IMPROVEMENTS.

Upon completion of the improvements, the board shall ascertain the total cost. In addition to other items of cost there may be included therein the cost of all necessary legal services, the amount of interest paid during construction, the amount of damages paid or to be paid for injury to property by reason of any change of grade or drainage, including court costs and other expenses incidental to the determination of damages, and the cost of retaining walls, sidewalks or fences built or altered in lieu of cash payment for property damage, including the cost of moving or altering any building. The determination of the board as to the total cost of any improvement shall be conclusive.

('70 Code, Charter Sec. 10.9)

Sec. 10.10. CORNER LOT EXEMPTIONS.

The board of aldermen shall have authority to establish schedules of exemptions from assessments for corner lots when a project is undertaken along both sides of such lots. The schedules of exemptions shall be based on categories of land use (residential, commercial, industrial, or agricultural) and shall be uniform for each category. The schedule of exemptions may not provide exemption of more than seventy-five per cent (75%) of the frontage of any side of a corner lot, or one hundred fifty (150) feet, whichever is greater.

('70 Code, Charter Sec. 10.10)

Sec. 10.11. PRELIMINARY ASSESSMENT ROLL; CONTENTS, PUBLICATION, POSTING, SERVING OR MAILING.

The board shall cause to be prepared a preliminary assessment roll, on which shall be entered a brief description of each lot or parcel of land assessed, the amount assessed against each lot, the name or names of the owner or owners of each lot as far as the same can be ascertained; provided that a map of the improvements on which is shown the frontage and location of each affected lot, together with the amount assessed against each lot and the name or names of the owner or owners thereof as far as the same can be ascertained, shall be a sufficient assessment roll. If the resolution directed the making of more than one improvement, a single preliminary assessment roll for all the improvements authorized by such resolution shall be sufficient, but the cost of each improvement to each lot affected shall be shown separately. After the preliminary assessment roll has been completed, it shall be filed in the office of the city clerk, and there shall be published in some newspaper of general circulation in the city which is qualified to carry legal notices, or if there be no such newspaper, the city clerk shall cause to be posted in three (3) public places in the city a notice of the completion of the assessment roll, setting forth a description in general terms of the improvements, and stating the time fixed for the meeting of the board for the hearing of objections to the special assessments, such meeting to be not earlier than ten (10) days after the first publication or from the date of posting of said notice. Any number of assessment rolls may be included in one notice. In any case where the preliminary notice was served or mailed instead of being published, this notice need not be published or posted but may be served or mailed. The serving or mailing of notices shall be completed not less than five (5) days prior to the date fixed for the hearing of the assessment roll, and the return of the person serving or mailing the same shall, in the absence of fraud, be conclusive that the same were served or mailed.

('70 Code, Charter Sec. 10.11)

Sec. 10.12. HEARING; REVISION; CONFIRMATION; LIEN.

At the time appointed for that purpose or at some other time to which it may adjourn, the board shall hear objections to the preliminary assessment roll of all persons interested who may appear and offer proof in relation thereto. Then or thereafter, the board shall either annul or sustain or modify in whole or in part the assessment, either by confirming the preliminary assessment against any or all lots or parcels described thereon, or by canceling, increasing or reducing the same. If any property is omitted from the preliminary roll, the board may place it on the roll and levy the proper assessment. The board may thereupon confirm the assessment roll. Whenever the governing body shall confirm assessments for local improvements, the city clerk shall enter on the board minutes and on the assessment roll the date, hour and minute of confirmation, and from the time of confirmation the assessment shall be a lien on the property assessed of the same nature and to the same extent as county and city taxes and shall be superior to all other liens and encumbrances. After the assessment roll is confirmed, a copy of the same shall be delivered to the city tax collector.

('70 Code, Charter Sec. 10.12)

Sec. 10.13. APPEAL TO SUPERIOR COURT.

If the owner of, or any person interested in, any lot or parcel of land against which an assessment is made is dissatisfied with the amount of the assessment, he may, within ten (10) days after the confirmation of the assessment roll, give written notice to the board that he takes an appeal to the superior court of Wayne County, in which case he shall within twenty (20) days after the confirmation of the assessment roll serve on the mayor or city clerk a statement of facts upon which he bases his appeal. The appeal shall be tried as other actions at law. The remedy herein provided for any person dissatisfied with the amount of the assessment against any property of which he is the owner or in which he is

interested shall be exclusive.

('70 Code, Charter Sec. 10.13)

Sec. 10.14. ERROR IN ASSESSMENT; POWER TO CORRECT, PROCEDURE.

If it shall appear after confirmation of any assessment roll that an error has been made, the city clerk shall cause to be published one time in some newspaper of general circulation in the city, or if there be no such newspaper, the city clerk shall cause to be posted at three (3) public places in the city a notice referring to the assessment roll in which the error was made, naming the owner or owners of the lot or parcel of land affected by the error if the same can be ascertained, and naming the time and place fixed for a hearing by the board for the correction of the error, such meeting not to be earlier than ten (10) days from the publication or from the date of the posting of the notice. At the time fixed in the notice or at some subsequent time to which the board may adjourn, the board, after giving the owner or owners of the property affected and other persons interested therein an opportunity to be heard, may proceed to correct the error, and the assessment then made shall have the same force and effect as if it had originally been properly made. No notice and hearing shall be necessary if the correction does not increase an assessment against any property not owned by the city, or if all of the property owners affected by the correction waive notice in writing.

('70 Code, Charter Sec. 10.14)

Sec. 10.15. REASSESSMENT.

The board shall have the power, when in its judgment there is any irregularity, omission, error or lack of jurisdiction in any of the proceedings relating thereto, to set aside the whole of the local assessment made by it and thereupon to make a reassessment. In such case there shall be included, as a part of the cost of the improvements involved, all interest paid or accrued on notes or certificates of indebtedness or bonds issued by the city to pay the expenses of such improvement. The proceeding shall, as far as practicable, be in all respects as in the case of original assessments, and the reassessment shall have the same force as if it had originally been properly made.

('70 Code, Charter Sec. 10.15)

Sec. 10.16. PUBLICATION OF NOTICE OF CONFIRMATION OF ASSESSMENT ROLL.

After the expiration of twenty (20) days from the confirmation of the assessment roll, the city clerk shall cause to be published one time in some newspaper of general circulation in the city which is qualified to carry legal notices, or if there be no such newspaper, shall cause to be posted at three (3) public places in the city a notice of confirmation of the assessment roll, and that assessments may be paid at any time before the expiration of thirty (30) days from the date of publication or posting of the notice without interest from the date of confirmation of the assessment roll, but that if such assessment is not paid in full within said time, all installments thereof shall bear interest at the rate of six per cent (6%) per annum from the date of confirmation of the assessment roll.

('70 Code, Charter Sec. 10.16)

Sec. 10.17. PAYMENT OF ASSESSMENTS IN CASH OR BY INSTALLMENTS.

The property owner assessed shall have the option of paying for improvements in cash or in not less than two (2) or more than five (5) equal annual installments as may have been determined in the resolution ordering the improvements. If paid in installments, installments shall bear interest at the rate of eight per cent (8%) per annum from the date of confirmation of the assessment roll. If any assessment is not paid in cash, the first installment with interest shall become due and payable thirty (30) days after the publication or posting of the notice of confirmation, and one subsequent installment and interest shall be due and payable on the same day of the same month in each successive year until the assessment is paid in full; provided, however, that if the board shall so direct installments shall become due and payable on the same date when property taxes of the city are due and payable. If any installment with interest is not paid when due, it shall be subject to the same penalties as are now prescribed by law for unpaid taxes, in addition to the interest herein provided for. The whole assessment may be paid at any time by the payment of the full amount due with accrued interest.

('70 Code, Charter Sec. 10.17)

Sec. 10.18. PROCEDURE TO ENFORCE PAYMENT; MANDAMUS AGAINST RAILROADS AND STATE AGENCIES; FORECLOSURE AGAINST INDIVIDUALS.

Upon the failure of any property owner to pay any installment when due and payable, all of the installments remaining unpaid shall immediately become due and payable, and property and rights-of-way may be sold by the city under the same rules, regulations, rights of redemption and savings as are now prescribed by law for the sale of land for unpaid taxes. Collection of assessments with interest and penalties may also be made by the city by proceedings to foreclose the lien of assessments as a lien for mortgages is or may be foreclosed under the laws of the state, and it shall be lawful to join in any bill for foreclosure any one or more lot or parcels of land, by whomsoever owned, if assessed for an improvement ordered by the same resolution, after default in the payment of any installment. The payment of said installment, together with interest and penalties due thereon and any advertising and legal costs already incurred, before the lot or parcel of land against which the same is a lien is sold or said lien is foreclosed, shall bar the right of the city to sell land or to foreclose the lien by reason of default.

('70 Code, Charter Sec. 10.18)

Sec. 10.19. ASSESSMENT OF COST OF WATER MAIN AND SEWER EXTENSIONS.

If the resolution ordering the making of any improvement or improvements included a provision for any necessary extension of a water main or sewer or sewers beyond the limit of a street or streets, at such time after the completion of said extension or extensions, as in the judgment of the board circumstances justify the assessment of the cost thereof, the board shall cause a preliminary assessment to be made, and the procedure thereafter to be followed with respect to such assessment and the force and effect thereof shall be as already prescribed for other assessments.

('70 Code, Charter Sec. 10.19)

Sec. 10.20. APPORTIONMENT OF ASSESSMENTS.

In any case where one or more special assessments have been made, and property has been or is about to be subdivided, and it is desirable that the assessments be apportioned among the subdivisions of such property, the board may, upon application by the owner or owners, apportion the assessments among the subdivisions. Thereafter, each subdivision shall be relieved of any part of the original assessment except the part apportioned to the subdivision, and the part of the original assessment apportioned to any subdivision shall be of the same force and effect as the original assessment.

('70 Code, Charter Sec. 10.20)

Sec. 10.21. CHANGE OF OWNERSHIP.

No change of ownership of any property or interests therein after the passage of a resolution ordering the making of a local improvement shall affect subsequent proceedings, and the improvement may be completed and assessments made therefor as if there had been no change in ownership.

('70 Code, Charter Sec. 10.21)

Sec. 10.22. PROCEEDINGS IN REM.

All proceedings for special assessments shall be proceedings in rem, and no mistake or omission as to the name of any owner or person interested in any lot or parcel of land affected thereby shall be regarded as a substantial mistake or omission.

('70 Code, Charter Sec. 10.22)

Sec. 10.23. GRASS PLOT AND DRIVEWAY MAINTENANCE.

It shall be the responsibility of the abutting property owner to maintain any grass plot or driveway between the property line and the curb of a paved street.

('70 Code, Charter Sec. 10.23)

Sec. 10.24. ABEYANCE OF CERTAIN WATER AND SEWER ASSESSMENTS.

(a) *Determination by board; effect.* The board of aldermen may provide by resolution that the collection of assessments levied against abutting lots or parcels of land for water main improvements or sanitary sewer improvements, when in its opinion such improvements may not presently be used by the owner or owners of the abutting lots or parcels of land, may be held in abeyance without the payment of any interest thereon until such time as the board shall determine that any such assessments shall be paid in accordance with the terms set out in the confirming resolution. The collection of some part of the assessments levied for the improvements herein set out on a street or streets or portion thereof may be held in abeyance as herein provided without holding the collection of all of said assessments in abeyance.

(b) *Statutes of limitations suspended.* All statutes of limitations are hereby suspended during the time that the collection of any assessment is held in abeyance without the payment of interest as provided in subsection (a). Such time shall not be a part of the time limited for the commencement of action for the enforcement of the payment of any such assessment, and such action may be brought at any time within

ten (10) years from the date of the adoption of a resolution by the board determining that such assessment shall be paid in accordance with the original resolution confirming it.

(c) *Retroactive construction prohibited.* Nothing herein shall be construed to revive any right of action which has heretofore been barred by the statute of limitations.

('70 Code, Charter Sec. 10.24)

Sec. 10.25. ABUTTING PROPERTY OUTSIDE CITY LIMITS.

(a) *Determination by board; effect.* If any local improvements are made adjacent to any lands outside the city limits, the board of aldermen may upon the completion of such local improvements levy assessments against the abutting property in the same manner as if such abutting property were within the city limits and delay the collection of part or all of such assessments without any interest until the city limits are extended to include such abutting property, or the board may provide that no water or sewer service connections shall be made to such property, pending the annexation thereof, until all assessments thereon are paid. Upon annexation, if not paid prior thereto, the board may proceed to collect the assessments for such property. Nothing contained in this section shall be construed to prohibit or restrict the board of aldermen and a property owner from entering into an agreement for payments in lieu of assessments.

(b) *Statutes of limitations suspended.* All statutes of limitations are hereby suspended during the time that the collection of any assessment is held in abeyance without the payment of interest as provided in subsection (a). Such time shall not be a part of the time limited for the commencement of action for the enforcement of the payment of any such assessment, and such action may be brought at the time within ten (10) years from the date of the adoption of a resolution by the board determining that such assessment shall be paid in accordance with the original resolution confirming it.

(c) *Retroactive construction prohibited.* Nothing herein shall be construed to revive any right of action which has heretofore been barred by the statutes of limitations.

('70 Code, Charter Sec. 10.25)

Sec. 11.1. ESTABLISHMENT OF PROPOSED STREET LINES.

Whenever, in the opinion of the board of aldermen, it is for the best interest of the city that any street should be widened or extended, or both, or that a new street should be opened, the board may pass an ordinance declaring that such street should be widened or extended, or both, or that such new street should be opened, and shall lay out in the ordinance the lines within which such street should be widened, extended or opened. If any street under the provisions of such ordinance is to be widened, it need not be widened on both sides; and if it is to be widened on both sides, the distance to be widened on both sides need not be the same. Any ordinance introduced for the purpose of widening, extending, or opening any street under the provisions of this charter may not be adopted until the proposed ordinance is published in a newspaper of general circulation in the city and qualified to carry legal notices at least two (2) times on separate days at least ten (10) days before the passage of the ordinance, or if there be no such newspaper, posted in three (3) public places in the city. There shall be posted or published with the ordinance a notice stating when property owners may be heard by the board. A public hearing on the question of the adoption of such ordinance shall be held prior to the passage of the ordinance.

('70 Code, Charter Sec. 11.1)

Sec. 11.2. NOTICE TO CITY REQUIRED BEFORE IMPROVEMENT.

After the passage of such ordinance, it shall be unlawful for any land within the proposed street lines established by such ordinance to be built upon or improved or for any part of any existing building within said lines to be repaired or otherwise improved until the city shall have first been given an opportunity to purchase or otherwise acquire said property for street purposes as provided in this charter. To that end, any person proposing to build upon such land or to make repairs or improvements to that part of any existing building situated thereon shall, in writing, notify the board of aldermen of the nature and estimated cost of such building, repairs or improvements. The board shall then determine whether it will take the necessary steps to acquire said land prior to the construction of said building or the making of such repairs or improvements, and if it fails within sixty (60) days from date of receipt of said notice to acquire, or to institute condemnation proceedings to acquire, said property, the owner or other person giving such notice may proceed to erect the building in accordance with the ordinances and regulations of the city or to make the repairs or improvements described in said notice.

('70 Code, Charter Sec. 11.2)

Sec. 11.3. FAILURE TO GIVE NOTICE BARS RECOVERY.

If any person, firm or corporation builds upon any land included within proposed street lines or repairs or otherwise improves that part of any existing building within proposed street lines without giving the city an opportunity to acquire said land free from said improvements, as provided in the preceding section, the city shall not be required to pay for the value of the building, repairs or improvements in any proceeding subsequently brought to acquire said land for the purpose set out in said section.

('70 Code, Charter Sec. 11.3)

Sec. 11.4. ACQUISITION OF LAND.

If, upon receiving any notice in compliance with Section 2, the board of aldermen determines to acquire said land immediately, it may acquire the same by grant, purchase or condemnation. If the board determines to proceed by condemnation, the condemnation shall be as set forth in the charter.

('70 Code, Charter Sec. 11.4)

Sec. 11.5. COST OF LAND ACQUIRED FOR STREET WIDENING TO BE ASSESSED AS PART OF IMPROVEMENT.

After any land has been purchased or condemned for the purpose of widening, extending or opening any street, and the land purchased or condemned lies within the limits of an improvement directed in said proceedings, then the amount paid by the city for the land purchased or condemned, together with the cost of the condemnation proceeding and interest on said amount paid and costs at the rate of six per cent (6%) per annum from the date of payment, shall be included in the cost of said improvement and shall be assessed as provided by law against the property to be assessed for the improvements.

('70 Code, Charter Sec. 11.5)

Sec. 11.6. EXERCISE OF CONDEMNATION POWER AFTER FAILURE TO CONDEMN FOLLOWING NOTICE.

The failure of the city to acquire any land within sixty (60) days after receiving notice that the same is to be built upon or that a building thereon is to be repaired or otherwise improved, or its failure within said time to institute proceedings to condemn the same, shall not limit the right of the city at any subsequent time to condemn the same; but in such case, the owner shall be entitled to compensation as now provided by law for the building, repairs or improvements made after the giving of the required notice and the failure of the city to acquire said land free of said improvements.

('70 Code, Charter Sec. 11.6)

Sec. 12.1. CONDEMNATION; AUTHORITY AND PROCEDURE.

In addition to any other procedure permitted by law, the City of Goldsboro may exercise the power of eminent domain, both within and without the city limits, for any purpose for which it may condemn property, according to procedures of G.S. §§ 136-103 through 136.121.1.

('70 Code, Charter Sec. 12.1)

ARTICLE XIII. REGULATORY POWERS

Sec. 13.1. SUBDIVISIONS; REQUIRE INSTALLATION OF IMPROVEMENTS.

(a) In connection with subdivision or platting controls, the board of aldermen may require the improvement and grading of streets and the construction and installation of street pavements, curbs, gutters, sidewalks, and water, sewer, surface water drainage and other utility mains as a condition precedent to approval of the plat. The requirements may provide for tentative approval of the plat previous to such improvement and installation, but any such tentative approval shall not be entered on the plat. The requirements may provide that in lieu of completion of the work and installations prior to final approval of the plat, the board may accept a bond, in an amount and with surety and condition satisfactory to it, providing for and securing to the city the actual construction and installation of the improvements and utilities within a period specified by the board and expressed in the bond. The city is empowered to enforce the bond by all appropriate legal and equitable remedies. Requirements adopted hereunder may be applied throughout the area over which the city is authorized by law to exercise platting or subdivision controls.

(b) The requirements may provide, in lieu of the completion prior to the final approval of a plat of such work and installation on land within the area over which the city is authorized by law to exercise platting or subdivision control, for an assessment under this charter or under Article 10, Chapter 160A of the General Statutes or other statutory authorization whereby the city may do the work and make the installations at the cost of the owners of the property within the subdivision.

('70 Code, Charter Sec. 13.1)

Sec. 13.2. APPLICABLE TO PUBLIC SERVICE CORPORATIONS.

All of the provisions of this article and of any other laws granting planning, zoning and building regulatory powers to the City of Goldsboro, together with any ordinances passed by the board of aldermen of the city in the exercise of such powers, shall be applicable to and enforceable against all public utilities and other public service corporations.

('70 Code, Charter Sec. 13.2)

ARTICLE XIV. MISCELLANEOUS

Sec. 14.1. ANIMAL SHELTERS.

The board of aldermen may participate in the ownership, construction, operation and management of one or more animal shelters, or dog pounds for the city or for the joint use of the city and Wayne County, under such terms as the two (2) governing bodies may agree upon.

('70 Code, Charter Sec. 14.1)

ARTICLE XV. CLAIMS AGAINST THE CITY

Sec. 15.1. PRESENTATION OF CLAIMS TO BOARD OF ALDERMEN

No action shall be instituted or maintained against the City of Goldsboro upon any claim or demand whatever of any kind or character until the claimant shall have first presented in writing his or her claim or demand to the board of aldermen, and the board shall have declined to pay or settle the same as presented, or for sixty (60) days after presentation shall have neglected to enter or cause to be entered upon its minutes its determination in regard thereto. Nothing contained in this article shall be construed to prevent any statute of limitations from commencing to run at the time when a claim accrued or demand arose, or in any manner to interfere with its running.

('70 Code, Charter Sec. 15.1)

Sec. 15.2. TIME FOR PRESENTATION OF DAMAGE CLAIMS.

(a) *Notice, form and contents.* Except as otherwise provided in this section, no action for damages of any character whatever, to either person or property, shall be instituted against the city, unless within six (6) months after the happening or infliction of the injury complained of, the complainant, his executor, administrator, guardian or next friend shall have given notice in writing to the board of aldermen of the injury, stating in the notice the date and place of the injury, the manner of infliction, the character of the injury and the amount of damage claimed.

(b) *Claims for taking or use of real property.* No action shall be instituted against the city on account of damages to or compensation for real property used or taken by the city for any public purpose of any kind unless within two (2) years after such alleged use, the owner, his executor, administrator, guardian or next friend shall have given notice in writing to the board of aldermen of the claim, the notice to set forth the date that the alleged use commenced, a description of the property alleged to have been used

and the amount of damage or compensation claimed.

(c) *Inability to give notice, physical or mental incapacity; minority.* Notwithstanding the provisions of subsections (a) and (b), if a complainant suffers from physical or mental incapacity that renders it impossible for him to give notice, his action shall not be barred if notice of claim is given by him or on his behalf within six (6) months after the termination of the physical or mental incapacity; provided that minority shall not of itself constitute physical or mental incapacity. If the complainant is a minor, his action shall not be barred if notice of claim is given on his behalf within three (3) years after the happening or the infliction of the injury complained of; or if the minor suffers from physical or mental incapacity that renders it impossible for him to give notice, his action shall not be barred if notice of claim is given on his behalf within six (6) months after termination of the physical or mental incapacity, or within three (3) years after the happening or infliction of the injury complained of, whichever is the longer period. The city at any time may request the appointment of a next friend to represent any person having a potential claim against the city and known to be suffering from physical or mental incapacity.

('70 Code, Charter Sec. 15.2)

Sec. 15.3. SETTLEMENT OF CLAIMS BY CITY MANAGER.

The city manager may settle claims against the city for (1) personal injury or for damages to property when the amount involved does not exceed the sum of five hundred dollars (\$500.00) and does not exceed the actual loss sustained, including loss of time, medical expenses and any other expense actually incurred, and (2) the acquisition of small portions of private property which are needed by the city for the construction and operation of street, water, sewer, and other public purposes when the amount involved in any such settlement does not exceed the sum of five hundred dollars (\$500.00) and does not exceed the actual loss sustained. Settlement of a claim by the city manager pursuant to this section shall constitute a complete release of the city from any and all damages sustained by the person involved in such settlement in any manner arising out of the accident, occasion or taking complained of. All such releases shall be subject to the approval of the city attorney.

('70 Code, Charter Sec. 15.3)

ARTICLE XVI. CHARTER AMENDMENTS

Sec. 16.1: INCORPORATION OF AMENDMENTS.

(a) As soon as possible after the adjournment of each general assembly, the city attorney shall present the **board of aldermen** copies of all local laws relating to the property, affairs and government of the City of Goldsboro that were enacted by such general assembly, whether or not amending in terms of this charter. much recommendations may include suggestions for renumbering or rearranging the provisions of such laws, for providing titles and catchlines, and for such other changes in arrangement and form that do not change the law, as may be thought necessary to implement the purposes of this section.

(b) After considering the recommendations of the city attorney, the **aldermen** may provide for the incorporation of such laws into this Charter.

(c) The purpose of this section is to enable the city to maintain at all times a current and accurate city charter, organized in clear and orderly fashion and embracing all pertinent local laws relating to the

property, affairs and government of the city.

('70 Code, Charter Sec. 16.1)

Section 2. The purpose of this act is to revise the charter of the City of Goldsboro and to consolidate herein certain acts concerning the property, affairs, and government of the city. It is intended to continue without interruption those provisions of prior acts, which are consolidated into this act, so that all rights and liabilities that have accrued are preserved and may be enforced.

Section 3. This act shall not be deemed to repeal, modify, nor in any manner to affect any of the following acts, portions of acts, or amendment thereto, whether or not such acts, portions of acts, or amendments are expressly set forth herein:

(a) Any acts concerning the property, affairs, or government of public schools in the City of Goldsboro;

(b) Any acts validating, confirming, approving, or legalizing official meetings, actions, contracts, or obligations of any kind.

Section 4. The following acts or portions of acts, having served the purposes for which enacted, or having been consolidated into this act, are hereby repealed:

Chapter 505, Session Laws, 1965

Chapter 629, Session Laws, 1967

Chapter 975, Session Laws, 1969

Chapter 335, Session Laws, 1967

Chapter 328, Session Laws, 1963

Chapter 636, Session Laws, 1959

Chapter 222, Session Laws, 1949

Chapter 758, Session Laws, 1949

Chapter 816, Session Laws, 1959

Chapter 293, Session Laws, 1957

Chapter 586, Session Laws, 1957

Chapter 778, Session Laws, 1947

Chapter 163, Session Laws, 1951

Chapter 447, Session Laws, 1961

Chapter 117, Private Laws, 1905

Chapter 427, Private Laws, 1911

Chapter 481, Public Laws, 1901

Chapter 221, Private Laws, 1913

Chapter 5, Private Laws, 1915

Chapter 19, Private Laws, 1921

(Extra Session)

Chapter 211, Private Laws, 1915

Chapter 388, Private Laws, 1901

Chapter 223, Private Laws, 1915

Chapter 78, Private Laws, 1927

Chapter 107, Private Laws, 1915

Chapter 75, Private Laws, 1927

Chapter 307, Private Laws, 1901

Chapter 397, Private Laws, 1901

Chapter 339, Private Laws, 1903

Chapter 343, Private Laws, 1905

Chapter 229, Private Laws, 1909

Chapter 108, Private Laws, 1915

Chapter 207, Private Laws, 1915

Chapter 164, Private Laws, 1917

Chapter 321, Private Laws, 1915

Chapter 291, Session Laws, 1943

Chapter 132, Private Laws, 1921

Chapter 306, Private Laws, 1913

Chapter 111, Private Laws, 1915

Chapter 89, Private Laws, 1913

Chapter 70, Private Laws, 1921

(Extra Session)

Chapter 4, Private Laws, 1939

Chapter 101, Private Laws, 1915

Chapter 187, Private Laws, 1923

Chapter 138, Private Laws, 1925

Chapter 43, Private Laws, 1933

Chapter 103, Private Laws, 1913

(Extra Session)

Chapter 106, Private Laws, 1923

Chapter 126, Private Laws, 1933

Chapter 90, Private Laws, 1913

Chapter 215, Private Laws, 1925

Chapter 85, Private Laws, 1929

Chapter 132, Private Laws, 1923

Chapter 51, Private Laws, 1921

(Extra Session)

Chapter 207, Private Laws, 1933

Section 5. No provision of this act is intended, nor shall be construed, to affect in any way, any rights or interest (whether public or private):

(a) How vested or accrued, in whole or in part, the validity of which might be sustained or preserved by reference to any provisions of law repealed by this act;

(b) Derived from, or which might be sustained or preserved in reliance upon, action heretofore taken (including the adoption of ordinances or resolutions) pursuant to or within the scope of any provision of law repealed by this act.

Section 6. No law heretofore repealed expressly or by implication, and no law granting authority which has been exhausted, shall be revived by:

(a) The repeal herein of any act repealing such law, or

(b) Any provision of this act that disclaims an intention to repeal or affect enumerated or designated laws.

Section 7. (a) All existing ordinances and resolutions of the City of Goldsboro and all existing rules or regulations of departments or agencies of the City of Goldsboro, not inconsistent with the provisions of this act, shall continue in full force and effect until repealed, modified or amended.

(b) No action or proceeding of any nature (whether civil or criminal, judicial or administrative, or otherwise) pending at the effective date of this act by or against the City of Goldsboro or any of its departments or agencies shall be abated or otherwise affected by the adoption of this act.

Section 8. Severability. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Section 9. All laws and clauses of laws in conflict with this act are hereby repealed.

Section 10. This act shall be effective upon its ratification.

In the General Assembly read three times and ratified, this the 8th day of March, 1973.

JAMES B. HUNT, JR.

JAMES E. RAMSEY

James B. Hunt, Jr.

James E. Ramsey

President of the Senate

Speaker of the House of Representatives

APPENDIX A: LIST OF ACTS RELATING TO GOLDSBORO

Editor's Note:

This Appendix contains a list of all the private, local and session laws of the Legislature of North Carolina relating to the city of Goldsboro. The acts listed herein related to the city, but were not enacted as specific amendments or additions to the charter.

LIST OF ACTS RELATING TO GOLDSBORO		
<i>Year</i>	<i>Chapter</i>	<i>Subject</i>
1901	32	Goldsboro Oil Company, Incorporated
	385	Lumber companies charter amended, in re extensions of companies railroad lines
	388	Authority for bond issue to pay debts of city up to \$10,000
1903	74	Act to incorporate and aid to hospital
1905	117	Authority for bonds to pay off debts to city
1908	31	Graded schools to borrow money up to \$30,000
	33	Graded schools to borrow money
1909	371	Bond issuance authorized for trustees of schools of Goldsboro Township
		Goldsboro Traction Company charter amended

LIST OF ACTS RELATING TO GOLDSBORO		
<i>Year</i>	<i>Chapter</i>	<i>Subject</i>
	89	Authority for establishment of an electric white way of street light system
	90	Authorizes special elections to be ordered by board of aldermen on municipal propositions
	103	Improvement districts
	221	Authority for issuance of bonds for various public expenses and projects
	306	Proceeds of electric light plant established as electric light fund
1915	5	Authority to issue bonds up to 9,000 to purchase bonds of electric railway company
	101	Land condemnation, authority given to board of

LIST OF ACTS RELATING TO GOLDSBORO

<i>Year</i>	<i>Chapter</i>	<i>Subject</i>
	70	Advancements to Goldsboro Electric Railway Company ratified
1923	106	Act regulating investment of sinking fund
	132	Authority for city to purchase, operate street railway system of Goldsboro
	187	Authority for city to make various local improvements
1925	138	Mayors Court, increase in costs
	215	Authority for city to institute street and sidewalk paving and assess cost
1927	78	Restriction of issuing bonds, requiring vote of electors

LIST OF ACTS RELATING TO GOLDSBORO

<i>Year</i>	<i>Chapter</i>	<i>Subject</i>
	837	Act to secure the enforcement of laws against the manufacture and sale of liquor in Goldsboro Township
1917	696	Authority for county commission to exempt electric railway company from taxation
SESSION LAWS		
1943	291	Corporate limits extended
1947	436	Municipal airport, authority for conveyance to U.S. government by city
	778	Electric light fund transferred to permanent fund
	969	Hospital authorities law made applicable to city and county

('70 Code, Charter, App. A)

Sec. 11. Budget, treasurer to furnish bond.

The authority shall operate under a budget on a fiscal year basis from July 1 to June 30, and shall make its requests for appropriations from the City of Goldsboro and the County of Wayne in the same manner as that provided under the Fiscal Control Act, and shall maintain complete and adequate records of all receipts and disbursements to be audited and reported thereon at least annually to the City of Goldsboro and County of Wayne as required by the aforesaid Fiscal Control Act. The treasurer shall furnish bond in some surety company authorized to do business in North Carolina, in the amount to be fixed by the Wayne County Board of Commissioners and the Board of Aldermen of the City of Goldsboro.

(Sess. Laws 1963, Ch. 927, § 11) ('70 Code, Charter, App. B, Sec. 11.)

Sec. 12. State policy.

It is hereby declared to be the policy of the State of North Carolina to promote, encourage and develop air transportation, service and facilities in connection with the commerce of the United States and to foster and preserve air transportation; and the area including the County of Wayne and the City of Goldsboro is hereby declared to be an area which should be developed in connection with the interior of the State of North Carolina and other states and it is hereby declared to be necessary and desirable and in the public interest of the entire state that there shall be established air transportation facilities in such area in accordance with the provisions of the Acts of Congress and the laws of this state. The joint authority established pursuant to the provisions of this Act shall be regarded as performing an essential governmental function in undertaking the construction, maintenance and operation of the facilities herein provided for and in carrying out the provisions of this Act, and shall be required to pay no taxes or assessments upon any of the property acquired or used by it for such purposes. Except as herein specifically otherwise provided, the provisions of Chapter 63 of the General Statutes of North Carolina shall be applicable to the joint authority herein established.

(Sess. Laws 1963, Ch. 927, § 12) ('70 Code, Charter, App. B, Sec. 12.)

Sec. 13. Rules and regulations; penalty.

All rules, regulations and ordinances adopted pursuant to the authority of this Act shall be recorded in the proceedings of the Goldsboro-Wayne Airport Authority and a true copy of all such rules, regulations and ordinances, certified under the hand of the secretary and the seal of the authority, shall be filed with the Board of County Commissioners of Wayne County and the Board of Aldermen of the City of Goldsboro.

The Goldsboro-Wayne Airport Authority shall cause to be posted at appropriate places on the Goldsboro-Wayne Airport, notice to the public of applicable rules, regulations and ordinances pertaining to the Goldsboro-Wayne Airport.

Any person violating any rule, regulation or ordinance adopted pursuant to section 8 (b) (2) and (b) (3) shall be guilty of a misdemeanor and upon conviction shall be punishable by a fine not exceeding fifty dollars (\$50.00) or imprisonment not exceeding thirty (30) days.

(Sess. Laws 1963, Ch. 927, § 13) ('70 Code, Charter, App. B, Sec. 13.)

