

The Smithfield Town Council met in regular session on Tuesday, November 10, 2020 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

Marlon Lee, District 1
David Stevens, District 2
Travis Scott, District 3
Dr. David Barbour, District 4
Stephen Rabil, At-Large
Roger Wood, At-Large

Councilmen Absent

John Dunn, Mayor Pro-Tem

Administrative Staff Present

Michael Scott, Town Manager
John Blanton, Fire Chief
Lenny Branch, Public Works Director
Ted Credle, Public Utilities Director
Gary Johnson, Parks & Rec Director
Tim Kerigan, Human Resources/PIO
Shannan Parrish, Town Clerk
R. Keith Powell, Chief of Police
Greg Siler, Finance Director
Stephen Wensman, Planning Director

(Note: All Town Department Heads were present, but due to Social Distancing and Mass gathering restrictions related to Covid19, they were not present in the meeting room unless an item from their Department was discussed)

Also Present

Bob Spence, Town Attorney
Bill Dreitzler, Town Engineer

Administrative Staff Absent

CALL TO ORDER

Mayor Moore called the meeting to order at 7:00 pm.

INVOCATION

The invocation was given by Councilman Scott followed by the Pledge of Allegiance

APPROVAL OF AGENDA:

Councilman Wood made a motion, seconded by Councilman Rabil, to approve the agenda with the following amendment:

Consent Agenda:

- *Item #11 – Consideration and request for approval to adopt Resolution No. 669 (18-2020) donating personal property to Smithfield Selma High School – The Resolution was amended to reflect additional donated property.*

Unanimously approved.

PRESENTATIONS: None

PUBLIC HEARINGS:

1. **Zoning Text Amendment Request – Town of Smithfield (ZA-20-04):** The applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance, Article 6, Table 6.5 Table of Uses and Activities to allow for a Columbarium as an accessory use to Churches/Places of Worship with supplemental regulations in the O/I Office-Institutional Zoning District and adding two definitions to Appendix A.

Councilman Barbour made a motion, seconded by Councilman Wood, to open the public hearing. Unanimously approved.

Planning Director Stephen Wensman informed the Council that Staff was requesting the amendment to allow Columbaria as an accessory use to Churches/Places of Worship in the O/I Office-Institutional Zoning District with supplemental regulations (Article 7) and definitions in Appendix A. A Columbarium is defined in GS 65-48 (8) as a structure or building substantially exposed above ground intended to be used for the interment of the cremated remains of a deceased person. A Columbarium is typically associated with a cemetery and in fact, GS 65-48 (3) defines cemetery as:

"Cemetery" means any one or a combination of more than one of the following in a place used or to be used and dedicated or designated for cemetery purposes:

- a. A burial park, for earth interment.*
- b. A mausoleum.*
- c. A columbarium.*

Columbaria have increased in popularity as the costs of funerals and cemetery plots have increased. In response, many churches have been adding columbaria to their churches or church properties. The Town recently had an inquiry about adding a columbarium to a church and after researching the issue found that there are at least 2 columbaria already on church property in the O/I zoning district in town. The Episcopal Church has an urn plot in a small garden setting and the Presbyterian Church as an even larger columbarium. Staff has also discovered that St. Ann's Catholic Church is planning to construct a columbarium, however they are currently located in the B-3 zoning district. Upon research of other towns, there seems to be columbaria on church properties throughout Raleigh and in many other smaller towns across North Carolina and across the Nation. Some jurisdictions are regulating columbaria on church properties to address potential issues, such as:

- Internment of cremated remains require maintenance in perpetuity just as with a cemetery plot. A church with a columbarium could be abandoned at some future date leaving the fate of the deceased remains in question.
- The location of a columbarium adjacent to residential property could become a nuisance when there are ceremonies, or the columbarium is large.
- Internment of remains in a columbarium can be expensive, \$1200 or more, and could become a potential revenue source for a small congregation. Regulation on the size of the columbarium might be needed so it does not become fundamentally a cemetery.

The draft UDO Amendment would make columbaria accessory to churches and places of worship in the O/I Zoning District with supplemental regulations. The O/I District contains most of the Town's large places of worship and is where the existing columbaria are known to exist presently. The placement of columbaria with places of worship in the O/I District are unlikely to be a nuisance or cause problems for adjacent properties, unlike with places of worship located in residential districts. The amendment addresses the various columbarium situations: an indoor or outdoor columbarium, or an urn plot. The supplemental regulations include regulations to address long term maintenance costs and alternate plans for future internment, dimensional considerations, number of allowed interments, appearance, and signage. The ordinance amends Table 6.5 Table of Uses and Activities, Article 7 Supplemental Regulations, and Appendix A Definitions. This ordinance does not address ash gardens.

Planning Staff and the Planning Board believe the zoning text amendment is consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

Planning Staff and Planning Board unanimously recommended approval of the zoning text amendment ZA-20-04 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Planning Director Stephen Wensman has incorporated his entire record and provided it to Council in written form in the November 10, 2020 agenda packet.

Mayor Moore asked if there were any questions from Council.

Councilman Barbour stated that if churches were allowable in any zoning district, could this draft ordinance add that columbaria be allowed in the business districts with an approved special use permit. Mr. Wensman responded it could be added to the business districts.

Councilman Barbour stated there were some churches in residential areas. Mr. Wensman explained staff does not believe that columbaria should be allowed in residential areas because some churches in residential areas are not equipped to handle the intensification. Staff modeled it off of the zoning areas where cemeteries in the Town were permitted.

Mayor Moore asked if there was any in attendance who wished to speak on this matter. No one in attendance wished to speak on the matter.

Councilman Scott made a motion, seconded by Councilman Wood, to close the public hearing. Unanimously approved.

Councilman Barbour made a motion, seconded by Councilman Wood, to approved zoning text amendment ZA-20-04, adding Columbarium as an accessory use to Churches/Places of Worship with supplementary standards and adding definitions to Appendix A also allowing it in the R-20, R-10, R-8, R-6, B-2 and B-3 zoning district through the special use permitting process, finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest. Unanimously approved.

ORDINANCE # ZA-20-04

**AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE**

ARTICLE 6, SECTION 6.5, TABLE OF USES AND ACTIVITIES, ARTICLE 7 Supplemental regulations, and appendix A

WHEREAS, the Smithfield Town Council wishes to amend certain provisions in the Unified Development Ordinance by making changes to the Town of Smithfield Unified Development Ordinance to allow columbarium as an accessory use to churches and places of worship in the O/I (Office Institutional) District.

WHEREAS, it is the objective of the Smithfield Town Council to have the UDO promote regulatory efficiency and consistency and the health, safety, and general welfare of the community;

NOW, THEREFORE, be it ordained that the following Articles are amended to make the following changes set forth in the deletions (strikethroughs) and additions (double underlining) below:

[Revise Article 6, Section 6.5, to allow columbarium as an accessory use to churches and places of worship in the O/I (Office Institutional), Article 7 adding supplemental regulations for columbarium, and Appendix A. Definitions, adding definitions for Columbarium and Urn Plots.

PART 1

Section 6.5 Table Of Uses And Activities.

Accessory Uses/Buildings	R-20A	R-10	R-8	R-6	R-MH	PUDs	O/I	B-1	B-2	B-3	LI	HI	Supplemental Regulations
<u>Columbarium</u> <u>accessory to</u> <u>places of</u> <u>worship</u>	<u>SS</u>	<u>SS</u>	<u>SS</u>	<u>SS</u>			<u>PS</u>	<u>SS</u>	<u>SS</u>	<u>SS</u>			<u>Section 7.35</u>

PART 2

Section 7.35 Columbarium.

A columbarium, an indoor or outdoor columbarium, an outdoor columbarium, or an urn plot, shall be permitted as accessory uses to Churches and Places of Worship accordance with Section 6.5 and subject to the following standards:

7.35.1. Any place of worship may establish an indoor columbarium, an outdoor columbarium, or an urn plot as an accessory structure as an accessory to its permitted use provided the following are submitted to the Planning Department and approved:

7.35.1.1. A site plan of the proposed area approved by the Planning Department where the columbarium or urn plots are to be located showing the location of each urn, the dimensions of the space, and a 20 foot access area for maintenance and visitation that has relatively flat and firm topography such that maintenance equipment could access the burial area:

7.35.1.2. A plan of perpetual care and maintenance trust fund to be available if the Institution closes or no longer operates the columbarium or urn plot which is segregated for just the columbarium or urn plot with funds retained from half the price of each space. The place of worship may spend annually from the fund 3% of the trust fund.

7.35.2. All Indoor Columbaria within the building of a place of worship must comply with the following physical requirements:

7.35.2.1. Alternate Plan. The Place of worship must present a plan with a dedicated outside area for internment of the urns in the event the place of worship ceases to operate or manage the columbarium.

7.35.3. All Outdoor Columbaria must comply with the following physical requirements:

7.35.3.1. Location. A columbarium must be located outside a building owned and occupied by a church or place of worship as defined by the Unified Development Ordinance, Appendix A

7.35.3.2. Height. Outdoor columbaria must be no higher than six (6) feet as measured from the average grade elevation where the columbarium meets the grade. An outdoor columbarium that is not visible from off-property public is not subject to the six (6) feet requirement and may be higher.

7.35.3.3. Setback. Columbarium structures shall meet the setback and yard requirements of the O/I Office/Institutional district.

7.35.3.4. Appearance. A columbarium shall be complementary or consistent in material and design with the primary structure.

7.35.3.5. Signage. Signage shall be limited to inscriptions on the face of a columbarium niche and commemorative plaque on the columbarium structure. Commemorative plaques may be no larger than 12 inches by 12 inches.

7.35.3.6. Number. The columbarium must have spaces for no more than 200 urns.

7.35.4. All Outdoor Urn Plots must comply with the following physical requirements:

7.35.4.1. Location. An outdoor urn plot must be located outside a building owned and occupied by a church or place of worship as defined by the Unified Development Ordinance, Appendix A

7.35.4.2. Setback. Outdoor urn plot structures shall meet the setback and yard requirements of the O/I Office/Institutional district.

7.35.4.3. Appearance. Urn plot shall be complementary or consistent in material and design with the primary structure.

7.35.4.4. Number. The place of worship shall not provide urn plot spaces for more than 100 spaces.

7.35.4.5. Signage. Signage shall be limited to inscriptions on the face of a urns in the ground with one sign not exceeding 2 sq. ft.

PART 3

Section A.3 Definitions.

Columbarium

A Columbarium is defined in GS 65-48 (8) and is so defined herein as a structure or building substantially exposed above ground intended to be used for the interment of the cremated remains of a deceased person.

Urn Plots

Urn Plots in the ground are not defined by statute. Urn Plots are defined herein as urns set in the ground according to a predesigned and approved plot plan to contain cremated human remains.

Part 4

That the Unified Development Ordinance shall be page numbered and revision dated as necessary to accommodate these changes.

PART 4

That these amendments of the Unified Development Ordinance shall become effective upon adoption.

Duly adopted this the 11 day of November 2020.

2. Bond Agreement hearing for Johnson Court Apartments.

Councilman Barbour made a motion, seconded by Councilman Stevens, to open the public hearing. Unanimously approved.

Town Manager Michael Scott explained this was a request from a company by the name of Vitus. Kristen Kirby, the bond attorney, is present should there be questions. The company is requesting the Town assist them in getting bond money to rehabilitate Johnson Court Apartments which has fallen into a significant state of disrepair. The Town Manager further explained there have been a lot of complaints about the living conditions of the residents of those apartments. wished to rehab the apartment, but need assistance from the Town in order to get the bond money they required to make this process work. Smithfield Housing Authority could have assisted them in this process, but they chose not to be involved. Town Attorney Bob Spence has worked with Miss Kirby on his matter, believe he has everything resolved so the Town's interests are protected

Kristen Kirby stated she was an attorney with McGuire woods in Raleigh the bond Council for the Burlington housing authority who will be issuing the bonds in question that will be used to finance the acquisition and rehabilitation of a portfolio of eight properties and total, one of which is Johnson court apartments. Of the total bond amount of approximately \$53.5 million, 8 million of that would be used towards Johnson Court Apartments. Their proposed rehabilitation is approximately \$52,000 per apartment unit. So pretty significant rehab of this property. Vitus is based in Seattle, but they do affordable housing development across the country. They've done other projects in North Carolina in Charlotte and in Wilmington. The reason this is before the town council for a public hearing and approval is that under the federal tax code, in order to issue tax exempt bonds for affordable housing, there has to be a public hearing, followed by an approval in each jurisdiction in which the projects being financed are located. And that public hearing and approval has to be before the elected legislative body of the jurisdiction. So since one of these properties is in the town of Smithfield, we have to have that approval from the town council. As the town manager mentioned, we are asking the Town also to cooperate in the issuance of the bonds. Under the North Carolina housing authorities' law, cities and towns are given the ability to act as housing authorities,

you can exercise any power that Housing Authority could exercise, including the ability for multiple housing authorities or cities and towns acting as housing authorities to cooperate together, and the issuance of bonds to finance properties in one or more of their jurisdictions. So, on the cooperation front, would be the Town agreeing to cooperate and allowing the Burlington Housing Authority to be the issuer for the bonds that will finance all eight of the projects in the portfolio, including Johnson court. The Town does not have any financial liability whatsoever with respect to the bonds. They do not affect your legal debt limit or your debt ratios when you're doing your financial statements. The bonds are solely repaid from payments made by the borrower, the developer. We are looking to close on this bond issue in December, after which the rehab would start. This is an in-place rehab so no tenants will be permanently displaced.

Mayor Moore asked if there were any questions for Council.

Councilman Barbour questioned if there would be a new management company in place for the apartments. Ms. Kirby responded there would be a new management company in place. Since there is a HUD loan, HUD also has some oversight of the property and would have to approve any change in management company in the future.

Councilman Barbour questioned why the Smithfield Housing Authority chose not to be involved. Ms. Kirby responded they were not very responsive.

Mayor Moore questioned if the security issues would be addressed. Ms. Kirby responded there would be security upgrades, but she did not have specifics.

Mayor Moore questioned if each municipality in the portfolio would have to hold similar public hearings. Ms. Kirby responded that all of the municipalities had to hold similar public hearings.

Councilman Scott questioned if there would be any financial liability to the Town in the event this defaults. Town Attorney Bob Spence responded that the Town could receive \$20,000 for administrative costs, but the Finance Director has not decided to that at this time.

Councilman Scott questioned the term of the bonds. Ms. Kirby responded these are actually short-term bonds that are only outstanding during the construction period, so, roughly two years. The Town does not have any financial liability for the bonds. It's clear in the documents that the only source of repayment for the bonds is the revenues of the project. Also, these bonds are going to be issued as cash collateralized bonds, which means at all times the bond trustee will be holding sufficient cash to pay the full principal and interest on the bonds when they do mature. It was virtually impossible to have a payment default since they are collateralized by cash. And then any of the town's expenses related to this approval attorney's fees or anything like that are all covered by the developer as far as the financing, so there's really no money out of the town's pocket or no financial liability.

Mayor Moore asked if there was any in attendance who wished to speak on this matter. No one in attendance wished to speak on the matter.

Councilman Rabil made a motion, seconded by Councilman Wood, to close the public hearing. Unanimously approved.

Councilman Wood made a motion, seconded by Councilman Rabil, to approve the request for assistance. Unanimously approved.

- 3. Zoning Text Amendment Request- Town of Smithfield (ZA-20-03):** The applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance, Articles 3, 4, 5, 6 and 7 to allow conditional zoning, provide for quasi-judicial approvals of preliminary subdivision plats, adoption of Historic Preservation Commission regulations, incorporating 160D enabling legislation changes and corrections to text designed to reduce ambiguities and provide additional clarity.

Councilman Barbour made a motion, seconded by Councilman Stevens, to open the public hearing. Unanimously approved.

Planning Department Stephen Wensman Planning Staff is respectfully requesting that the Town Council hold a public hearing and consider approval of the draft amendment to the Town of Smithfield Unified Development Ordinance (UDO) Articles 3, 4, 5, 6 and 7 in order to allow conditional zoning, to provide for quasi-judicial approvals of subdivision preliminary plats, to adopt Historic Preservation Commission and regulations, to incorporate the 160D enabling legislation changes, and to fix text errors, ambiguities and provide clarity to some sections.

The proposed UDO amendment to allow conditional zoning, to provide for quasi-judicial approvals of subdivision preliminary plats, to adopt Historic Preservation Commission and regulations, and to incorporate the 160D enabling legislation changes into the UDO requires changes to Articles 3, 4, 5, 6 and 7. The intent of the amendment is to:

- Allow for Conditional Zoning option as a parallel zoning district to each of the primary zoning districts. Conditional Zoning is a negotiated approach to a legislative decision (rezoning) allows maximum flexibility to tailor regulations to a site and project. Conditional Zoning Districts are zoning districts in which all the site-specific standards and conditions are incorporated into the zoning district regulations. Our current PUD regulations are a form of conditional zoning for mixed use developments. Conditional Zoning is a similar process but for developments that are not mixed use. The conditional zoning can only be for a land use that is permitted in the primary zoning district and the only the land use shown on the approved site plan.
- Change Major Preliminary Plat approvals from Administrative to Quasi-Judicial. This will allow the Town Council to conditionalize subdivision approvals and provide for public comment/expert comments. This change will also allow developers to submit preliminary plats without complete engineered construction plans as currently required. The TC approval of plats will allow for conditions to be incorporated into the preliminary plat approval, such as requiring construction drawings conform to the UDO.
- Adopt required changes to the UDO as a result of changes to the new combined enabling legislation both Counties and Towns, 160D. 160D requires Towns to adopted 160D changes into local regulations no later than July 1, 2001. The changes affect all Articles of the UDO; but only those in Articles 3 ,4, 5, 6 and 7 are being addressed at this time.
- Adopt HPC and regulations into the UDO. These were left in the Town's Administrative Code and left out of the UDO when the Planning Board and Board of Adjustments were moved to the UDO.

Key Points.

1. Conditional Zoning will follow the same process as rezonings. The Planning Board will review the rezoning (Conditional Zoning) and make recommendations to the Town Council.
2. For Special Use Permits and Preliminary Subdivisions, the current draft provides for the same process at the Planning Board for all quasi-judicial applications. Noticed public meetings will be conducted at the Planning Board to provide an opportunity for community involvements outside of a quasi-judicial hearing and to provide feedback to the developer without ex-parte communication to Council.
3. What should the expiration of abandoned Special Uses be? As drafted, if a special use ceases for 6-months or more, the special use is void. This would help the Town eliminate many non-conforming sites, such as used car dealerships.
4. What land uses should be permitted, permitted with standards, special uses and special uses with standards in Table 6.5.
5. In the current draft, Major Subdivision Final Plats be administratively approved by Staff with appeals to BOA. Public dedications will require Council approval.
6. In the current draft, the R-6 Zoning District will be activated, reversing a previous policy, in order to accommodate market demand for smaller lots. The South 2nd Street lot development by Civitan Field is a recent example of R-6 development.
7. Multi-family residential development currently requires a special use permit with no standards. The current draft makes Multi-Family a permitted use with supplementary standards. STAFF WANTS TO AMEND THIS TO KEEP AS A SPECIAL USE, but with supplementary standards.
8. The current draft includes many new Supplementary Standards (Article 7). These need to be carefully reviewed. What additional standards are needed?
9. Article 8, Section 8.13, has been updated since the PB packet was delivered.

Summary of Amendment.

Article 3:

Article 3 addresses the administrative, legislative and quasi-judicial authority under the UDO. The proposed changes to the UDO include:

- Throughout the Article references to state statute were updated as related to 160D.
- 3.1.2.9. Deletes UDO Administrator's duty to provide nonconforming determinations of expansion of nonconforming uses and structures in anticipation of a future update to Article 9.
- 3.1.2.9. Adds duty to maintain records of the HPC.
- 3.2. Updates Ethics section as required with legislative enabling legislation 160D.
- 3.3.3. Updates Planning Board composition and vacancies as required with legislative enabling legislation 160D.
- 3.3.4.12. Adds to the Planning Board's duties a review of quasi-judicial applications as requested by the Planning Board and Town Council.
- 3.4.2.1. Updates reference to state statutes as required with legislative enabling legislation 160D.
- 3.4.2.2. Updates membership of the BOA as required with legislative enabling legislation 160D.
- 4.4.2.4. Updates Quorum and Voting of BOA as required with legislative enabling legislation 160D.
- 3.5 Inserts updated HPC regulations into the UDO (it was formerly in the Town's Administrative Code and was not moved when the UDO was update in 2016).
- 3.6.1. Adds quasi-judicial review of major subdivision plats to the Town Council's authority.
- 3.6.2. Adds conditional zoning to the Town Council's legislative authority.
- 3.6.4. Cleaned up text errors.

Article 4:

Article 4 addresses Legislative and quasi-judicial procedures in the UDO. Proposed changes include:

- Throughout the Article references to state statute were updated as related to 160D.
- 4.1.1. Add a summary table for required permits/approvals and process type (Admin./Legislative/Quasi-Judicial).
- 4.2. Includes updates as required with legislative enabling legislation 160D.
- 4.2.1. Strikes 45-day requirement for Town Council or BOA hearing after application submittal. The timeline was not feasible currently or under amended UDO.
- 4.3.2.1. Includes a 160D update about notice requirements.
- 4.3.2.3. Updates reference to state statutes related to 160D.
- 4.3.3. Updates the notice and public hearing section to include conditional zoning and preliminary plats and to address 160D requirements.
- 4.4. Updates expiration of permits by referencing state statutes and expirations of SUPs, including expirations of SUPs if use ceases for 6 months.
- 4.6.3. Adds noticed public meetings to the Planning Board actions.
- 4.6.4.1. Clean up of text.
- 4.6.4.6.3. Addresses changes related to 160D.
- 4.6.4.7. Adds Conditional Zoning/PUD procedures.
- 4.7. Updates vested rights references to statutes and procedures for plats, SUPs and site-specific CZ/PUD plans.
- 7.9.3.1. Clean up UDO, there are no alternates for Town Council.
- 4.9.3.5. Updates Special Use findings of fact requirements.
- 4.10. Updates reference to state statutes and updates voting requirements of the BOA.
- 4.11. Adds procedures section for preliminary subdivision plats.
- 4.12.1.2 Adds regulations for transmitting materials to various parties.

Article 5:

Article 5 establishes the development review process including subdivisions. In order to

incorporate quasi-judicial review of major subdivision preliminary plats and to accurately describe the development review process the text changes are proposed and the order of the sections have been changed. The changes include:

- Throughout the Article references to state statute were updated as related to 160D.
- 5.3. Add conditional zoning and clean up text.
- 5.5. Add Major Subdivision Final Plats to Administrative approvals.
- 5.5.1. Update Admin Approval Flow chart to include Major Subdivision Final Plats
- 5.5.2. Provide clarifications in the text.
- 5.5.3. Delete section because it is out of sequence.
- 5.5.5. Added a process section for Minor Subdivisions.
- 5.5.6. Added a process section for Major Subdivision Final Plats.
- 5.6. Moved Site Plan Requirements from subdivision section. Subdivision requirements are in Article 10.
- 5.7. Updated Major Subdivision Plats Section for quasi-judicial preliminary plat review and administrative final plat review.
- 5.7.3. Updated the flow chart accordingly.

Article 6:

Article 6 establishes the Town's Zoning Districts and allowed uses within each district. Changes include:

- Throughout the Article references to state statute were updated as related to 160D.
 - 6.3.3. Removed irrelevant text – PUDs are a zoning district.
 - 6.3.4. Delete the prohibition to new R-6 rezonings. The smaller lots are currently desired in the marketplace for both developers and home buyers.
 - 6.3.5. Delete two-family dwellings from description of R-MH District and deleted text about multifamily and manufactured home parks as special uses. The table of uses dictates what uses are special uses.
 - 6.3.6. Deleted PUD as a Primary Zoning District in order to move it to a Conditional Zoning District section.
 - 6.3.10. and 6.3.11. Add text to distinguish light industrial from heavy industrial.
 - 6.3.13. Deleted AD District. There is no land zoned for AD in the Town or ETJ. The airport will be within an Airport Overlay District setting regulations for use and height in the airport safety zones.
 - 6.3.14. Deleted the OS District. There is no land zoned for OS and there are no regulations for OS.
 - 6.4. Added Conditional Zoning Districts section with descriptions of the two types of conditional zoning districts, CZ Districts and PUD.
 - 6.5.3. and 6.5.4. Added description to Watershed Districts
 - 6.4.5. Added AHH Overlay. The current airport master plan process will produce model ordinance language to be adopted by the Town to reduce the potential for airport hazards.
 - 6.4.6. Create HO Overlay. This overlay district is mapped, but there are no district regulations in the UDO.
 - 6.5. Amend uses in the Table of Uses, reducing the number of special uses by adding more rigorous supplementary standards for permitted uses and to encourage more conditional zoning. Also removing PUD, AD, AHH, OS RHO and ECO from the table of uses. The site-specific plan for PUDs identifies the uses and Overlay districts provide a layer of additional regulation over the primary zoning district uses.
- Key changes:
 - Churches/Places of worship are permitted in all primary zoning districts to comply with RLUIPA.
 - Parks and playgrounds and recreation facilities are permitted uses, rather than special uses. These are typically approved with development or are Town projects. The Town can hold informational meetings with neighborhoods to shape the development of these facilities.
 - Multi-family will remain a special use, but with standards. The standards are intended to be rigorous, to encourage most developers to choose Conditional Zoning to negotiate standards with a site-specific plan.
 - Licensable facilities will be permitted uses with standards rather than special uses.
 - Vehicle storage in conjunction with repair has been deleted as a use and new

standards for vehicle storage has been incorporated into the Automobile Repair and Automobile Painting and Body Shop supplementary standards.

- Bars and Nightclubs will be the new term for private clubs, establishments that serve alcohol without food.

Article 7:

Article 7 provides supplementary standards for specific land uses. With the adoption of conditional zoning, many land uses that were special uses are to be permitted with strict supplementary standards (typical of conditions that would be placed on the land use) with the intent that the strict standards will create more conditional rezonings with site-specific plans which give the Town Council an ability to shape development in a legislative decision-making process.

Changes to Section 7 include:

- 7.2. Require/clarify the requirement for concrete curb and gutter between the building and the public street and other paving requirements. Allows gravel paving to the side and rear of the industrial development.
- 7.3. Updates Accessory Structure section. Allows 2 accessory structures on properties greater than ½ acre in size in the R20A District.
- 7.5.2. Adds new standard for Accessory Dwelling Units in the B-1 District. This was developed in coordination with the DSDC.
- 7.13. Updated Temporary Office Units/Modular Office Units. Temporary Uses throughout this Article have been rewritten.
- 7.15. Fairgrounds was not a standard, but rather a definition; therefore, it was moved to Appendix A- Definitions.
- 7.22. Strengthened and clarified standards for Automobile Service Stations; Gas Pumping Stations.
- 7.27 Street vendors was deleted. This is already in the Town's Administrative Code.
- 7.30 Temporary Uses section was reworked.
- 7.34. Cluster Development regulations were updated including a prohibition to stormwater SCMs within required open space.
- 7.35. Created standards for Multi-family Residential.
- 7.36. Created standards for Animal Hospital/Veterinarians.
- 7.37. Created standards for Drive-in Facilities.
- 7.38. Created standards for Automotive Repair.
- 7.39. Created standards for Car Washes.
- 7.40. Created standards for Mini-storage.
- 7.41. Created standards for Outdoor Storage.
- 7.42. Created standards for Assembly uses/Event Centers.
- 7.43. Created standards for Public Utility Pump Station/ Utility Substation/ Switch stations which adds a screening requirement.
- 7.44. Created standards for outdoor vehicle storage, sales and display.
- 7.45. Created standards for Flea Markets.
- 7.46. Created standards for Kennels.
- 7.47. Created standards for Bed and Breakfasts.

Planning Director Stephen Wensman has incorporated his entire record and provided it to Council in written form in the November 10, 2020 agenda packet.

Mayor Moore asked if there were any questions from Council.

Mayor Moore questioned bringing back the R-6 zoning district because the lot sizes are smaller than in the R-8 zoning district. The Town Manager responded staff was not looking to change the zoning map and add a bunch of R-6 districts by right. He further explained the Town did not have an R-6 zoning option. If someone wanted to rezone to R-6, they would have to rezone to R-8 and then we would have to do a conditional zoning to address the lot size which is a more cumbersome process. If there were to be a request for rezoning to R-6, the Council would have the decision to approve or deny the request.

Councilman Barbour questioned if there was a movement towards smaller lots. Mr. Wensman

responded he had received requests for smaller lots all over Town, but he did not think it was appropriate in all areas of Town.

Mayor Moore asked if there was anyone in attendance that wished to seek on the matter.

Mark Lane of 2108 Yelverton Grove Road stated he was coming to the Council as a member of the Planning Board. The Planning Board has recommended that public input be included in the conventional zoning and also in special use cases heard by the planning board. In special use cases these amendments might slow the process for business applications. But special use cases also include solar farms and many other business uses this as new businesses coming into our community. He provided the following example: if a solar farm was built adjacent to your property, it is required that the adjacent property owners be notified no less than 10 days before but no more than 25 days. I talked with a planning staff member and I was told at the planning department usually notifies property owners around a 10-day index prior to here. So that means that if a citizen needs to hire an attorney to represent them, they would have either ten days to hire an attorney or the item would have to be postpone. The Planning Board unanimously recommended approval of all the amendments.

Councilman Scott made a motion, seconded by Councilman Barbour, to close the public hearing. Unanimously approved.

Councilman Barbour made a motion, seconded by Councilman Stevens, to table this item until the December 1, 2020 regular Town Council meeting. Unanimously approved.

CITIZEN'S COMMENTS:

- David Johnson of 397 Sassafras Lane, Clayton, North Carolina expressed his concerns to the Town Council about reoccurring flooding issues on the 1600 block of South Brightleaf Boulevard. It was Mr. Johnson's understanding CSX has agreed to conduct and engineering study for an approximate cost to the Town of \$15,000. Mayor Moore responded that at this time, the Town has not approved to move forward with any engineering studies. Mr. Johnson stated he would like to be part of the solution and not part of the problem.

CONSENT AGENDA:

Councilman Barbour made a motion, seconded by Councilman Wood, to approve the following items as listed on the Consent Agenda:

1. The following minutes were approved
 - October 6, 2020 – Regular Meeting
 - October 6, 2020 – Closed Session
 - October 20, 2020 – Special Meeting
 - October 20, 2020 – Closed Session
2. Promotion: approval was granted to promote a Utility Line Mechanic to the vacant Pump Station Mechanic position in the Public Utilities Water/ Sewer Department
3. Approval was granted to adopt the updated salary schedule
{Attached hereto and made a part of these official minutes is a copy of the updated salary schedule on file in the office of the Town Clerk}
4. Approval was granted to designate and install signage for "No Thru Trucks" on Britt Street.
5. Bid was awarded to Deacon Jones in the amount of \$74,919.00 for the purchase of three Dodge Chargers for the Police Department Bids received are as follows
 - Deacon Jones \$ 24,973 x 3 = \$74,919.00
 - Performance Automotive \$ 25,528 x 3 = \$76,584.00
 - Bleeker \$ 25,534x 3 = \$76,602.00
6. Bid was awarded to Owens Roofing, Inc. in the amount of \$62,636.00 for the replacement of the roof at Fire Station No.1. Bids received are as follows:

- Owens Roofing, Inc. \$62,636.00
- Mark Gregory Roofing Company \$65,400.00
- Baker Roofing \$68,246.00

7. Bid was awarded to NexGen in the amount of \$106,700.00 and contract was approved for the installation of AMI water meters in West Smithfield. Bids received are as follows:

- NexGen \$ 106,700.00
- Hydrant Mechanics \$ 429,000.00
- Neal Constructions & Consulting \$ 742,500.00

8. Approval was granted to bring forward budget encumbrances from the 2019-2020 fiscal year to the 2020-2021 fiscal year

1. Revenue

10-00-3900-		<u>\$1,020,500.00</u>	<u>\$677,007.92</u>	<u>\$1,697,507.92</u>
3900-0000	Fund Balance Appropriation			

Expenditure

10-10-4100-				
5700-7400	General Gov. - Capital Outlay	\$500.00	\$20,317.50	\$20,817.50
10-10-4100-	General Gov. - Capital Outlay			
5700-7400	(Municipal Code Corp)	20,817.50	9,600.00	30,417.50
10-61-4110-	Non-Departmental - Economic			
5300-5710	Development	25,000.00	25,000.00	50,000.00
	Non-Departmental - Economic			
10-61-4110-	Development (Shandy			
5300-5710	Communications)	50,000.00	7,898.00	57,898.00
10-61-4110-	Non-Departmental - Economic			
5300-5710	Development (CB Towers LLC)	57,898.00	376.75	58,274.75
10-10-4110-	Non-Departmental -			
5300-0771	Unemployment Compensation	15,000.00	15,000.00	30,000.00
10-61-4110-	Non-Departmental - S.H.A.R.P.			
5300-5712	Reimb	20,000.00	20,000.00	40,000.00
10-10-4900-	Planning - C.S./Engineering			
5300-4501	Standards Manual	0.00	30,000.00	30,000.00
10-10-4900-	Planning - Capital Outlay	0.00	12,000.00	12,000.00
10-20-5100-	Police - Vehicle			
5300-3100	Supplies/Maintenance	86,300.00	2,125.00	88,425.00
10-20-5100-	Police - Uniforms (Lawmens)	44,600.00	655.00	45,255.00
10-20-5100-	Police - Uniforms (Lawmens)	45,255.00	1,450.00	46,705.00
10-20-5100-	Police - Capital Outlay			
5700-7400	(Performance Chrysler)	271,550.00	16,365.00	287,915.00
10-20-5100-	Police - Capital Outlay - Atlantic			
5700-7400	Resources	287,915.00	2,400.00	290,315.00
10-20-5100-	Police - Capital Outlay (FCB			
5700-7400	Visa- NCDMV)	290,315.00	5,000.00	295,315.00
10-20-5300-	Fire - Firefighters Physicals (UNC			
5125-0601	Physicians Network)	15,600.00	11,340.00	26,940.00
	General Services - Appearance			
10-60-5500-	Commission (Rodney S			
5300-3440	Blackmon)	15,000.00	3,877.67	18,877.67
10-60-5500-	General Services - Appearance			
5300-3440	Commission	18,877.67	4,747.00	23,624.67
10-60-5500-	General Services - Cap. Outlay			
5700-7400	(Painting Mausoleum)	20,500.00	3,000.00	23,500.00

10-60-5500-5700-7400	General Services - Cap. Outlay (Mark Gregory Roofing)	23,500.00	14,800.00	38,300.00
10-60-5500-5700-7400	General Services - Cap. Outlay (Dennis Evans)	38,300.00	10,000.00	48,300.00
10-30-5600-5300-7300	Streets - Sidewalk & Curb Repair (NCDOT Sidewalk Agreement)	17,000.00	112,406.00	129,406.00
10-30-5600-5700-7400	Streets - Capital Outlay (195 Bridge Lighting)	0.00	93,000.00	93,000.00
10-30-5600-5700-7401	Streets - Street Paving (Equity Drive)	0.00	173,000.00	173,000.00
10-76-5800-5970-9110	Transfer to GF Capital Reserve	80,000.00	80,000.00	160,000.00
10-60-6200-5300-1700	Pks & Rec - Equipment Maint. (James Paul Edwards Inc)	55,000.00	1,800.00	56,800.00
10-60-6200-5300-1700	Pks & Rec - Equipment Maint. (James Paul Edwards Inc)	<u>56,800.00</u>	<u>850.00</u>	<u>57,650.00</u>
		<u>\$1,555,728.17</u>	<u>\$677,007.92</u>	<u>\$2,232,736.09</u>

To bring forward encumbrances from the 2019-2020 General Fund Budget to FY20-21

2. Revenue

30-71-3900-3900-0000	Fund Balance Appropriation	<u>\$0.00</u>	<u>\$213,812.35</u>	<u>\$213,812.35</u>
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Expenditures

30-71-7220-5300-1700	Water Sewer - Equip Maint (Nixon Power Services)	\$35,000.00	\$5,030.51	\$40,030.51
30-71-7220-5300-4501	Water Sewer - Service Contracts (Nixon Power Services)	265,000.00	8,781.84	273,781.84
30-71-7220-5300-5710	Water Sewer - Economic Development	<u>100,000.00</u>	<u>200,000.00</u>	<u>300,000.00</u>
		<u>\$400,000.00</u>	<u>\$213,812.35</u>	<u>\$613,812.35</u>

To bring forward encumbrances from the 2019-2020 Water/Sewer Fund Budget to FY20-21

3. Revenue

31-72-3900-3900-0000	Fund Balance Appropriation	<u>\$0.00</u>	<u>\$233,862.08</u>	<u>\$233,862.08</u>
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Expenditures

31-72-7230-5300-3300	Electric - Supplies/Operations (Anixter)	\$185,000.00	\$2,426.88	\$187,426.88
31-72-7230-5300-3300	Electric - Supplies/Operations (Anixter)	187,426.88	4,926.40	192,353.28
31-72-7230-5300-3300	Electric - Supplies/Operations (National Transformers)	192,353.28	15,060.00	207,413.28
31-72-7230-5300-3300	Electric - Supplies/Operations (National Transformers)	207,413.28	8,665.00	216,078.28
31-72-7230-5300-3300	Electric - Supplies/Operations (Wesco)	216,078.28	2,783.80	218,862.08
31-72-7230-5300-5710	Electric - Economic Development	<u>100,000.00</u>	<u>200,000.00</u>	<u>300,000.00</u>
		<u>\$1,088,271.72</u>	<u>\$233,862.08</u>	<u>\$1,322,133.80</u>

To bring forward encumbrances from the 2019-2020 Electric Fund Budget to FY20-21

4. Revenue

40-61-3900-3900-0000	Fund Balance Appropriation	<u>\$0.00</u>	<u>\$2,679.00</u>	<u>\$2,679.00</u>
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Expenditures

40-61-4100-5300-3400	J.B. George Projects	1,200.00	2,381.00	3,581.00
40-61-4100-5300-3410	J.P. George Projects	<u>210.00</u>	<u>298.00</u>	<u>508.00</u>
		<u>\$1,410.00</u>	<u>\$2,679.00</u>	<u>\$4,089.00</u>

To bring forward encumbrances from the 2019-2020 J.B. George Fund Budget to FY20-21

- 9. Approval was granted of the East River Phase II Final Plat (S-18-01)
- 10. Approval was granted to adopt Resolution No. 668 (17-2020) accepting public dedication for S-18-01 East River Phase 2

RESOLUTION NO. 668 (17-2020)
RESOLUTION ACCEPTING DEDICATION TO THE PUBLIC OF
RIGHTS-OF-WAY AND EASEMENTS ON SUBDIVISION PLATS

WHEREAS, G.S. 160A-374 authorizes the Town Council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction; and

WHEREAS, the Smithfield Town Council has acted to approve the final plat named in this resolution on November 10, 2020; and,

WHEREAS, the final plats named in this resolution contain dedication to the public of lands or facilities for streets, parks, public utility lines, or other public purposes; and

WHEREAS, the Smithfield Town Council finds that it is in the best interest of the public health, safety, and general welfare of the citizens of the Town of Smithfield to accept the offered dedication on the plats named in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Smithfield Town Council, North Carolina:
Section 1. The Town of Smithfield accepts the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes offered by, shown on, or implied in the following approved subdivision plat:

East River Phase 2 Map Book 87 Page 302

Section 2. Acceptance of dedication of lands or facilities shall not place on the Town any duty to open, operate, repair, or maintain any street, utility line, or other land or facility except as provided by the ordinances, regulations or specific acts of the Town, or as provided by the laws of the State of North Carolina.

Section 3. Acceptance of the dedications named in this resolution shall be effective upon adoption of this resolution.

Adopted the 10th day of November 2020 in Smithfield, North Carolina.

- 11. Approval was granted to adopt Resolution No. 669 (18-2020) donating personal property to Smithfield Selma Senior High School

Resolution No. 669 (18-2020)
 Approving Conveyance of Personal Property to
 Smithfield Selma High School
 Pursuant to G.S. 160A-278

Whereas, the Town of Smithfield owns 2 Survair Panther/Warb-HP air packs, 4 Survivair Panther face masks and 4 Survivair 4500 psi composite air bottles; and

Whereas, North Carolina General Statute § 160A-280 authorizes a Town or county to convey personal property for nonmonetary consideration to a nonprofit corporation if the governing board deems the property to be surplus, obsolete, or unused; and

Whereas, the Town of Smithfield has determined that the personal property described above is surplus, obsolete, or unused; and

Whereas, the Town of Smithfield finds that the public will benefit from the conveyance of the property described above because it will increase graduation rates and the potential for graduates to become Smithfield Firefighters. It also benefits the Town as better training increase fire safety and the safety of future Firefighters

Therefore, the Smithfield town council resolves that:

1. The Mayor of the Town of Smithfield is authorized to execute all documents necessary to convey the follow:
 - 2 Survair Panther/Warb-HP air packs,
 - 4 Survivair Panther face masks and
 - 4 Survivair 4500 psi composite air bottles
 - 8 Turnout Pants
 - 8 Turnout Coats
 - 8 Hoods
 - 5 Sets of Boots
 - 5 Sets of Suspenders
 - 6 Rope Accessories
 - 1 Rope
 - 2 Prusik Rope Ties
 - 1 Soft Protection Pad
 - 1 Hardware Bag

to Smithfield Selma Senior High School for its Fire Sciences Program

2. The consideration for the conveyance will benefit the Smithfield Selma High School by contributing to its Fire Science Program which could potentially increase graduation rates and the potential for graduates to become Smithfield Fire Fighters.

3. In accordance with the notice requirements of N.C.G.S. § 160A-280, public notice of this resolution was given by Town Clerk Shannan Parrish on the Town of Smithfield's website www.smithfield-nc.com . Notice was posted on November 3, 2020.

Adopted the 10th day of November 2020 in Smithfield, North Carolina.

12. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
P/T Lifeguard	P&R - Aquatics	10-60-6220-5100-0230	\$8.00/hr.
Sanitation Worker	PW – Sanitation	10-40-5800-5100-0200	\$12.83/hr. (\$26,686.40/yr.)
Water Plant Operator I	PU – Water Plant	30-71-7200-5100-0200	\$15.62/hr. (\$32,489.60/yr.)

Current Vacancies

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
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Assistant Finance Director	Finance	10-10-4200-5100-0200
Firefighter I (2 positions)	Fire	10-20-5300-5100-0200
Fire Inspector (Part-time)	Fire	10-20-5300-5100-0210
Police Officer I (4 positions)	Police	10-20-5100-5100-0200
Pump Station Mechanic	PU – Water/Sewer	30-71-7220-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200

Business Items:

1. Consideration and request for approval for Riverbank Refurbishment along the Greenway

Town Manager Michael Scott explained the riverbank has washed out just north of the Market Street Bridge. The washout goes straight down from the cement Greenway all the way to the river and it is a repair that is tenuous and needs to be completed. We estimated the repair at between 95,000 and \$100,000. Last month, we received a quote for \$96,920 From James P. Edwards. Staff met with the County at their last County Commissioners meeting seeking assistance in financing some of this as an unbudgeted expense. The County agreed to grant us \$20,000 to assist in this process, which would be a reimbursed amount after completion of the project. That would leave \$76,920 for the repair, which can be taken from the general fund contingency. We did have a second bid at \$114,122, we did not receive three quotes because other companies would not submit a bid for the project. J.P. Edwards would be the low bidder at \$96,920. This company also did the similar repair just a south of this repair which the two would actually be connected when completed. That repair held during this last flood event on September 1 August 31. Although there are no guarantees that anything, we do out there is going to hold, the Town has to do something if we want to continue the use of the Greenway. Staff's recommendation is the approve James P. Edwards Construction in the amount of \$96,9620 for the repair to the riverbank. The Finance Director will provide a budget amendment to the Council for approval moving funds from the general fund contingency after the repair is completed.

Councilman Scott questioned the amount that would remain in contingency funds after this expense. The Town Manager responded there was over \$200,000 in contingency funds. The Town Manager further explained that the LGC is reviewing the Town's draft audit and it appears the general fund 's fund balance will be in excess of \$100%; therefore, funds were also available from fund balance.

Councilman Scott made a motion, seconded Councilman Rabil, approve the low bid from Jimmy Edwards in the amount of \$96,920. Included in the motion was to accept the funds from Johnston County in the amount of \$20,000 and to use contingency funds in the amount of \$76,920 to fund the project. Unanimously approved.

2. Consideration and Request for approval of the Spring Branch Community restoration Project Contract with KCI

This item was tabled from the October 6, 2020 Meeting

Planning Director Stephen Wensman addressed the Council on a request to approve a contract with KCI to design and install the Spring Branch Community Restoration Project. Mr. Wensman reminded the Council that the overall project would cost \$200,500. The Attorney General's Office awarded the Town \$100,000 for this project leaving a \$100,500 shortfall. The intent is to get all the design and permitting completed with the grant funding and then wait until the next budget to pay for the construction. The total project could be done now with the use of fund balance.

Councilman Scott questioned how this would assist with flooding. Mr. Wensman responded the concern was the first phase of the project which was the construction of the wetland and stream bank restoration. If the Spring Branch fills, this would provide an outlet for flood waters to flow into and slowly seep into the ground as opposed to running downstream and causing more impact downstream. This project was included in the Hazardous Mitigation study completed several years ago.

Councilman Wood questioned the timeframe in which the project would be completed. Mr. Wensman

explained it would take three months to completed the project. KCI would like to start in April, but if they do not start until July, the project would be completed possibly by October. Mr. Wensman further explained the contractors are aware of the situation and will honor the contract if construction doesn't begin until after July 1st.

Councilman Barbour made a motion, seconded by Councilman Rabil, to use the grant funds to completed the planning portion of the project and budget the remainder of the project in next year's budget. Councilman Barbour voted in favor of the motion. Councilman Lee, Councilman Stevens, Councilman Scott, Councilman Rabil and Councilman Wood voted against the motion. Motion failed six to one.

Councilman Wood stated he thought it was best to take funds from the fund balance to complete the repairs prior to July 1st.

Councilman Wood made a motion, seconded by Councilman Rabil, to approve using the grant funding in the amount of \$100,000 and to appropriate the additional \$100,500 from the general fund's fund balance to complete the project and award the contract for the design and installation of the Spring Branch Community Restoration Project to KCI. Unanimously approved.

3. Consideration and request for approval for Easement Amendment for Kamdon Ranch

Planning Director Stephen Wensman explained with approval of the Kamdon Ranch subdivision, there was discussion concerning providing an access to the historic cemetery in the adjacent farm field. At that time, all the parties agreed to and 18-foot easement along the back-property line. Family members who tend to the cemetery were concerned about that access because of the trees. Stating it would impede their ability to access the cemetery. All the parties renegotiated this access and agreed to provide a 10-foot easement across a shared property line adjacent to the cemetery. This new access is a compromise for all parties. Mr. Wensman further explained there would be a ditch section, so there would be a culvert that you could actually bring a vehicle in. It would be on that 10-foot easement. It would meet all the need of the family members maintaining the cemetery. It would be maintained by the adjacent property owners because it's their property. And as you recall, the family gathers at the cemetery generally once a year, and they do maintenance and, you know, pray and celebrate.

Councilman Scott questioned if the family was agreeable to this. Town Attorney Bob Spence responded it was a reasonable compromise, but he has been unable to contact the family.

Councilman Scott made a motion, seconded by Councilman Barbour, to approve the revised easement. Unanimously approved.

4. Consideration and request for approval of a Social Media Policy for appointed board members and elected officials

Town Manager Michael Scott explained Council had communicated to him earlier to direct staff to draft a social media policy for board members and elected officials. HR Director Tim Kerigan explained he looked at several other towns in the state and in in the country and drafted this policy. He reviewed it with the town attorney to get his input. He asked for input or any suggestions from the Town Council

Councilman Scott stated he would like the policy to be shared with all the advisory board members for their feedback. He further questioned if a policy for Town employees was also being updated. Mr. Kerigan responded the employee policy would be updated and sent to the employee committee for review. Also, staff was developing a public policy for the Town's social media sites.

Councilman Scott made a motion, seconded by Councilman Barbour, to provide the draft policy to all advisory board members and to the employee committee for review and bring it back to the council at a later date for approval. Unanimously approved.

Councilmembers Comments:

- Councilman Lee explained there was an incident the first night of early voting at First Baptist Church, but he was alright. He stated the Police Department needed to be more accountable.
- Councilman Scott stated he was disappointed the Town could not hold its annual Christmas parade and wished there was another option. He expressed his appreciation to the Electric Department for their swift response during a recent power outage. He felt it was important that we highlight the benefit of having our utilities and managing it locally.
- Councilman Barbour a reminder that we are continuing to drive our drone technology policy and program. We are working on trying to get with parks and recreation to identify locations within the Town that would be safe places for our people that have drones to fly. He expressed his appreciation to the Public Works employees for their leaf collection efforts.
- Councilman Stevens he wished the Town could get everyone for at least the Christmas tree lighting. It's a great experience.
- Mayor Moore there are somethings that are being planned for Christmas which can be safely done. Mayor Moore stated he was pretty excited about the drone program. He asked staff to provide an update even if a policy had not been drafted. Mayor Moore encouraged the public to not place their leaves in the roadway. Leaves in the roadways clogs the storm drains. With the eminent thread of heavy rains, he urged citizens not to cross flooded streets.

Town Manager's Report:

Town Manager Michael Scott gave a brief update to the Council on the following items:

- Cancellation of the annual Christmas parade due to Covis-19 reinstructions
- Employee Christmas: The employee annual Christmas luncheon has been cancelled due to Corona Virus restrictions. Each Town department is being allotted funds to hold smaller, department size parties for their employees.
- Christmas Celebrations: Events will be virtual so he encouraged the public to follow the Town's social media pages.
- Parks and Rec: The Veteran's Day Celebration is ready to proceed. This event is scheduled to take place rain or shine. The events will be broadcast on Facebook Live. The schedule of events will be as follows:
 - 4:15 Ribbon Cutting for DAV equipment at DAV Building
 - 5:15 Troopers from Fort Bragg jump into the SSS Football Field
 - 5:30 Mayoral presentation and dedication at SSS Football Field
 - 5:45 Fireworks Show
- Audit: The Town's FY 2020 audit is complete and in draft form. It has been provided to LGC for certification. It will be presented to the Council during the December 1st meeting.
- Equity Drive Status: J. Smith Civil is on site and construction has begun with new curbing being put into place on the inside of the circle. Valley curbs are planned where the driveway cuts will be placed to further storm drainage from the road and into the storm water drains
- Municipal Batteries: Recently court rulings have opened the door to the use of municipal batteries as a load shedding mechanism for the entire Town's electricity use, thus lowering the cost of wholesale electricity. There our options to lease and to purchase this equipment. The Utility Director is suggesting a special meeting be held to allow him to present these alternatives, cost and pros and cons of such a venture.

Adjourn

Being no further business, Councilman Barbour made a motion, seconded by Councilman Stevens to adjourn the meeting. The meeting adjourned at approximately 9:42 pm

ATTEST:

M. Andy Moore, Mayor

Shannan L. Parrish, Town Clerk