

MINUTES OF THE MEETING OF THE GOLDSBORO CITY COUNCIL
SEPTEMBER 16, 2024

WORK SESSION

The Mayor and City 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, Goldsboro, North Carolina at 5:00 p.m. on September 16, 2024.

Call to Order. Mayor Gaylor called the meeting to order at 5:00 p.m.

Roll Call.

Present: Mayor Charles Gaylor, IV, Presiding
Mayor Pro Tem Brandi Matthews
Councilwoman Hiawatha Jones
Councilman Chris Boyette
Councilwoman Jamie Taylor
Councilman Rod White

Absent: Councilwoman Beverly Weeks

Also Present: Matthew Livingston, Interim City Manager
Ron Lawrence, City Attorney
Laura Getz, City Clerk

Adoption of the Agenda. Mayor Gaylor requested to move Item F. Small Batch Craft Event – Temporary Street Closure and Item G. 2024 Halloween Festival – Temporary Street Closure to Items Requiring Individual Action for discussion. Councilman Boyette made a motion to adopt the agenda as amended. The motion was seconded by Councilwoman Jones and unanimously approved. Council adopted the amended agenda.

Old Business.

Work Session Item a. Three-Month Update on Parking Enforcement for Goldsboro Downtown. Dwight Bassett, Parking Consultant shared the presentation attached as *Exhibit A*.

Interim Assistant City Manager, Kelly Arnold and Erin Fonseca, Downtown Director, shared the information below.

In May 2024 the City Council approved Ordinance No 2024-22 which implemented a new two-hour parking limit on Center Street and streets around Center Street. In addition, full-time parking enforcement program of downtown was initiated for all parking violations including the two-hour parking limit. With three months of full implementation, data has been gathered including:

- Ticket and revenue for parking violations issued
- Business placards issued
- Renewed downtown parking study by consultant Dwight Bassett
- Survey of Downtown businesses about the parking program

After a two-week warning during the first two weeks of June and a full month of moratorium for the 100 block of Center St in July, the parking program experienced its first full month in August. Three-month results include:

Total parking violations/revenue:	June = 122/\$1,825
	July = 172/\$1,600
	Aug. = 147/\$3,124

Total businesses taking placards/issued: 11 businesses/45 issued

Dwight Bassett, parking consultant studied the economic impact of managed parking downtown and reported the daily potential sales of each space in the managed parking footprint is \$176.68 for downtown businesses. The total impact of each space is reported at \$53,534.

A survey of the was conducted by staff with a 59% response rate. Merchant impact varied significantly based on the business type and the length of customer dwell time. Some of the findings include:

- Customer dwell time: Most businesses (around 77%) reported that 25% or less of their customers stay longer than 2 hours.
- Customer complaints about parking: Around 37% receive complaints about the 2-hour parking limit daily, while 30% never receive such complaints. 15% report once or twice per month and 18% once or twice per week
- Overall impact on business results is mixed, with 42% reporting no significant effect, 30% noting a somewhat positive effect, 21% experiencing a somewhat negative effect and 13 % experiencing a significant negative effect

Via program implementation, staff recognizes some administrative challenges/constraints, particularly as it relates to the appeal process, that could be improved after more time

It was recommended that the program continue as is for another three months, and another update with potential administrative amendments be considered before the end of 2024.

Council discussed the following: parking restrictions and turnover on Saturday's, downtown residential parking, future development for residential properties, regulating parking, and the data from a survey from the downtown businesses.

Mr. Bassett discussed residential parking regulations and limiting the time for residents.

Erin Fonseca, Downtown Director shared information regarding the survey. She shared there are 75 active businesses in the managed parking footprint. They were able to get with 59% of the businesses, the ones not surveyed were not open at the time of the survey.

Ms. Fonseca discussed the parking placards offered to businesses. She shared there are currently 45 placards provided to businesses and each business is allowed 5 placards.

Mayor Pro Tem Matthews asked that the Downtown Goldsboro department go back out and get responses from the businesses not surveyed.

Mr. Bassett encouraged Council to continue the parking enforcement.

Interim City Manager Livingston thanked Mr. Bassett for coming to the meeting and for assisting with the parking enforcement plan.

Work Session Item b. Goldsboro's Water Treatment Project to Address PFAS. Interim City Manager Livingston shared information regarding PFAS and PFOS. Bert Sherman, Public Utilities Director introduced Reed Barton with CDM Smith. Mr. Barton shared the presentation attached as *Exhibit B*.

Councilman White asked if the PFAS study includes Seymour Johnson Air Force Base. Mr. Barton shared they are studying what comes out of the City's water treatment plant and the study will cover the water that goes to the Base.

City Attorney Lawrence shared the City is involved in class action lawsuits involving DuPont, Tyco and 3M. Those settlements have been approved by the federal courts and the city will be receiving billions of dollars.

Mr. Reed shared the city is in full compliance.

New Business.

Work Session Item c. Stormwater Inventory. Dylan Schreffler, GIS Manager shared the presentation attached as *Exhibit C*.

Mr. Schreffler introduced his new staff, Kelsey Palmer, GIS Technician and Mizanur Rahman, GIS Specialist.

Mayor Gaylor shared the importance of stormwater mapping, and that he appreciates the work of the department.

Mayor Pro Tem Matthews asked how citizens can access the information. Mr. Schreffler shared they are working on having the data accessible online. In the meantime, citizens can contact the GIS staff for information.

Work Session Item d. Musgrave Manor Subdivision Storm Drainage Improvements. The item was presented by Jonathan Perry, Engineering Services Manager.

Musgrave Manor Subdivision is prone to flooding during a small rain event. It has been determined by Engineering staff that the storm drainage system is undersized and did not account for the additional 60 acres of land that drains to that subdivision. This project would upsize undersized storm lines in this subdivision and should alleviate flooding issues.

Engineering staff has completed the design of this project in-house. The estimated costs to bid the project to the private sector is \$930,000.

Staff recommends that the storm drainage improvements for Musgrave Manor be completed in-house by Public Works Department staff. This storm drainage project would be within City rights of way and/or existing easement areas, as shown on the attached map.

It was recommended that Council concur in the recommendation for Public Works Department staff to complete storm drainage improvements within Musgrave Manor Subdivision.

Mayor Gaylor shared the following: staff is working on this project because all the pieces were in line. There are other parts of the city that if we can get this and we can have a consistent system where we're able to identify if there's any property issues that are in the way, if we have the assets in-house to be able to do it, then start whittling away at some of these issues around the city.

Interim City Manager Livingston shared this is coming out of the stormwater fund and staff will bring an ordinance to Council at the next meeting.

Councilman Boyette made a motion to concur with the completion of storm drainage improvements using in house resources in Musgrave Manor Subdivision and ask staff to submit a budget ordinance at an October meeting. The motion was seconded by Councilwoman Taylor and unanimously approved.

Work Session Item e. Change Order #1 for Metal Maintenance Shed Building at Bryan MSCX. The item was presented by Felicia Brown, Parks & Recreation Director.

In the FY24 Budget, Occupancy Tax Funds in the amount of \$240,000 was approved for a metal maintenance shed building to be installed at the Bryan Multi-Sports Complex (MSCX). The cost for the project came in at \$169,400, releasing the other funds back into the Occupancy Tax Fund. The cost of the project did not include insulating the building.

Before installation began, Carolina Bay Construction (contractor) contacted staff and recommended insulating the metal building to prevent condensation and future rust issues. Staff verified with City of Goldsboro's Public Works Department and an independent contractor this would be beneficial to do and asked Carolina Bay Construction to submit a change order to include insulation installation.

Carolina Bay Construction has submitted a change order in the amount of \$9,025. This change order is for the insulation installation of our metal maintenance shed building at the Bryan MSCX. Funding is available in the Occupancy Tax Fund to cover this cost.

It is recommended that Council approve the change order in the amount of \$9,025 with Carolina Bay Construction to install insulation with the installation of the metal maintenance shed building at the Bryan Multi-Sports Complex. The Finance Director has submitted with this agenda a budget amendment allocating these funds out of the Occupancy Tax Fund.

Councilwoman Jones made a motion to approve the change order in the amount as presented. The motion was seconded by Councilman Boyette and unanimously approved.

Items Requiring Individual Action.

Item L. Establishing a Grant Project Fund Ordinance – Arrington Bridge Road Water Reclamation Facility Expansion Project FY27 (S1112). Ordinance Adopted. The item was submitted by Catherine Gwynn, Finance Director.

The expansion of the Water Reclamation Facility (WRF) has been a part of the City's Utility CIP for some time and has been discussed with Council on multiple occasions. Recently, on August 19, 2024, Hazen and Sawyer presented City Council with an overview of the upcoming expansion of the City's Water Reclamation Facility on Arrington Bridge Road from a 14.2 mgd to a 17.6 mgd treatment facility.

The scope of work contract needs to be executed so that Hazen and Sawyer can start work on the pre-construction services portion of the project. The cost of this service is \$600,000 and will be funded with a transfer from the Utility Fund.

Future budget amendments will be presented as costs are agreed upon, and funding sources can be determined which will include cash funding from the Utility Fund, debt funding and possibly grant funding. The total cost of the project is yet to be determined.

It was recommended that Council adopt the following entitled ordinance to establish the grant capital project fund for the same.

Councilman Boyette made a motion to adopt the ordinance to establish the grant capital project fund. The motion was seconded by Councilwoman Taylor and unanimously approved.

ORDINANCE NO. 2024-48 "AN ORDINANCE ESTABLISHING THE GRANT PROJECT FUND FOR THE ARRINGTON BRIDGE ROAD WATER RECLAMATION FACILITY EXPANSION PROJECT FY27 (S1112)"

Item F. Small Batch Craft Event – Temporary Street Closure. The item was submitted and presented by Mike West, Police Chief.

The Small Batch Craft Market, LLC is sponsoring a craft fair to be held downtown to support local artists and makers of goods.

The events will be hosted from 12:00pm – 5:00pm at The Hub on November 30, 2024. The Small Batch Craft Market, LLC is requesting the closure of the north bound lane of the 200 block South Center Street from Spruce to Chestnut Street from 10:00am – 6:00pm.

As with all downtown events, affected city departments will be contacted, and the following concerns are to be addressed:

1. All intersections remain open for Police Department traffic control.
2. A 14-foot fire lane is to be maintained to provide access for fire and emergency vehicles.
3. All activities, changes in plans, etc., will be coordinated with the Police Department.
4. The Police and Fire Departments are to be involved in the logistical aspects of the Event.

It was recommended that Council grant the requested temporary closing of the northbound lane of South Center Street from Spruce to Chestnut Street as stated above.

Councilman Boyette made a motion to approve the temporary street closing. The motion was seconded by Councilwoman Taylor and unanimously approved.

Item G. 2024 Halloween Festival – Temporary Street Closure. The item was submitted and presented by Mike West, Police Chief.

The Artistic Dance Academy, along with Downtown Goldsboro and the Downtown Development Corporation, will host the 2024 Halloween Festival event. The event is free, family-friendly, and open to the public.

The event will be on Saturday, October 26, 2024, from 6:00pm – 9:00pm on North Center Street, utilizing the Northbound Lane of the 200 block of North Center Street from Ash to Mulberry Street, steps of City Hall, and the City Hall Parking lot. There will be Vendors setup with children's activities and Food Trucks. The Artistic Dance Academy, along with the Downtown Development Corporation is requesting the closure of the northbound lane of North Center Street from Ash to Mulberry Street from 5:30pm – 9:30pm.

As with all downtown events, affected city departments will be contacted, and the following concerns are to be addressed:

1. All intersections remain open for Police Department traffic control.

2. A 14-foot fire lane is to be maintained to provide access for fire and emergency vehicles.
3. All activities, change in plans, etc., will be coordinated with the Police Department.
4. The Police and Fire Departments are to be involved in the logistical aspects of the Event.

It was recommended that Council grant the requested temporary closing of the northbound lane of North Center Street from Ash to Mulberry Street as stated above.

The updated checklist which lists the event as Tier 4, not Tier 2, was distributed to Council and updated in the agenda packet.

Councilwoman Jones asked how much police presence is needed. Chief West shared he will have officers scheduled to work that can work downtown. He shared he thought 2-4 officers would be needed.

Mayor Pro Tem Matthews shared concerns regarding the Small Batch Craft Market being moved to the HUB and that because the city is involved with this event, that they should have been directed to the HUB as well.

Council discussed street closing events and the street closing policy with the Interim City Manager and Police Chief.

Mayor Pro Tem Matthews made a motion to approve the event. There were no seconds. Council discussed the event. Councilman White asked what the role of the city is.

Mayor Gaylor shared he would like to bring this back at the 7:00 p.m. session during Items Requiring Individual Action.

Mayor Pro Tem Matthews inquired about the last Small Batch Craft event on Mulberry Street being denied.

Mayor Pro Tem Matthews withdrew her motion regarding the street closing event.

Consent Agenda Review.

Items E, H, I, J and K on the consent agenda were reviewed. Further discussion included the following:

Item J. Adoption of a Supplement to the Code of Ordinances of Goldsboro, North Carolina.

Council discussed the supplement and how often the ordinances are codified.

Mayor Gaylor recessed the meeting at 6:50 p.m.

CITY COUNCIL MEETING

The City Council of the City of Goldsboro, North Carolina, met in Regular Session in Council Chambers, City Hall, 214 North Center Street, at 7:00 p.m. on September 16, 2024.

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

Archbishop Anthony Slater, Fire Chaplain provided the invocation. The Pledge of Allegiance followed.

Roll Call.

Present: Mayor Charles Gaylor, IV, Presiding
 Mayor Pro Tem Brandi Matthews
 Councilwoman Hiawatha Jones
 Councilman Chris Boyette
 Councilwoman Jamie Taylor
 Councilman Rod White
 Absent: Councilwoman Beverly Weeks

Also Present: Matthew Livingston, Interim City Manager
 Ron Lawrence, City Attorney
 Laura Getz, City Clerk

Approval of Minutes. Councilman Boyette made a motion to approve the minutes of the Work Session and Regular Meeting of August 19, 2024 and the minutes of the Work Session and Regular Meeting of September 3, 2024. The motion was seconded by Councilwoman Taylor and unanimously approved.

Presentations.

Item B. Resolution Expressing Appreciation for Services Rendered by Ralph “Trey” Ball, III as an Employee of the City of Goldsboro for More Than 28 Years. Resolution Adopted.

Ralph “Trey” Ball, III retires on October 1, 2024 as a Police Captain, with more than 28 years of service with the Police Department. Trey began his career on August 23, 1995 as a Police Cadet with the Police Department. On July 10, 1996, Trey was hired as a Police Officer with the Police Department. On April 4, 2001, Trey was promoted to Corporal with the Police Department. On September 10, 2003, Trey was promoted to Investigator with the Police Department. On September 28, 2005, Trey was promoted to Sergeant with the Police Department. On September 19, 2012, Trey was promoted to Captain with the Police Department, where he has served until his retirement. Trey has proven himself to be a dedicated and efficient public servant who has gained the admiration and respect of his fellow workers and the citizens of the City of Goldsboro. The Mayor and City Council of the City of Goldsboro are desirous, on behalf of themselves, City employees, and the citizens of the City of Goldsboro, of expressing to Trey Ball their deep appreciation and gratitude for the service rendered by him to the City over the years and express to Ralph “Trey” Ball, III our very best wishes for success, happiness, prosperity, and good health in his 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 16th day of September, 2024.

Mayor Gaylor presented the retirement resolution to Captain Ball. Captain Ball was joined by his parents and police department staff.

Councilman Boyette made a motion to accept the resolution as presented. The motion was seconded by Councilwoman Jones and unanimously carried.

RESOLUTION NO. 2024-94 “RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY RALPH “TREY” BALL, III AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 28 YEARS”

Public Hearings.

Item C. City of Goldsboro: Amend the City of Goldsboro Code of Ordinances, Chapter 90: Abandoned and Junked Vehicles. Public Hearing Held and Continued to October 7, 2024. The item was presented by Mark Helmer, Planning Director.

Mayor Gaylor shared the information was not available for the agenda packet. Interim City Manager Livingston shared comments regarding the agenda item. Mr. Helmer shared staff has an ordinance amendment to regulate junk, abandoned and nuisance vehicles. However, after staff review, it was determined that the existing towing ordinance also needs to be updated.

Mayor Gaylor opened the public hearing. No one spoke.

Councilman White asked about towing and the bid process.

Councilwoman Jones made a motion to continue the public hearing to the October 7, 2024 Council meeting. The motion was seconded by Councilwoman Taylor and unanimously approved.

The public hearing remained opened.

Item D. SU-15-24 Henry Lee Battle Jr. - East side of S. James Street between Spruce Street and Pine Street. Public Hearing Held and Findings Adopted. The item was presented by Mark Helmer, Planning Director after being properly sworn in.

The applicant, Henry L. Battle, requests a Special Use Permit to allow the operation of a place of entertainment with ABC permits.

Frontage:	111.94 ft.
Depth:	205.88 ft.
Area:	22,951 sq. ft. or 0.526 acres
Zoning:	Central Business District (CBD)

The site is the location of the former Elk’s Lodge, and the physical address of the property is 312 S. James Street.

The request is for a place of entertainment that is described by the applicant as a space available to rent for special occasions such as birthday parties, ballroom dancing and dancing lessons, wedding receptions, family reunions and live entertainment.

In 2007 and 2008, City Council denied Special Use Permits to operate a place of entertainment with ABC permits and without ABC permits, respectively, at the subject property.

In 2010, City Council approved site and landscape plans to allow an indoor flea market to operate upon the property. Since the applicant never commenced development of the property, the site plan expired, and the property remained vacant.

On July 15, 2019, Goldsboro City Council amended the City’s Unified Development Code as it pertained to bars, nightclubs, pool halls, microbreweries, places of entertainment (both public, private and non-profit) with ABC Permits.

The following regulations were approved as they pertain to places of entertainment:

- 1. Within that area of the CBD bounded by the south side of Ash Street, the east side of George Street, the north side of Elm Street and the west side of William Street, there shall be no minimum separation distance from residentially zoned or developed property. A 50 ft. minimum separation distance shall be required for stand-alone churches or schools.
- 2. For the remainder of the CBD, not described by the boundaries above, the minimum separation distance from residentially zoned or developed property, stand-alone churches or schools shall be one hundred feet.
- 3. In the CBD, there shall be no minimum separation distance between two such establishments.
- 4. Within that area of the CBD bounded by the south side of Ash Street, the east side of George Street, the north side of Elm Street and the west side of William Street there shall be no minimum off-street parking requirements.

On December 16, 2019, City Council approved the applicant’s request for a Special Use Permit to allow the operation of a place of entertainment with ABC permits to rent the property for special occasions such as birthday parties, ballroom dancing and dancing lessons, wedding receptions, family reunions, live entertainment. Since the applicant never commenced development of the property before the expiration of two years, the Special Use Permit expired, and the property has since remained vacant.

The property is zoned CBD (Central Business District) and is not located in the Historic District. A place of entertainment with ABC permits is permitted in the CBD only after the issuance of a Special Use Permit approved by City Council.

As previously stated, the site was the location of the former Elk’s Lodge. It contains an existing single-story, brick-veneer and concrete block building of approximately 3,408 sq. ft. on one private lot.

The existing site is adjacent to single-family residential homes to the north and four vacant, undeveloped lots to the south. East of the site exists a city-owned parking lot and a vacant commercial building. Across the street exists a residential duplex, child daycare and two vacant undeveloped lots.

Land-Use Plan: The City’s Land-Use Plan locates this property within the Mixed-Use Downtown land use designation. The Central Business District is a corresponding zoning district for the Mixed-Use Downtown land use designation.

Adjacent Zoning and Land Uses		
North	CBD	Residential-single family
South	CBD	Vacant and undeveloped land
East	CBD	City-owned parking lot/existing commercial
West	CBD	Residential duplex/daycare/vacant and undeveloped land

The applicant has submitted a preliminary site plan and floor plan for the proposed use to be reviewed by planning staff and city council. The floor plan indicates a main ballroom assembly area consisting of approximately 1,568 sq. ft., a seating area consisting of 14 tables and 84 chairs, a kitchen, storage rooms, offices and restrooms.

According to the applicant, the facility would be available to rent for special occasions such as birthday parties, ballroom dancing and dancing lessons, wedding receptions, family reunions and live entertainment.

Days/Hours of Operation:	Reservations only (Thursday-Sunday) 5:00pm-3:00am or other times as approved by owner
No. of Employees:	4
Refuse Collection:	Private commercial dumpster

As previously stated, a 50 ft. minimum separation distance shall be required for stand-alone churches or schools. Currently, the existing building is approximately 200 ft. from a stand-alone church.

Since the property is bounded by the south side of Ash Street, the east side of George Street, the north side of Elm Street and the west side of William Street, no off-street parking is required.

Parking: The site is not part of the City’s managed parking area. As previously stated, the site is located within a part of the Central Business District (CBD) that does not require off-street parking. If off-street parking were a requirement for the site, a total of 49 parking spaces would be required. The applicant is proposing 37 off-street parking spaces with additional public parking to be utilized along S. James St., W. Pine St. and a public parking lot at the corner of W. Pine and S. Center St.

Mr. Helmer showed images of the proposed site and the site plan.

Engineering: The property is not located in a Special Flood Hazard Area.

TRC: If the proposed use is approved, separate site plan approval will be required by the City’s Technical Review Committee. In addition, City Inspections will require that the existing commercial facility be rehabilitated to meet the North Carolina Building Code before a certificate of occupancy is issued.

Planning Staff recommends approval of SU-15-24 in accordance with the finding of fact for a special use permit to allow for a place of entertainment with ABC permits on property located within the Central Business (CBD) zoning district.

Council shall now close the Public Hearing, enter deliberation, and vote on each of the four findings to determine whether or not the Special Use Permit shall be issued. The worksheet, which is part of the agenda packet lists the four findings to be voted on and conditions for consideration related to each finding. Council does have the ability to continue the hearing or place conditions upon its approval as long as Council is able to conclude that evidence exists in the record to support the condition.

The applicant, Mr. Henry Battle shared the following comments after being properly sworn in:

Mr. Henry Battle: I started this venture back in 2006 and it's been a long journey. A lot of it I don't really understand. It's hard to say because a lot of it, it really don't make a whole lot of sense. But I'm here just to let everyone know what I'm putting together here will benefit this city. And if anybody’s got a question, I'll be glad to answer.

Mayor Gaylor: I have a question around the time. This was raised to me between the time we released the packet and today about the times. It says from 5:00 PM to 3:00 AM. There's not much else in the City of Goldsboro open all the way till 3:00 AM.

Mr. Battle: Well, I didn't have the 3:00 AM on there. I don't know how 3:00 AM got there. But is Mr. Terry here, from Kornegay Engineering and Survey.

Mayor Gaylor: We'll verify that, but I just want to be real clear, if that's not your intent, then it actually resolves my question.

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

1. **Richard Taylor** shared the following comments after being affirmed: My name is Richard Taylor, and I was coming forth on behalf of Mr. Battle. He reached out to me, and I think I met him about 3 years ago at an event and he was telling me about, his vision and yesterday, or last week, he called me and told me that this was on the agenda for the Council and so he had

explained some of the issues that he has been having of no fault of his own and he advised me to come and speak for him. So, I'm speaking for him on behalf of, he is willing to reestablish a staple in the community that has been, therefore quite some time, known as the Elks Lodge. I don't know what he wants to call it now, but from my understanding as well, there is currently a project sponsored by the CDBG for the revitalization of the historic black business district on James St. and I don't know their plans. I spoke with Ms. D'Antonio, the coordinator, a few times, and she has some visions, but I don't see any way to bring that project to fruition, other than, letting the business be used for what it has always been used for in the past. So that is my petition to the Council as well.

Councilwoman Jones: I am on that committee, and we have no intention. I do not, to take away Mr. Battle’s vision for having that place there on James Street. It is very instrumental, very important to the black community, so, I have no plans of trying to keep him from making his dream come to fruition on James Street.

2. **Cynthia Reed** shared the following comments after being properly sworn in: My name is Cynthia Reed. My husband and I just recently purchased the home next to the business that Mr. Battle owns, and we now have my mother-in-law living with us and I don't want to damper anyone's dreams but it would not be a good idea to have any party in that place being it is so close to our home and our 84 year old mother would wake up a lot and her sleep would be disturbed so much. We live in 304, 306 and 308. Our fence connects about maybe two feet away from the edge of his building. It could be a good idea, but you never know if any party he has, how it will turn out. There could be a rowdy group. People can throw bottles of wine or beer or something in our yard. And I'm sure we will have to go get it. And we have a dog. And if the bottles break, I don't want him to get cut if he goes out in the yard. I oppose of his venture.

Councilwoman Taylor: You own three homes?

Cynthia Reed: No, we own one, but we own three lots.

Councilwoman Taylor: When was your home originally built?

Cynthia Reed: 1928.

Councilwoman Taylor: I was just curious because I know when I was younger, the Elks was always in business, and I just was curious if you know what the people that used to live in those homes thought about that. I hadn't heard any complaints before.

Cynthia Reed: Like I said, we just moved in recently, don't know much about the area.

Councilwoman Taylor: It used to be, for years and years, it was always a place of business since I was a kid.

Councilwoman Jones: I just heard your report and what I understood was that the places were vacant around this.

Mr. Helmer: There are some vacant properties nearby, but there are a mix of uses around there.

Mr. Helmer reviewed the chart below.

Adjacent Zoning and Land Uses		
North	CBD	Residential-single family
South	CBD	Vacant and undeveloped land
East	CBD	City-owned parking lot/existing commercial
West	CBD	Residential duplex/daycare/vacant and undeveloped land

Mr. Helmer: I've been briefed on this and the last time this came before Council, I believe those residents at that time also have concerns about it and not so much of the throwing of the bottles, and the behavior of the folks, but they were concerned that the overflow traffic would be parking in the street and in front of their homes. And so, I believe that Council placed a condition on it so that to limit negative impacts on the residential properties to the north, they put a condition on it that all on street parking be to the South of the property around the corner and in that parking lot.

Cynthia Reed: I didn't know how his entertainment area would turn out to be. Because one day it could turn out to be rough or something.

Councilman Boyette: Only because I don't recall, there's a structure showing between the residential property that sits at 304/306. There's another structure that sits between that and Mr. Battles building. What is that building? What is that structure?

Mr. Helmer: The property owner just said it was a paved surface. It appears to be a structure because of the shadow it's casting.

Councilwoman Jones: This permit has already been approved at one time, am I correct?

Mr. Battle: Yes.

Councilwoman Jones: So, in that time that you were allowed to have, you were approved? Have you had any parties or anything in that building?

Mr. Battle: No, not other than me coming up and doing different work and stuff like that.

Councilwoman Jones: So, you've not had any parties or any weddings or any occasions or anything happened in that building in the other two-year period that you were approved?

Mr. Battle: No.

Mayor Gaylor: Have you had any events that used the grounds? That were not in the building but used the grounds.

Mr. Battle: Yeah, we've had some stuff where we've had, like a bounce house on the grounds, but that's for the kids.

Councilwoman Jones: But there's still some other things that you have to get clear and straight before you even, that's why you want the permit, so you can continue to work on what you need to have, is that correct?

Mr. Battle: Yes.

Councilwoman Jones: This means that this is not happening right away. If this is approved, these parties and dances and weddings is not going to happen tomorrow, next week or two weeks from now. Is that correct? We are approving this so that you can get the necessary work done for your building so that, in the future you can have these events, is that correct?

Mr. Battle: Exactly.

Councilwoman Jones: But you may, if the permit is approved, you may have some bouncy houses or something like that.

Mr. Battle: No, this was last month. I did a little something for the kids and I had a bounce house. This was in the parking lot because the building is actually on 312. But I own 14 and 16, which is the parking lot.

Councilwoman Jones: So, going back to the permit, what you're asking for us tonight is that we approve this permit so that you continue the work that you need on this building? That is what you're that's what you're asking for, am I correct?

Mr. Battle: That's what I need.

Mayor Gaylor: Just as a point of clarification, this is more than simply a building permit. This is also the operations permit. If granted tonight, if he's able to get the building up to code and once he got his certificate of occupancy, it would be the permit to be able to operate. I do want to be very clear on that.

Councilman Boyette: In all my years on Planning, it seems like I remember us approving this each and every time it come before us.

Mr. Battle: I came before the Council the first time 2007, with ABC permits, I was denied. I came back again in 2008 with no ABC permits and was still denied. So, I'm saying to myself, well, what is it?

Councilman Boyette: Then moving forward from that place of entertainment, wasn't those original requests for a full-time business, not for an event venue?

Mr. Battle: No, I got the building in 2006. I came before the Council in 2007. And then I came back again in 2008. First time, ABC permits denied. Second time, no ABC permits and was denied. Now, like I said, I don't know. I look at everyone who comes up here, they say they have the right to do this. They have the right to do that. I'm trying to figure out what's my situation.

Councilman Boyette: At least once, if not twice, it has been approved as you requested and then you had to come back because you haven't started the process. Is that correct?

Councilwoman Jones: Yes, that is correct.

Mr. Battle: No, when I got approved in December 19, remember COVID kicked in. So, everything shut down for a couple of years. I didn't know which way to go on it because I didn't know whether we were going to survive.

Councilman Boyette: I'm certainly in support of your request. I just want to make sure I was clear on your application, is basically just to re-up what had already been approved, that's expired.

Councilwoman Taylor: So, they never told you why you were denied those other times?

Mr. Battle: Well, not exactly. When I was denied in 2007 and eight, it was about the parking lot. I had to pave the parking lot and do all of this. Now, once they started the business on the corner of James and Chestnut and the business on the corner of Pine and George, when they came in with the breweries, they changed up the whole format. That's when they came from Ash to Elm, from George to William is considered the downtown district, on-street parking, because none of those places even have a parking lot. And so that's what I couldn't understand, I said. Now you held me back all these years. Because of the complaint about the parking lot didn't have enough

parking. That's why I purchased the properties over on Pine Street so if there was an issue with parking, I've got 2 lots over there on Pine that that's conjoined with what I already have.

Councilwoman Taylor: If you get approved, what is your timeline for possibly opening?

Mr. Battle: I'm hoping within six to eight months.

Councilwoman Jones: I want to talk a little bit about 2002 when Mr. Battle came to me because he had some concerns, and he felt that the city was not cooperating with him.

Mr. Battle: And they are not, never have.

Councilwoman Jones: So, we had a meeting. I do have those emails in which the city was supposed to help, and we were supposed to help you get started and acclimated on what you're supposed to do. I do have those emails. I know we don't have time to read them now, but I will disseminate them to you (Councilwoman Jones passed out a copy of an email to Council attached as *Exhibit D*). I want us to work as hard as we can to help him have his business on James Street and I want us to understand that you may not have all these things. I don't know what you have already done in these things. We had a long drawn out, we had a whole table of people, didn't we?

Mr. Battle: About six people.

Councilwoman Jones: Yes, and we talked about what was supposed to happen and what we were supposed to do to help you get started. Tonight, I'm understanding it's for operation and a permit, so these things that we talked about that need to happen, they've already been done, correct?

Mr. Battle: Not all of them. The engineer part has been done. I got an architect. The guy from Kornegay Engineer, he's the one that's that submitted all this for me.

Mayor Gaylor: As with any other property that's being purchased that currently is not up to code where it can be issued a certificate of occupancy, the applicant is in front of us to get the zoning piece done first and then would be required to bring the building up to code before getting a certificate of occupancy and then once you have the certificate of occupancy, to Councilwoman Jones's point, at that point then of course he would be able to operate the business within the confines of the law.

3. **Christopher Reed** shared the following comments after being properly sworn in: I'm the one that purchased the properties 304, 306 and 308. 308 is where I park my cars. His fence and mine, we're really close. I don't see a problem. The one problem I see is at night with all the cars. If he has parking on the other side, I'll have no problem. But if there's anything that goes on past 2:00 AM, I'll have a big problem. A very big problem. Because I work for a school district, working on school buses and I have to get to work. I have to get the kids to school. I would like my sleep.

Councilwoman Jones: We did clarify that we need to take out that 3:00 AM time. Is that correct? What time are you saying?

Mayor Gaylor: What are your anticipated hours of operation?

Mr. Battle: 1:00 was my, but I don't know how it got to be 3:00. Like I said, Terry over at Kornegay Engineering and Survey and I thought he would be here tonight.

Councilwoman Taylor: If you say 1:00 AM, does that mean 1:00 AM, that's what time you're going to close? Because if that's the case, you may need a little extra time to get everyone out of the parking lot. I know he said he didn't have a problem with 2:00.

Mr. Battle: 2:00 is fine. Mostly what I do, I'm a line dancer.

Mayor Gaylor: Would you be willing to accept a 1:00 AM stop time for any events? Obviously, if you're having to stay there and clean up, but as far as the things that would cause noise, would you allow us to include the condition a 1:00 AM stop time for the events?

Mr. Battle: Well, I can go with that.

Councilman White: We do have businesses downtown where residents reside, that close at 2:00. So just for being uniform across the board, I would say 2:00. I would offer him 2:00 instead of 3:00.

Mayor Gaylor: That's when alcohol sales stop legally in North Carolina. If you'll accept the condition.

Councilwoman Jones: I just wanted to have it clear on the time and have it documented.

4. **Douglas Horne** shared the following comments after being properly sworn in: I saw there's going to be a public hearing about the business. Some of you may recall that I was here before you couple of years ago because I was trying to utilize Mr. Battle's facility, and it just couldn't happen. The Council offered me an alternative that worked out well. Thank you all for that. But I would like to see Mr. Battle be able to continue his business and maintain that "historical site" that it is. I mean, there's a lot of history and great memories of Goldsboro. It's kind of the last man standing on James Street which was a very important part of Goldsboro, it represents independence and the American dream for a lot of people. I do appreciate the consideration and allow Mr. Battle to continue.

No one else spoke and the public hearing was closed.

City Council entered into deliberation and voted on each of the four findings in order to determine whether or not the Special Use Permit should be issued.

1. Councilman Boyette made a motion that the use will not materially endanger the public health or safety. The motion was seconded by Councilwoman Jones and unanimously carried.
2. Mayor Pro Tem Matthews made a motion that the use will not substantially injure the beneficial use of adjoining or abutting property. The motion was seconded by Councilwoman Jones and unanimously carried.
3. Councilwoman Taylor made a motion that the use will be in harmony with existing development and uses within the area in which it is located. The motion was seconded by Councilman Boyette and unanimously carried.
4. Councilwoman Jones made a motion that the use will be in general conformity with the City of Goldsboro Comprehensive Land Use Plan. The motion was seconded by Councilwoman Taylor and unanimously carried.

Mayor Gaylor stated SU-15-24 passes.

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

1. Carl Martin spoke about the stormwater drainage ditch and multi-use trail on New Hope Road and provided his comments attached as *Exhibit E*. (Full comments are available on YouTube at 3:04.)

Councilman White shared that is a state-owned road and Kappa Alpha Psi has contacted the state about cutting the grass. He shared the crosswalk has been there a while and we need to look at the state building some type of crossover so the residents can use the trail.

No one else spoke and the public comment period was closed.

Consent Agenda – Approved as Recommended. Interim City Manager Livingston presented the Consent Agenda. All items were considered to be routine and could be enacted simultaneously with one motion and a roll call vote. If a Councilmember so requested, any item(s) could be removed from the Consent Agenda and discussed and considered separately. In that event, the remaining item(s) on the Consent Agenda would be acted on with one motion and roll call vote. Item F. Small Batch Craft Event – Temporary Street Closure and Item G. 2024 Halloween Festival – Temporary Street Closure were moved to Items Requiring Individual Action during the Adoption of the Agenda. Mayor Pro Tem Matthews moved the items on the Consent Agenda, Items E, H, I, J and K be approved. The motion was seconded by Councilwoman Jones and a roll call vote resulted in all members voting in favor of the motion.

The items on the Consent Agenda were as follows:

Item E. Operating Budget Amendment FY24-25. Ordinance Adopted. The item was submitted by Catherine Gwynn, Finance Director.

Council adopted the FY24-25 annual operating budget on June 17, 2024.

Human Resources (1016)

At the August 19th meeting, Council authorized the amendment to the Management Advisory Group contract to add an organizational study for \$45,000. This will be funded with an appropriation of General Fund fund balance.

**Analysis of Appropriated Fund Balance
General Fund**

Date	Description	Adopted
6/17/2024	Ord 2024-34 FY24-25 Adopted Budget	\$ 1,992,251.94
8/5/2024	Team Foods USA, Inc. Economic Development Incentive	57,834.00
8/19/2024	Purchase Order Rollover FY24 to FY25	1,059,795.16
	Current Year Appropriations	<u>\$ 3,109,881.10</u>
9/16/2024	Organizational Study contract revision Management Advisory Group	\$ 45,000.00
	Proposed	<u>\$ 45,000.00</u>
	Current Year with Proposed	<u><u>\$ 3,154,881.10</u></u>

Transfers – Utility Fund (8101)

Public Utilities is ready to move forward with the scope of work services with Hazen & Sawyer, the engineering firm working with Crowder Construction on the design build for the expansion of the Water Reclamation Facility on Arrington Bridge Road from 14.2 mgd to 17.6 mgd. The cost of this service is estimated at \$600,000 and will be funded with an appropriation of Utility Fund fund balance.

**Analysis of Appropriated Fund Balance
Utility Fund**

Date	Description	Adopted
6/17/2024	Ord 2024-34 FY24-25 Adopted Budget	\$ 503,944.26
8/19/2024	Purchase Order Rollover FY24 to FY25	1,990,554.28
	Current Year Appropriations	<u>\$ 2,494,498.54</u>
9/16/2024	Transfer to S1112 for WRF Expansion Scope of Work Costs (Hazen & Sawyer)	\$ 600,000.00
	Proposed	\$ 600,000.00
	Current Year with Proposed	<u>\$ 3,094,498.54</u>

Civic Center – Occupancy Tax Fund (9076)

Felicia Brown, Parks & Recreation Director, requested a change order of \$9,025.00 to Carolina Bay Construction to add insulation to the equipment shed being constructed at the Bryan Multi Sports Complex. As per ordinance, the City Manager is authorized to approve construction change orders of \$10,000 or less. An amendment to the Civic Center organization budget is presented to appropriate the expenditures to fund the change order, and this will be funded with an appropriation of Occupancy Tax Fund fund balance.

Occupancy Tax Fund

Date	Description	Adopted
6/17/2024	Ord 2024-34 FY24-25 Adopted Budget	\$ -
8/19/2024	Purchase Order Rollover FY24 to FY25	169,400.00
	Current Year Appropriations	<u>\$ 169,400.00</u>
9/16/2024	Insulation added to Bryan Multi Sports Complex equipment shed	\$ 9,025.00
	Proposed	\$ 9,025.00
	Current Year with Proposed	<u>\$ 178,425.00</u>

It was recommended that Council adopt the following entitled ordinance to amend the FY24-25 Operating Budget for the General Fund, Utility Fund and Occupancy Tax Fund. *Consent Agenda Approval.*
Matthews/Jones (6 Ayes)

ORDINANCE NO. 2024-46 “AN ORDINANCE AMENDING THE BUDGET ORDINANCE OF THE CITY OF GOLDSBORO FOR THE 2024-25 FISCAL YEAR”

Item H. Memorandum of Agreement between the Goldsboro Police Department and NC DHHS and Cherry Hospital. Resolution Adopted. The item was submitted by Mike West, Police Chief.

The Goldsboro Police Department has coordinated in the past for use of Cherry Hospital grounds or facilities for training exercises. Both parties have agreed to formalize this relationship through a MOA.

The terms of this agreement, as modified with the consent of both parties, will expire one (1) year from date of execution, upon mutual agreement, this contract can be extended for a period of one (1) year on a yearly basis. This agreement will remain in effect until terminated by one of the parties. Either party may terminate this agreement, without cause, upon sixty days' (60) written notice.

It was recommended that Council adopt the following entitled resolution authorizing the Police Chief to enter into a Memorandum of Agreement with NCDHHS and Cherry Hospital which allows the Goldsboro Police Department to use the grounds or facilities at Cherry Hospital for training exercises. *Consent Agenda Approval. Matthews/Jones (6 Ayes)*

RESOLUTION NO. 2024-95 “RESOLUTION AUTHORIZING THE POLICE CHIEF TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH NC DHHS AND CHERRY HOSPITAL”

Item I. Approval of the FY25-26 Budget Calendar. *Approved.* The item was submitted and presented by Matt Livingston, Interim City Manager.

Each year, the City Manager in conjunction with city staff, prepares a budget calendar to prepare staff as the budget process begins. This year, the Interim City Manager is bringing the budget calendar to Council for approval as a show of transparency and cooperation.

Provided with this memorandum is the proposed FY 25-26 budget calendar to be used as a basic plan in preparing, reviewing, and approving the 2025-2026 Operating Budget. The process has already begun this year with city staff planning and developing the CIP.

The Interim City Manager would like Council to review their calendars and let the City Clerk know which dates are best for the schedules between January and February for the Council retreat.

It was recommended that Council approve the proposed FY25-26 budget calendar as recommended by the Interim City Manager and staff. *Consent Agenda Approval. Matthews/Jones (6 Ayes)*

Item J. Adoption of a Supplement to the Code of Ordinances of Goldsboro, North Carolina. *Ordinance Adopted.* The item was submitted and presented by Laura Getz, City Clerk.

In 1990, an agreement was reached between the North Carolina League of Municipalities and the City of Goldsboro to engage American Legal Publishing Company to revise the Code of Ordinances of Goldsboro. The revised Code was published in 1995.

The agreement stated that American Legal Publishing Company would prepare supplements for incorporation of new Ordinances to the City Code of Ordinances on a recurring basis. In compliance with this agreement, the City has received the S-49 Supplement. This Supplement contains all Ordinances of a general nature enacted since the S-48 Code of Ordinances dated November 20, 2023.

It was recommended that Council adopt the following entitled Ordinance enacting and adopting the 2024 S-49 Supplement to the Code of Ordinances of the City of Goldsboro.

Councilman White shared comments regarding the ordinance in the supplement regarding the mayor setting the agenda and how Council gets notified of what has been requested to be added to the agenda. Council discussed the ordinance and the process of adding items to the agenda.

Mayor Pro Tem Matthews shared comments regarding the Boards and Commissions ordinance. She would like to add a discussion regarding the Boards and Commissions ordinance at a future meeting.

Mayor Gaylor shared he would like Council, as well as department heads to bring out of date ordinances forth to be reviewed/updated. *Consent Agenda Approval. Matthews/Jones (6 Ayes)*

ORDINANCE NO. 2024-47 "AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES OF THE CITY OF GOLDSBORO, NORTH CAROLINA"

Item K. Departmental Monthly Reports. *Accepted as Information.*

The various departmental reports for August 2024 were submitted for Council approval. It was recommended that Council accept the reports as information. *Consent Agenda Approval. Matthews/Jones (6 Ayes)*

End of Consent Agenda.

Items Requiring Individual Action.

Items Requiring Individual Action were addressed during the September 16, 2024, 5:00 p.m. work session. Council continued discussion on Item G.

Item G. 2024 Halloween Festival – Temporary Street Closure. The item was submitted and presented by Mike West, Police Chief.

The Artistic Dance Academy, along with Downtown Goldsboro and the Downtown Development Corporation, will host the 2024 Halloween Festival event. The event is free, family-friendly, and open to the public.

The event will be on Saturday, October 26, 2024, from 6:00pm – 9:00pm on North Center Street, utilizing the Northbound Lane of the 200 block of North Center Street from Ash to Mulberry Street, steps of City

Hall, and the City Hall Parking lot. There will be Vendors setup with children's activities and Food Trucks. The Artistic Dance Academy, along with the Downtown Development Corporation is requesting the closure of the northbound lane of North Center Street from Ash to Mulberry Street from 5:30pm – 9:30pm.

As with all downtown events, affected city departments will be contacted, and the following concerns are to be addressed:

1. All intersections remain open for Police Department traffic control.
2. A 14-foot fire lane is to be maintained to provide access for fire and emergency vehicles.
3. All activities, change in plans, etc., will be coordinated with the Police Department.
4. The Police and Fire Departments are to be involved in the logistical aspects of the Event.

It was recommended that Council grant the requested temporary closing of the northbound lane of North Center Street from Ash to Mulberry Street as stated above.

Mayor Pro Tem Matthews made a motion to approve the street closing request. The motion was seconded by Councilman Boyette and unanimously approved.

City Manager's Report.

Interim City Manager Livingston shared comments regarding the PFOS and PFAS study. He also shared staff is working on implementing best management practices throughout all departments. Staff is also working with Davenport on the CIP, and he plans to present that to Council sometime in the Winter. He shared comments regarding the transportation plan draft that includes the master transportation plan for roads, and the bike and PED plan. He shared we're doing a pavement study so we can start understanding the condition of our roads, the current audit is going very well and we're going to have that in on time.

Mayor and Councilmembers' Comments.

Councilman White had no comments.

Mayor Pro Tem Matthews had no comments.

Councilwoman Taylor had no comments.

Councilman Boyette shared the following: Thank you to our hard-working city employees. Every one of you are valued and appreciated and this city couldn't run without you. I would like to see us formulate a public information campaign or something to emphasize to the public our citizen request (311) form that's available online. I've had four phone calls in the last week, as we all do as elected officials. People reach out to their district person and say such and such is going on just like the gentleman that came forth tonight with a very valid concern, which he was able to get an answer as to whose responsibility it is. Those type of things, there is a way to report that on the city's website. If you can't immediately find it on the city's website, if you Google Goldsboro, NC, 311, it'll be the first thing that comes up in your search bar. If you go to that location, there's a way to report whatever your concerns are and someone get it because if you call and say, well, such and such is wrong and then something doesn't get done about it or it's not addressed, and you wonder, well, did it make it somewhere or did somebody call? If you enter that information into the 311 system online, it documents your concern and sends it to the appropriate person that needs to see that in order to address it. Out of the four phone calls that I've got this week, not one of those four people were aware of the 311 system and two of those was approximately four or five days ago, and the next day both of those people called me and said, my issues have been addressed. So, it does work and our employees of our city, just like this elected body that sits here, we're here to serve our citizens. And if you have a concern, we have a concern, and the employees of this city want to work to do the things that need to be done to run the city. If you don't get a response to your concern when you use that system, reach out to this elected body and we'll see if we can't get you an answer.

Councilwoman Jones shared the following: I just want to thank the city staff for all that they do and that we all appreciate you. To my District 1, I want to thank so many of you for your support and always calling me and listening to me and when I come around to speak with you. I thank the city staff for everything that they're doing, and I thank you for some of the houses that have been torn down, not because there's another house being reconstructed there, but because it was dangerous for the other houses in the community. I know that there are other districts that need that to happen too, but I want to thank you on behalf of District 1. I really want to work on the area where there are two foxes. I'm very concerned about that area. There is an elderly lady that lives there and there are two foxes that are coming out from that house and there is no one there and I really want something to be done about it.

Mayor Gaylor shared the following: We, as a City Council, do not have any direct oversight over our schools. I want to be incredibly clear about that. We can take very little credit for any positivity that comes from there. However, we can absolutely do what we can do to try and eliminate some of the challenges that families feel as they go and try to perform in the classroom and do things. I want to say thank you and congratulations to Dr. Marc Whichard, all the principals, all the teachers, every single person in Wayne County Schools that puts energy into a student. Being able to exit the low performing school district status and having six schools exiting low performing status, having multiple schools increasing a full letter grade in a single year. I know that they are not satisfied with where they are. I know that they want to see more improvement. They're going to get more improvement. But I just simply want to say thank you to those school board members who answer so many of my phone calls when the questions come up, to Dr. Whichard who answers the phone calls consistently about various ways that we can partner, whether it's on a parks and recreation thing, or whatever it happens to be. Just a huge congratulations to them and a thank you to the teachers, the teaching assistants, the custodians, the cafeteria workers, the bus drivers and everybody that makes an impact in getting those kids safely to school, help them perform while they're at school, and safely home.

Detailed comments from the Mayor and Council are available on YouTube and Facebook.

There being no further business, Mayor Gaylor adjourned the meeting at 8:25 p.m.




Charles Gaylor, IV
Mayor


Laura Getz
City Clerk

Parking Management



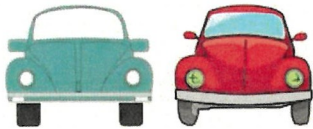
Goldsboro, NC
September 16, 2024



Retail Parking Management



Key Aspects of Retail Parking Management



01

Maximized Space

Lots are easily accessible and accommodate more vehicles in limited spaces.

03

Safety & Security

Areas are well-lit and monitored to establish peace of mind and security.

03

Accommodation

Facilities adapt to all vehicles and charging stations to attract a wider customer base.

04

Clear Signage

Well-designed lots have stop signs/lights and directions to improve traffic flow.

05

Traffic Controllers

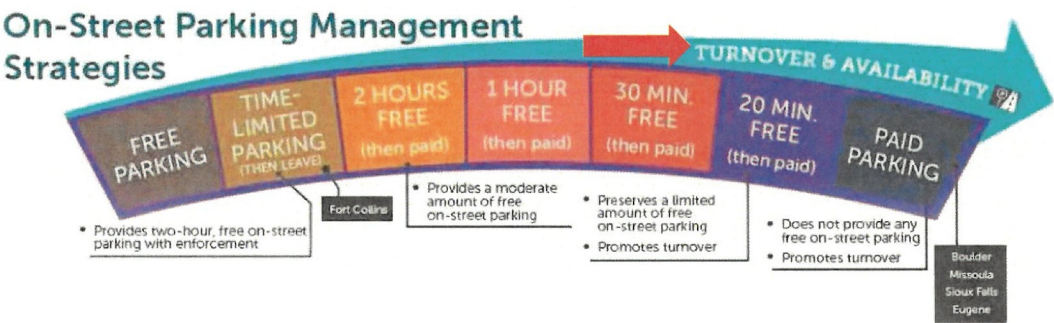
Traffic guards help minimize congestion and prevent the risk of accidents.

06

Parking Technology

Automated systems analyze traffic patterns to create a better experience.

Curb Management



Parking goals:

- A. Utilize a Limited Resource Efficiently
- B. Use Parking As A Tool to Support and Enhance Economic Activity
- C. Create Order and Reduce Anxiety
- D. Leverage Parking as a Tool to Encourage Transportation Options
- E. Maximize and/or Manage Parking Turnover
- F. Get The Right People In The Right Parking Space

Keep in mind that a parking stall does not generate a single trip, it is the destination that attracts the trip. Some competition for parking is a signal of a healthy economy. If you don't have a parking problem, you have a problem with your downtown! The focus should be on cultivating great destinations and creating a parking plan that supports that vision.

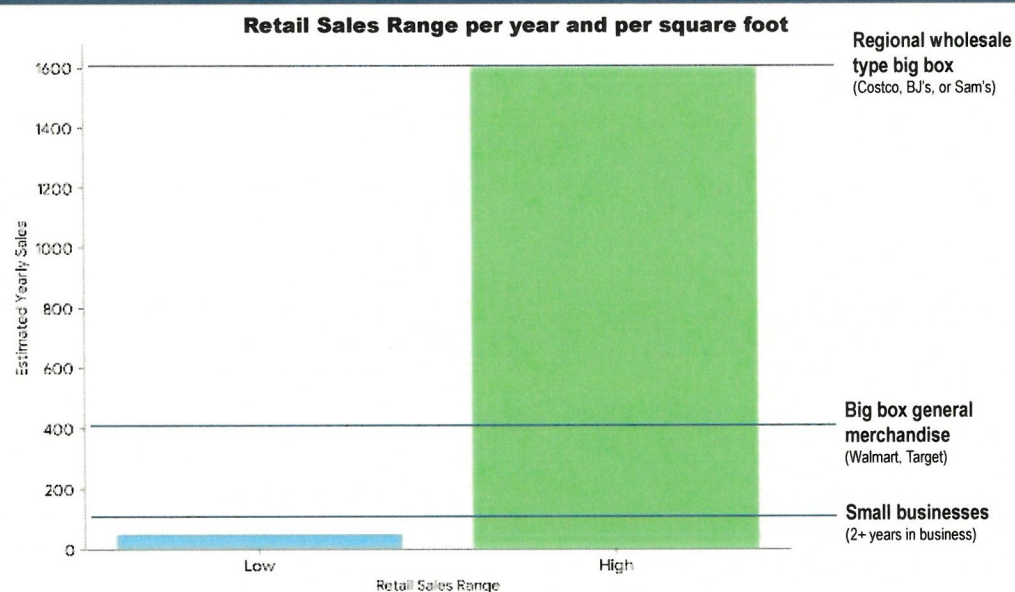
<https://www.greshamoregon.gov/globalassets/city-departments/urban-design-and-planning/transportation-planning/parking-management-manual/2024-08-08-the-fundamentals-of-downtown-parking-management.pdf>

Parking Management Economics

“Parking is one of the most visible, controversial and often underestimated elements of a downtown environment’s infrastructure. A well-managed parking system is vital to attracting and supporting new development and is essential to sustaining healthy and vibrant Downtowns.”
- Carl Walker

Downtown Parking Management

- Downtown parking must support economic vitality
- Parking needs to be managed between public and private interests
(Private = business concern, Public = common good of downtown)
- When occupancy is 80+%, new strategies for spaces or parking management need to be addressed



Economic Value – Downtown Goldsboro

- ✓ The managed parking area has 597,000 SF of business spaces.
- ✓ If each business were able to achieve \$150 per square foot in sales.
- ✓ There would be a taxable value of \$89,500,000
- ✓ At 6.75 percent sales tax rate
- ✓ That section of downtown has the potential to yield \$6,000,000 in taxes for state, county and city coffers



<https://www.greshamoregon.gov/globalassets/city-departments/urban-design-and-planning/transportation-planning/parking-management-manual/2024-08-08-the-fundamentals-of-downtown-parking-management.pdf>

Percentage of managed parking spaces

186 parking spaces



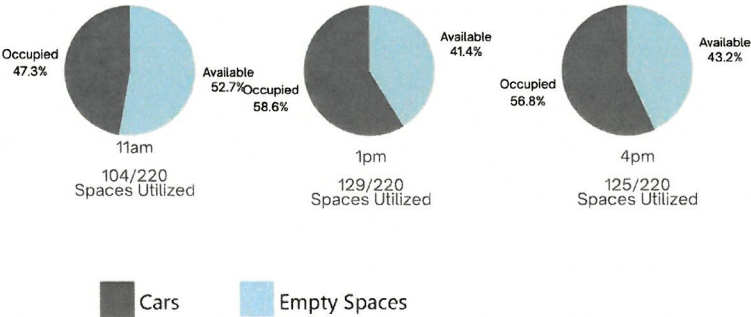
Percent of total parking
3595 parking spaces



Percent of Public parking
1929 parking spaces

Updated Total Parking Occupancy by Time of Day – On-Street Parking

46% of downtown parking is unoccupied from 11am – 4pm



Public Forum – January 2023



To consider options in creating a better parking system that supports business and growth downtown.

Options & Findings from Public Forum

50+ Attendees → 42 voted for some type of parking management at conclusion

Option 1

- Manage on-street customer spaces and patrol by time
- No change for parking
- Ticket cars parked for more than 2 or 3 hours
- Use courtesy tickets for first-time violators
- Develop a continuing education program and about why you are patrolling for on-street parking

VOTES 35

Option 2

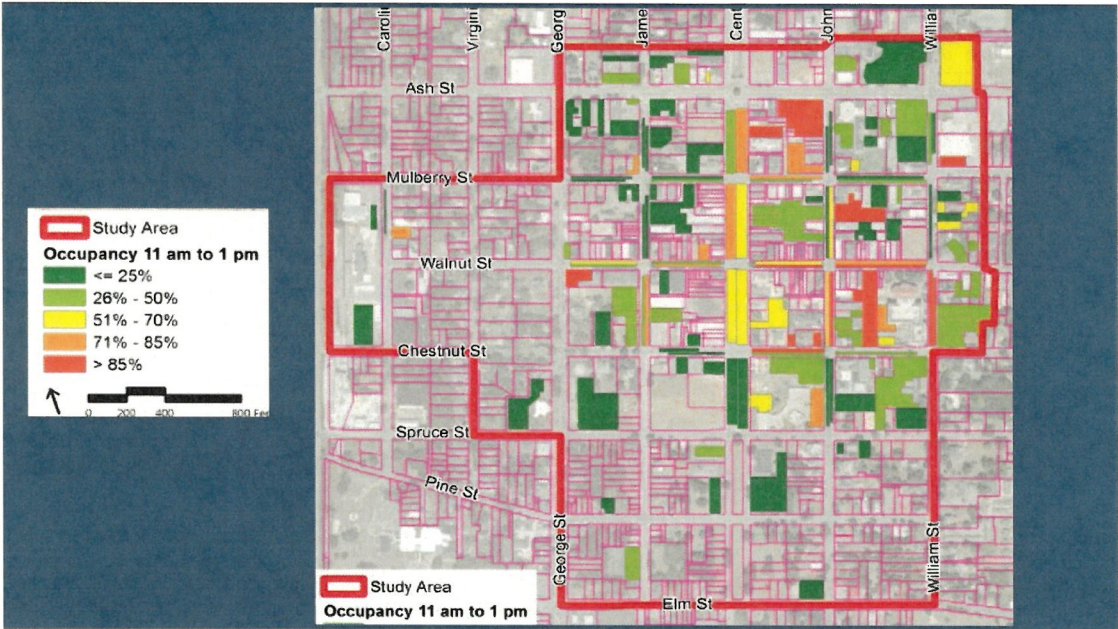
- Manage on-street public parking
- Manage on-street for 2 or 3 hour time limits and ticket violators
- Set parking rate for on-street from \$.25 per hour to \$1 per hour
- Issue residential and business decals for use in off-street lots
- Issue courtesy tickets for first time violations

VOTES 10

Option 3

- Manage on-street and off-street public parking
- Manage on-street for 2 or 3 hour time limits and ticket violators
- Set parking rate for on-street from \$.25 per hour to \$1 per hour
- Set off-street rate per day or month
- Issue residential and business decals for use in off-street lots
- Issue courtesy tickets for first time violations

VOTES 1



Key points of downtown parking

- 1) Parking Management is critical for downtown areas with strong demand.
- 2) There are real economic issues if parking is not managed well.
- 3) You are managing a very small portion of available parking.
- 4) You have completed a Parking Study, held a public forum, and begun a incremental journey of managing parking.
- 5) Utilizing national best-practices, you have begun to manage parking for the good of all businesses.

Questions?

Parking Utilization Photos



September 5, 2024



11am - 100 Block of S Center



1pm - 100 Block of S Center



4pm - 100 Block of S Center



11am - Waynesborough Parking Lot



1pm - Waynesborough Parking Lot



4pm - Waynesborough Parking Lot

Waynesborough Lot (Across from Paramount)



2024 - 70% Full



2023 - 48% Full



11am - 100 Block of N Center



1pm - 100 Block of N Center



4pm - 100 Block of N Center



11am – John Street Parking Lot



1pm – John Street Parking Lot



4pm – John Street Parking Lot

John Street Lot – 1pm (Center to John, Near Mulberry)



2023 - 38% Full



2024 - 85% Full



11am - 200 Block of N Center



1pm - 200 Block of N Center



4pm - 200 Block of N Center



11am – City Hall Parking Lots



1pm – City Hall Parking Lots



4pm – City Hall Parking Lots

City Hall Lots



2023 - 85% Full



2024 - 94% Full

Public Off-Street Use 2023 vs. 2024



2023



2023



2023



2024



2024

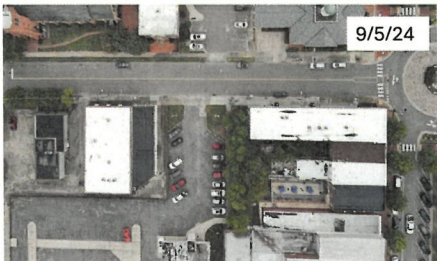


2024

City Hall Lots
2023 - 85% Full
2024 - 94% Full

John Street Lot
(Center to John, Near Mulberry)
2023 - 38% Full
2024 - 85% Full

Waynesborough Lot
(Across from Paramount)
2023 - 48% Full
2024 - 70% Full



9/5/24

100 Block of E. Mulberry – Avg. Use: 15%



9/5/24

100 Block of W. Mulberry – Avg. Use: 53%



9/5/24

100 Block of E. Walnut – Avg. Use: 42%



9/5/24

100 Block of W. Walnut – Avg. Use: 70%

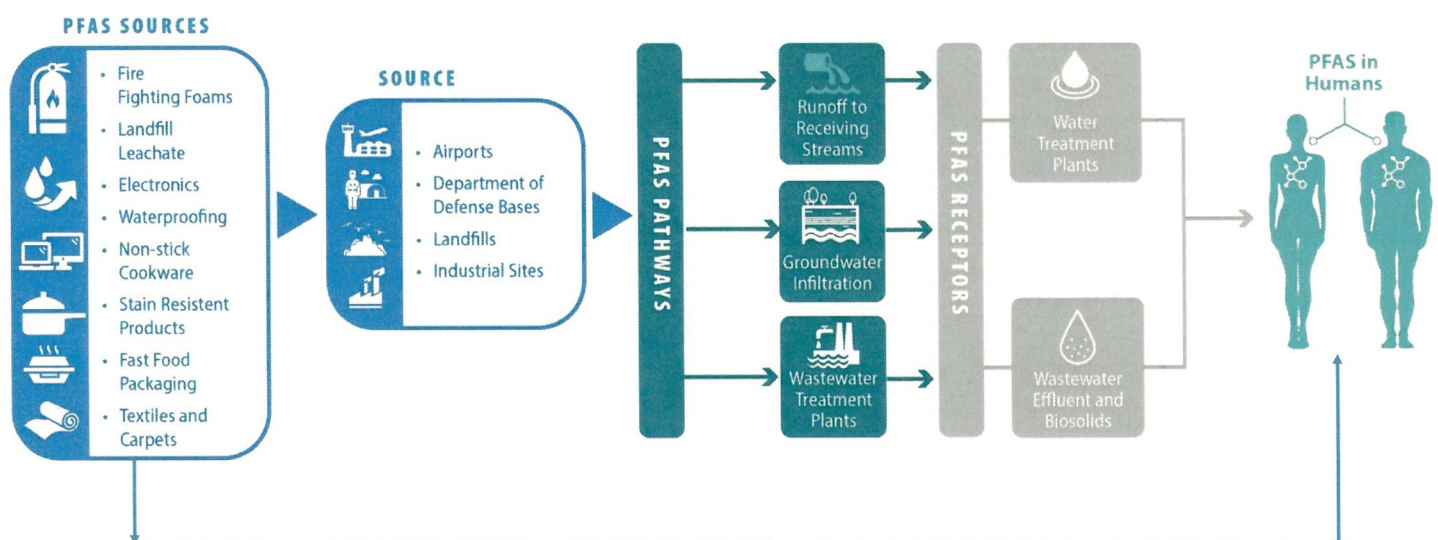
Goldsboro's Water Treatment Project to Address PFAS:

September 2024

Reed Barton, PE, DBIA Assoc.
Bill Dowbiggin, PE, BCEE, PMP

**CDM
Smith**

Per- and Polyfluoroalkyl Substances (PFAS) Exposure Pathways: "The Forever Chemicals"



2

Maximum Contaminant Levels (MCLs)

- Maximum Contaminant Level (MCL) of 4.0 ng/ L (or ppt) for PFOA or PFOS *[remained the same]*
- Hazard Index (HI) of 1 (unitless) for PFNA, PFHxS, PFBS & GenX (also HFPO-DA) *[NOT 1.0 per draft rule]*
 - "For any mixture containing two or more" – cannot violate if only one is present *[NEW]*

HI denominators are called Health-Based Water Concentrations (HBWC)

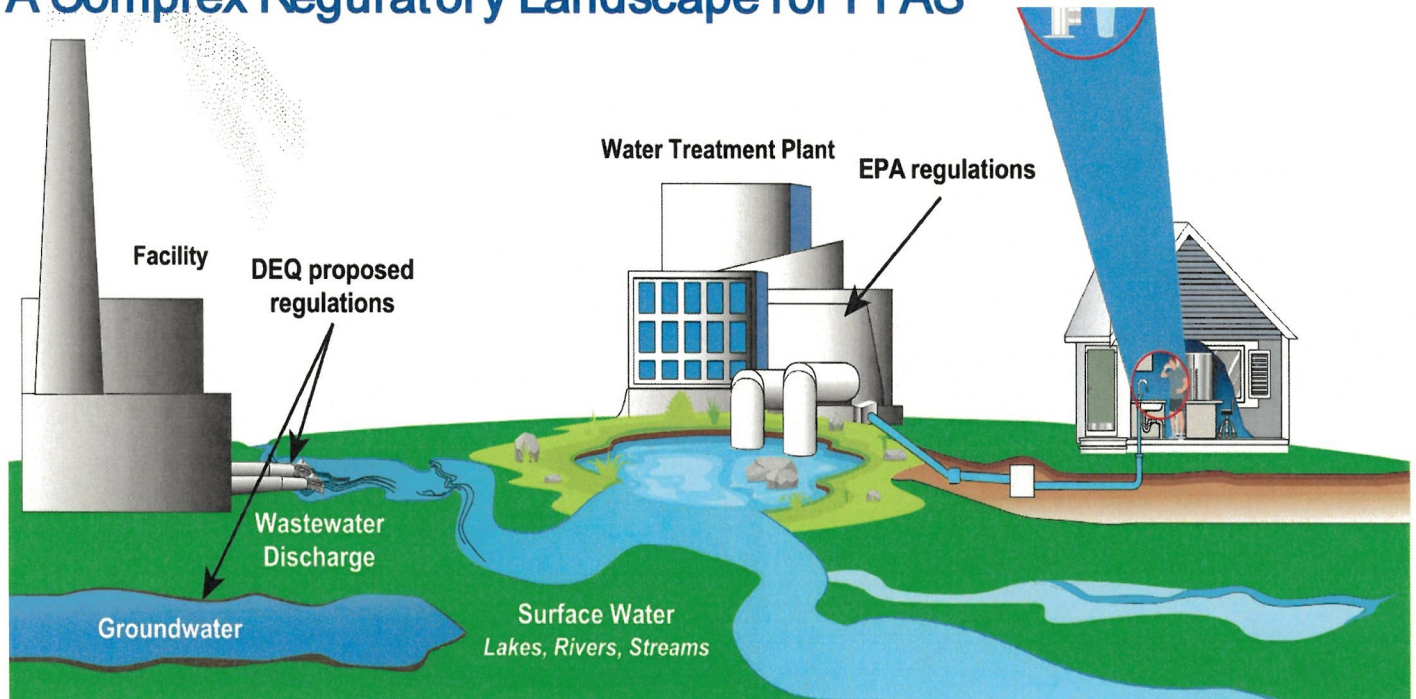
$$\frac{\text{GenX}}{10} + \frac{\text{PFBS}}{2000} + \frac{\text{PFNA}}{10} + \frac{\text{PFHxS}}{10} = \text{Hazard Index (HI)}$$

(all concentrations in ppt or ng/L)

- NEW* MCLs 10 ng/ L for PFNA, PFHxS & GenX

3

A Complex Regulatory Landscape for PFAS



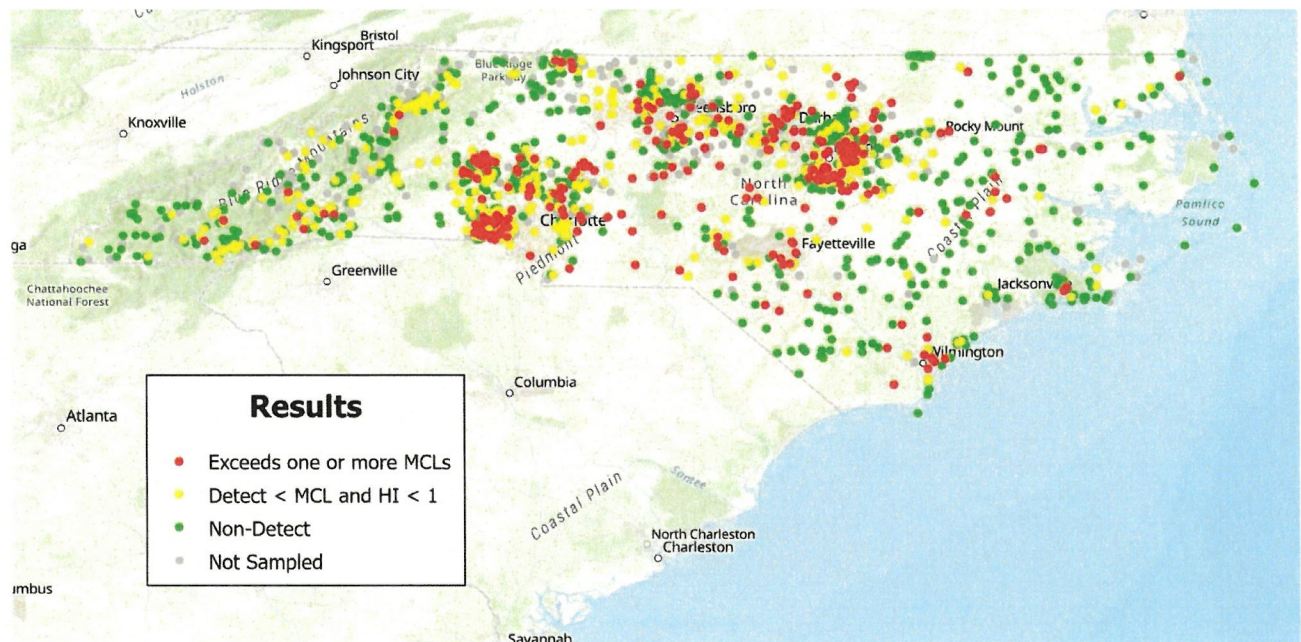
4

Timeframes for Water Systems to Implement the new EPA Regulation

- Compliance required in 5 years (2029) based on Running Annual Average (RAA)
- Within 3-years of rule promulgation (2027)
 - Initial monitoring must be complete
- Starting 3-years following the rule promulgation (20217-2029)
 - Results of initial monitoring must be included in Consumer Confidence Reports (CCR)
 - Regular monitoring for compliance must begin, and results of compliance monitoring must be included in CCR
 - Public notification for monitoring and testing violations
- Starting 5-years following rule promulgation (April 2029)
 - Comply with all MCLs
 - Public notification for MCL violations

5

NC DEQ PFAS Sampling Statewide



6

Roadmap to complying with EPA's new PFAS Regulation?

Developing and Implementing a PFAS compliance strategy

- Investigate sources of PFAS
- Evaluate treatment alternatives
 - Pilot Testing and comparison of options
 - Select a Treatment Strategy
- Design and Construction of Capital Improvements for the WTP
- Keep the public informed

Potential for funding assistance from State and Federal Agencies

- Federal funding for PFAS has been given to NCDEQ (DWI)
 - Study grants (\$500K/ FY)
 - Capital Projects (\$5M/ FY)
- NC Legislative Appropriations
- Federal Appropriations



QUESTIONS

Reed Barton, PE, Assoc. DBIA
Vice President
CDM Smith

Stormwater Inventory Project

Engineering

9/16/2024



9/16/2024

www.goldsboronc.gov

Project Objectives

- **Improved Infrastructure Management:** Knowing the exact condition and location of stormwater assets (such as pipes, drains, and retention ponds) allows the City of Goldsboro to manage these assets more effectively. This helps in prioritizing maintenance and repairs based on actual conditions rather than estimates.
- **Enhanced Flood Risk Management:** Accurate data on stormwater infrastructure helps in understanding and managing flood risks. By assessing the condition of assets, the City of Goldsboro can identify weaknesses and address them to prevent flooding during heavy rain events.
- **Long-Term Cost Savings:** Proactive maintenance and timely repairs identified through assessments can prevent more costly emergency repairs and replacements in the future. This can lead to significant cost savings over time.

9/16/2024

2



Project Schedule

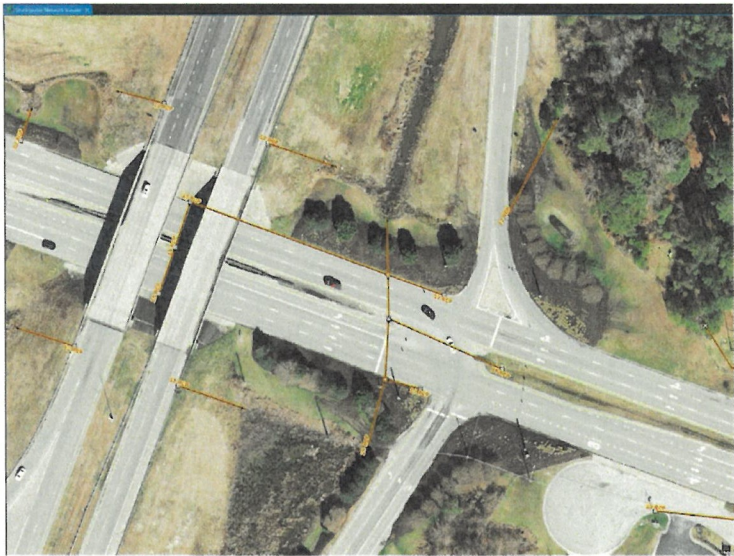
- **Task 1 – GIS Development Preparation**
 - Development of a geodatabase for data collection
 - Review of existing GIS data and print maps
- **Task 2 – Mapping, Inventory, and Assessment**
 - Comprehensive field survey of stormwater assets
 - Condition assessment of assets
- **Task 3 – GIS Database Development and Implementation**
 - Configuration of ArcGIS Stormwater Utility Network database
 - Implementation of data into Goldsboro's databases
 - Design and configuration of applications and dashboards

9/16/2024

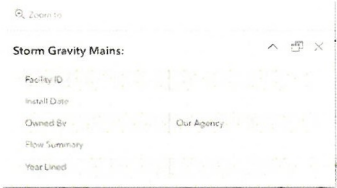
3



Former Stormwater Network



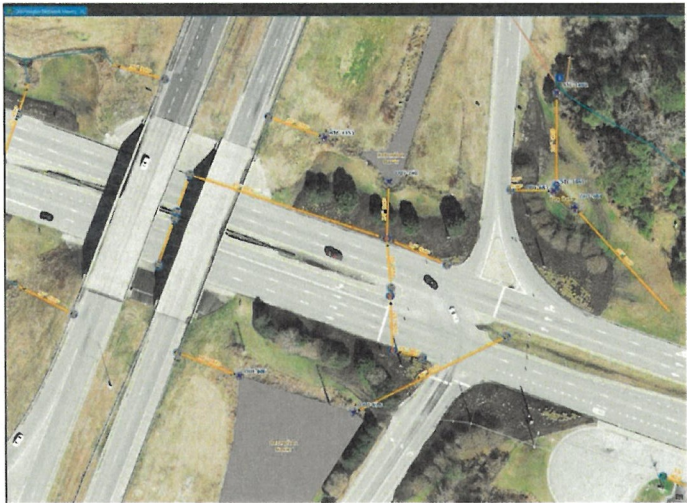
- Minimal attribute information
- Retention ponds and ditches not mapped
- No tracing or modelling capabilities



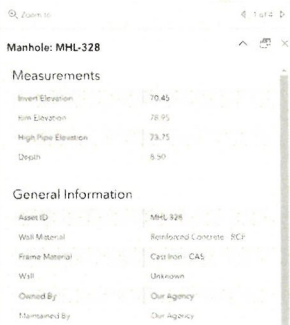
9/16/2024

4

New Stormwater Network



- Newly mapped features (retention ponds, ditches, and more)
- Future tracing and modelling capabilities
- Better feature accuracy
- Photograph attachments on manholes and inlets
- Comprehensive attribute information (i.e. measurements, interior materials, etc.)



9/16/2024

5

Statistics and Conclusions

- Number of mapped pipe miles (public and private) increased by 37.5%
 - (Over 1 million feet or 205 miles of pipe total)
- Number of inlets mapped increased by 29%
- Number of manholes mapped increased by 29%
- This project has provided the City of Goldsboro with a comprehensive stormwater database which will provide a solid base for stormwater asset management.
- Field surveys and condition assessments have given us insights into the status of these assets for better maintenance decision making.
- Configured and integrated the Stormwater ArcGIS Utility Network which solidifies data integrity and allows for more advanced analysis, visualization, and data management.

9/16/2024

6

11:58

67%

2 Messages

< Inbox

312 S James St - Henry...

From: Cindy Motsko**Sent:** Friday, August 19, 2022 4:35 PM**To:** Allen Anderson <AAnderson@goldsboronc.gov>;Timothy Salmon <TSalmon@goldsboronc.gov>; MatthewLivingston <MLivingston@goldsboronc.gov>**Cc:** Kenny Talton <KTalton@goldsboronc.gov>; HiawathaJones <HiawathaJones@goldsboronc.gov>**Subject:** 312 S James St - Henry Battle

Per our earlier meeting with Mr. Henry Battle, I have listed the steps below that will need to be adhered to, in order for Mr. Battle to comply with the NC State Building Codes:

1. Contact a NC Licensed Engineer to make a site visit to the property and evaluate the building for the proposed use (see attached list of engineers)
2. Mr. Battle was approved by City Council for a "place of entertainment with an ABC license", but he will need to confirm with the engineer of the proposed use
3. The Engineer of Record will need to provide Mr. Battle with a minimum of an Appendix B Code Summary Sheet and a floor plan of the building with each room labeled for its intended use
4. The Appendix B Code Summary Sheet will need to be completed for the occupancy classification that Mr. Battle is proposing to use the building for
5. Additional items may be required, once the engineer supplies the Appendix B Code Summary Sheet, due to the occupant load calculation or the occupancy classification i.e. additional restrooms that are fully ADA compliant/fire sprinkler system/grease interceptor/cooking hood/etc
6. The additional items may also be required by the engineer, in the form of fire, electrical, plumbing, hvac, structural plans
7. Since Mr. Battle plans to rent the building, he would need to hire a NC Licensed General Contractor submit the plans, along with the completed



3 Messages

< Inbox

312 S James St - Henry...



7. Since Mr. Battle plans to rent the building, he would need to hire a NC Licensed General Contractor submit the plans, along with the completed commercial building permit application and a plan review fee of \$100 to our office (see attached application)
8. The GC and all subcontractors will need to obtain a business registration for working within the City of Goldsboro for a fee of \$20 (see attached application)
9. A plan case will be created for the project and I will coordinate with the Engineering and Planning Departments with any comments or questions they may have.
10. Once all departments (Inspections, Planning, Engineering) requirements have been satisfied and have been approved in EnerGov, I will create the permit and Shanita Coor – Permit Technician will contact Mr. Battle's GC to pay the building permit fee and obtain the building permit
11. All sub-contractors will be able to obtain their respective permits after the issuance of the building permit
12. Work must commence within 6 months of obtaining the building permit and once the first inspection has been performed on the job site, the permit is active for 1 year

If you should have any additional questions or comments, please do not hesitate to contact me.

Thanks,

Cindy Motsko
Plans Examiner
City of Goldsboro
Desk (919) 580-4298
Fax (919) 580-4315
cmotsko@goldsboronc.gov



20240916 Public Comments

You have received my comments, and an image of a hazardous obstruction in stormwater drainage ditch along New Hope Rd, in front of Shelly Lane. These type obstructions have been there, perhaps for years as you can see.

My concern is this should have been detected in one the inspections of the system, and it should be removed, and replaced so that my neighbors and I can safely cross New Hope to reach the multi-use trail.

Which raises the question, who is responsible for maintaining the grass, weeds shrubbery, trees growing in District 6 along the multi-use trail from the YMCA to the intersection of New Hope and Hare Rd?

I thought it was P&R but, the multi-use trail is not identified on the city's website, as either a city park, facility, or a greenway.

I'm not sure who is responsible, so I asking council to looking into having the responsible department do more, so that the city can be compliant with the city public nuisance ordinance, of which, I have also included a copy.



GENERAL PROVISIONS

§ 96.01 EXISTENCE OF CERTAIN CONDITIONS TO CONSTITUTE PUBLIC NUISANCE.

In order to protect the health, safety and general welfare of the public, preserve the enjoyment of property rights and other rights from obnoxious and undesirable infringement, promote the general public welfare of the community, and prevent social harm from the effects of unwanted and detrimental influences that cross property lines, it shall be unlawful for any person owning, occupying or having in his possession or under his control any lot or parcel of land, improved or vacant, in the city, to permit to exist on such lot or parcel of land, any condition which may be declared in this chapter to be noxious, detrimental or prejudicial to public health or public safety or to otherwise constitute a public nuisance.

('70 Code, § 11-1) (Ord. 1972-46, passed 8-21-72; Am. Ord. 2001-25, passed 2-19-01; Am. Ord. 2005-64, passed 7-5-05)

§ 96.02 INVESTIGATION TO DETERMINE EXISTENCE OF PUBLIC NUISANCE.

The Director of Planning or his employees, upon knowledge of a complaint from any person of the existence of any of the conditions described in § 96.03, shall make such investigation as may be necessary to determine whether in fact, such conditions exist as to constitute a public nuisance as declared in § 96.03.

('70 Code, § 11-2) (Ord. 1972-46, passed 8-21-72; Am. Ord. 2001-25, passed 2-19-01; Am. Ord. 2005-64, passed 7-5-05)

§ 96.03 PUBLIC NUISANCES.

The existence of any of the following conditions on any lot or parcel of land in the city, is hereby declared to be noxious, dangerous, detrimental and prejudicial to the public health, safety or general welfare and/or constitutes a public nuisance in violation of the provisions of this chapter:

(A) Weeds and/or uncontrolled growth of vegetation.

(1) Any uncontrolled growth of noxious weeds, grasses to a height in excess of ten inches and/or the uncontrolled growth of bushes causing or threatening to cause infestation by rats, mice, snakes or vermin of any kind or constituting a fire hazard or which in any other way is detrimental to the public health, morals, safety or general welfare; provided, however, that this subsection shall not apply to planted and cultivated flowers, shrubbery, vegetables or crops, properties not reasonably accessible to power mowing equipment, and undeveloped parcels greater than five acres in size, except as provided in § 96.03(A)(2).

(2) Any uncontrolled growth of noxious weeds, grasses or bushes on undeveloped parcels greater than five acres in size, including previously tilled farm land that is not cultivated or planted during a growing season if:

(a) The growth is at a height in excess of 24 inches and is causing or threatening to cause infestation by rats, mice, snakes or vermin of any kind or constituting a fire hazard or which is in any other way detrimental to the public health, safety or general welfare; and

(b) The growth is within a distance of 50 feet from any residential use.

(3) Any uncontrolled growth of wild shrubs, bushes, vines, weeds or similar vegetation that is accessible and controllable by any reasonable means, is on any lot that contains a dwelling unit or is on a lot within 100 feet of any residential property, and is uncontrolled growth that:

(a) Contain other nuisances as set forth in this chapter; or

(b) 1. Consists of wild, dense or uncontrolled vegetation, including overgrown shrubs, underbrush, small trees, vegetative debris, or poisonous plants, that is in such concentration or condition so as to contribute to or cause a breeding ground for rodents, wild animals, or constitute other hazards detrimental to public health, safety or welfare.

2. This subsection shall not apply to areas that are not accessible or controllable by reasonable means, or to natural areas which customarily exist in a natural condition such as predominately forested areas with numerous trees, or areas that consist of managed, landscaped plantings, shrubs, or other cultivated or managed vegetation, including planted areas with legitimate landscape plants for screening purposes, or plant areas required by the City Code of Ordinances to be set aside or planted for buffering or screening purposes, or to protected natural areas or plants under state or federal laws.

(4) It shall be illegal and unlawful for any individual or business to scatter, cast, throw, blow, place, sweep, or deposit anywhere on a city street, curbing, and/or sidewalk any limbs, trash, sand, grass clippings, leaves, litter and/or other debris. Such accumulation is dangerous or prejudicial to the public health, public safety, lessens the efficient operation of the storm drainage system of the city, contrary to storm water regulations, or otherwise constitutes a public nuisance.

(5) The owner of any property and/or dwelling unit shall have the sole responsibility to remove and to exercise reasonable diligence at all times to keep any street, curbing, and/or sidewalk clean of any limbs, trash, sand, grass clippings, leaves, litter and/or other debris and other used or waste materials intentionally or unintentionally growing, scattered, discarded, thrown, blown, swept, deposited, or haphazardously left in any street, curbing, and/or sidewalk. The owner of any property and/or dwelling unit shall have the sole responsibility to prevent the continuous, ongoing or persistent, accumulation, growth and/or depositing of same from drifting or blowing to adjoining premises and gutters by removing such waste. Such accumulation is dangerous or prejudicial to the public health, public safety, lessens the efficient operation of the storm drainage system of the city, contrary to the city's storm water regulations, and/or otherwise constitutes a public

nuisance.

(6) The owner of any property and/or dwelling unit, including unoccupied property, and/or any business or corporation in control of such lawn or yard maintenance shall have the sole responsibility to remove and to exercise reasonable diligence at all times to keep the premises from the street to the front and/or side yard, including the curbing and/or sidewalk clean of any accumulation or growth of grass, weeds, limbs, trash, clippings, leaves, sand, litter, debris, and other used or waste materials intentionally or unintentionally growing, scattered, discarded, thrown, blown, swept, deposited, or haphazardously left. Such accumulation is dangerous or prejudicial to the public health, public safety, lessens the efficient operation of the storm drainage system of the city, contrary to the city's storm water regulations, and/or otherwise constitutes a public nuisance.

(B) Litter, trash, construction materials and/or other debris.

(1) In order to protect the health, safety and general welfare of the public, preserve the enjoyment of property rights and other rights from obnoxious and undesirable infringement, promote the general public welfare of the community, and prevent social harm from the effects of unwanted and detrimental influences that cross property lines, it shall be unlawful for any person owning, occupying or having in his possession or under his control any lot or parcel of land, improved or vacant, in the city, and/or any business or corporation in control of such lawn or yard maintenance to permit to exist on such lot or parcel of land any of the following conditions.

(2) Any litter consisting of man-made and used materials which is scattered, cast, thrown, blown, placed, swept, or deposited anywhere on a persistent, continuous or ongoing basis so as to accumulate on any property in open places such that is dangerous or prejudicial to the public health or otherwise constitutes a public nuisance.

(For purposes of this chapter, "open places" are defined as areas of properties or portions thereof that are open to the exterior, including building openings of residential dwelling units, such as carports or porches, and any other exterior portions of properties ordinarily exposed to the outside and/or public view, including front, side and rear yards, excluding any enclosed porch.) The owner and occupant of any property and/or dwelling unit shall exercise reasonable diligence at all times to keep exterior premises clean of litter, including glass, bottles, waste paper, wrapping paper, paper napkins, cartons, package containers, and other used or waste materials intentionally or unintentionally scattered, discarded, thrown, or haphazardously left on such premises on continuous, ongoing or persistent basis, and to prevent same from drifting or blowing to adjoining premises by removing such waste.

(3) Except as otherwise allowed herein, any icebox, refrigerator or other container of any kind which has an airtight snap lock or other device thereon and is in use in open areas shall be crated, strapped or locked to such an extent that is impossible for a child to obtain access to any airtight compartment thereof. Snap locks or doors on any discarded refrigerator, icebox or container shall be removed prior to disposal.

(4) The presence or accumulation of dead animals; decayed meat, vegetables, fruit or other vegetable matter; filthy privies or stables; garbage, trash, litter or other waste products; or materials of any kind, including uncontrolled accumulation of organic debris, which are or may be offensive by virtue of strong odors or vapors, or by the inhabitanacy therein of rats, mice, snakes or vermin of any kind, or by constituting a fire or safety hazard or other condition which otherwise may be dangerous or prejudicial to the public health or constitute a public nuisance. All animal food shall be kept, dispensed and stored in such a manner as to minimize availability of food or harborage for vermin.

(5) Any concentration of unusable building materials, including concrete, steel or masonry, which due to deterioration or age are no longer suitable for building construction, alterations or repair, and which are in open places and are or may be dangerous or prejudicial to the public health or otherwise constitute a public nuisance. The owner and occupant of any property and/or dwelling unit, including unoccupied property, shall have the sole responsibility to remove and to exercise reasonable diligence at all times to keep any concentration of unusable building materials, including wood, concrete, steel or masonry, from accumulating such that it is unsightly, detrimental, dangerous or prejudicial to the public health or otherwise constitutes a public nuisance.

(6) Any products with jagged edges of metal or glass which are kept in open places and are or may be dangerous or prejudicial to the public health or otherwise constitute a public nuisance.

(7) Any concentration of discarded bottles, glass, cans, or used medical supplies which are in open places or in confined areas which may be dangerous or prejudicial to the public health or otherwise constitute a public nuisance.

(8) Any junk, waste materials, unusable building materials, trash, garbage, oily rags, barrels, cans, papers, bricks or brickbats and other litter, refuse, rubbish or combustible materials which is scattered, cast, placed or deposited in a yard or yards, so as to constitute an accumulation or concentration in an open area and are or may be dangerous or prejudicial to the public health or otherwise constitute a public nuisance.

(9) The presence, accumulation, storage or placement of:

(a) Junk, including but not limited to, deteriorated, unusable or inoperative furniture, appliances, machinery, equipment, building materials, worn out and disused automobiles or parts, tires or any other man-made items which are either in whole, or in part, wrecked, junked, disused, worn out, dismantled or inoperative.

1. Storage of junk shall only be allowed on any properties used for nonresidential purposes if such use is permitted in accordance with the Unified Development Code, completely enclosed within a building in compliance with applicable building codes, or otherwise evenly placed or neatly stacked and concealed by a solid fence or other means so as to not be visible at the property line from abutting properties or a public street.

2. Storage of junk shall only be allowed on any property used for residential purposes if completely stored in an enclosed building or limited to 50 square feet in area and completely concealed by a solid fence or other means so as not to be visible at the property line from abutting properties or a public street, concentrated in one area within the rear yard and neatly arranged or stacked so as not to exceed five feet in height.

3. Whether stored on a residential or nonresidential property such storage of junk shall be maintained in such a manner so as to prevent overgrown grass or weeds or an infestation of wild animals, reptiles and rodents.

(b) Usable building materials, unless (i) stored on any nonresidential lot on which the use is permitted by the Unified Development Code, or (ii) if stored on any residential lot where construction has stopped or never commenced for a period of six months and there is not a current, valid outstanding building permit issued for construction on the residential lot, such storage is inside a completely enclosed building (if otherwise permitted on the lot) or placed in the rear of the lot and stored in accordance with § 96.03(B)(9)(b)2. above.

(c) Construction fill materials stored or used as fill material must (i) be approved by the Code Enforcement Officer as a reasonable landscape feature evidenced by a comprehensive landscape plan showing such features for legitimate landscape purpose as part of the total development of the lot; (ii) be leveled within 30 days; (iii) be leveled and covered with at least six inches of dirt within 30 days if the material includes: concrete, brick, demolition debris, trees, tree stumps, and the like, but not including fill dirt; (iv) under no circumstances, may any fill material contain any asphalt of any kind.

(c) Construction fill materials stored or used as fill material must (i) be approved by the Code Enforcement Officer as a reasonable landscape feature evidenced by a comprehensive landscape plan showing such features for legitimate landscape purpose as part of the total development of the lot; (ii) be leveled within 30 days; (iii) be leveled and covered with at least six inches of dirt within 30 days if the material includes: concrete, brick, demolition debris, trees, tree stumps, and the like, but not including fill dirt; (iv) under no circumstances, may any fill material contain any asphalt of any kind.

(d) Firewood, except when such storage is neither in excess of a total area of 100 square feet not stacked to a height more than six feet above the ground. Whether completely enclosed in a building or concealed by a fence or cover or otherwise permitted on the lot, such storage or accumulation of the above items shall not be permitted if it causes or threatens to cause a fire hazard, or threatens to cause accumulation of stagnant water, causes or threatens to cause the inhabitation therein of rats, mice, snakes, or vermin, or wild animals of any kind, constitutes a hazardous condition, or causes or threatens to cause a public nuisance, all of which are or may be dangerous or prejudicial to the public health or general welfare.

(C) *Stormwater treatment, retention or impoundment devices (Structural Best Management Practice (BMP)).*

(1) Any stormwater treatment, retention or impoundment device (Structural Best Management Practice (BMP)) which is operating improperly and was constructed for compliance with the City of Goldsboro: Stormwater Management Program for Nitrogen Control in the Neuse River Basin.

(2) Improperly operating BMPs (stormwater control facilities) are prohibited; responsibility for maintenance:

(a) If structural BMPs are implemented to achieve nitrogen loading and/or flow attenuation requirements for a new development for compliance with the *City of Goldsboro: Stormwater Management Program for Nitrogen Control in the Neuse River Basin*, then the city requires a maintenance plan for the BMPs. In addition, each BMP will be inspected by the city on an annual basis.

(b) A structural BMP is any structure utilized for reducing nitrogen or peak flow rates from new developments. This may include but is not limited to wet detention pools, constructed wetlands, open channel practices, riparian buffers, bioretention, vegetated filter strips with level spreader, sand filters, and proprietary BMPs.

(c) BMPs should be constructed on the same lot as the new development, with the property owner assuming responsibility for the long-term maintenance. BMPs may be constructed at an off-site location provided they are approved beforehand by the City's Planning and Engineering Departments; however, the property owner still maintains responsibility for long-term maintenance of the structure. In the event that a BMP is severed from the original site it was designed for (such as by the division of the original site, sale of a portion of the original site, or construction of a road through the site), a substitute BMP must be constructed by the responsible party (the property owner, unless otherwise determined by the city) to fulfill the nitrogen and/or peak flow reduction capabilities of the original BMP.

(3) Compliance with provisions.

(a) This chapter applies to any development which falls under either of the Neuse Stormwater Rule's definition for **NEW DEVELOPMENT**.

(b) Any activity that disturbs greater than one acre of land in order to establish, expand, or modify a single family or duplex residential development or a recreational facility. (**LAND DISTURBANCE** is defined as grubbing, stump removal, and/or grading.)

(c) Any activity that disturbs greater than one-half an acre of land in order to establish, expand, or modify a multifamily residential development or a commercial, industrial, or institutional facility.

(4) Inspections and annual inspection fee.

(a) The Building Inspector (or other authorized agent of the city) has full power and authority to enter upon a premise housing a BMP for the purpose of inspecting the BMP on an annual basis. The City Council has established an annual

inspection fee of \$100 per structural BMP to fund this additional inspection program.

(b) In addition, the Building Inspector may enter the site as necessary to document improperly operating BMPs, follow up on scheduled maintenance activities, or to conduct maintenance themselves.

(D) *Animal nuisances.* The keeping of any animal in such manner or in such numbers as to constitute a public nuisance is hereby prohibited. For the purposes of this section, a public nuisance shall include, but not be limited to, the following:

(1) The keeping of any animal which by continued or repeated howling, yelping, barking or otherwise, causes loud noises which would disturb the quiet, comfort or repose of a reasonably prudent person on adjoining property;

(2) The keeping of any animal which habitually is at large;

(3) The keeping of a cage or pen constructed and used for the purpose of restraining animals within ten feet of the outer limits of the lot upon which the cage or pen is situated; provided, however, this setback requirement shall not be applicable where the placing of the cage or pen within the ten-foot area does not result in locating the cage or pen within 50 feet of the nearest household occupied by persons other than the owner or keeper of the cage or pen. This division shall not apply to the fencing of all or a major portion of a lot;

(4) Allowing or permitting an animal to damage the real or personal property of anyone other than its owner, including, but not limited to, turning over garbage containers, or damaging gardens, flowers, or vegetables, or defecating upon the property of another;

(5) Maintaining animals in an unsanitary environment which results in unsightly or offensive animal waste, litter, or odor which would disturb a reasonable person on adjoining property;

(6) The keeping, possession, harboring or feeding of animals, wild, feral or domesticated, which threaten the public health, safety and welfare of the community;

(7) The keeping, possession, harboring or feeding of animals, wild, feral or domesticated, which as a result of such keeping, possession, harboring or feeding, causes damage to real or personal property of anyone other than the person keeping, possession, harboring or feeding such animals;

(8) Maintaining an animal that habitually or repeatedly chases, snaps at, attacks or barks at pedestrians, joggers, animals walked on a leash, bicycles, or other vehicles;

(9) Failing to confine a female dog while in heat in a secure enclosure in such a manner that she will not be in contact with another dog, or attract other animals;

(10) Except as otherwise provided in §91.16 (which states that it is unlawful for any owner to keep more than three dogs within the city), the keeping of seven or more animals per household or lot, regardless of lot size and regardless of whether any of the provisions of this division are violated, shall be considered a nuisance. This division shall not apply to offspring under the age of 16 weeks and to animals kept by a kennel or pet shop licensed in accordance with state and local law and to animals kept by a kennel, pet shop or other facility licensed or registered by the Department of Agriculture or the Veterinary Medical Board;

(11) The tethering of any animal to public property or in a public right-of-way.

(E) *Breeding grounds for mosquitoes.*

(1) Any condition which is a breeding ground or a harbor for mosquitoes is hereby deemed and declared to be a public nuisance;

(2) Pools of stagnant water causing or threatening to cause infestation by mosquitoes and other disease-carrying insects which are or may be dangerous or prejudicial to the public health is hereby deemed and declared to be a public nuisance.

(F) *General nuisance.* Any other condition declared to be a detriment or danger to the public health, safety, morals, and general welfare of the inhabitants of the city and/or public nuisance by the City Council at a public hearing, notice of which has been properly served.

(Ord. 2001-25, passed 2-19-01; Am. Ord. 2005-64, passed 7-5-05; Am. Ord. 2007-35, passed 5-7-07; Am. Ord. 2016-25, passed 4-18-16)

§ 96.04 RESTRICTION OF BOATS IN RESIDENTIALLY ZONED AREAS.

(A) Within the city limits, it shall be unlawful for any owner, lessee, or occupant, or any representative, or person living or having control of any property within the residentially zoned areas of the city to have more than two boats in open places on a single family lot unless any additional boat is stored in a fixed structure as defined by Chapter 153 of this Code of Ordinances. (For purposes of this chapter, **OPEN PLACES** are defined as areas of properties or portions thereof that are open to the exterior, including building openings of residential dwelling units, such as carports or porches, and any other exterior portions of properties ordinarily exposed to the outside and/or public view, including front, side and rear yards, excluding any enclosed porch).

(B) The owner or occupant of the property has ten days from the receipt of written notice from the city to correct this violation.

(C) The failure to correct this violation shall result in a fine of \$100 per day until the additional boat is removed. In addition, the city shall be entitled to seek and obtain further relief as described in § 10.99 of this Code of Ordinances.

(Ord. 1999-18 passed 3-15-99; Am. Ord. 2001-25, passed 2-19-01; Am. Ord. 2005-64, passed 7-5-05)

§ 96.05 ORDER TO ABATE PUBLIC NUISANCE.

Whenever it shall come to the attention of any Building Inspector, Code Enforcement Officer, City Inspector or other authorized city officer or representative, that there exists on any lot or parcel of land in the city, occupied or not, any of the conditions enumerated in this chapter, the officer or inspector shall forthwith give the owner, occupant, and/or person having the lot under his control notice thereof to abate or remove the conditions or otherwise comply with the city code. Such notice shall be deemed sufficient if given by personal service of written notice or service by registered or certified mail to such person, owner and/or occupant at his last known address. For nuisances falling under categories, divisions (A), (B), or (D) as described in § 96.03, ten days from the receipt of such written notice will be allowed for abatement. The person so served shall have ten days from the date of such service in which to remedy the same or the city shall cause the same to be remedied, unless an appeal for relief in writing is made within this time period to the City Manager. For nuisances falling under division (C) as described in § 96.03, 30 days from the receipt of such written notice will be allowed for abatement. The person so served shall have 30 days from the date of such service in which to remedy the same or the city shall cause the same to be remedied, unless an appeal for remedy in writing is made within this time period to the City Manager. In lieu of, or in addition to such notice, the officer or inspector may issue a citation notice and take enforcement actions as set forth in §§ 96.07 and 96.10 in the Code of Ordinances. In the event an inspector determines that a nuisance is an immediate detriment to human health, safety or welfare, the inspector may take appropriate action to summarily abate the condition without notice.

('70 Code, § 11-3) (Ord. 1972-46, passed 8-21-72; Am. Ord. 2001-25, passed 2-19-01; Am. Ord. 2005-64, passed 7-5-05)

§ 96.06 FAILURE TO ABATE PUBLIC NUISANCE; ABATEMENT BY CITY.

(A) If after ten days' notice of the existence of any such condition, the owner, occupant and/or person having control of the lot or property, occupied or not, shall fail to cause the removal or abatement of such condition, the city may forthwith cause such condition to be removed, abated or remedied. Upon abatement by the city, in addition to all costs of abatement, the penalties set forth in § 96.10 of the Code of Ordinances may be implemented and an administrative service fee of \$100 shall be imposed to cover administrative costs associated with abating the nuisance.

(B) If any person with a nuisance falling under division (C) as described in §96.03, having been ordered to abate such nuisance by performing the necessary maintenance to restore proper operation to the BMP, fails, neglects, or refuses to do so within 30 days from receipt of the order, the Director of Planning shall cause the condition to be remedied by having employees of the city or other designated persons to go upon the premises and perform the necessary maintenance under the supervision of an officer or employee designated by the City Manager. Any person who has been ordered to abate a public nuisance may within the time allowed by this chapter request the city in writing to remove such condition, the cost of which shall be paid by the person making such request.

('70 Code, § 11-4) (Ord. 1972-46, passed 8-21-72; Am. Ord. 2001-25, passed 2-19-01; Am. Ord. 2005-64, passed 7-5-05)

§ 96.07 COST OF ABATEMENT.

The actual cost incurred by the city in removing or otherwise remedying a public nuisance shall be charged to the owner of such lot or parcel of land, and it shall be the duty of the Finance Department to mail a statement of such charges to the owner or other person in possession of such premises with instructions that such charges are due and payable within 30 days from the receipt thereof.

('70 Code, § 11-5) (Ord. 1972-46, passed 8-21-72; Am. Ord. 2001-25, passed 2-19-01; Am. Ord. 2005-64, passed 7-5-05)

§ 96.08 FAILURE TO PAY CHARGES; LIEN CREATED.

(A) In the event charges for the removal or abatement of a public nuisance are not paid within 30 days after the receipt of a statement of charges as provided for in § 96.07, such charges shall become a lien upon the land or premises where the public nuisance existed and shall be collected as unpaid ad valorem taxes, as provided in G.S. § 160A-193.

(B) The expense of the action is also a lien on any other real property owned by the person in default within the city limits or within one mile of the city limits. A lien established pursuant to this subsection is inferior to all prior liens and shall be collected as money judgment.

(C) In lieu of, and in addition to, a lien to recover the debt, the city may turn unpaid penalties in to a credit/collection agency for collection. The offender will be responsible for all reasonable monetary damages as required by the collections agency to recover the debt. This chapter may also be enforced by any appropriate, equitable action.

('70 Code, § 11-6) (Ord. 1972-46, passed 8-21-72; Am. Ord. 2001-25, passed 2-19-01; Am. Ord. 2005-64, passed 7-5-05)

§ 96.09 PROCEDURE DEEMED ADDITIONAL TO OTHER REMEDIES.

The procedure set forth in this chapter shall be in addition to any other remedies that may now or hereafter exist under law for the abatement of public nuisances and this chapter shall not prevent the city from proceeding in a criminal or other action

against any person, firm or corporation violating the provisions of this chapter as provided in G.S. § 14-4.

('70 Code, § 11-7) (Ord. 1972-46, passed 8-21-72; Am. Ord. 2001-25, passed 2-19-01; Am. Ord. 2005-64, passed 7-5-05)
Penalty, see § 10.99

§ 96.10 ENFORCEMENT OF ORDINANCES: CONTINUED VIOLATIONS.

(A) *General penalty.* Any person violating the provisions of this chapter shall be subject to the penalties as described in § 10.99 of this Code of Ordinances or as specified in this Chapter, whichever is greater.

(B) *Enforcement of ordinances; civil penalties.* Civil penalties may be imposed upon a violator of this code or an ordinance of the city pursuant to the procedure set forth herein:

(1) *Citations.*

(a) *Issuance of citation.* The Building Inspector, Code Enforcement Officer or other authorized officer, agent or employee of the city is empowered to issue warning citations, notices of violation and citations with fines, if there is a reasonable cause to believe that any provision of the City Code of Ordinances has been violated. Where a provision has been violated, such citations shall be issued to the violator or property owner.

(b) *Violator.* A violator of a provision of the code or an ordinance of the city shall be deemed to be the owner of the premises, the agent of the owner authorized to be responsible for the premises, and/or the appropriate occupant, lessee, employee or person having immediate beneficial use of and/or responsibility over the premises or property.

(c) *Methods of issuance of citations.* A citation shall be considered issued if it is delivered in person to the violator, or if the violator cannot be readily found, then the citation may be mailed to the last known mailing address of the owner or agent shown on public records. If the violator cannot be found and after other reasonable efforts have been made to communicate the existence of the violation to the owner or agent, then the citation shall also be considered issued if directed to the owner, agent or occupant and left at the place of residence or location of the violation.

(d) *Types of citations and notices.* It shall be in the sole discretion of the Building Inspector, Code Enforcement Officer or other authorized officer, agent or employee of the city to determine which of the following shall be issued to a violator.

1. *Warning citation.* This citation for a violation shall be a warning citation stating that a violation of the chapter has occurred. It shall also state the circumstances involved in the violation.

2. *Notice of violation.* This notice shall state that the owner, occupant and/or person having control of the lot or property, occupied or not, shall abate or remove the conditions or otherwise comply with the city code. In lieu of, or addition to such notice, the office or inspector may issue a citation notice and take enforcement actions as set forth in § 96.10 (B)(1) (d)3. and impose the cost of remedying or abating the nuisance as set forth in §§ 96.06 and 96.07 in the Code of Ordinances. In the event an inspector determines that a nuisance is an immediate detriment to human health, safety or welfare, the inspector may take appropriate action to summarily abate the condition without notice.

3. *Citations with fines.* If the violation continues after the deadline to correct a violation, then a citation with a fine in an initial amount of \$50 shall be authorized to be issued against the violator. Thereafter, each day the violation continues shall be deemed an additional offense and additional citations with increasing fines up to \$250 may be issued each day the violation continues. Any unpaid citations and delinquency charges shall be cumulative and shall be recovered in a civil action or in the nature of debt as well as any attorney fees incurred by the city incident thereto. In lieu of a civil action to recover the debt, the city may turn unpaid penalties in to a credit/collection agency for collection. The offender will be responsible for all reasonable monetary damages as required by the collections agency to recover the debt. This section may also be enforced by any appropriate, equitable action. In addition to the civil penalty, the city may impose an administrative fee up to \$100 in addition to any fines to cover the city's costs of administering a violation.

(e) *Records.* Records of citations shall be maintained for a reasonable period of time.

(Ord. 2001-25, passed 2-19-01; Am. Ord. 2005-64, passed 7-5-05)

§ 96.11 SECOND AND SUBSEQUENT VIOLATIONS.

Upon second and subsequent violations of this chapter within 24 months of the previous violation being remedied, no notice of the second or subsequent violation, as required by this chapter, shall be given. The city, through its agents and employees, may enter such lots or premises and remove the violation and the costs and expense thereof shall be paid by the owner of the violation as provided for in this chapter. Second and subsequent violations are subject to the escalating fine structure as defined in this chapter.

(Ord. 2005-64, passed 7-5-05)

§ 96.12 PANHANDLING; AGGRESSIVE PANHANDLING, PROHIBITED AREAS AND TIMES.

(A) *Definitions.* For the purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) The words "panhandling" or "begging" are used interchangeably, a purpose of which is to obtain a contribution of money or goods for the principal benefit of the person making the solicitation.

(2) The word "aggressive" refers to:

(a) Continuing to solicit near the individual addressed after the person to whom the solicitation is directed has made a negative response, either verbally, by physical sign, by attempting to leave the presence of the person soliciting, or by other negative indication; and/or

(b) Any physical contact with another person without consent; and/or

(c) By blocking the path of a person being solicited or blocking the entrance or exit to any building or vehicle; and/or

(d) By or with the use of any abusing language, word, gesture, or act intended to cause a reasonable person to be fearful of the solicitor or feel compelled to accede to the solicitation.

(3) "Public place" and "place open to the public" mean an area generally visible to public view and include streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, public transportation, buildings open to the general public including those which serve food or drink or provide entertainment, and the doorways or entrances in buildings and their grounds.

(B) *Purpose.* The purpose of this section is to ensure unimpeded pedestrian and vehicle traffic flow, to maintain and protect the well-being of pedestrians and to otherwise foster a harassment-free climate in public places.

(C) *Rules and regulations.*

(1) It shall be unlawful for any person to panhandle or beg as defined in § 96.12 within the city without first obtaining a "Panhandler's Permit" from the Chief of Police or designee. Such permit is valid for one year only and must be renewed annually.

(2) It shall be unlawful for any type of panhandling or begging within the following prohibited areas and/or times:

(a) Within 100 feet of any financial institution and/or automated teller machine;

(b) Within 20 feet of any bus stop, train station, or taxi stand;

(c) Within 20 feet of any commercial establishment which is open for business;

(d) Within 20 feet of any outdoor dining area during operation;

(e) Within DOT or city right-of-ways, excluding sidewalks; and

(f) Between the hours of 8:00 p.m. and 8:00 a.m.

(3) In accordance with G.S. § 160A-179, it shall be unlawful for any person to aggressively panhandle or beg for money or goods from another in a public place or in a place open to the public. The offering of items of nominal value, such as pencils, chewing gum, and the like for a donation shall not make the conduct lawful.

(D) *Exceptions.* The conduct prohibited does not include solicitations made by authorized representatives of not-for-profit corporations, organizations or groups in order to obtain funds designed principally to further the purpose of such not-for-profit corporations, organizations or groups provided proper identification such as signs, vests, badges and the like, are clearly visible to the general public naming the not-for-profit corporations, organizations or groups.

(E) *Opportunity to stop the prohibited activity.*

(1) No arrest shall be made for an initial violation of this section unless the arresting officer first affords a person an opportunity to stop the conduct that violates division (C). After being warned that aggressive panhandling or begging is illegal within the city limits of Goldsboro, a police officer will issue a panhandling warning ticket to the individual. A copy of this ticket will be maintained by the Goldsboro Police Department for documentation purposes. If after being warned the panhandler does not cease these activities or if an officer observes a person who has been duly warned conducting aggressive panhandling activities again within the city limits, that individual shall be immediately arrested.

(2) If a complaint is registered with the police department by a private citizen and the complainant formally identifies the person accused of aggressive panhandling or begging activities, a panhandling warning ticket will be issued to that individual. If the person accused of aggressive panhandling or begging by a private citizen has previously been duly warned of the illegality of this activity, that person will be arrested if the complaining citizen files appropriate charges or agrees to serve as a witness.

(F) *Severability.* If any portion of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable, and such holding shall affect the validity of the remaining portions hereof.

(Ord. 2004-97, passed 12-6-04; Am. Ord. 2005-64, passed 7-5-05; Am. Ord. 2022-66, passed 12-5-22)