

AGENDA
REGULAR MEETING OF THE MAYOR AND CITY COUNCIL
CITY OF GOLDSBORO
COUNCIL CHAMBERS – CITY HALL – 214 N. CENTER STREET
DECEMBER 7, 2015

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

- I. WORK SESSION – 5:00 P.M. – COUNCIL CHAMBERS, 214 N. CENTER ST.**
- II. CALL TO ORDER – 7:00 P.M. – COUNCIL CHAMBERS, 214 N. CENTER ST.**
 - Invocation & Pledge to the Flag
- III. ROLL CALL**
- IV. MINUTES**
 - A. Minutes of the Work Session and Regular Meeting of October 19, 2015
- VI. PUBLIC COMMENT PERIOD (TIME LIMIT OF 3 MINUTES PER SPEAKER)**
- VII. CONSENT AGENDA ITEMS**
 - B. CU-13-15 John Hodge-Southwest corner of South Center Street and Chestnut Street (Place of Entertainment with ABC Permits) (Planning)
 - C. CU-14-15 Parker Croom-South side of East Walnut Street between Center Street and John Street (Planning)
 - D. Site, Landscape and Building Elevation Plans-Aycock Ford Tractor, Inc. (Planning)
- VIII. ITEMS REQUIRING INDIVIDUAL ACTION**
- IX. DEPARTING COMMENTS**
- X. ORGANIZATIONAL ACTIONS**
 - E. Administering of Oath of Office (The Honorable Charles P. Gaylor, III)
 - F. Mayor Pro Tem Discussion (Mayor)
- XI. CITY MANAGER’S REPORT**
- XII. CITY ATTORNEY’S REPORT AND RECOMMENDATIONS**
- XIII. MAYOR AND COUNCILMEMBERS’ REPORTS AND RECOMMENDATIONS**
 - G. Resolution Commending And Expressing Appreciation To Alfonzo King For Serving As The Mayor of the City of Goldsboro For Fourteen Years
 - H. Resolution Commending And Expressing Appreciation To Michael Headen For Serving As Goldsboro City Councilmember For Eight Years
 - I. Resolution Commending And Expressing Appreciation To William “Bill” Goodman For Serving As Goldsboro City Councilmember For Nineteen Years
 - J. Resolution Commending And Expressing Appreciation To Charles Williams Sr. For Serving As Goldsboro City Councilmember For Twenty Years
- XIV. CLOSED SESSION**
- XV. ADJOURN**

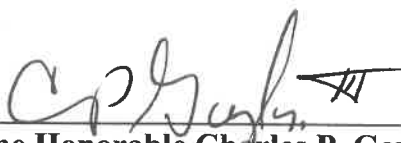
***OATH OF OFFICE FOR COUNCILMEMBER
CITY OF GOLDSBORO***

I, Thomas E. Aycock, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of the State of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my Office as Councilmember of the City of Goldsboro, North Carolina, so help me God.




Councilmember

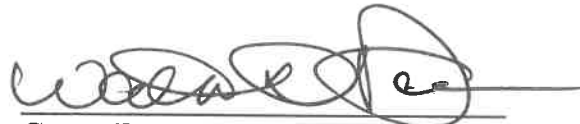
The above Oath sworn (or affirmed) to and subscribed before me this the 7th day of December, 2015.


The Honorable Charles P. Gaylor, III
District Court Judge

***OATH OF OFFICE FOR COUNCILMEMBER
CITY OF GOLDSBORO***

I, Walter D. Ham, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of the State of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my Office as Councilmember of the City of Goldsboro, North Carolina, so help me God.




Councilmember

The above Oath sworn (or affirmed) to and subscribed before me this the 7th day of December, 2015.


**The Honorable Charles P. Gaylor, III
District Court Judge**

***OATH OF OFFICE FOR COUNCILMEMBER
CITY OF GOLDSBORO***

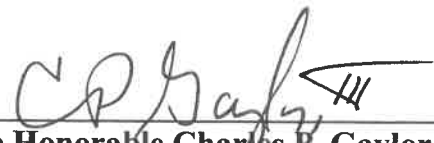
I, Bevan J. Foster, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of the State of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my Office as Councilmember of the City of Goldsboro, North Carolina, so help me God.





Councilmember

The above Oath sworn (or affirmed) to and subscribed before me this the 7th day of December, 2015.



**The Honorable Charles P. Gaylor, III
District Court Judge**

***OATH OF OFFICE FOR COUNCILMEMBER
CITY OF GOLDSBORO***

I, Mark A. Stevens, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of the State of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my Office as Councilmember of the City of Goldsboro, North Carolina, so help me God.



Mark A. Stevens
Councilmember

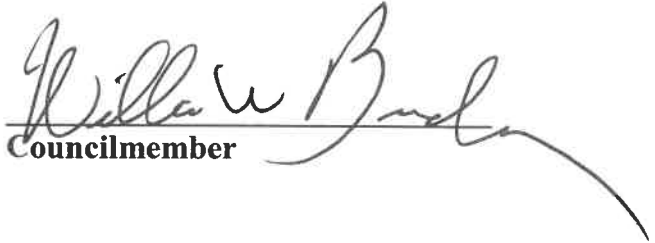
The above Oath sworn (or affirmed) to and subscribed before me this the 7th day of December, 2015.

C. P. Gaylor, III
**The Honorable Charles P. Gaylor, III
District Court Judge**

***OATH OF OFFICE FOR COUNCILMEMBER
CITY OF GOLDSBORO***

I, William W. Broadaway, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of the State of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my Office as Councilmember of the City of Goldsboro, North Carolina, so help me God.




Councilmember

The above Oath sworn (or affirmed) to and subscribed before me this the 7th day of December, 2015.


The Honorable Charles P. Gaylor, III
District Court Judge

***OATH OF OFFICE FOR COUNCILMEMBER
CITY OF GOLDSBORO***

I, Antonio M. Williams, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of the State of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my Office as Councilmember of the City of Goldsboro, North Carolina, so help me God.





Councilmember

The above Oath sworn (or affirmed) to and subscribed before me this the 7th day of December, 2015.



**The Honorable Charles P. Gaylor, III
District Court Judge**

***OATH OF OFFICE FOR MAYOR
CITY OF GOLDSBORO***

I, Lawrence C. Allen, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of the State of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my Office as Mayor of the City of Goldsboro, North Carolina, so help me God.



Lawrence C. Allen

The above Oath sworn (or affirmed) to and subscribed before me this the 7th day of December, 2015.

**The Honorable Charles P. Gaylor, III
District Court Judge**

MINUTES OF MEETING OF MAYOR AND CITY COUNCIL HELD
OCTOBER 19, 2015

WORK SESSION

The Mayor and Council of the City of Goldsboro, North Carolina, met in a Work Session in the Large Conference Room, City Hall Addition, 200 North Center Street, at 5:00 p.m. on October 19, 2015 with attendance as follows:

Present: Mayor Alfonzo King, Presiding
Mayor Pro Tem Chuck Allen
Councilmember Michael Headen (arrived at 5:51 p.m.)
Councilmember Bill Broadaway
Councilmember William Goodman
Councilmember Charles J. Williams, Sr.
Councilmember Gene Aycock
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
Kim Dawson, Assistant Finance Director
Mike West, Interim Police Chief
Officer LeAnn Rabun, Police Department
Felicia Brown, Recreation Superintendent
Betsy Rosemann, Travel & Tourism Director
Gary Whaley, Fire Chief
Allen Anderson, Chief Building Inspector
Karen Brashear, Public Utilities Director
Kim Laverick, Public & Governmental Affairs Director
Jennifer Collins, Assistant Planning Director
Jose Martinez, Public Works Director
LaTerrie Ward, Community Affairs Director
Julie Metz, DGDC Director
Sherry Archibald, Paramount Theatre Director
Neil Bartlett, Retiree
Debbie Whetsell, Retiree
Linda Bradford, Retiree
Marion Bradford, Retiree
David Ham, Citizen
Ethan Smith, Goldsboro News-Argus
Lonnie Casey, Citizen (arrived at 5:30 p.m.)

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

Invocation. Councilmember Williams provided the invocation.

Health Insurance Update. Ms. Kaye Scott provided the following information:

NC State Health Plan – Memorandum of Understanding

1. General Assembly passed Session Law 2015-112 allowing local governmental units to participate in SHP on June 24, 2015.
2. On July 27, 2015 – Council adopted Resolution expressing interest in participating in SHP.
3. MOU received on October 16, 2015
4. MOU Highlights:
 - Effective Date: January 1, 2016
 - City would be billed premiums from the State
 - City is responsible for determining eligibility of its employees and dependents
 - SHP does not allow retirees coverage nor allow retirees to enroll in the plan
 - Premiums for coverage and plan options shall be the same as those offered to State employees and their dependents.
 - MOU stated that terminated from plan through the adoption of legislation or by either party upon 60 days written notice.

Ms. Scott provided a 2016 State Health Plan Comparison.

Rate Comparisons

CIGNA (Current Plan)							
CIGNA (\$2,600 Deductible with \$1,000 HSA and \$600 HRA)							
Coverage	Monthly Premium	Employee Portion	Primary Care Dr.	Tobacco User	Health Assessment	Diabetes Manage.	
Employee Only	\$ 658.00	\$ 50.00	\$ 12.50	\$ 12.50	\$ 12.50	\$ 12.50	

State Health Plan (Consumer-Directed Health Plan - HRA)							
(\$1,500 Deductible with \$600 HRA)							
Coverage	Monthly Premium	Employee Portion	Primary Care Dr.	Tobacco User	Health Assessment	Diabetes Manage.	
Employee Only	\$ 448.12	\$ 50.00	\$ 12.50	\$ 12.50	\$ 12.50	N/A	

State Health Plan (Enhanced 80/20 Plan)							
(\$700 Deductible with copays)							
Coverage	Monthly Premium	Employee Portion	Primary Care Dr.	Tobacco User	Health Assessment	Diabetes Manage.	
Employee Only	\$ 462.32	\$ 65.00	\$ 12.50	\$ 12.50	\$ 12.50	N/A	

State Health Plan (Traditional 70/30 Plan)							
(\$1,054 Deductible with copays)							
Coverage	Monthly Premium	Employee Portion	Primary Care Dr.	Tobacco User	Health Assessment	Diabetes Manage.	
Employee Only	\$ 448.12	\$ 50.00	N/A	N/A	N/A	N/A	

Dependent Coverage Rates

State Health Plan Rates				
Coverage	Current Monthly Premium	SHP/CDHP Monthly Portion	SHP/80-20 Monthly Portion	SHP/70-30 Monthly Portion
Children	\$ 240.00	\$ 189.82	\$ 280.52	\$ 210.92
Spouse	\$ 478.00	\$ 489.14	\$ 646.32	\$ 543.46
Family	\$ 750.00	\$ 520.96	\$ 685.22	\$ 578.86

Benefits Committee Recommendation				
Coverage	Current Monthly Premium	SHP/CDHP Monthly Portion	SHP/80-20 Monthly Portion	SHP/70-30 Monthly Portion
Children	\$ 240.00	\$ 189.82	\$ 240.00	\$ 210.92
Spouse	\$ 478.00	\$ 478.00	\$ 478.00	\$ 478.00
Family	\$ 750.00	\$ 520.96	\$ 685.22	\$ 578.86

Retiree Coverage Subsidy

Retiree Coverage

13 Retirees – Individual Coverage	\$ 658/month
3 Retirees – Retiree/Spouse Coverage	\$1,136/month

Retiree Coverage BC/BS Blue Advantage (\$1,000 Deductible with copays)						
Coverage	Monthly Premium	Employee Portion	Primary Care Dr.	Tobacco User	Health Assessment	Diabetes Manage.
Retiree Coverage	\$ 910.00	\$ 448.12	\$ 12.50	\$ 12.50	\$ 12.50	N/A
City's Subsidy	\$ 461.88					

Potential Annual Subsidy: 16 retirees @ \$465/month x 12 months: \$89,280

Potential Health Cost Savings

Current Employee Premium (Cigna)	\$ 658.00
SHP Average Premium	\$ 452.85
Monthly Savings/Employee	\$ 205.15
Monthly Premium (Cigna)	\$ 290,836.00
Monthly Premium (SHP)	\$ 200,159.70
Monthly Savings	\$ 90,676.30
Potential 6 Months Savings (Jan. - June 2016)	\$ 544,057.80
Potential 6 Months Savings Subsidy	\$ 60,510.00
Cigna Runoff Claims Payment	\$ (372,000.00)
Dependent Coverage Subsidy	\$ (24,020.00)
Behavior Cost Subsidy	\$ (7,650.00)
Potential Retiree Subsidy	\$ (44,640.00)
Total Savings for FY 15-16	\$ 156,257.80
Estimated Savings for FY 16-17	\$ 1,056,515.60

Switch to State Health Plan

- Pros
 1. Lower cost to City
 2. Lower family cost
 3. Lower deductibles
 4. Less consultant time/other stuff
 5. Calendar Year coincides with ACA open enrollment
 6. Much larger group
 7. Likely smaller rate increases
- Cons
 1. Less control
 2. Change deductible year back to calendar year
 3. Loss of HSA account funding
 4. Retiree Insurance

Staff and Council discussed retiree coverage and commitments made to retirees. Councilmember Aycock asked if retirees were eligible for Medicare. Ms. Scott stated they will have a specialist come in and talk to the retirees about their options. Councilmember Broadway stated we should take care of retirees. Mr. Stevens stated staff would review on a case by case basis reimbursing those who have met their deductible for this plan year (July 1st – June 30th).

Ms. Scott reviewed the following recommendations:

1. It is recommended that Council authorize the City Manager and Finance Director to sign the Memorandum of Understanding to allow the City of Goldsboro to participate in the North Carolina State Health Plan effective January 1, 2016.
2. Subsidize Dependent Coverage:

Children Coverage (58)	\$27,840
Spousal Coverage (10)	\$20,200
3. Subsidize Retiree Coverage (16) \$89,280

4. Behavioral Employee Cost is recommended remain the same:
 - Primary Care Doctor \$12.50/mth.
 - Health Assessment \$12.50/mth.
 - Tobacco User \$12.50/mth.
 - Potential Subsidy Behaviors \$15,300
5. It is recommended that the Diabetes Management Program be eliminated. The SHP does not recognize this as one of the behaviors.

Upon motion of Mayor Pro Tem Allen, seconded by Councilmember Broadway and unanimously carried Council:

1. Adopted the following entitled Resolution authorizing the City Manager and Finance Director to sign the Memorandum of Understanding to allow the City of Goldsboro to participate in the North Carolina State Health Plan effective January 1, 2016.
2. Subsidized Dependent Coverage:
 - Children Coverage (58) \$27,840
 - Spousal Coverage (10) \$20,200
3. Subsidized Retiree Coverage (16) \$89,280
4. Behavioral Employee Cost is recommended remain the same:
 - Primary Care Doctor \$12.50/mth.
 - Health Assessment \$12.50/mth.
 - Tobacco User \$12.50/mth.
 - Potential Subsidy Behaviors \$15,300
5. Eliminated the Diabetes Management Program. The SHP does not recognize this as one of the behaviors.

RESOLUTION NO. 2015-87 “RESOLUTION AUTHORIZING THE CITY OF GOLDSBORO TO PARTICIPATE IN THE NORTH CAROLINA STATE’S HEALTH PLAN”

FY 2015-16 First Quarter Financial Update. Ms. Scott reviewed the following information:

General Fund Collections – 1st Qtr. - July – September 2015

	<i>Adjusted Budget</i>	<i>Actual Collections</i>	<i>YTD% Collections</i>
1 Taxes	15,723,437	1,620,742	10.31%
2 Licenses & Permits	357,600	101,049	28.26%
3 Revenues Other Agencies			
4 **Local Option Tax	7,450,000	1,955,243	26.24%
5 Utility Franchises Tax	2,622,000	680,557	25.96%
6 ABC Revenues	180,000	128,291	71.27%
7 Beer & Wine Taxes	168,400	-	0.00%
8 Powell Bill	989,200	494,481	49.99%
9 Service Fees from UF	2,446,496	611,624	25.00%
10 Grants/Other Revenues	2,039,919	233,151	11.43%
11 Total	15,896,015	4,103,347	25.81%

****Year End Accrual (90 days) to reflect full 12 months of sales tax revenue - \$1,955,243**

12	Charges for Services			
13	Refuse Services	3,250,000	811,453	24.97%
14	Cable TV	269,200	67,549	25.09%
15	Paramount Theater	150,000	13,952	9.30%
16	Recreation Fees	160,500	38,294	23.86%
17	Golf Course Fees	555,000	201,189	36.25%
18	Other Misc. Revenues	184,256	44,130	23.95%
19	Total	4,568,956	1,176,567	25.75%
20	Capital Returns & Misc. Revenues			
21	Investment Earnings	3,500	2,705	77.29%
22	Street/Storm Drain. Assessments	1,000	50	5.00%
23	Loan Proceeds (WA/GCC)	6,377,412	1,156,292	18.13%
24	Other Misc. Revenues	1,329,000	205,782	15.48%
25	Total	7,710,912	1,364,829	17.70%
General Fund Revenue Totals		28,273,903	3,673,195	12.99%

General Fund Revenue Totals \$44,256,920 \$8,366,534 18.90%

General Fund – Collections
(Comparison to 1st Quarter 2014)

	2015	2014	Difference
1 Taxes	\$ 1,620,742	\$ 1,415,645	\$ 205,097
2 Permits	101,049	165,833	(64,784)
3 Utility Franchise	680,557	572,244	108,313
4 Refuse	811,453	804,620	6,833
5 Golf Course	201,189	168,243	32,946
6 Paramount	13,952	24,712	(10,760)
7 Investment Earnings	2,705	416	2,289
8 Recreation Fees	38,294	39,580	(1,286)
*9 Sales Tax	1,955,243	1,745,107	210,136
10 Totals	\$ 5,425,184	\$ 4,936,400	\$ 488,784

*Sales Tax: (Collections received July – September but accrued (90 days) to previous FY for 12 full months of sale tax revenues)

Utility Fund Collections
1st Qtr. - July – September 2015

	Adjusted Budget	Actual Collections	YTD% Collections
1 Charges for Services			
2 Current Water Charges	5,750,000	1,522,215	26.47%
3 UF - SJAFB	1,200,000	348,564	29.05%
4 Current Sewer Charges	7,800,000	2,028,199	26.00%
5 Late Payment/Svc. Fees	330,000	83,933	25.43%
6 Applied Deposits	200,000	62,938	31.47%
7 Reconnections Fees	15,000	4,920	32.80%
8 Water/Sewer Taps	25,000	6,200	24.80%
9 Compost Revenues	30,000	9,421	31.40%
10 Total	15,350,000	4,066,390	26.49%
11 Capital Returns & Misc. Revenues			
12 Investment Earnings	2,500	2,170	86.80%
13 Water/Sewer Assessment	6,200	250	4.03%
14 Other Misc. Revenues	772,100	38,252	4.95%
15 Total	780,800	40,672	5.21%

Utility Fund Revenue Totals \$16,130,800 \$4,107,062 25.46%

Utility Fund – Collections (Comparison to 1st Quarter 2014)

	2015	2014	Difference
1 Current Water	\$ 1,522,215	\$ 1,446,556	\$ 75,659
2 Current Sewer	2,028,199	1,903,742	124,457
3 Late Payment Fees	83,933	80,508	3,425
4 Tap Fees	6,200	5,950	250
5 Compost Fees	9,421	10,706	(1,285)
6 Water/Sewer Assessments	250	1,331	(1,081)
7 Investment Earnings	2,170	604	1,566
8 Totals	\$ 3,652,388	\$ 3,449,397	\$ 202,991

DGDC & Occupancy Tax Collections

1st Qtr. - July – September 2015

	Adjusted Budget	Actual Collections	YTD% Collections
DGDC			
1 Taxes	71,698	8,435	11.76%
2 Investment Earnings	25	37	148.00%
3 Total	71,723	8,472	11.81%
Occupancy Tax			
4 Occupancy Tax - Civic Ctr.	275,000	92,939	33.80%
5 Occupancy Tax - T & T	275,000	92,939	33.80%
6 Investment Earnings	200	368	184.00%
7 Misc. Revenue	-		
8 Total	550,200	186,246	33.85%

DGDC & Occupancy Tax Collections (Comparison to 1st Quarter 2014)

	2015	2014	Difference
DGDC			
1 Taxes	8,435	7,316	1,119
2 Investment Earnings	37	11	26
3 Totals	8,472	7,327	1,145
Occupancy Tax			
4 Tax Collections	185,877	168,888	16,989
5 Investment Earnings/ Misc. Revenues	368	96	272
6 Totals	186,245	168,984	17,261

Actual Collections (Comparison to 1st Quarter 2014)

	2015	2014	Difference
1 General Fund	8,366,534	3,914,031	4,452,503
2 Utility Fund	4,107,062	3,816,292	290,770
3 Downtown Development	8,472	7,327	1,145
4 Occupancy Tax	186,246	168,984	17,262

Actual Expenditures – Comparison with Adjusted Budget

	2015	2014
1 General Fund	\$ 10,220,371 (22.24%)	\$ 9,324,507 (23.4%)
2 Utility Fund	\$ 3,489,075 (18.60%)	\$ 2,824,294 (15.2%)
3 Downtown Development	\$ 36,175 (25.03%)	\$ 18,171 (12.3%)
4 Occupancy Tax	\$ 103,903 (17.99%)	\$ 89,461 (12.2%)

General Fund Attrition (Salaries/Fringes)

1. Budgeted Attrition (Entire Year) \$ 700,000
2. 1st Quarter Budgeted Attrition 175,000
3. 1st Quarter Actual Attrition 272,915
4. 1st Quarter Savings 97,915
5. Departmental Vacancies (General/Other) 25/1

General Fund Attrition (Health Insurance)

1. Budgeted Attrition (Entire Year) \$ 150,000
2. 1st Quarter Budgeted Attrition 37,500
3. 1st Quarter Actual Attrition 58,741
4. 1st Quarter Savings 21,241
5. Opt Out City's Insurance Coverage 10/1
(General/Other)

Fund Balance Adopted Budget Appropriations FY 2015-16

1. General Fund None
2. Utility Fund \$273,794
3. DGDC None
4. Occupancy Tax Fund \$ 24,850

Fund Balance Council Appropriations FY 2015-16

1. General Fund \$ 39,421

a. GWTA Bus (Local Match)	\$34,309
b. NC Governor's Crime Grant Match	5,112
2. Utility Fund	\$424,246
a. Mulberry St. Water Improvements	\$141,701
b. Streetscape Piping Change Order	282,545
3. DGDC	\$ 10,086
a. Façade Grant	
4. Occupancy Tax Fund	None

Bond Ratings Update

Standard & Poor's Ratings Services and Moody's has assigned the following ratings to Goldsboro:

Standard and Poor's Rating Services: AA-
Moody's Investors Services Aa2

Police Department Discussion. Chief West stated back in September he briefly spoke to all of you about some of the reasons officers gave as to why they left the department. Since then, he has had more discussions with officers and also the City Manager. He stated he is here this evening to update Council on those discussions. Chief West shared the following information with Council:

<u>Proposal</u>	<u>Program Information</u>	<u>Approved</u>	<u>Pending</u>
Take Home Cars	All sworn personnel that reside within the county will be issued a take home car. Immediate benefit to Investigators, Housing, Warrants, SEU, and Crime Prevention. Patrol will be phased in as new vehicles become available. 26 additional patrol cars will be needed.	10/19/15	
	Cost:		
	<u>FY 15/16</u>	<u>Recurring</u>	
	\$53,900.00	\$92,400.00	
	Request to purchase ten (10) 2016 Dodge Chargers to begin phasing additional take home cars at a cost of \$42,000.00 each. This includes all emergency equipment, MDT, in-car camera, mobile radio and graphics.		11/16/15
Patrol Rifles/ Shotguns	Patrol rifles (24) and shotguns (24) have been assigned to individual officers and those officers are currently receiving		

training or are scheduled for training.
No additional cost. 9/7/15

Cost:
FY 15/16 Recurring
\$0 NA

Replace 3 K9's and 1 Handler Purchase 3 new K9's from Highland K9 in Harmony, NC at a cost of \$26,700.00. 9/7/15
Money will come from drug forfeiture.
PD will select a new handler.
Handler was selected on 10/30/15.

Cost:
Forfeiture Recurring
\$26,700.00 NA

FTO Program Field Training Officer(s) will receive a 5% increase in pay while they are training new officers. Training period for a new officer is 16 weeks and each of the four shifts will have no more than 3 FTO's and will train no more than 2 new officers. 10/19/15

Cost:
FY 15/15 Recurring
\$13,000.00 \$22,100.00

Tasers Currently have 40 Tasers that are shared between 78 officers. Request to purchase 38 additional Tasers at a cost of \$1,604.10 each. 10/19/15

Cost:
Forfeiture Recurring
\$60,955.80 NA

Cell Phone Stipend Request that officers that use their personal cell phone for work related calls receive a stipend of \$40 for regular phone, \$60 for smart phone. 10/19/15

Cost:
FY 15/16 Recurring
\$31,920.00 \$54,720.00

Gym Equipment	Replace old gym equipment and purchase additional equipment for the Police/Fire gymnasium. So far \$5,000.00 of the \$20,000.00 allowed has been used.	9/7/15
	Cost:	
	<u>FY 15/16</u>	<u>Recurring</u>
	\$20,000.00	NA
Additional Employee Parking	Additional parking at the Police/Fire Complex. Currently under construction.	9/7/2015
PD Expansion	Preliminary evaluation by the architect.	11/16/15
Police Parking Only	Northside parking lot has designated area for Police Parking Only. Signs Installed	9/7/15
Health Insurance	Moving to State Health Plan.	10/19/15
eCitation and Printers	Allows the officer to complete citations on their MDT and print a copy for the defendant. Requires a printer to be installed in each patrol car. eCitation software is free. 40 printers requested at \$500.00 each. Purchased with GHSP points redemption. Will need 39 additional printers as new cars become available.	10/19/15
	Cost:	
	<u>Fy 15/16</u>	<u>Recurring</u>
	\$0	?
In-Car Cameras	13 in-car cameras are needed for the 2013 Caprice. Current in-car cameras (Digital-Ally) are \$4,000.00 each for a total of \$52,000.00. Final decision on the type of in-car cameras could be based on what type of body camera is chosen.	Dec-15

Overtime	Compensation for officers working over the required 171 hrs. More discussion needed.	10/19/15
Police Officer 1, 2 and Master Officer	Officers meeting the 2, 4 and 6 year requirement along with specialized training would receive an increase in pay.	Jan-16
Computer Aided Dispatch (CAD)	In discussion with Wayne County OES to determine the best software/vendor.	2016
Paperless Reporting	Officers can complete reports on their MDT or desktop PC and file electronically.	
Body Cameras	Evaluation of 4 different body camera manufacturers is wrapping up and more information is expected soon.	Jan-16
Shot Spotter	Real Time Alerts confirm gunfire incident and precise location of shooters.	

Council discussed equipment, overtime and cellphone stipends.

Upon motion of Mayor Pro Tem Allen, seconded by Councilmember Aycock and unanimously carried, Council approved moving forward with the Take Home Policy, the FTO Program, purchase of tasers, cellphone stipends, overtime and switching over to the Dodge Chargers.

Councilmember Goodman stated he would like to look at hiring more minorities particularly from the inner city.

Councilmember Williams asked for an update on CALEA. Mr. Stevens stated he would like to wait until the permanent Chief is in place, Councilmember Aycock agreed.

Business Incentive Grant/Loan. Mr. Stevens shared the City cannot do a direct loan because the City is not a bank. We can do a grant/loan and could mirror it after the Business Incentive program we currently have. Mayor Pro Tem Allen suggested doing (10) \$2,000 grants/loans or (7) \$3,000 with recipients paying it back over a two year period with little or no interest.

Council discussed and agreed they would like additional time to consider the request.

Request for Sanitation Seasonal Workers. Mr. Jose Martinez shared a request for six (6) seasonal workers from November 1 – December 31, 2105 to assist with leaf season and overflow over the Christmas holiday.

Councilmember Goodman inquired about the Deputy Director position and asked if we were getting a little top heavy. Mr. Stevens shared Public Works is our largest department and is structurally not set up for succession. There are 6 superintendents but no Deputy Director. Police and Fire are the next largest departments and provide a good structure for succession planning. You have Police Majors and Assistant Fire Chiefs. Councilmember Goodman stated he would like to revisit the salary range.

Council discussed succession planning and promoting from within.

Council agreed Mr. Martinez could move forward with seasonal workers.

Fire/Rescue Parking Improvements. Mr. Guthrie reviewed the Fire/Police Complex Parking Plan. Staff is asking for Council's approval to move forward with paving. There would be gravel parking to supplement. Work can be done mainly in-house with the exception of the paving piece. Paving would cost approximately \$22,268. Stone would cost approximately \$16,000. Mayor Pro Tem Allen suggested getting a price to do it all since the contractor would be onsite.

Cover Agenda. Each item on the cover agenda was generally discussed.

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 October 19, 2015 with attendance as follows:

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

The meeting was called to order by Mayor King.

The invocation was given by Councilmember Williams.

Approval of Minutes. Approved. Upon motion of Councilmember Headen, seconded by Councilmember Williams and unanimously carried, Council approved the Work Session and Regular Meeting Minutes of September 8, 2015 as submitted.

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

Franki Pearl, 719 E. Ash Street, Goldsboro, stated she came to Goldsboro to be safe, she was hit by a car three times and was removed from a shelter after 60 days. She stated another lady from the shelter received housing at Lincoln Homes, her sons did not want to stay there so Ms. Pearl and her friend Rose moved their stuff in there and stayed there off and on. She stated her stuff is in the apartment. She stated Barbie Bailey's name is on the lease, but she has already abandoned the apartment. Ms. Pearl stated she believed that only the name listed on the lease may retrieve items from the apartment. Ms. Pearl shared information regarding the items she would like to retrieve from the apartment.

Mayor King asked Ms. Pearl to leave contact information so the City Manager could contact her.

Proclamation – United Nations Day. Mayor King proclaimed October 24, 2015 as “United Nations Day” in the City Goldsboro, North Carolina.

Mayor King presented a framed copy of the Proclamation to Alpha Kappa Alpha Sorority.

Z-7-15 Robert Earl Grant, Sr. – South side of Collier Street between Jordan Boulevard and Hargrove Street (R-6 Residential to General Business Conditional District allowing the construction of a new building which will contain warehouse, office and retail sales areas for chemicals and related industrial supplies). Public Hearing Held. The property is located on the south side of Collier Street between Jordan Boulevard and Hargrove Street. The Wayne County Tax Identification No. is 2690-42-1425. The property has a frontage of 64 ft., a depth of approximately 1441.34 ft. and total area of 9,046 sq. ft., or 0.208 Acres. The current zoning classification is R-6 Residential. The proposed zoning classification is General Business Conditional District to allow the construction of a new building which will contain warehouse, office and retail sales areas for chemicals and related industrial supplies. Development plans would be approved separately.

The property is currently vacant.

The applicant has requested the General Business Conditional District to limit the use of the property for warehouse, office and retail sales areas for chemicals and related industrial supplies.

The City's Comprehensive Plan designates the property for commercial use.

The proposed site plan submitted by the applicant indicates construction of a new 8,160 sq. ft. building. The existing building which is located on a separate lot just

south of the subject property and is owned by the applicant will be demolished and the new building will be constructed to cover portions of both lots. The applicant is requesting modifications of the side yard setbacks to accommodate the proposed building due to the narrowness of the lot.

One existing curb cut will be retained along West Grantham Street. An existing shared curb cut on Collier Street will provide access to the rear of the site.

The submitted site plan indicates 11 proposed parking spaces (including 1 handicapped space). A total of 12 parking spaces are required for the proposed use. The applicant is requesting a modification of one parking space to accommodate for truck deliveries.

Hours of operation are being proposed from Monday thru Friday 8:00am to 5:00pm. A total of two employees will be associated with the operation. Deliveries are anticipated weekly by semi- or box trucks. Local deliveries will be shipped out by van.

The property is served by City water and sanitary sewer lines and is located within the 100-year Flood Hazard Area. Appropriate measures to waterproof or elevate the proposed building will be required.

Stormwater detention and/or nitrogen calculations are not required since less than one-half acre of land is being disturbed. Staff will work with the applicant to review and approve a drainage plan for site prior to issuance of any building permits.

Interconnectivity is provided to the west with the existing shared driveway. A modification of required interconnectivity to the east has been requested.

Interior sidewalks are provided around the building and the applicant is requesting to pay a fee in lieu of exterior sidewalk installation in the amount of \$1,920.

The submitted landscape plan indicates a Type A (5 ft.) buffer along the eastern and western property lines and will contain combinations of Oaks, Cherry trees, Privet and Carissa Hollies. The applicant is requesting a modification to reduce the length of the western buffer by approximately 81 ft. to allow for the shared driveway location.

An 8 ft. wide street yard is proposed along Collier Street and West Grantham Street. Redbuds are proposed as street trees. Vehicular Surface Buffer Shrubs (Dwarf Yaupon Hollies) will be installed along West Grantham Street.

Building elevations have been submitted and the building will be constructed of split-faced block and metal panels along the sides with the front elevation consisting of brick, insulated glass and metal panels.

The following modifications have been requested.

1. Side yard setback along the western property line from 15 ft. to 5 ft.;

2. Side yard setback along the eastern property line from 15 ft. to 8 ft.;
3. Number of total required parking spaces from 12 to 11;
4. Interconnectivity to the east; and
5. Western buffer for a distance of approximately 81 ft. in the location of the shared driveway.

Mayor King opened the public hearing. No one spoke and the public hearing was closed. No action necessary. Planning Commission will have a recommendation for the Council's meeting on November 2, 2015.

Z-8-15 Highwater Solar II – East Side of Salem Church Road between Belfast Road and Stoney Hill Road (R-40 to R-20A Conditional District for a Solar Facility). Public Hearing Held. The property is located on the east side of Salem Church Road between Belfast Road and Stoney Hill Road. The Wayne County Tax Identification No. is 3601-05-9480 (portion). The property has a frontage of approximately 50 ft., an approximate depth of 2,255 ft. and a total area of approximately 14.0 acres. The present zoning classification is R-40 Residential. The proposed zoning classification is R-20A Residential Conditional District to allow the development of a solar farm facility with site and landscape plans approved separately.

The property is currently vacant farmland.

If rezoned to 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.

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

City water and sewer is not available to this property which is not located within a Special Flood Hazard Area.

The submitted site plan indicates a 20 ft. wide compacted soil access drive extending from an existing curb cut on Salem Church Road and extending easterly a distance of approximately 1,380 ft. through a gated entrance and ending at an area designated as a turnaround.

The solar panels will be installed within an area to be surrounded by a 6 ft. tall chain link fence with barbed wire. The site plan indicates that applicant will install a Type C (20 ft. wide) planted buffer along the northern and a portion of the southern property lines which will contain a combination of small trees and large and small evergreen shrubs.

Property around the site on the south and west was recently timbered and, therefore, no buffers exist in those locations. In accordance with the City's UDO relative to tree preservation requirements:

“Properties that are cleared within two years prior to site plan approval by the City will be required to replant removed landscaping with double the required number of trees and shrubs. Replacement trees shall be a minimum of four (4) inches in caliper at the time of planting.”

As a result, the applicant’s site plan will need to be revised to indicate a 20 ft. wide buffer containing twice the required plantings and larger replacement trees wherever tree lines previously existing have been removed.

Ms. Collins shared staff received comments from J. Marshall Smith, those comments have been provided to City Council and the Planning Commission.

Mayor King opened the public hearing and the following people spoke:

1. Beth Trahos, 434 Fayetteville Street, Raleigh, NC attorney with Smith, Moore, Leatherwood stated she is here on behalf of Highwater II, LLC to request the zoning to allow the solar farm as your Planning staff has indicated. The property is owned by William and Mary Howell and they would be leasing about 14 acres immediately adjacent to the highway, to our client for the solar farm use. Solar farms are good neighbors, they are low intensity, they are not staffed, there are no buildings onsite, there is no need for water or sewer, they are low to the ground, the solar panels themselves at the peak are mounted on racks, the racks are driven into the ground without the benefit of concrete, so they are easy on the soil. Ms. Trahos stated at their peak, they are about 10 ft. tall, so they are much lower than a house, or typical farm building might be. They are quiet, you cannot hear any noise from the solar farm at the property line. The inverters convert the energy created on the site from the dc to ac power that we use when we plug things into our wall, do make a slight hum as you stand next to them, like your ac outside your house, but when you get to the property line, you cannot differentiate them from background noise. There is no need for water or sewer, as no water or sewer is available for this property, so it makes a good use of this property. She stated the location is set far back off Salem Church Road and immediately adjacent to the highway. The site plan shows in detail how the proposed site will be constructed so you know if you approve the zoning you know how it would look on the ground. The site was timbered by the property owner in 2013, so we are willing to provide the additional buffer required by the code. She stated they will speak with your staff about the time line and put the property owner in touch with your staff because we think it exceeds the two year period as opposed to what was originally thought. Adjacent property was recently approved for a solar farm which has not been constructed yet. She stated they feel that is evidence that a solar farm use is appropriate in this location. Ms. Trahos stated they would like to reserve additional time to respond to any comments. We would appreciate your consideration and support. Thank you for your time tonight.
2. Christopher Robinson Howell, 8001 Goldenrod Drive, Greensboro, stated he thanks the Mayor, City Council and Planning Committee for listening to them. He stated he would like to voice opposition to this rezoning. This property is

currently owned by an Uncle, William S. Howell, who is currently living in the Cary area, in a retiree facility. His properties and affairs are being managed by a son-in-law. At the end of this path to the west side, on Salem Church Road, that is his home place, his mother, Frances Howell and OJ Howell Jr.'s home. The path is Uncle William's. It has been farmland and until it was recently clear-cut, there was a lot of woodland as well. This property is adjacent to his mom's estate and we know after talking with business people, financial experts and people who manage her estate today, we know the property will be depreciated immediately when a solar farm is put in. He stated he understands about the foliage barriers, buffers, it is going to take years. Mr. Howell stated he was on Fedelon Trail today and you can see anyone who traveled Fedelon Trail and see the solar farm even though there will be a buffer. We have folks who have invested and bought property and built homes in that area. He stated his mother developed Canterbury Village. There are people here tonight he asked to come, he stated he asked none of them to speak, he stated he told them he wanted to speak but if they felt compelled he would ask Council to listen. He stated he is representing the OJ Howell Jr. family and if his dad was living he would be here tonight because it impacts his children and their children. He stated he also reached out to other family members and friends. Mr. Howell stated he would like to address three areas: 1. protecting the environment; 2. preserving our investment and 3. building for the future. He stated we are not against solar energy, solar farms, we understand we need alternate forms of energy, however, what we are against when you stand on his parents front porch, or look out a window you can see a solar farm, others in Canterbury and on Stoney Hill Road will see them as well. He stated he is a property owner on Stoney Hill Road. All of us are going to be faced with where this will go and the fact it will be detrimental to the values of the property. This will be an immediate depreciation of the land. Mr. Howell stated secondly, rezoning for a solar farm will bring immediate harm to the current residents in the area as well as the farmers who tend the land. We need to keep agricultural farms alive. As you know, the contracts are very lengthy and cannot be farmed for some time. Thirdly he stated he would like to talk about the future. He stated we all understand the importance of meetings like this and he does not envy you for the position you are in. Every meeting you receive the pros and cons and you have to determine which way to go. Mr. Howell stated he applauds Council, it was very refreshing that when you opened this meeting, you started with prayer and you said the Pledge of Allegiance, that is not happening in so much of the world today. We appreciate the responsibility you have here and we ask that you please look at this and take into consideration the future growth of the Belfast Community. There are still available lots to be sold in Canterbury, there are lots on Stoney Hill Road and Salem Church Road that can be built on immediately. When we build new homes, we create jobs, jobs for construction, plumbers, maintenance, landscapers. This is the kind of activity that will continue to grow and generate more and more tax dollar revenue for the County of Wayne and ultimately the City of Goldsboro. He stated he understands a solar farm could generate taxes but it fails in comparison to adding new families in that area. A few of the comments he has heard from those in attendance tonight include, there

an absolute eyesore, another said it is a blight on the countryside. Another said knowing what I just learned, I would not buy or build in that area, nor would I build a business in that area. That is strong and has huge negative impacts on the Belfast Community. Mr. Howell stated there are lots available which marks the potential for future growth and again increases revenue, tax dollars, for the County and the City. So we believe the immediate financial benefit of introducing a solar farm here, it will be a massive farm that will adjoin the other and run all the way to Belfast Road. It is not one that will have a little hum to it in his opinion. For the immediate financial benefit of one or a few, there is much more detriment to the harm it is going to do to those that have already invested in that area and never expected to be faced with this in the morning when they look out their door. So in closing, he would ask you help us to build upon the investments we have already made in the Belfast Community and will continue to make in the Belfast Community. Mr. Howell stated he appreciated your time and consideration tonight. He stated if you have any questions or if there are any rebuttals he would request also an opportunity to readdress these.

Councilmember Aycock asked didn't the General Assembly put a cap on how much property taxes solar farms can pay. Mr. Stevens replied he had heard some discussion on that but was not certain.

3. Stephen Howell, 100 Chancery Drive, stated we are residents in Canterbury Village that the late OJ and present Ms. Howell, we are no kin although we are all Howell's. Less than 6 months ago, when you stood and looked out my front door all you saw were trees. Now where this solar farm is prepared to go, all the trees have been timbered. So now all you are going to see is a solar farm. As a property owner he is concerned. He stated he also owns a house on Salem Church Road which joins this property and another lot beside the home. We are impacted every way you go. He stated to him, these solar farms would hurt their tax values. We have invested lots of money in our neighborhood with hundreds of homes. He stated he would like to be in favor of not accepting this mainly because of the property values and also because of the other property they own. Mr. Howell stated he has spoken with others in the neighborhood who could not be here tonight, others are here, and they have the same concern. The last concern he stated, he assumes this is in the 1 mile jurisdiction of the City of Goldsboro, is that why we are we are before the City Council, to me we do not have a voice being represented tonight. There is no one up here that we can vote for, to him, that has their interest at heart. This is outside our jurisdiction, we are in the County. He stated he hopes Council will consider us as homeowners outside the City of Goldsboro. He stated he does ask Council to hear their concerns as homeowners in the Canterbury and Lane Tree area.

No one else spoke and the public hearing was closed. No action necessary. Planning Commission will have a recommendation for the Council's meeting on November 2, 2015.

Z-9-15 The Three J's, Inc. – Northeast Corner of US Highway 70 East and North Oak Forest Road (SC to GBCD). Public Hearing Held. The property is located on the northeast corner of US Highway 70 East and North Oak Forest Road. The Wayne County Tax Identification Nos. are 3519-81-9241, 3519-90-0942, 1211, and 2525. The property has a frontage of 985.83 ft. on US Highway 70 East (McLain Street Service Road), a frontage of 570.58 ft. on North Oak Forest and a total area of approximately 18.43 acres. The present zoning classification is Shopping Center. The proposed zoning classification is General Business Conditional District to allow the development of an automotive dealership. Development plans would have to be approved in conjunction with this rezoning.

The City's Comprehensive Land Use Plan recommends Commercial development for the property.

The proposed site plan submitted by the applicant indicates construction of three new car dealerships with a total area of 75,576 sq. ft. The dealerships will consist of office space, vehicle display areas and service areas. A total of 102 parking spaces are required for the proposed use and 1,243 parking spaces have been provided. Of the total proposed parking spaces, 130 spaces are dedicated for customer and employee parking. The remaining 1,113 spaces are dedicated for display of vehicles.

Hours of operation are being proposed at Monday thru Saturday 8:00am to 8:00pm. A total of 70 employees are anticipated in conjunction with the use. Up to three deliveries per day are expected to include small trucks and car carriers.

The developer proposes extending water lines to this property. There are currently sanitary sewer assessments which are held in abeyance until the property is annexed. The property is not located within a Special Flood Hazard Area. Staff is working with the applicant regarding Stormwater calculations and Grading Plan and will be reviewed by staff prior to issuance of building permit.

Two curb cuts are being proposed along McLain Street and will require NCDOT driveway permits. Access will also be provided from Oak Forest Road through an existing asphalt drive. The project will be developed in phases and the existing asphalt drive will be extended as the project develops. Interconnectivity is provided to the north by the existing asphalt drive to the adjacent Lee Hyundai dealership.

Interior sidewalks are provided around the building and exterior sidewalks are required along Oak Forest Road and McLain Street. Applicant will be required to install sidewalks or pay the fee in lieu of exterior sidewalk installation in the amount of \$22,954.95.

HVAC units and dumpster locations have not been indicated and staff will work with the applicant to ensure proper screening from public view as required by the UDO.

The submitted landscape plan indicates a Type 'A' 5 ft. landscaped buffer along the eastern property line which will contain Red Cedars and Cleyra japonica.

An 8 ft. wide street yard is proposed along the 50-ft.access easement. Maples are proposed as street trees however the applicant is requesting a modification of the street tree requirement along Oak Forest Road. A 50-ft. riparian buffer exists along McLain Street therefore street trees are not required in this location.

A total of 215 trees and 1,881 shrubs are required within the Vehicular Surface Area. A total of 178 Dwarf Yaupon Hollies have been proposed within the vehicular surface area and the applicant is requesting a modification of the required trees and remaining shrubs (1,703) within that area.

The applicant has requested the following modifications associated with the landscaping requirements.

1. Modification of the requirement that rows of parking spaces exceeding 15 shall be visually divided by a parking lot landscaped island and that all parking spaces shall be located within 60 ft. of a parking lot tree.
2. Modification of landscaping along proposed bio-retention ponds.
3. Modification of the interior tree requirement (215 trees) and shrub requirement from 1,881 to 1,703.
4. Modification of the street tree requirement along Oak Forest Road.

Building elevation plans have been submitted for the Ford and Nissan dealerships which indicate that the buildings will utilize split-faced constructed masonry units with aluminum panels. The front of the buildings will include architectural aluminum panels and glass with company logos. The elevations for the Kia dealership and lighting plan for the dealerships have not been submitted however staff will work with the applicant to ensure building design standards and lighting standards are applied per the Unified Development Ordinance.

Mayor King opened the public hearing. No one spoke and the public hearing was closed. No action necessary. The Planning Commission will have a recommendation for the Council on November 3, 2015.

CU-10-15 Mark Khuns – Northeast Corner of Shelley Drive and Samuel Road. Public Hearing Held. The applicant requests a Conditional Use Permit to allow the construction of an accessory dwelling on a corner lot with a modification to allow the structure to extend 10 ft. beyond the established building line for the primary structure.

Frontages:	119.24 ft. (on Shelley Drive) 189.64 ft. (on Samuel Road)
Area:	0.52 Acres (approx.)
Zoning:	R-16 Residential

The R-16 Residential zone permits one residential unit on a lot containing 16,000 sq. ft. Accessory dwellings are only permitted with the issuance of a Conditional Use Permit by the City Council with specific conditions as follows:

1. Accessory dwellings must comply with all applicable codes and only one accessory dwelling may be permitted per lot.
2. The accessory dwelling may not exceed 40% of the square footage of the principal structure or 1,100 sq. ft. of gross floor area, whichever is less.

The principal dwelling on the site contains approximately 2,306 sq. ft. The applicant is proposing to construct a 24 ft. x 28 ft. (672 sq. ft.) building with over half (408 sq. ft.) to be utilized as a workshop and 264 sq. ft. to be utilized as a part-time residence for his father-in-law who stays in Goldsboro during the winter months. The accessory dwelling portion of the building constitutes only 10% of the gross floor area of the existing home.

3. Accessory dwellings must meet all applicable setback requirements and be located to the rear of the principal structure.

The proposed accessory building does meet the R-16 setback requirements and is located to the rear of the principal structure. However, because the property is a corner lot, in addition to the required setback distance of 32 ft., the structure must also be located behind the established building line for the primary residence.

The established building line for the primary residence is 42 ft. from the property line on the Samuel Road side of the lot, therefore, the proposed new building also cannot be located closer than 42 ft. from the property line on the Samuel Road side of the lot.

The applicant wishes to preserve as much open space in his back yard as possible by placing the new structure closer to the Samuel Road side of the lot.

A modification of the setback requirement from 42 ft. to 32 ft. will be necessary in conjunction with the Conditional Use Permit.

Samuel Road currently terminates at the applicant's rear property line and there are no approved plans at this time to extend this right-of-way to serve vacant land to the north.

4. The exterior of the accessory dwelling shall be compatible in appearance to the principal residence.

The applicant has indicated that the building materials for the proposed new structure will be identical to the existing house which is bricked.

5. Where there is no public sanitary sewer service to the accessory dwelling, the County Health Department shall approve sanitary sewer service provided to such accessory dwelling before construction begins.

The property is served by City sewer which will also be available to the proposed accessory structure.

Mayor King opened the public hearing and the following people spoke after being properly sworn in:

1. Mark Kuhns, 607 Shelley Drive, Goldsboro, stated thank you Mayor, City Council and Planning Commission members. Like she said the purpose of this is not to be rented out, it is not going to be an eyesore, my wife's mother passed away this year, they lived in Michigan and come down here during the winter time, because it is harsh there. We wanted to give him a place where he can feel like it is his. That is the biggest reason why we would like to do this. He stated it will not be rented, it will be one story, the front part will be for him, and about 260 sq. ft. and the backside will be a workshop. The exterior will be compatible with the principal structure we live in. He stated the only other thing, they are requesting a modification for the roof pitch, the roof is supposed to match the existing structure, we are requesting a modification to have possibly a 10/12 or a 12/12 pitch so we can have upstairs for storage. Our home has a 5 or 8/12 and have an attic with pull-down stairs and they are getting a little difficult to use. Mr. Kuhns stated he has a petition (Exhibit 1). He stated he went around to his neighbors, the ones who own homes around him and tried to explain what he was trying to do. They were very supportive, none objected to any of this. We live on a corner lot, where nothing has been done with the land for quite a while. Like she said, there are no plans for that road to go on through. The structure we would like to build, would not encroach on the setbacks but we would like to extend beyond the sideline of our home. Right now if you are on a corner lot, you are not allowed to build past the side of your facility or structure. He stated he would be the one trying to build this, he would be under the guidance of some contractors, he is sure it will be a good learning experience. Mr. Kuhns stated he appreciated Council's time tonight.

Councilmember Aycock asked for a copy of the petition since it was in his district.

2. Carl Martin, 801 S. Baines Place, Goldsboro, stated he empathizes with the property owner's desire to provide his father-in-law with a part-time residence during the winter months. He stated he understands what it's like to be in the north having been raised in New York City. He stated he has experienced many of those cold winters and as a result decided to move down and have his house built in the south. However, he sees this as an adverse trend, he has noticed in his neighborhood there are several structures like this being put up by people. Mr. Martin stated he sees it as an eyesore. An eyesore that depreciates or decreased property values in the neighborhood. In the proposal the structure must be located

behind the principal residence, he stated he presumes that's so the view of the structure from the street is restricted. He stated he rode by there today and looked at it, and you can see clearly from the street to the backyard area of the home. If you look at one of the pictures just put up which he did not see with the agenda today, it is even closer which is a concern on the Samuel side. As far as the 45 ft. setback requirement, they are looking to reduce that to only 32 ft. which means it will be even closer to the street then it would have been if it were aligned with his home which is 42 ft. from the street. So it is sort of out of kilter. As a crow flies, he lives ¼ mile from this residence and he has not heard anything from anyone in the neighborhood seeking his opinion or anyone on his block. He stated he was surprised and shocked when he saw it in the newspaper and that is why he is here. He stated he objects to it strongly. Thank you for your time and consideration.

No one else spoke and the public hearing was closed. No action necessary. Planning Commission will have a recommendation for the Council's meeting on November 2, 2015.

CU-11-15 Wooten Development – Southwest corner of US 117 South and Vann Street. Public Hearing Held. The applicant requests a Conditional Use Permit to allow the operation of a weekend flea market.

Frontage:	384 ft. (US 117 South) 352 ft. (Vann Street)
Area:	254,826 sq. ft. or 5.85 acres
Zoning:	I-2 General Industry

The property is currently occupied as a used car lot (former location of 117 Truckstop) which operates Monday through Saturday at 9 a.m. to 9 p.m.

In November 2013 the applicant requested a Conditional Use permit to allow the operation of a used car lot at the subject property. City Council granted approval of the request with a number of modifications and the existing 4,553 sq. ft. building on the site is used as offices for the used car lot.

The applicant has indicated the location of the 24,000 sq. ft. outdoor flea market to the rear of the existing office building. The site plan includes the following information:

Hours of Operation:	9 a.m. to 6 p.m. Saturday and Sunday
No. of Employees:	1-2 employees
No. of Vender Spaces:	Up to 50 spaces

A total of 48 parking spaces are required for the outdoor flea market. A total of 48 parking spaces have been provided and the applicant will be required to stripe those spaces.

Existing curb cuts, one along US 117 South and one along Vann Street, allow access to the property and interconnectivity is provided to the north. The applicant was previously granted a modification of interconnectivity to the south.

Existing street trees are provided along US 117 South and the applicant was previously granted a modification of the street tree requirement along Vann Street.

The City's UDO for outdoor flea markets requires a 20 ft. landscaped buffer along the rear yard and a 5 ft. landscaped buffer along the side yard. An existing buffer is located on adjacent property to the west and the applicant was previously granted a modification of the 5 ft. required buffer. Existing vegetation along the southern property line meets the landscape buffer requirements for the rear yard.

The property is served by City water and sanitary sewer lines. The amount of existing impervious area is not being disturbed, therefore stormwater detention and/or nitrogen calculations are not required for this property.

Mayor King opened the public hearing. No one spoke and the public hearing was closed.

No action necessary. Planning Commission will have a recommendation for Council's meeting on October 26, 2015.

CU-12-15 Kathy Moore – East side of North Herman Street between East Ash Street and East Mulberry Street. Public Hearing Held. The applicant requests a Conditional Use Permit to allow the operation of a licensed massage therapy clinic.

Frontage: 43 ft.

Depth: 135.11 ft.

Area: 5,809 sq. ft., or .13 acres

Zoning: Neighborhood Business

Licensed massage therapy clinics are permitted within the Neighborhood Business zoning district with a Conditional Use Permit.

Chapter 112 of the City's Code of Ordinances regulates massage therapists and massage therapy establishments. It establishes licensing provisions which ensure that such a use includes the proper credentials and operates in a professionally-prescribed manner. The applicant has submitted proof of her membership in the American Massage Therapy Association and the staff has requested a background check of the applicant through the Police Department.

A site plan has been submitted which indicates an existing one-story 1,772 sq. ft. brick structure which previously utilized by a local medical doctor (Dr. Robert Meyer). Ingress and egress is provided through a shared driveway with an existing medical office just north of the subject site.

Based on the size of the building, a total of five parking spaces are required including one handicapped space. There is sufficient space to provide the required spaces at the rear of the lot.

Since the office has been closed for more than six months, the applicant will be required to meet Neighborhood Business performance standards relative to both setbacks and buffers.

Interconnectivity is provided to the north and south. There is not sufficient area to provide for the installation of the required 5 ft. side yard buffers along the northern and eastern property lines or to provide the required 20 ft. wide buffer along the southern property line. There is an existing Magnolia tree which will serve as the required street tree for the site.

With the existing building, a number of setback modifications will be necessary including side yard setbacks from 15 ft. to 4 ft. along the southern property line and from 15 ft. to 10 ft. along the northern property line. A modification of the front yard setback will be required from 30 ft. to 17 ft.

The applicant's submitted floor plan indicates four massage rooms, four offices, storage, kitchen, bathrooms and a reception area.

The following modifications have been requested.

1. Required 5 ft. side yard buffers along the northern and eastern property lines;
2. Required 20 ft. side buffer along the southern property line;
3. Required side yard setback along the southern property line from 15 ft. to 4 ft.;
4. Required side yard setback along the northern property line from 15 ft. to 10 ft.; and
5. Required front yard setback from 30 ft. to 17 ft.

Mayor King opened the public hearing. The following people spoke after being properly sworn in:

1. Rose Goodyear, 202 Forest circle, Goldsboro, stated her husband and her own the property that butts up to the back of this property line, our property faces Ash Street. As I stated, it was hard to understand back there, however, did I hear her say, there are 5 required parking spaces for this business.

Mayor King replied yes.

Ms. Goodyear stated there are not 5 parking spaces available, there is only 4, well actually 3, she stated they could actually get 4.44 spaces behind what was Dr. Meyers office.

Mayor King stated our staff and the Planning Commission will verify all of this, we do not just take what they say, we verify it.

Ms. Goodyear stated good because we know, we pulled the tape, Dr. Meyers rented spaces from us for his patients, of course he has paid through the end of this year. We also lease this office building of ours at 906 E. Ash Street to another company, so we do not know how long this would be allowed for us to rent these spaces across the back of our property line. We do not want you all to go into this blind which you just stated you carefully check it out and I appreciate that.

Mayor King stated we have a Planning Commission who checks everything out and they will make a recommendation to us.

Ms. Goodyear stated from what little she hearing, was there going to be four workers, receptionists and four rooms available. Ms. Collins stated four massage rooms, four officers, storage, kitchen, bathrooms and a reception area. Ms. Goodyear stated she wonders how many employees, this would go back to if there would be enough parking spaces.

Mayor King stated the Planning Commission would allow you to come and sit in when they are discussing it. Ms. Goodyear asked how she would know when they would discuss it and Mayor King shared staff would notify her. Ms. Goodyear stated she was a little confused to who she should be speaking to. Mayor King explained what the Planning Commission does and stated they would provide a recommendation to Council and Council would make a decision.

Mayor Pro Tem Allen asked if her only concern was parking. Ms. Goodyear stated she also wanted to be sure this business was compatible with the area and registered with the North Carolina State Attorney Generals' Office, the Better Business Bureau and make sure it's in line with our Christian values.

Mayor King stated we would do all of that.

2. Denise Kearney, 6027 Wayne Memorial Drive, Pikeville stated she wanted to speak in favor this motion, I've known Ms. Moore, who is sitting back there, she will not toot her own horn, so I will do it for her. She has a well-established business, she is a licensed massage and body work therapist. She has been in practice in Goldsboro for over 15 years, her associate Robin Warren is also a

licensed massage therapist. They have very successful practices, very well-known in the community, well supported, very professional, and we know sometimes people are leery of massage because they do not understand because of some of the not so professional massage therapy that can be out there. This is not the case with Ms. Moore. Doctors referred people to her, Dr. Meyers knows her as well, she is a Christian and certainly professional in operating her business. Ms. Kearney stated she wanted to speak to the community and assure them there would be no concerns with her professionalism. She is certainly understanding of the requirements. Thank you.

No one else spoke and the Public Hearing was closed. No action necessary. Planning Commission will have a recommendation for the Council's meeting on November 2, 2015.

Planning Commission excused.

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. Mayor Pro Tem Allen moved the items on the Consent Agenda, Items I, J, K, L, M, N and O be approved as recommended by the City Manager and staff. The motion was seconded by Councilmember Broadway, and a roll call vote resulted in all members voting in the affirmative. Mayor King declared the Consent Agenda approved as recommended. The items on the Consent Agenda were as follows:

Setting Public Hearing – Contiguous Annexation Request – Deacon Jones Property (The Three J's) – 20.77 Acres. Public Hearing Set. The City Council, at their meeting on October 5, 2015, requested that the City Clerk examine the subject annexation petition for sufficiency.

The City Clerk has completed the examination and has determined that the petition is sufficient. Sufficiency indicates that property is described accurately within 1:10,000 feet and that all property owners have signed the petition.

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

The Notice of Public Hearing would schedule November 16, 2015 as the date for the public hearing. A report prepared by the Department of Planning and Community Development, in conjunction with other City departments, would be submitted to the Council on that date.

Staff recommended Council schedule a public hearing for the proposed annexation of the property for November 16, 2015. Consent Agenda Approval. Allen/Broadaway (7 Ayes)

Z-5-15 Islamic Center of Goldsboro, Inc. – South side of Fedelon Trail between Salem Church Road and US 117 (North William Street). Denied without Prejudice. On February 2, 1998, the City Council approved a zoning change for the subject property from R-12 Residential and Watershed Protection to Office and Institutional-1 and Watershed Protection. The use for the property was limited to a church, Christian Academy (K-12), day care and senior citizen's center.

Site and landscape plans for the property were approved in 2007. A number of modifications were granted in conjunction with the site and landscape plan approval as follows:

1. Modification of the interconnectivity requirement to adjacent properties.
2. Modification of the Type C, 20 ft. wide landscape buffer for the undeveloped portion of the lot that contains existing woodland; and
3. Modification of the requirement that the modular unit be placed parallel with Fedelon Trail.

The developer was required to pay a fee to the City in lieu of for sidewalk construction.

The original church (New Covenant Ministries) relocated and the site is now occupied by the Islamic Center of Goldsboro, Inc. They have requested a rezoning of the property to Office and Institutional-1 Conditional District and Watershed Protection to add the use as a private cemetery to those previously approved within that zoning district.

Frontage: 91.30 ft. (approx.)
Depth: 892.77 ft. (average)
Area: 696,089 or 15.98 acres (approx.)

Surrounding Zoning: North: R-16 Residential
South: R-12/16 Residential
East: R-12 Residential
West: R-12/16 Residential

Currently, the property is occupied by a 2,900 sq. ft. church of modular construction built in 2008. A total of 51 parking spaces, including two handicapped spaces are provided.

The submitted site plan shows approximately three acres of existing cleared land east of the existing church parking lot to be used for the location of a private cemetery containing areas for 1,033 graves. Included within this acreage is .75 acres to be used for a memorial service area.

A 20 ft. wide gravel drive is shown to extend from the existing asphalt parking lot a distance of 540 ft. to the entrance of the proposed cemetery. A modification to allow the drive to be graveled rather than paved is required, however, the staff recommends that the drive be paved.

In order to minimize the possibility of congestion which would limit safe access to and from the site during an emergency, staff has asked the site engineer to reconfigure a new traffic circulation plan as an alternative for the gravel drive which terminates at the entrance to the cemetery. The new circulation plan would be subject to approval by the Planning Department. No construction permits will be issued prior to this item being appropriately addressed.

Ten ft. wide walkways will be provided throughout the cemetery and the entire area will be enclosed by a 4 ft. high chain link fence with double-gated access located at the end of the gravel drive.

The submitted landscape plan indicates a proposed 20 ft. wide, Type C buffer yard along a portion of the northern property line. Although this property line adjoins vacant farmland, the landscaped buffer must be extended along the entire northern property.

A 20 ft. wide landscape buffer is shown along the entire eastern property line and the cemetery will be set back 50 ft. from both the northern and eastern property lines.

Existing woodland will remain and serve as a buffer along the southern property line except for that area where a farm path extends back to vacant farmland.

The asphalt driveway extending from Fedelon Trail will be buffered on both sides with a 20 ft. wide planted buffer.

A valid protest petition has been submitted which is signed by owners of 60.1% of the land area surrounding the subject property. This valid petition will require that six out of the seven Councilmembers vote affirmatively in order to approve the request.

At the public hearing held on July 27, 2015, four people appeared and spoke in favor of the request. Two people spoke in opposition.

The Planning Commission, after the public hearing, recommended deferring action on the request. The Commission wanted to allow for additional time to consider the request from a land use perspective and whether cemetery uses can be compatible with existing residential development. On August 3, 2015 the Council deferred this matter.

The staff researched this matter and gathered the following information.

Burial Laws in North Carolina:

1. There are no laws or regulations requiring embalming.

2. No law requires a casket or vault for burial unless there are certain container rules required by the specific cemetery.
3. There are no laws that prohibit burial on private property unless there are local governmental regulations which apply.
4. Environmental health regulations would apply;

Wayne County Health Department Regulations for Cemeteries:

Gravesites must maintain a distance of 50 ft. from a well or water supply. In addition, if not specifically a family cemetery, all burials and gravesites must maintain a minimum depth of 18 inches below the ground surface.

The World Health Organization addresses cases of disaster and would require that graveyards be located at least 30 meters (98.4 ft.) from groundwater sources used for drinking water and grave floors be at least 1.5 meters (4.92 ft.) above the water table.

Other Jurisdictional Regulations for Cemeteries:

1. City of Kinston: Allows private cemeteries which are accessory to a church by right in all zoning districts except for industrial.
2. City of Winston-Salem: Private cemeteries which are accessory to a church are permitted in all zoning districts.
3. City of Raleigh: Allows cemeteries (public or private) in all zoning districts but they must meet some additional standards.
 - a. Use must take into account present and future public improvements, including those expressed in the current City Comprehensive Plan or Thoroughfare Plan;
 - b. No grave space shall be established within 40 ft. from any street right-of-way but this requirement may be waived if the adjacent right-of-way is not required for construction of future public improvements.

From a planning and land use perspective, the placement of cemeteries within municipalities is usually regulated in some form. Few requirements have been found, however, that relate to cemeteries that are an accessory use to a church or place of worship.

While religious denomination does not affect the matter from a land use standpoint, this request may be justified based on the Muslim community not having customary facilities available in which to inter their dead.

There is an existing single-family residence immediately to the east of the subject property. In addition, vacant farmland exists adjacent to the north. In order to lessen the impact of the proposed cemetery on both the residence and future development which may take place on the vacant land, the staff recommends that the cemetery be set back an

additional distance of 50 ft. from the eastern property line and 25 ft. from the northern property line. Proper landscape buffering would have to be provided.

The Planning Commission, at their meeting held on August 31, 2015, recommended approval of the request and site plan subject to the additional 50 ft. setback of the cemetery from the eastern property line and the additional 25 ft. setback from the northern property line.

On September 8, 2015, the Council deferred action on this matter.

On October 5, 2015, the applicant submitted a letter requesting that the request be withdrawn due to unavoidable circumstances.

Since a public hearing has already been held on this matter and a valid protest has been submitted, Council must take final action on the request.

However, with the applicant's desire to withdraw the request, staff would recommend denial of the request without prejudice. This will allow the applicant to reapply for the zoning change in the future without having to meet the six-month waiting period for reapplication, if desired.

It was recommended Council accept the staff's recommendation to deny the applicant's request without prejudice. Consent Agenda Approval. Allen/Broadaway (7 Ayes)

Contiguous Annexation Petition – AAR Property (23.8 Acres). Referred to the Clerk. The applicant is requesting that contiguous property described by metes and bounds in Item 2 of the petition be annexed to the City of Goldsboro.

Maps are also available showing the property proposed to be annexed.

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

The City Council, at their meeting on October 19, 2015, would request the City Clerk to determine the sufficiency of the petition. If the petition is determined to be sufficient, a public hearing would be scheduled and a report would be prepared by the Planning Department, in conjunction with other City departments, for submission to the Council.

Staff recommended Council request the City Clerk examine the annexation petition to determine its sufficiency. Consent Agenda Approval. Allen/Broadaway (7 Ayes)

Budget Amendment - KaBoom Grant. Ordinance Adopted. At the City Council's work session on August 17, 2015, the Parks and Recreation Director discussed the grant application for playground equipment at Herman Park. Council agreed to apply for the playground equipment grant with KaBoom and Blue Cross and Blue Shield of North Carolina.

The City of Goldsboro has been awarded funding from KaBoom and Blue Cross and Blue Shield of North Carolina in the amount of \$50,000. This funding will be utilized for the purchase of playground equipment at Herman Park. This grant requires a dollar for dollar match. Since the matching funds were not appropriated in the City's current budget, a budget amendment is required appropriating the \$50,000 from the unassigned fund balance of the General Fund.

Staff recommended Council accept this grant and adopt the following entitled ordinance to reflect an increase in General Fund revenues of \$50,000 and an increase in the operating expenditures of Parks and Recreation's budget by a total of \$100,000. Consent Agenda Approval. Allen/Broadaway (7 Ayes)

ORDINANCE NO. 2015-43 "AN ORDINANCE AMENDING THE BUDGET
ORDINANCE FOR THE CITY OF GOLDSBORO FOR THE 2015-16 FISCAL YEAR"

Amendment to the Intergovernmental Agreement between the City of Goldsboro and Wayne County. Resolution Adopted. The City of Goldsboro and Wayne County had previously entered into an intergovernmental agreement on March 6, 2015 regarding the Wayne Agricultural and Convention Center, a Multi-Sports Complex, the former Goldsboro Country Club, and the levying and distribution formulas for room occupancy taxes in the City of Goldsboro. An integral part of that agreement was seeking local legislation to amend the City of Goldsboro's 5% room occupancy tax to 6%, and a formula for distribution of those proceeds.

Current policies of the North Carolina General Assembly would not allow the formula distribution sought by the City and the County, requiring a change to leave the City's 5% room occupancy tax legislation as it currently exists and seeking authority for the County to levy a 1% room occupancy tax instead. This legislation was adopted on September 29, 2015 and the parties wish to amend their intergovernmental agreement to reflect that change and to carry out the original intent of the agreement as to the distribution of the room occupancy taxes.

Staff recommended Council adopt the following entitled Resolution amending the intergovernmental agreement between the City of Goldsboro and Wayne County and authorizing the Mayor and City Clerk to execute said amended agreement on behalf of the City of Goldsboro. Consent Agenda Approval. Allen/Broadaway (7 Ayes)

RESOLUTION NO. 2015-88 "RESOLUTION AMENDING THE AGREEMENT
BETWEEN THE CITY OF GOLDSBORO AND WAYNE COUNTY REGARDING
THE WAYNE AGRICULTURAL AND CONVENTION CENTER, A MULTI-SPORTS
COMPLEX, AND THE GOLDSBORO COUNTRY CLUB"

Mayor's Committee for Persons with Disabilities Appointment. Resolution Adopted. There is an existing vacancy on the Mayor's Committee for Persons with Disabilities. Citizen involvement is vital to the performance of City government. It is

necessary that an additional appointment be made in an effort to fill this vacancy. Seven vacancies still remain on the commission.

Recommendations for appointment were requested from the Mayor's Committee for Persons with Disabilities.

The following individual has submitted an application to be on the Mayor's Committee for Persons with Disabilities and was recommended by the Mayor's Committee for Persons with Disabilities.

Alicia Piesniewski

It is recommended Council adopt the following entitled Resolution appointing Alicia Piesniewski to the Mayor's Committee for Persons with Disabilities. Consent Agenda Approval. Allen/Broadaway (7 Ayes)

RESOLUTION NO. 2015-89 "RESOLUTION APPOINTING A MEMBER TO THE MAYOR'S COMMITTEE FOR PERSONS WITH DISABILITIES"

Monthly Reports. Accepted as Information. The various departmental reports for the month of September, 2015 were submitted for the Council's approval. It was recommended that Council accept the reports as information. Consent Agenda Approval. Allen/Broadaway (7 Ayes)

End of Consent Agenda.

City Manager's Report. Mr. Stevens shared Dancing Stars was held on Friday, October 16th. We had three City employees who participated, Marissa Davis with the Police Department, Erin Fonseca with the DGDC, and Jennifer Collins in our Planning Department. All of them done an outstanding job representing the City of Goldsboro. They did a fabulous. November 2nd we are trying to set-up our Streetscape Dedication in the 4:00 – 6:00 timeframe, the street should be paved by the end of the week and opened to traffic as soon as possible. Mr. Stevens also reminded everyone Halloween is coming up, be safe and watch out for children on October 31st.

City Attorney's Report and Recommendations. No report.

Mayor and Councilmembers' Reports and Recommendations. Mayor King read the following Resolutions:

Resolution Expressing Appreciation for Services Rendered by Cleveland McKithan as an Employees of the City of Goldsboro for more than 16 Years.
Resolution Adopted. Cleveland (Mack) McKithan retires on November 1, 2015 as a Sanitation Superintendent in the Public Works Department of the City of Goldsboro with more than 16 years of service. Mack has proven himself to be a dedicated and efficient public servant who has gained the admiration and respect of his fellow workers and the

citizens of the City of Goldsboro. The Mayor and City Council of the City of Goldsboro are desirous, on behalf of themselves, the other City officials and employees and the citizens of the City of Goldsboro, of expressing to Mack McKithan their deep appreciation and gratitude for the service rendered by him to the City over the years.

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

RESOLUTION NO. 2015-85 “RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY CLEVELAND E. MCKITHAN AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 16 YEARS”

Mayor King stated Mack provided a fantastic service and will be hard to replace.

Resolution Expressing Appreciation for Services Rendered by Terry Pearsall as an Employee of the City of Goldsboro for more than 30 Years. Resolution Adopted. Terry Pearsall retires on October 30, 2015 as a Senior Planning Technician with the Planning Department of the City of Goldsboro with more than 30 years of service. Terry has proven herself to be a dedicated and efficient public servant who has gained the admiration and respect of her fellow workers and the citizens of the City of Goldsboro. The Mayor and City Council of the City of Goldsboro are desirous, on behalf of themselves, the other City officials and employees and the citizens of the City of Goldsboro, of expressing to Terry R. Pearsall their deep appreciation and gratitude for the service rendered by her to the City over the years.

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

RESOLUTION NO. 2015-86 “RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY TERRY R. PEARSALL AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 30 YEARS”

Mr. Rowe stated Terry was a good and dedicated employee.

Mayor Pro Tem Allen shared it has been a busy week. Several councilmembers and staff attended the Annual League of Municipalities Conference, the Mayor’s Committee for Persons with Disabilities held their annual luncheon and presented Mr. John Chance the Volunteer of the Year Award. Dancing Stars was held and our City Manager was a judge. Mayor Pro Tem Allen commended Scott, Marissa, Jennifer and Erin for representing the City so well. WAGES held their 50th Anniversary. He shared he and Councilmember Aycock attended Bayleaf’s Annual Picnic and stated we need more of these in our communities. He also shared the past Saturday and Sunday the new Fire Training Facility was put to good use, thank you Chief and all involved in building a first class facility. Mayor Pro Tem Allen stated he would like the citizens and our Police force to know we hear loud and clear what the issues are in the Police Department. We are very serious about elevating our game and getting our Police what they need. Chief

West and Mr. Stevens have worked hard over the past couple of months to get this together and we think the citizens and officers will be pleased with what is going on.

Councilmember Headen had no comment.

Councilmember Broadaway stated he would like to put a plug in for Crime Stoppers. The Reverse Drawing is coming up soon and if you would like a ticket contact Rick Sutton at 919-734-8177.

Councilmember Goodman had no comment.

Councilmember Williams stated he would like to encourage parents and children to be careful on Halloween.

Councilmember Aycock shared he visited the Fire Training Facility on Thursday, while he was there, a comment came up about Winston-Salem or Greensboro having a 5 unit built, he thinks they paid \$485,000. Ours is twice as big and it is absolutely amazing what they have done inside. It is a top notch facility. Not only us as a board but also the citizens, should congratulate our Fire Department for their hard work. It is amazing what they have done with limited resources. Chief we are proud of you and the department.

Mayor King shared he was with his wife in Raleigh at a doctor appointment but he will get by to see the facility. Mayor King stated he was not able to go to Dancing Stars he had an appointment on Base with the 4th Fighter Wing and graduating F-15 crews. Mayor King stated when you hear an F-15 flying anywhere in the world, you know they were trained right here at Seymour Johnson Air Force Base. Mayor King stated they are outstanding young men and women. He stated we had two 50th Anniversary's on Saturday, the Deltas and WAGES and one 150th Anniversary St. James Church and was able to attend all three. WAGES deserves credit for all the hard work they have done and continue to do.

There being no further business, the meeting adjourned at 8:29p.m.

Alfonzo King
Mayor

Melissa Corser, CMC
City Clerk

Petition for approval of Conditional Use & Modification Permit: CU-10-15

Petition Summary and Background:

Petition to allow an accessory dwelling with a modification of the side yard setback required to allow it to extend beyond the front of the existing principle structure on the Samuel Rd frontage. The exterior of the accessory dwelling shall be compatible with the principle residence in terms of color, siding, roof pitch, window detailing, roofing materials and foundation or skirting appearance. Principle residence currently has a 6/12 roof pitch; request petition for a modification to the accessory dwelling exterior to allow a 10/12 or a 12/12 roof pitch to allow for attic trusses which will be used for storage only. By signing this petition you hereby do not object to the Conditional Use and Modifications Permit CU-10-15 and agree to the construction of this accessory dwelling on 607 Shelley Drive Goldsboro, NC 27534. You also waive any protective and restrictive covenants that may be in place for C.D. Mixon Addition to Mimosa Park Section Five in regards to the Conditional Use & Modification Permit: CU-10-15.

Action Petition For: 607 Shelley Drive Goldsboro, NC 27534

Printed Name	Signature	Address	Date Signed	Plot No. / Comment
1. De Anna	[Signature]	701 Shelley Dr	10/6/15	#1106
2. Wallace Ray Shabert	[Signature]	608 Shelley Dr	10/6/15	#149
3. Phyllis Hilton	[Signature]	701 Shelley Dr. Goldsboro	10/9/15	#146
4. Martha Best	[Signature]	603 Shelley Dr.	10/9/15	quest job 1 #1103
5. Richard Best	[Signature]	603 Shelley Dr	10/9/15	#1103
6. Johnny James	[Signature]	504 Shelley Rd	10/12/15	#148
7. Justin Kuesch	[Signature]	605 Shelley Dr	10/12/15	#1104
8.				
9.				
10.				
11.				
12.				

For Official Use Only

I hereby certify the signatures on this petition are those of the active homeowners at the mentioned addresses

SIGNATURE: [Signature] DATE: 18 OCT 2015

Mark A. Kuhns, Applicant of Conditional Use Permit CU-10-15
607 Shelley Drive
Goldsboro, NC 27534

CITY OF GOLDSBORO

AGENDA MEMORANDUM

DECEMBER 7, 2015 COUNCIL MEETING

SUBJECT: CU-13-15 John Hodge - Southwest corner of South Center Street and Chestnut Street (Place of Entertainment with ABC Permits)

Applicant proposes to operate a craft beer retail sales establishment in conjunction with a place of entertainment requiring ABC permits.

Frontage: 72.26 ft. (S. Center St.)

119.4 ft. (W. Chestnut St.)

Depth: 119.4 ft.

Area: 8,609.06 sq. ft. or .2 acres

Zone: Central Business District (CBD)

Hours of Operation: Monday-Friday (10am-2am)

Sunday (12pm-2am)

Number of Employees: 2

The property was previously occupied by Faircloth Appliance Sales and Service.

DISCUSSION: Off-premise sales of craft beer would be a permitted use within the Central Business District zone. However, consumption on-premises without food sales would require a Conditional Use Permit from the City Council.

The submitted site plan shows an existing two-story, 5,384 sq. ft. masonry-brick building. Applicant intends to renovate approximately 1,600 sq. ft. of the ground floor for the place of entertainment.

Approximately 1,674 sq. ft. of the remaining ground floor area facing West Chestnut Street is currently being used for storage.

The owner of the building is in the process of renovating the second floor for two apartments totaling another 1,600 sq. ft.

Apartments are permitted above the first floor of office or commercial uses located in the Central Business District.

The submitted floor plan for the proposed use shows seating for 25 people. Included are beverage shelving and display areas, tables and chairs, bathrooms and a bar.

Since the proposed use will be located in the Central Business District, off-street parking and landscaping are not required.

The City's Unified Development Ordinance requires that this place of entertainment with ABC permits be located no less than 100 ft. from any church or school use. There is no church or school within 100 ft. of this location.

The property is a part of the Historic Preservation Overlay District and will be subject to the design standards for Downtown Goldsboro's Historic District.

At the public hearing held on November 16, 2015, no one appeared to speak either for or against the request.

The Planning Commission, at their meeting on November 30, 2015, recommended approval of the Conditional Use Permit and development plans as submitted.

RECOMMENDATION: By motion, accept the recommendation of the Planning Commission and:

1. Adopt an Order granting a Conditional Use Permit to allow the operation of a place of entertainment with ABC permits; and
2. Approve the development plans detailing the operation as submitted.

Date: 12-1-2015


Planning Director

Date: 12-3-15


City Manager

CITY OF GOLDSBORO

STATE OF NORTH CAROLINA

ORDER APPROVING A CONDITIONAL USE PERMIT

The City Council of the City of Goldsboro, North Carolina, having held a public hearing on November 16, 2015 to consider Conditional Use Permit application number:

CU-13-15 John Hodge – Southwest corner of South Center Street
and Chestnut Street

to operate a place of entertainment with ABC permits (Bar with On- and Off-Premise Alcohol Sales), having heard all of the evidence and arguments presented and reports from City officials and having received a recommendation for **approval** from the Goldsboro Planning Commission pertaining to said application, makes the following:

FINDINGS OF FACT

1. The City Council finds that there are certain uses that exist which may be constructed, continued and/or expanded if they meet certain mitigating conditions specific to their design and/or operation. Such conditions ensure compatibility among uses and building types so that different uses may be located in proximity to one another without adverse effects to either.
2. Even if the permit-issuing body finds that the application complies with all the other provision of the City's Unified Development Ordinance, it may still deny the permit if it concludes, based upon information submitted at the hearing that, if completed as proposed, the development:
 - a. Will materially endanger the public health or welfare; or
 - b. Will substantially injure the beneficial use of adjoining or abutting property; or
 - c. Will not be in harmony with existing development and uses within the area in which it is located; or
 - d. Will not be in general conformity with the Comprehensive Plan, Thoroughfare Plan or other plan officially adopted by the Council.
3. The City of Goldsboro's Unified Development Ordinance provides the following regulations which are specific to the applicant's request for a place of entertainment with ABC permits.

Chapter 5.5 Supplemental Use Regulations

5.5.4 Special and Conditional Use Specific Regulations

Bars, Nightclubs, Pool Halls, Places of Entertainment (both public and private and for profit - ABC Permit)

- a. Permitted Districts: Central Business District, General Business, Shopping Center, Highway Business.

The subject property is zoned Central Business District.

- b. Approval Criteria:

Distance Requirement: **There is no church or school use within a distance of 100 ft. of the subject property.**

- d. Upon complaint from any person, a public hearing may be scheduled by the City Council to determine what additional conditions, if any, may be needed to protect the public health, safety and welfare. Upon a finding that there has been an increase in the volume, intensity or frequency of the use different than set forth in the conditional use permit, the City Council after public hearing may modify, suspend or revoke the conditional use permit.

- e. Site Plan Information

1. Floor plan indicating the proposed uses within and adjacent to the structure;
2. Maximum number of persons occupying the structure or premises at one time; and
3. Attached to the site plan shall be written statement setting for the frequency and method of maintenance, repair, refuse/recycling collection and disposal.

A floor plan has been properly submitted indicating the above information.

Based upon the foregoing FINDINGS OF FACT, the City Council makes the CONCLUSION that the proposed use **does** satisfy the general conditions imposed on the Council in its deliberations for issuing a Conditional Use Permit under Section 2.2.8 of the City of Goldsboro Unified Development Ordinance.

Upon motion made by Councilmember _____ and seconded by Councilmember _____, the Council accepted the recommendation of the Planning Commission and approved the applicant's request for a Conditional Use Permit to operate a place of entertainment with ABC permits (Bar with On- and Off-Premise Alcohol Sales).

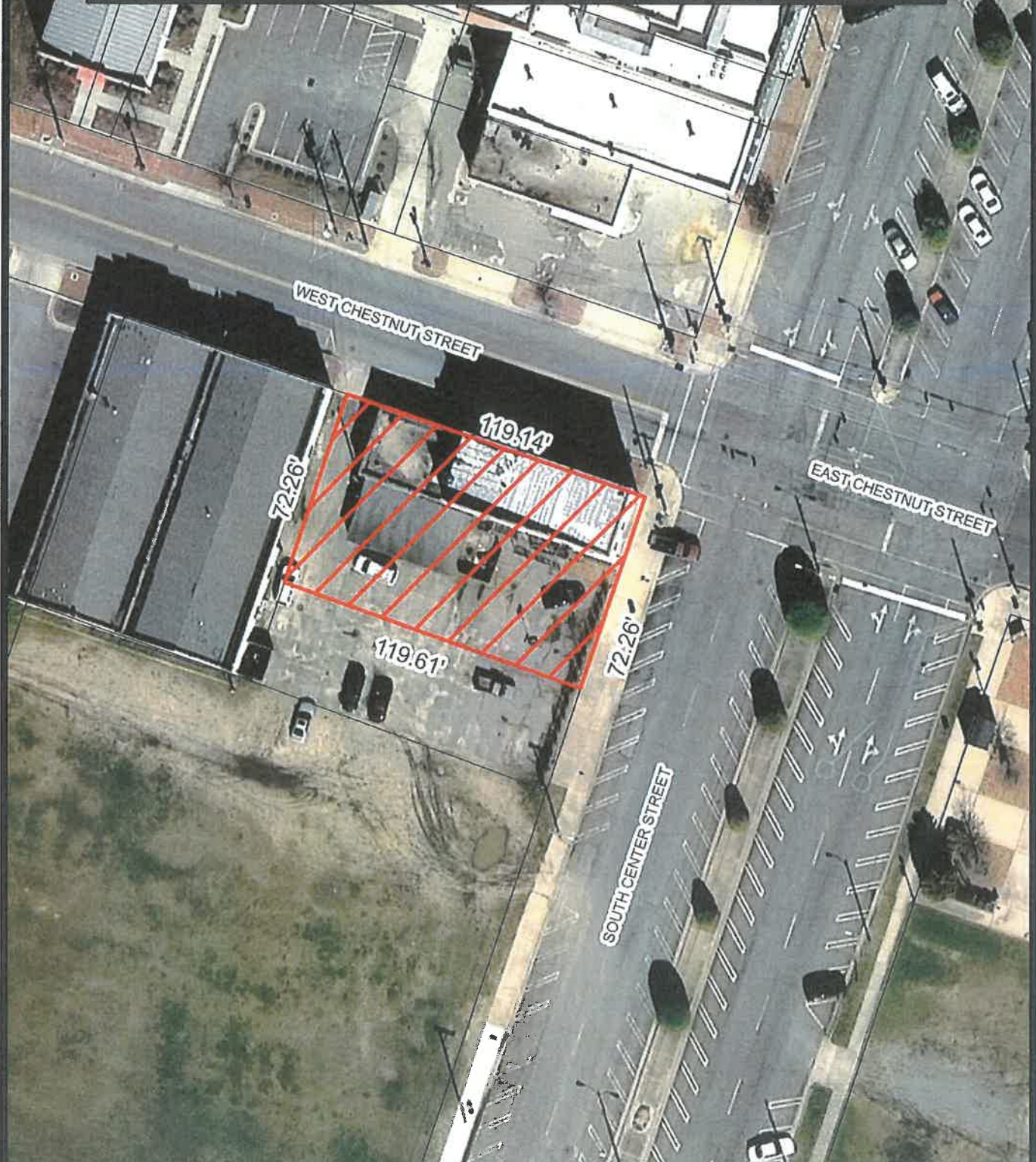
Therefore, because the City Council concludes that the general conditions precedent to the issuance of a CONDITIONAL USE PERMIT **HAVE BEEN** satisfied, IT IS ORDERED that the application for the issuance of a CONDITIONAL USE PERMIT to allow the operation of a place of entertainment with ABC permits (Bar with On- and Off-Premise Alcohol Sales) be **APPROVED**.

Thus ordered this _____ day of _____, 2015.

Al King, Mayor

James D. Womble, City Attorney

CU-13-15 JOHN HODGE PLACE OF ENTERTAINMENT with ABC



The data represented on this map has been compiled by the best methods available. Accuracy is contingent upon the source information as compiled by various agencies and departments both internal and external to the City of Goldsboro, NC. Users of the data represented on the map are hereby notified that the primary information sources should be consulted for verification of the information contained herein. The City of Goldsboro and the companies contracted to develop these data assume no legal responsibility for the accuracy contained on this map. It is strictly forbidden to sell or reproduce these maps or data for any reason without the written consent of the City of Goldsboro.

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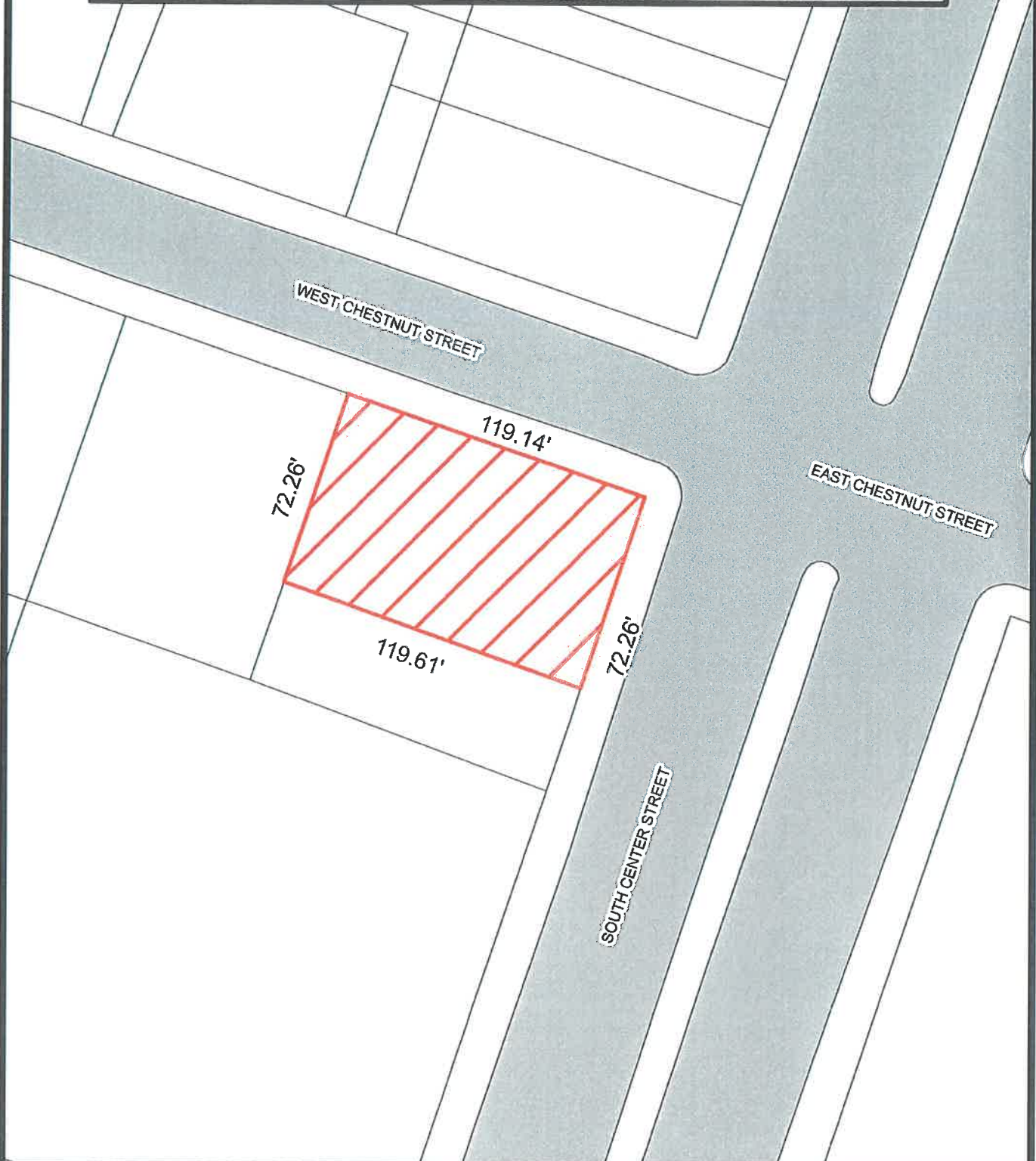


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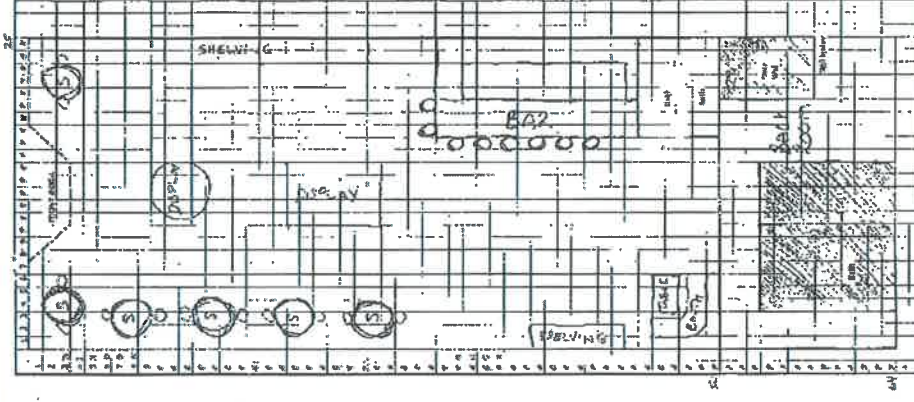
**CU-13-15
JOHN HODGE
PLACE OF ENTERTAINMENT with ABC**



The data represented on this map has been compiled by the best methods available. Accuracy is contingent upon the source information as compiled by various agencies and departments both internal and external to the City of Goldsboro, NC. Users of the data represented on the map are hereby notified that the primary information sources should be consulted for verification of the information contained herein. The City of Goldsboro and the companies contracted to develop these data assume no legal responsibility for the accuracy contained on this map. It is strictly forbidden to sell or reproduce these maps or data for any reason without the written consent of the City of Goldsboro.

50 25 0 50 Feet





SITE PLAN
CU-13-2015
JOHN HODGE

APPROVED MODIFICATIONS

Hours of Operations:
 Monday - Saturday 10 am to 2 am
 Sunday 12:00 pm to 2 am
 Number of Employees: 2

CITY CLERK	DATE
CITY ENGINEER	DATE
PLANNING DIRECTOR	DATE
OWNER	DATE

GOLDSBORO
 BE MORE. DO MORE. SEYMOUR

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CITY OF GOLDSBORO

STATE OF NORTH CAROLINA

ORDER APPROVING A CONDITIONAL USE PERMIT

The City Council of the City of Goldsboro, North Carolina, having held a public hearing on November 16, 2015 to consider Conditional Use Permit application number:

CU-13-15 John Hodge – Southwest corner of South Center Street
and Chestnut Street

to operate a place of entertainment with ABC permits (Bar with On- and Off-Premise Alcohol Sales), having heard all of the evidence and arguments presented and reports from City officials and having received a recommendation for **approval** from the Goldsboro Planning Commission pertaining to said application, makes the following:

FINDINGS OF FACT

1. The City Council finds that there are certain uses that exist which may be constructed, continued and/or expanded if they meet certain mitigating conditions specific to their design and/or operation. Such conditions ensure compatibility among uses and building types so that different uses may be located in proximity to one another without adverse effects to either.
2. Even if the permit-issuing body finds that the application complies with all the other provision of the City's Unified Development Ordinance, it may still deny the permit if it concludes, based upon information submitted at the hearing that, if completed as proposed, the development:
 - a. Will materially endanger the public health or welfare; or
 - b. Will substantially injure the beneficial use of adjoining or abutting property; or
 - c. Will not be in harmony with existing development and uses within the area in which it is located; or
 - d. Will not be in general conformity with the Comprehensive Plan, Thoroughfare Plan or other plan officially adopted by the Council.
3. The City of Goldsboro's Unified Development Ordinance provides the following regulations which are specific to the applicant's request for a place of entertainment with ABC permits.

Chapter 5.5 Supplemental Use Regulations

5.5.4 Special and Conditional Use Specific Regulations

Bars, Nightclubs, Pool Halls, Places of Entertainment (both public and private and for profit - ABC Permit)

- a. Permitted Districts: Central Business District, General Business, Shopping Center, Highway Business.

The subject property is zoned Central Business District.

- b. Approval Criteria:

Distance Requirement: **There is no church or school use within a distance of 100 ft. of the subject property.**

- d. Upon complaint from any person, a public hearing may be scheduled by the City Council to determine what additional conditions, if any, may be needed to protect the public health, safety and welfare. Upon a finding that there has been an increase in the volume, intensity or frequency of the use different than set forth in the conditional use permit, the City Council after public hearing may modify, suspend or revoke the conditional use permit.

- e. Site Plan Information

1. Floor plan indicating the proposed uses within and adjacent to the structure;
2. Maximum number of persons occupying the structure or premises at one time; and
3. Attached to the site plan shall be written statement setting for the frequency and method of maintenance, repair, refuse/recycling collection and disposal.

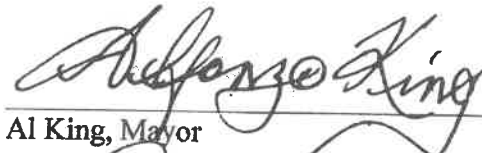
A floor plan has been properly submitted indicating the above information.

Based upon the foregoing FINDINGS OF FACT, the City Council makes the CONCLUSION that the proposed use **does** satisfy the general conditions imposed on the Council in its deliberations for issuing a Conditional Use Permit under Section 2.2.8 of the City of Goldsboro Unified Development Ordinance.

Upon motion made by Councilmember Aycock and seconded by Councilmember Broadaway, the Council accepted the recommendation of the Planning Commission and approved the applicant's request for a Conditional Use Permit to operate a place of entertainment with ABC permits (Bar with On- and Off-Premise Alcohol Sales).

Therefore, because the City Council concludes that the general conditions precedent to the issuance of a **CONDITIONAL USE PERMIT HAVE BEEN** satisfied, **IT IS ORDERED** that the application for the issuance of a **CONDITIONAL USE PERMIT** to allow the operation of a place of entertainment with ABC permits (Bar with On- and Off-Premise Alcohol Sales) be **APPROVED**.

Thus ordered this 7th day of December, 2015.



Al King, Mayor



James D. Womble, City Attorney

CITY OF GOLDSBORO

AGENDA MEMORANDUM

DECEMBER 7, 2015 COUNCIL MEETING

SUBJECT: CU-14-15 Parker Croom – South side of East Walnut Street between Center Street and John Street

BACKGROUND: The applicant requests a Conditional Use Permit to allow the operation of a place of entertainment with ABC Permits (Coffee Shop with On-Premise Alcohol Sales).

Frontage: 30 ft.

Depth: 25 ft. (approx.)

Area: 750 sq. ft., or 0.02 acres

Zoning: Central Business District

The site is located in a small storefront under the Waynesborough House and has been operated as Bad Dog Coffee Works. In addition to coffee, the applicant wishes to serve craft-style beer.

DISCUSSION: The submitted site plan indicates seating, a coffee bar, storage and restrooms. A combination of couches and sofas will provide for seating along with four stools at the coffee bar.

Hours/Days of Operation: 8:00 a. m. to 10:00 p. m.
(Monday – Wednesday)

8:00 a. m. to 12:00 a. m.
(Thursday – Saturday)

The owner of the property has submitted a letter of support for the Conditional Use Permit.

The City's UDO requires that any place of entertainment with ABC permits within the Central Business District maintain a distance of 50 ft. from any church use. There is no church within 50 ft. of this location.

Off-street parking is not required, however, any exterior improvements, if proposed, will have to be submitted for

review and approval by the Historic District Commission.

At the public hearing held on November 16, 2015, no one appeared to speak either for or against this request.

The Planning Commission, at their meeting held on November 30, 2015, recommended approval of the Conditional Use Permit and development plans.

RECOMMENDATION: By motion, accept the recommendation of the Planning Commission and:

1. Adopt an Order approving the Conditional Use Permit to allow the operation of a place of entertainment with ABC Permits (Coffee Shop and On-Premise Alcohol Sales); and
2. Approve the development plans detailing the operation.

Date: 12-1-2015


Planning Director

Date: 12-3-15


City Manager

ssj

CITY OF GOLDSBORO

STATE OF NORTH CAROLINA

ORDER **APPROVING** A CONDITIONAL USE PERMIT

The City Council of the City of Goldsboro, North Carolina, having held a public hearing on November 16, 2015 to consider Conditional Use Permit application number:

CU14-15 Parker Croom – South side of East Walnut Street
between Center Street and South John Street

to operate a place of entertainment with ABC permits (Coffee Shop with On-Premise Alcohol Sales), having heard all of the evidence and arguments presented and reports from City officials and having received a recommendation for **approval** from the Goldsboro Planning Commission pertaining to said application, makes the following:

FINDINGS OF FACT

1. The City Council finds that there are certain uses that exist which may be constructed, continued and/or expanded if they meet certain mitigating conditions specific to their design and/or operation. Such conditions ensure compatibility among uses and building types so that different uses may be located in proximity to one another without adverse effects to either.
2. Even if the permit-issuing body finds that the application complies with all the other provision of the City's Unified Development Ordinance, it may still deny the permit if it concludes, based upon information submitted at the hearing that, if completed as proposed, the development:
 - a. Will materially endanger the public health or welfare; or
 - b. Will substantially injure the beneficial use of adjoining or abutting property; or
 - c. Will not be in harmony with existing development and uses within the area in which it is located; or
 - d. Will not be in general conformity with the Comprehensive Plan, Thoroughfare Plan or other plan officially adopted by the Council.
3. The City of Goldsboro's Unified Development Ordinance provides the following regulations which are specific to the applicant's request for a place of entertainment with ABC permits.

Chapter 5.5 Supplemental Use Regulations

5.5.4 Special and Conditional Use Specific Regulations

Bars, Nightclubs, Pool Halls, Places of Entertainment (both public and private and for profit - ABC Permit)

- a. Permitted Districts: Central Business District, General Business, Shopping Center, Highway Business.

The subject property is zoned Central Business District.

- b. Approval Criteria:

Distance Requirement: **There is no church or school use within a distance of 50 ft. of the subject property.**

- d. Upon complaint from any person, a public hearing may be scheduled by the City Council to determine what additional conditions, if any, may be needed to protect the public health, safety and welfare. Upon a finding that there has been an increase in the volume, intensity or frequency of the use different than set forth in the conditional use permit, the City Council after public hearing may modify, suspend or revoke the conditional use permit.

- e. Site Plan Information

1. Floor plan indicating the proposed uses within and adjacent to the structure;
2. Maximum number of persons occupying the structure or premises at one time; and
3. Attached to the site plan shall be written statement setting for the frequency and method of maintenance, repair, refuse/recycling collection and disposal.

A floor plan has been properly submitted indicating the above information.

Based upon the foregoing FINDINGS OF FACT, the City Council makes the CONCLUSION that the proposed use **does** satisfy the general conditions imposed on the Council in its deliberations for issuing a Conditional Use Permit under Section 2.2.8 of the City of Goldsboro Unified Development Ordinance.

Upon motion made by Councilmember _____ and seconded by Councilmember _____, the Council accepted the recommendation of the Planning Commission and approved the applicant's request for a Conditional Use Permit to operate a place of entertainment with ABC permits (Coffee Shop with On-Premise Alcohol Sales).

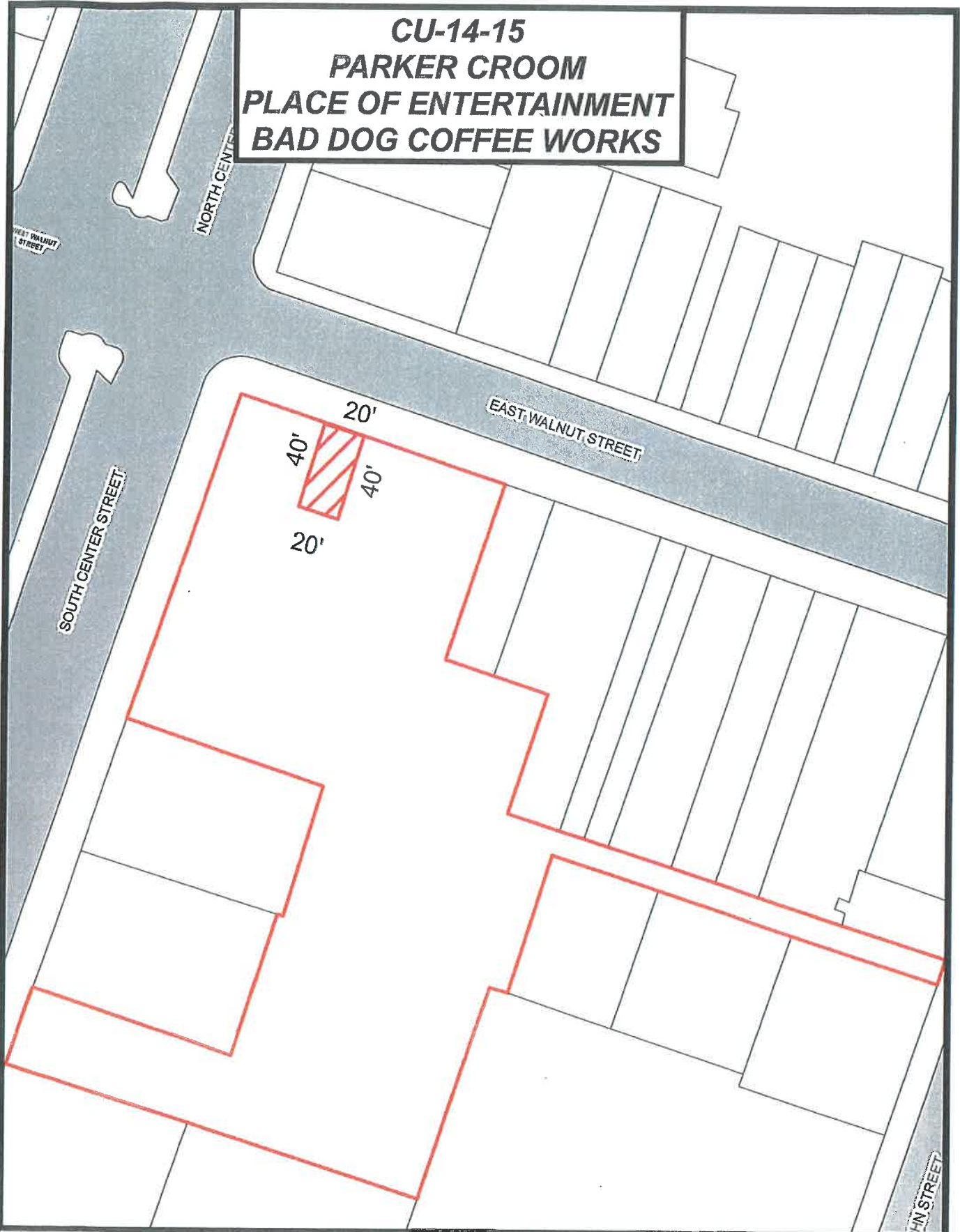
Therefore, because the City Council concludes that the general conditions precedent to the issuance of a CONDITIONAL USE PERMIT **HAVE BEEN** satisfied, IT IS ORDERED that the application for the issuance of a CONDITIONAL USE PERMIT to allow the operation of a place of entertainment with ABC permits (Bar with On- and Off-Premise Alcohol Sales) be **APPROVED**.

Thus ordered this _____ day of _____, 2015.

Al King, Mayor

James D. Womble, City Attorney

**CU-14-15
PARKER CROOM
PLACE OF ENTERTAINMENT
BAD DOG COFFEE WORKS**

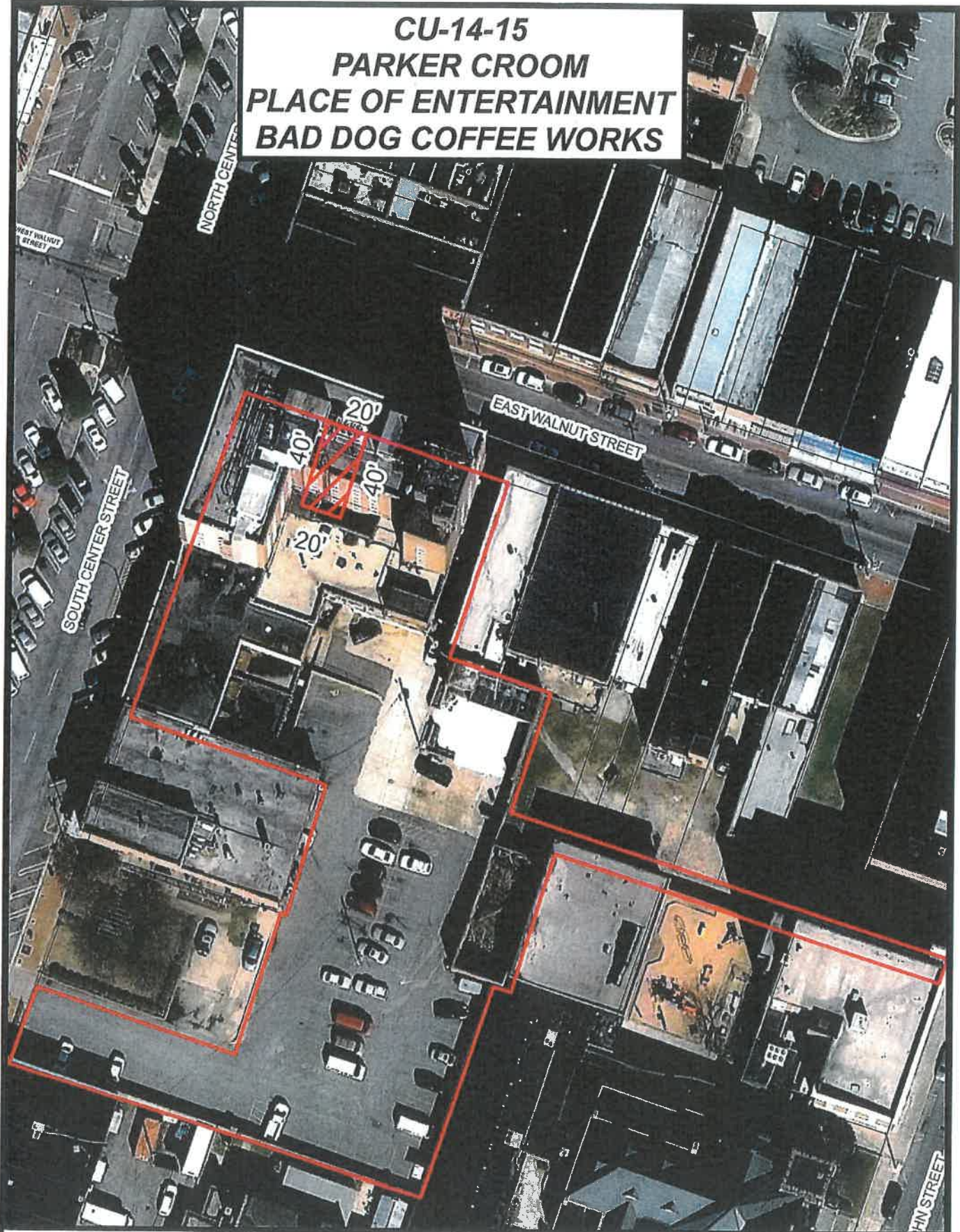


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60 30 0 60 Feet



**CU-14-15
PARKER CROOM
PLACE OF ENTERTAINMENT
BAD DOG COFFEE WORKS**



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60 30 0 60 Feet

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SITE PLAN

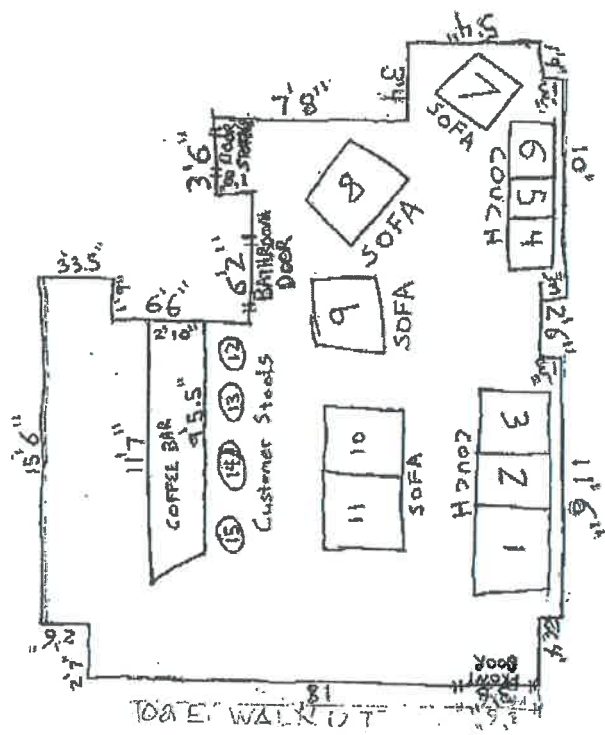
CU-14-2015
Parker Croom

APPROVED MODIFICATIONS

CITY CLERK	DATE
CITY ENGINEER	DATE
PLANNING DIRECTOR	DATE
OWNER	DATE

BAD DOG COFFEE WORKS

Floor Diagram
by Brian Heir
5-02-2015



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CITY OF GOLDSBORO

STATE OF NORTH CAROLINA

ORDER APPROVING A CONDITIONAL USE PERMIT

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CU14-15 Parker Croom – South side of East Walnut Street
between Center Street and South John Street

to operate a place of entertainment with ABC permits (Coffee Shop with On-Premise Alcohol Sales), having heard all of the evidence and arguments presented and reports from City officials and having received a recommendation for **approval** from the Goldsboro Planning Commission pertaining to said application, makes the following:

FINDINGS OF FACT

1. The City Council finds that there are certain uses that exist which may be constructed, continued and/or expanded if they meet certain mitigating conditions specific to their design and/or operation. Such conditions ensure compatibility among uses and building types so that different uses may be located in proximity to one another without adverse effects to either.
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 - a. Will materially endanger the public health or welfare; or
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 - c. Will not be in harmony with existing development and uses within the area in which it is located; or
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- a. Permitted Districts: Central Business District, General Business, Shopping Center, Highway Business.

The subject property is zoned Central Business District.

- b. Approval Criteria:

Distance Requirement: There is no church or school use within a distance of 50 ft. of the subject property.

- d. Upon complaint from any person, a public hearing may be scheduled by the City Council to determine what additional conditions, if any, may be needed to protect the public health, safety and welfare. Upon a finding that there has been an increase in the volume, intensity or frequency of the use different than set forth in the conditional use permit, the City Council after public hearing may modify, suspend or revoke the conditional use permit.

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1. Floor plan indicating the proposed uses within and adjacent to the structure;
2. Maximum number of persons occupying the structure or premises at one time; and
3. Attached to the site plan shall be written statement setting for the frequency and method of maintenance, repair, refuse/recycling collection and disposal.

A floor plan has been properly submitted indicating the above information.

Based upon the foregoing FINDINGS OF FACT, the City Council makes the CONCLUSION that the proposed use **does** satisfy the general conditions imposed on the Council in its deliberations for issuing a Conditional Use Permit under Section 2.2.8 of the City of Goldsboro Unified Development Ordinance.

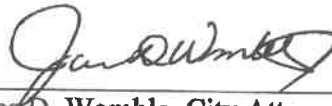
Upon motion made by Councilmember Aycock and seconded by Councilmember Broadaway, the Council accepted the recommendation of the Planning Commission and approved the applicant's request for a Conditional Use Permit to operate a place of entertainment with ABC permits (Coffee Shop with On-Premise Alcohol Sales).

Therefore, because the City Council concludes that the general conditions precedent to the issuance of a CONDITIONAL USE PERMIT HAVE BEEN satisfied, IT IS ORDERED that the application for the issuance of a CONDITIONAL USE PERMIT to allow the operation of a place of entertainment with ABC permits (Bar with On- and Off-Premise Alcohol Sales) be **APPROVED**.

Thus ordered this 7th day of December, 2015.

A handwritten signature in cursive script, appearing to read "Al King", written over a horizontal line.

Al King, Mayor

A handwritten signature in cursive script, appearing to read "James D. Womble", written over a horizontal line.

James D. Womble, City Attorney

CITY OF GOLDSBORO

AGENDA MEMORANDUM

DECEMBER 7, 2015 COUNCIL MEETING

SUBJECT: Site, Landscape and Building Elevation Plans – Aycock Ford Tractor, Inc.

BACKGROUND: The site is located on the east side of US 117 Bypass between US 117 and the railroad.

Frontage: 358 ft.
Depth: 530 ft.
Lot Area: 4.9 Acres
Zoning: I-2 General Industry

The property is currently occupied by Aycock Tractor however the existing building was recently damaged by fire.

In accordance with the City's UDO, if a nonconforming use is damaged or partially destroyed and the cost of repairing the use is greater than 50% of the assessed value, any reconstruction, repair or replacement must conform to all current requirements of the Ordinance.

DISCUSSION: The submitted site plan indicates a new proposed 30,174 sq. ft. metal building to be constructed on the original building footprint. A total of 22 parking spaces will be required and a total of 32 existing parking spaces (including two handicapped spaces) are provided. These spaces are to be re-stripped.

There is no increase in impervious area, therefore, stormwater detention and nitrogen calculations are not required for the site.

The submitted landscape plan indicates an 8 ft. wide street yard which will contain seven Autumn Fantasy Maples along US 117 Bypass.

Type A (10 ft. wide) landscape buffers are required along the northern, southern and eastern property lines. The

applicant has requested a modification of this requirement. Railroad tracks abut the property to the rear (eastern property line). A modification of vehicular surface plantings has also been requested.

All HVAC systems and dumpsters will be screened in accordance with City requirements.

The applicant is requesting a modification of the exterior sidewalk requirement and the fee-in-lieu payment in the amount of \$3,900.

Elevation plans have been submitted which indicate the building will be constructed of metal panels with stone veneer along the front elevation. Staff is working with the applicant to ensure the building design meets the requirements of the Unified Development Ordinance to provide an interesting and attractive architectural design.

At their meeting held on November 30, 2015, the Planning Commission recommended approval of the site, landscape and building elevation plans with the following modifications:

1. Vehicular surface plantings;
2. 10 ft. wide landscape buffer along the northern and southern property lines; The Commission recommended that the required buffer be provided along the eastern property line where the building is visible from adjacent residential development.
3. Sidewalk installation and fee in lieu requirement;

The recommendation was made subject to the staff working with the applicant to ensure that elevation plans meet the City's UDO 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. Vehicular surface plantings;
2. 10 ft. wide landscape buffer along the northern and southern property lines; The applicant will be required to install the buffer along the eastern property line where the building is visible from adjacent residential development.

3. Sidewalk installation and fee in lieu requirement;

Approval would be subject to revision of building elevation plans in order to meet the City's UDO requirement.

Date: 12-2-2015


Planning Director

Date: 12-3-15


City Manager

ssj

JEFFREYS LN

Site Plan Aycock Ford Tractor, Inc.

US 117 HWY

S US 117 HWY BYP

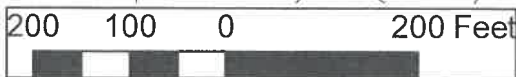


WHITFIELD DR

MILLER AVE

ORCHARD ST

S ALABAMA AVE



[illegible]

- COLOCATIONS:
 - MODIFICATION OF THE VEHICULAR SURFACE AREA BUFFER,
 - MODIFICATION OF THE BUFFER YARD LANDSCAPING REQUIREMENTS
 - LONG ALL PROPERTY LINES AND ALONG RAILROAD RIGHT-OF-WAY.

R & R BODY SHOP, INC.
20 BOCK 1852 PLAGE 394
ZONED 1-2 394

D.	REVISION	DATE
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B. R. KORNEGAY, INC.
AND SURVEYING • ENGINEERING • PLANNING

Goldboro, N.C. 27530
(919) 735-5865 Fax: (919) 560-9053
www.komeqaynep.com

01/27/2011

AYCOCK FORD TRACTOR, INC.
SITE PLAN

304 SOUTH U.S. HIGHWAY 117 BY-PASS
304 SOUTH U.S. 117 BY-PASS, GOLDSBORO NORTH CAROLINA 27533
GOLDSBORO TOWNSHIP WAYNE COUNTY, M.C.

TABLE 1

SIGNED BY: **JLK**
TSB

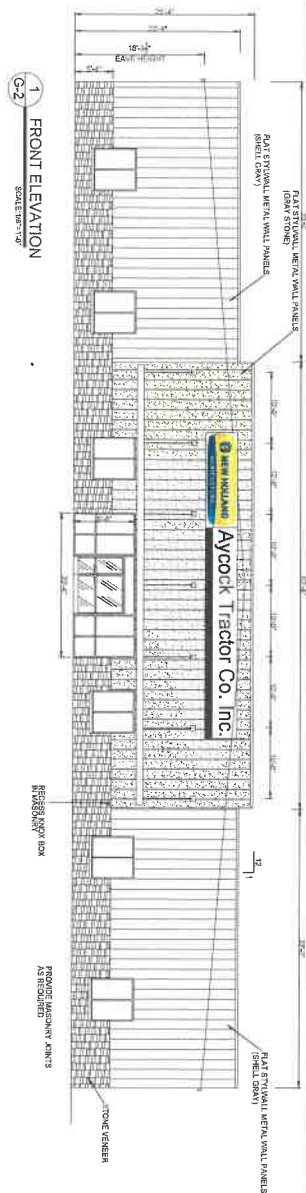
11-11-2015

* PRELIMINARY PLAT - NOT FOR RECORDATION CONVEYANCES OR SALES *

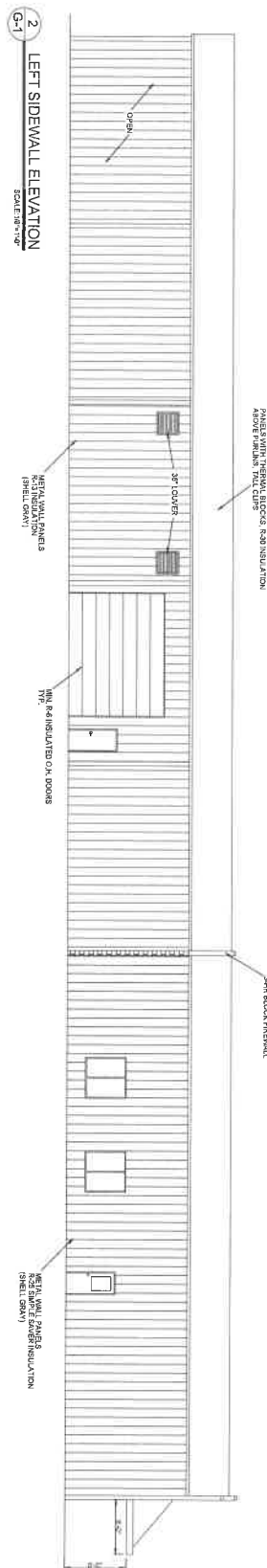
JACKSON BUILDERS, INC.

P.O. BOX 148, GOLDSBORO, NORTH CAROLINA 27533
CONTACT: BRIAN HOWELL 919-734-5428 919-921-0090 bhowell@jcc

SECURITY STORAGE CO., U.S. 117 BY-PASS, GOLDSBORO, N.C. 027943



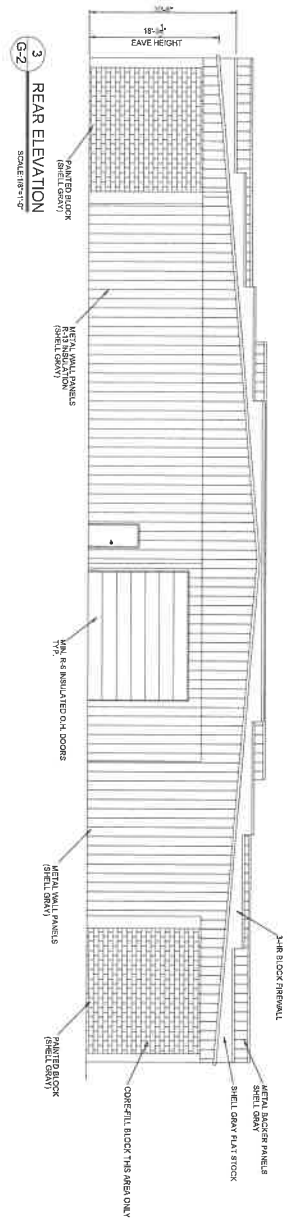
1
G-2 FRONT ELEVATION
SCALE: 1/8" = 1'-0"



2
G-1

LEFT SIDEWALL ELEVATION

SCALE: 1/8" = 1'-0"



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



4
G-2 RIGHT SIDEWALL ELEVATION
SCALE: 1/8" = 1'-0"



City of Goldsboro

J.O. Bramer A
North Carolina
27533-9701

RESOLUTION 2015-96

RESOLUTION COMMENDING AND EXPRESSING APPRECIATION TO ALFONZO KING FOR SERVING AS THE MAYOR OF THE CITY OF GOLDSBORO FOR FOURTEEN YEARS

WHEREAS, Alfonzo King served this community and the City of Goldsboro well in numerous capacities, including fourteen years as the Mayor of the City of Goldsboro since 2002; and

WHEREAS, Mayor King's genuine care for people and passion for Goldsboro is a hallmark of his career which he has pursued passionately with distinction, loyalty, integrity, and courtesy; and

WHEREAS, during these years of service, Mayor King has gained the admiration and respect of local and state officials for his untiring efforts in providing for the orderly growth of Goldsboro; and

WHEREAS, during his terms in office, Mayor King has served on the Wayne Community College Board of Trustees, the Wayne County Chamber of Commerce Board of Directors, the Downtown Goldsboro Development Corporation Board of Directors, United Way of Wayne County Board of Directors, the Child Nutrition and Outreach Program Committee and several other Special Project Committees; and

WHEREAS, in his service to Municipal Government, Mayor King has also served as the President of the North Carolina League of Municipalities, Chairman of the North Carolina League of Municipalities (NCLM) Risk Management Services Board of Trustees, Chairman of the North Carolina Governor's Military Advisory Council, and member of the North Carolina Metropolitan Mayors Coalition; and

WHEREAS, many projects have been commenced and completed by the City during Mayor King's years of service, including construction of the new City Hall Addition, renovation of the existing City Hall, rebuilding the Paramount Theatre, the Stoney Creek Park Project, GWTA Transfer Center, WA Foster Center, overall economic development growth and downtown revitalization efforts including Phase I and Phase II of the Center Street Streetscape Project.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina that the Mayor and City Council express to you, Alfonzo King on behalf of themselves and the other city officials, employees and the citizens of the City of Goldsboro, our appreciation and gratitude for your unselfish, devoted and invaluable service and contributions rendered to the Council and the City of Goldsboro in the many capacities in which you have served and we offer you our very best wishes for success, happiness, prosperity and good health in your future endeavors.

This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 7th day of December, 2015.




Chuck Allen, Mayor



City of Goldsboro

H.O. Drawer A
North Carolina
27533-9701

RESOLUTION 2015-97

RESOLUTION COMMENDING AND EXPRESSING APPRECIATION TO MICHAEL HEADEN FOR SERVING AS GOLDSBORO CITY COUNCILMEMBER FOR EIGHT YEARS

WHEREAS, Michael Headen has served this community and the City of Goldsboro well in numerous capacities, including eight years as a member of the Goldsboro City Council, representing District One, since August 2007; and

WHEREAS, these years of service have been marked by exemplary dedication to the best interests of the community as he has worked constantly for the betterment of its economic, cultural and aesthetic development; and

WHEREAS, during these years of service, Councilmember Headen has gained the admiration and respect of local officials for his untiring efforts in providing for the orderly growth of Goldsboro; and

WHEREAS, during his terms in office, Councilmember Headen has served as a member of the Historic District Committee, Transportation Advisory Committee (TAC), Appearance Commission, Center Street Streetscape Project Committee and various other Special Project Committees; and

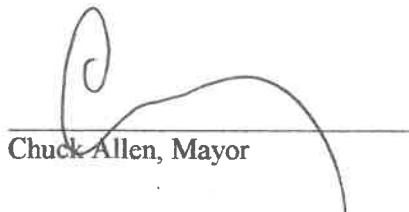
WHEREAS, many projects have been commenced and completed by the City during Councilmember Headen's years of service, including construction of the new City Hall Addition, renovation of the existing City Hall, rebuilding the Paramount Theatre, the Stoney Creek Park Project, GWTA Transfer Center, WA Foster Center, overall economic development growth and downtown revitalization efforts including Phase I and Phase II of the Center Street Streetscape Project.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina that the Mayor and City Council express to you, Michael Headen on behalf of themselves and the other city officials, employees and the citizens of the City of Goldsboro, our appreciation and gratitude for your unselfish, devoted and invaluable service and contributions rendered to the Council and the City of Goldsboro in the many capacities in which you have served; and

BE IT FUTHER RESOLVED that we offer you our very best wishes for success, happiness, prosperity and good health in your future endeavors.

This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 7th day of December, 2015.




Chuck Allen, Mayor



City of Goldsboro

H.O. Drawer A
North Carolina
27533-9701

RESOLUTION 2015-98

RESOLUTION COMMENDING AND EXPRESSING APPRECIATION TO WILLIAM "BILL" GOODMAN FOR SERVING AS GOLDSBORO CITY COUNCILMEMBER FOR NINETEEN YEARS

WHEREAS, William "Bill" Goodman has served this community and the City of Goldsboro well in numerous capacities, including sixteen years between the years 1988-2004, then three years from 2012-2015 as a member of the Goldsboro City Council representing District Three; and

WHEREAS, these years of service have been marked by exemplary dedication to the best interests of the community as he has worked constantly for the betterment of its economic, cultural and aesthetic development; and

WHEREAS, during these years of service, Councilmember Goodman has gained the admiration and respect of local officials for his untiring efforts in providing for the orderly growth of Goldsboro; and

WHEREAS, during his terms in office, Councilmember Goodman has served as a member of the Parks and Recreation Advisory Commission, the Goldsboro/Wayne Transportation Authority, the Law & Finance Committee, and various other Special Project Committees; and

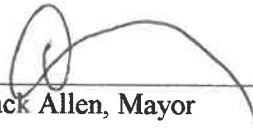
WHEREAS, many projects have been commenced and completed by the City during Councilmember Goodman's years of service, including the Stoney Creek Park Project, GWTA Transfer Center, WA Foster Center, overall economic development growth and downtown revitalization efforts including Phase I and Phase II of the Center Street Streetscape Project.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina that the Mayor and City Council express to you, William "Bill" Goodman on behalf of themselves the other city officials, employees and the citizens of the City of Goldsboro, employees and the citizens of the City of Goldsboro, our appreciation and gratitude for your unselfish, devoted and invaluable service and contributions rendered to the Council and the City of Goldsboro in the many capacities in which you have served; and

BE IT FUTHER RESOLVED that we offer you our very best wishes for success, happiness, prosperity and good health in your future endeavors.

This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 7th day of December, 2015.




Chuck Allen, Mayor



City of Goldsboro

H.O. Bramer A
North Carolina
27533-9701

RESOLUTION 2015-99

RESOLUTION COMMENDING AND EXPRESSING APPRECIATION TO CHARLES WILLIAMS SR. FOR SERVING AS GOLDSBORO CITY COUNCILMEMBER FOR TWENTY YEARS

WHEREAS, Charles Williams Sr. has served this community and the City of Goldsboro well in numerous capacities, including twenty years as a member of the Goldsboro City Council, representing District Four, since 1995; and

WHEREAS, these years of service have been marked by exemplary dedication to the best interests of the community as he has worked constantly for the betterment of its economic, cultural and aesthetic development; and

WHEREAS, during these years of service, Councilmember Williams has gained the admiration and respect of local officials for his untiring efforts in providing for the orderly growth of Goldsboro; and

WHEREAS, during his terms in office, Councilmember Williams has served as a member of the Appearance Commission, the Center Street Streetscape Project Committee, the Multi-Sports Complex Committee, the Child Nutrition and Outreach Program Committee and several other Special Project Committees; and

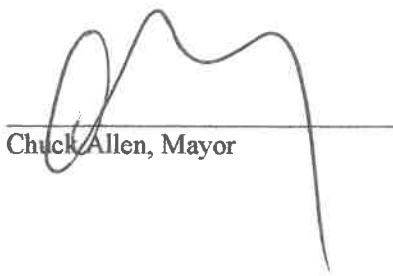
WHEREAS, many projects have been commenced and completed by the City during Councilmember Williams's years of service, including construction of the new City Hall Addition, renovation of the existing City Hall, rebuilding the Paramount Theatre, the Stoney Creek Park Project, GWTA Transfer Center, WA Foster Center, overall economic development growth and downtown revitalization efforts including Phase I and Phase II of the Center Street Streetscape Project.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina that the Mayor and City Council express to you, Charles Williams Sr. on behalf of themselves the other city officials, employees and the citizens of the City of Goldsboro, our appreciation and gratitude for your unselfish, devoted and invaluable service and contributions rendered to the Council and the City of Goldsboro in the many capacities in which you have served; and

BE IT FUTHER RESOLVED that we offer you our very best wishes for success, happiness, prosperity and good health in your future endeavors.

This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 7th day of December, 2015.




Chuck Allen, Mayor

RESOLUTION 2015-96

**RESOLUTION COMMENDING AND EXPRESSING APPRECIATION TO
ALFONZO KING FOR SERVING AS THE MAYOR
OF THE CITY OF GOLDSBORO FOR FOURTEEN YEARS**

WHEREAS, Alfonzo King served this community and the City of Goldsboro well in numerous capacities, including fourteen years as the Mayor of the City of Goldsboro since 2002; and

WHEREAS, Mayor King's genuine care for people and passion for Goldsboro is a hallmark of his career which he has pursued passionately with distinction, loyalty, integrity, and courtesy; and

WHEREAS, during these years of service, Mayor King has gained the admiration and respect of local and state officials for his untiring efforts in providing for the orderly growth of Goldsboro; and

WHEREAS, during his terms in office, Mayor King has served on the Wayne Community College Board of Trustees, the Wayne County Chamber of Commerce Board of Directors, the Downtown Goldsboro Development Corporation Board of Directors, United Way of Wayne County Board of Directors, the Child Nutrition and Outreach Program Committee and several other Special Project Committees; and

WHEREAS, in his service to Municipal Government, Mayor King has also served as the President of the North Carolina League of Municipalities, Chairman of the North Carolina League of Municipalities (NCLM) Risk Management Services Board of Trustees, Chairman of the North Carolina Governor's Military Advisory Council, and member of the North Carolina Metropolitan Mayors Coalition; and

WHEREAS, many projects have been commenced and completed by the City during Mayor King's years of service, including construction of the new City Hall Addition, renovation of the existing City Hall, rebuilding the Paramount Theatre, the Stoney Creek Park Project, GWTA Transfer Center, WA Foster Center, overall economic development growth and downtown revitalization efforts including Phase I and Phase II of the Center Street Streetscape Project.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina that the Mayor and City Council express to you, Alfonzo King on behalf of themselves and the other city officials, employees and the citizens of the City of Goldsboro, our appreciation and gratitude for your unselfish, devoted and invaluable service and contributions rendered to the Council and the City of Goldsboro in the many capacities in which you have served and we offer you our very best wishes for success, happiness, prosperity and good health in your future endeavors.

This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 7th day of December, 2015.

Approved as to Form Only:


City Attorney

Reviewed by:


City Manager

RESOLUTION 2015-97

**RESOLUTION COMMENDING AND EXPRESSING APPRECIATION TO
MICHAEL HEADEN FOR SERVING AS GOLDSBORO
CITY COUNCILMEMBER FOR EIGHT YEARS**

WHEREAS, Michael Headen has served this community and the City of Goldsboro well in numerous capacities, including eight years as a member of the Goldsboro City Council, representing District One, since August 2007; and

WHEREAS, these years of service have been marked by exemplary dedication to the best interests of the community as he has worked constantly for the betterment of its economic, cultural and aesthetic development; and

WHEREAS, during these years of service, Councilmember Headen has gained the admiration and respect of local officials for his untiring efforts in providing for the orderly growth of Goldsboro; and

WHEREAS, during his terms in office, Councilmember Headen has served as a member of the Historic District Committee, Transportation Advisory Committee (TAC), Appearance Commission, Center Street Streetscape Project Committee and various other Special Project Committees; and

WHEREAS, many projects have been commenced and completed by the City during Councilmember Headen's years of service, including construction of the new City Hall Addition, renovation of the existing City Hall, rebuilding the Paramount Theatre, the Stoney Creek Park Project, GWTA Transfer Center, WA Foster Center, overall economic development growth and downtown revitalization efforts including Phase I and Phase II of the Center Street Streetscape Project.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina that the Mayor and City Council express to you, Michael Headen on behalf of themselves and the other city officials, employees and the citizens of the City of Goldsboro, our appreciation and gratitude for your unselfish, devoted and invaluable service and contributions rendered to the Council and the City of Goldsboro in the many capacities in which you have served; and

BE IT FUTHER RESOLVED that we offer you our very best wishes for success, happiness, prosperity and good health in your future endeavors.

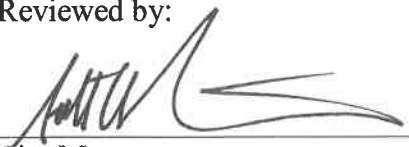
This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 7th day of December, 2015.

Approved as to Form Only:



City Attorney

Reviewed by:



City Manager

RESOLUTION 2015- 98

**RESOLUTION COMMENDING AND EXPRESSING APPRECIATION TO
WILLIAM "BILL" GOODMAN FOR SERVING AS GOLDSBORO
CITY COUNCILMEMBER FOR NINETEEN YEARS**

WHEREAS, William "Bill" Goodman has served this community and the City of Goldsboro well in numerous capacities, including sixteen years between the years 1988-2004, then three years from 2012-2015 as a member of the Goldsboro City Council representing District Three; and

WHEREAS, these years of service have been marked by exemplary dedication to the best interests of the community as he has worked constantly for the betterment of its economic, cultural and aesthetic development; and

WHEREAS, during these years of service, Councilmember Goodman has gained the admiration and respect of local officials for his untiring efforts in providing for the orderly growth of Goldsboro; and

WHEREAS, during his terms in office, Councilmember Goodman has served as a member of the Parks and Recreation Advisory Commission, the Goldsboro/Wayne Transportation Authority, the Law & Finance Committee, and various other Special Project Committees; and

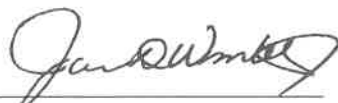
WHEREAS, many projects have been commenced and completed by the City during Councilmember Goodman's years of service, including the Stoney Creek Park Project, GWTA Transfer Center, WA Foster Center, overall economic development growth and downtown revitalization efforts including Phase I and Phase II of the Center Street Streetscape Project.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina that the Mayor and City Council express to you, William "Bill" Goodman on behalf of themselves the other city officials, employees and the citizens of the City of Goldsboro, our appreciation and gratitude for your unselfish, devoted and invaluable service and contributions rendered to the Council and the City of Goldsboro in the many capacities in which you have served; and

BE IT FUTHER RESOLVED that we offer you our very best wishes for success, happiness, prosperity and good health in your future endeavors.

This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 7th day of December, 2015.

Approved as to Form Only:


City Attorney

Reviewed by:


City Manager

RESOLUTION 2015- 99

**RESOLUTION COMMENDING AND EXPRESSING APPRECIATION TO
CHARLES WILLIAMS SR. FOR SERVING AS GOLDSBORO
CITY COUNCILMEMBER FOR TWENTY YEARS**

WHEREAS, Charles Williams Sr. has served this community and the City of Goldsboro well in numerous capacities, including twenty years as a member of the Goldsboro City Council, representing District Four, since 1995; and

WHEREAS, these years of service have been marked by exemplary dedication to the best interests of the community as he has worked constantly for the betterment of its economic, cultural and aesthetic development; and

WHEREAS, during these years of service, Councilmember Williams has gained the admiration and respect of local officials for his untiring efforts in providing for the orderly growth of Goldsboro; and

WHEREAS, during his terms in office, Councilmember Williams has served as a member of the Appearance Commission, the Center Street Streetscape Project Committee, the Multi-Sports Complex Committee, the Child Nutrition and Outreach Program Committee and several other Special Project Committees; and

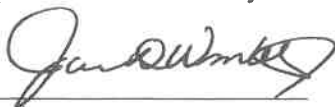
WHEREAS, many projects have been commenced and completed by the City during Councilmember Williams's years of service, including construction of the new City Hall Addition, renovation of the existing City Hall, rebuilding the Paramount Theatre, the Stoney Creek Park Project, GWTA Transfer Center, WA Foster Center, overall economic development growth and downtown revitalization efforts including Phase I and Phase II of the Center Street Streetscape Project.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina that the Mayor and City Council express to you, Charles Williams Sr. on behalf of themselves the other city officials, employees and the citizens of the City of Goldsboro, our appreciation and gratitude for your unselfish, devoted and invaluable service and contributions rendered to the Council and the City of Goldsboro in the many capacities in which you have served; and

BE IT FUTHER RESOLVED that we offer you our very best wishes for success, happiness, prosperity and good health in your future endeavors.

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Approved as to Form Only:


City Attorney

Reviewed by:


City Manager