

The Smithfield Town Council met in regular session on Tuesday, September 1, 2015 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall. Mayor John H. Lampe II. presided.

Councilmen Present:

M. Andy Moore, Mayor Pro-Tem
Marlon Lee, District 1
J. Perry Harris, District 2
Roger A. Wood, District 4
Emery D. Ashley, At-Large
Charles A. Williams, At-Large

Councilmen Absent

Travis Scott, District 3

Administrative Staff Present

Jim Freeman, Interim Town Manager
John Blanton, Interim Fire Chief
Lenny Branch, Public Works Director
Pete Connet, Interim Public Utilities Director
Paul Embler, Planning Director
Gary Johnson, Parks & Rec Director
Tim Kerigan, Human Resources/PIO
R. Keith Powell, Police Captain
Greg Siler, Finance Director
Shannan Williams, Town Clerk

Present:

Bob Spence, Town Attorney

Staff Absent:

Michael Scott, Chief of Police

The invocation was given by Councilman Ashley followed by the Pledge of Allegiance led by the following members of Girl Scout Troop 614: Madeline Smith, Valerie Smith, MacKenzie Swartz, Mataya Grimes, Brianna Faircloth, Katie McNoldy, Kaitlyn Hill, Katlin VanRoekel, Elizabeth Applebaum and Tiona Branch

APPROVAL OF AGENDA:

Mayor Pro-Tem Moore made a motion, seconded by Councilman Williams, to approve the agenda with the following amendments:

- *Add a Closed Session Pursuant to NCGS 143-318.11 (a) (3) & (6)*

Unanimously approved.

PRESENTATIONS:

1. Discussion regarding improvements the Downtown Smithfield Development Corporation would like pursue in the Town Commons Area

Executive Director of the Downtown Smithfield Development Corporation (DSDC) addressed the Council on a number of improvements that the DSDC would like to pursue in the Town Commons Area. Ms. Edwards explained that the river is most underutilized asset in the Town. The DSDC would like the Council to consider allowing the DSDC to pursue the River Works Project. This project would be a continued enhancement of the Town Commons, Neuse Riverwalk and Buffalo Creek Greenway. The four target areas are as follows: the Hastings House, the Neuse River Amphitheatre, the Boy Scout Hut and the Boat Ramp. Ms. Edwards outlined improvements to each target area. Her request was to allow DSDC to take the next steps in pursuing the projects.

It was the consensus of the Council to allow the DSDC to move forward with further development of the River Works Project.

Christian Waters of the NC Wildlife Resources Commission presented to the Council information concerning upgrades to the boat ramp area. He explained that the NC Wildlife Resources Commission is responsible for fish and wildlife across the state. He further explained that when the agency cooperates with a local government, they like to enter into a memorandum of agreement. The agreement would allow the Commission to renovate the ramp at their cost and would be retained by the town assuming the agreement would be upheld. The agreement has a 20 year term with an automatic 5 years renewal. The commission would design and construct a boat ramp, floating dock and associated parking. The commission would install a kiosk that would identify the area as an NC Wildlife Resources Commission public fishing area. Any major renovations would be done by the commission. In return the Town simply cooperates in developing the site, the Town would ensure proper recognition be given to the NC Wildlife Resources Commission, the Town would permit free access by the general public, conduct routine maintenance and minor repairs and maintain the grounds around the area

Mark Hamlet of the NC Wildlife Resources Commission stated that his staff would be responsible for all the design, permitting and construction of the boat ramp and surrounding area. He explained that a 14 foot single lane ramp and 40 - 60 foot floating dock would be constructed. All improvements would be based on the NC Wildlife Resources Commission's standards. Mr. Hamlet further explained that the area would be made ADA compliant.

Mr. Freeman requested that the memorandum of agreement be sent to the Town so that this project could move forward.

PUBLIC HEARINGS:

All persons offering testimony were duly sworn by Town Clerk Shannan Williams prior to the Public Hearings.

1. FFAH Johnson Court, LLC: Regarding proposed issuance for up to \$5,500,000 in Multifamily Revenue Bonds, Series 2015 (Foundation for Affordable Housing North Carolina and Missouri Portfolio) by the Public Financing Authority of Bonds on Behalf of the Foundation For Affordable Housing, Inc. and approval of Resolution #563 (13-2015)

Mayor Pro-Tem Moore made a motion, seconded by Councilman Harris, to open the public hearing. Unanimously approved.

Kristen Kirby with the Law Firm of Hunting and Williams addressed the Council on the proposed issuance by the Public Finance Authority ("PFA") of not to exceed \$75,500,000 Multifamily Housing Revenue Bonds, Series 2015 (Foundation for Affordable Housing North Carolina and Missouri Portfolio) (the "Bonds"), a portion of which in an amount not expected to exceed \$5,500,000 will be loaned to FFAH Johnson Court, LLC, a North Carolina limited liability company, an affiliate of the Foundation for Affordable Housing, Inc. (the "Borrower"), to finance the acquisition and renovation of an existing affordable multifamily rental housing development located in Smithfield. Ms. Kirby explained that PFA is a political subdivision of the State of Wisconsin created for the purpose of issuing tax-exempt and taxable conduit bonds for public and private entities nationwide. PFA is sponsored by the National Association of Counties, the National League of Cities, the Wisconsin Counties Association and the League of Wisconsin Municipalities. The Borrower has requested that PFA act as the issuer of the Bonds in order to achieve cost efficiencies by using a single bond issue to finance projects located in more than one state. The Bonds are not debt of the Town of Smithfield or PFA, but rather are payable solely from debt service payments received from the Borrower. Federal tax law requires that tax-exempt bonds issued to finance affordable housing be approved by the elected legislative body of the governmental unit that has jurisdiction over the area in which the facility is to be located after holding a public hearing (Internal Revenue Code Section 147(f)). The proposed facilities are within the jurisdiction of the Town. A portion of the proceeds of the Bonds will be loaned to the Borrower and used to finance and/or refinance the acquisition, rehabilitation, equipping and/or improvement of Johnson Court Apartments, a 70-unit multifamily rental housing development located at 2228 Kay Drive, Smithfield, North Carolina (the "Development"); to pay interest on the Bonds, to pay costs of issuance of the Bonds, and/or to fund a debt service reserve fund for the Bonds. PFA and the Borrower have requested the Town to approve the issuance of the Bonds solely for purposes of Section 147(f) of the Code. The Bonds will be sold in a public offering with Stifel, Nicolaus & Company, Incorporated as the underwriter, and are expected to be issued in early September, 2015. The Borrower will agree to repay the principal, premium, if any, and interest on the Bonds. Neither the Town nor PFA will have any liability whatsoever for the payment of principal or interest on the Bonds. Because no taxes or other revenues of the Town are pledged to pay these Bonds, the staff of the Town has made no financial analysis of the Bonds, the Borrower or the Development. The Bonds do not constitute a debt of the State of North Carolina or any political subdivision or any agency thereof, including the Town, or a pledge of the faith and credit of the State of North Carolina or any political subdivision or any such agency, including the Town, but are payable solely from the revenues and other funds provided for in a loan agreement between PFA and the Borrower. Accordingly the Town pledges neither its taxing power nor revenues for these Bonds, and the Bonds will not affect the Town's debt ratios or legal debt limit.

Councilman Harris made a motion, seconded by Mayor Pro-Tem Moore, to close the Public Hearing. Unanimously approved.

Councilman Ashley reiterated that funds are not required by the Town. Ms. Kirby responded that there is no debt and no liability to the Town.

Mayor Lampe questioned the owners of Johnson Court Apartments. Ms. Kirby responded that it is a new owner from California.

Councilman Williams questioned if the owners had considered upgrades to the security of the property. Ms. Kirby responded that the owners take the security issue very seriously and will upgrade the lighting and install a security system.

Councilman Harris stated that there has been a history of crime at the apartment complex and the former owners have not been diligent in making sure that the property was maintained or that the tenants were properly screened. Ms. Kirby stated that she would work with the owner and local law enforcement to address the safety concerns.

Councilman Harris made a motion, seconded by Councilman Ashley, to table this request until the October 6, 2015 regular meeting. Unanimously approved.

2. Conditional Use Permit Request: CHI Smithfield, LLC (CUP-15-03) :

Mayor Pro- Tem Moore made a motion, seconded by Councilman Wood, to open the public hearing. Unanimously approved.

Planning Director Paul Embler addressed the Council on a request for a Conditional Use Permit. The applicant is requesting a conditional use permit to allow for the construction of a high rise business identification sign on property located within a B-3 (Business Highway Entrance) zoning district. The property considered for approval is located on the northeast side of the intersection of Outlet Center Drive and South Equity Drive and further identified as Johnston County Tax ID# 15008045T. Mr. Embler explained that this application was submitted prior to Council's approval of an amendment of the Unified Development Ordinance concerning high rise signs.

Planning Director Paul Embler has incorporated his entire record and provided it to Council in written form in the September 1, 2015 agenda packet.

The Planning Board, at its August 6, 2015 meeting, unanimously voted to recommend approval of the conditional use permit request to allow for a high rise business identification sign in accordance with the finding of fact for a conditional use permit.

Mayor Lampe asked if there were any questions/from those in the audience that had been duly sworn to testify. There were none.

Mayor Lampe asked if there were any questions from Council.

Councilman Williams question if this was consistent with the other signs in the area. Mr. Embler responded that most signs in the high rise sign overlay district are 75 – 100 feet high.

Mayor Pro-Tem Moore questioned if there are any other known requests that would fall into this category. Mr. Embler responded that there are no other requests at this time.

Councilman Harris made a motion, seconded by Councilman Wood, to close the Public Hearing. Unanimously approved.

Written Finding of Facts

Councilman Ashley made a motion, seconded by Councilman Wood to approve all four of the Finding of Facts. Unanimously approved.

- **Finding One of Four: Approved**

Based on the evidence and testimony presented it is the finding of the Town Council that the application will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved or is approved with the following stated conditions.

The proposed high rise business identification sign will not materially endanger the public health safety or general welfare because the sign will be constructed to meet all plans and specification as required by Johnston County Building Inspections to include engineered footings.

- **Finding Two of Four: Approved**

Based on the evidence and testimony presented it is the finding of the Town Council that the application meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations or is approved with the following additional stated conditions.

The proposed high rise business identification sign conforms to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance and meets all zoning regulations that were in place at the time the applicant first contacted the Town of Smithfield.

- **Finding Three of Four: Approved**

Based on the evidence and testimony presented it is the finding of the Town Council that the application will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses or is approved with the following additional stated conditions.

The proposed high rise business identification sign will not adversely affect the use or any physical attribute of adjoining or abutting properties. The proposed sign will blend in with all the other free standing and pylon signs in the area and is located within the overlay district that allows for high rise business identification signs.

- **Finding Four of Four: Approved**

Based on the evidence and testimony presented it is the finding of the Town Council that the application would not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties or is approved with the following additional stated conditions.

The proposed high rise business identification sign will not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties because the sign is located adjacent to a public right-of-way that will probably never be widened.

Approval and Record of Decision:

Councilman Ashley made a motion, seconded by Mayor Pro-Tem Moore, that Based upon satisfactory compliance with the above four stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative, I move to recommend approval of Conditional Use Permit Application # CUP-15-03

CITIZENS' COMMENTS:

- Darrell Devers of 243 Holland Drive addressed the Council on consideration for a more cost effective alternative for irrigation metering. Mr. Deavers explained that he did not mind paying for the water that he uses, but feels it is unfair for him to have to pay sewer charges to water his landscaping. Mr. Deavers further stated that he had spoken with Town staff and he was told that an irrigation meter could be installed, but Mr. Deavers explained that it was too expensive to install all the necessary infrastructure needed. Interim Town Manager Jim Freeman responded that he would speak with Mr. Deavers and see if a solution could be agreed upon.
- Jasper Spruill of 902 Third Avenue addressed the Council on the need for additional Police Officers in the Town of Smithfield. He stated that in the past several months, the crime in his area has increased and he feels that the Police Department needs more help.
- V.R. Phipps of 111 North Massey Street, Selma, NC addressed the Council on consideration to allow him to purchase the Old Water Treatment Plant instead of tearing it down. Mr. Phipps further explained that the he would like to restore the building and consider putting a business in the building. Mr. Phipps petitioned the Council for time for him and his engineer to enter the building and perform an assessment of the building.

It was the consensus of the Council to allow Mr. Phipps to have sixty days to do look over the building and report back to Council at the November Town Council meeting.

CONSENT AGENDA:

Mayor Pro-Tem Moore made a motion, seconded by Councilman Harris, to approve the following items as listed on the Consent Agenda:

1. Approval of Minutes:
 - August 4, 2015 – Regular Meeting
 - August 4, 2015 – Closed Session
 - August 10, 2015 – Special Meeting
 - August 10, 2015 – Closed Session
2. Special Event – Martin Luther King, Jr. Parade: The applicants, Rachel Ayers and the Martin Luther King Celebration Committee gained approval of a march to honor and remember the late Dr. Martin Luther King, Jr. The parade will be held on January 8, 2016 from the hours of 6:00 pm – 9:00 pm and follow the same route as the Town's Christmas Parade.
3. Special Event – Smithfield Cinemas: The applicant gained approval of an annual customer appreciation event to be held on September 12, 2015.
4. Special Event – Outdoor Storage for Cracker Barrel Restaurant: The applicant gained approval of a containerized storage unit in order to facilitate storage of seasonal sale items for the Christmas Shopping season.
5. Career Ladder Promotion – Police Department. The Police Department gained approval to promote a Police Officer I to the rank of Police Officer II.
6. Career Ladder Promotions – Fire Department. The Fire Department gained approval to promote two current Fire Fighter I positions to the rank of Fire Fighter II.
7. Approval of a contract with Jim Freeman to serve as Interim Town Manager.
8. Approval of Resolution # 564 (14-2015) declaring and equipment as surplus property.

TOWN OF Smithfield RESOLUTION # 564 (14-2015)
Authorizing the Sale of Certain
Personal Property at Public Auction

WHEREAS, the Town Council of the Town of Smithfield desires to dispose of certain surplus property of the Town in accordance with NC GS 160A-270; and

WHEREAS, the Town Council of the Town of Smithfield desires to utilize the auction services of a public electronic auction service.

NOW, THEREFORE, BE IT RESOLVED by the Town Council that:

- The following described property is hereby declared to be surplus to the needs of the Town:

Dept.	Vin/Ser.#	Description
PW	1FALP52U2VA145540	1997 Ford Taurus in fair condition
WP		760 bags of dicalite
WP	Cat No. M2513T	Air Compressor Motor
WP	6096607	Quincy Compressor Div.
WP	96D1545	Vacuum Pump
WP	16MN320312G008R2	Reliance Vacuum Pump Drive Motor
WP	02BG94752501G1SZ	Reliance Electric
WP	SPDT-20	Conveyor Company
WP	638465	Milltronics Zero Speed Switch
WP	00611203	Wilden Air Operated Dia. Pump
WP	F650211	Solenoid Switch
WP	B77R3046S-QZ	Lighnin Dura Mix
WP	AA8E4D	Sterling Electric Lube Free Speed Trol
WP	C6T17FC1E	Leeson Motor
WP	L96T0014	Siemans Standard Induction Motor
WP	DW71977-1-1	Graham Ring Rollor
WP	B5490CT	Mac Motor Appliance Corp
WP	LSXA4L	Micro Switch Precision Limit Switch
WP	P56H5424N-SZ	Reliance Electric IEEE45 SXT
WP	25373-02-AR	Emco Precoat Filter
WP	672P	Great Lakes Instruments P.H. Mete
WP		Milltronics Hydro Ranger Tank Level Indicator
WP	35J710X945	Baldor
WP	58377	Air Technical Industries Scissor Lift table
WP	3057180-6008 09	Flygt
WP	P56H1441x	Reliance electric S-200 Agitator Drive Motor Pump

- The Interim Town Manager or his designee is authorized to receive, on behalf of the Town Council, bids via public electronic auction for the purchase of the described property.
- The public electronic auction will be held beginning no earlier than August 17, 2015.
- The Town Council further authorizes the disposal of Town surplus property by use of a public electronic auction system provided by GovDeals Inc. The property for sale can be viewed at www.govdeals.com. Citizens wanting to bid on property may do so at www.govdeals.com. The terms of the sale shall be: All items are sold as is, where is, with no express or implied warranties; All items will be sold for cash or certified check only; Payment must be received for all items sold before they may be removed from the premises; All items sold must be paid for and removed from the site of the sale within 5 business days of the sale, or they will be subject to resale.
- The Town Clerk shall cause a notice of the public auction for surplus property to be noticed by electronic means in accordance with G.S. 160A-270(c), available on the Town of Smithfield website www.smithfield-nc.com
- The highest bid, if it complies with the terms of the sale, may be accepted by the Finance Director or his designee and the sale consummated.

9. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Utility Line Mechanic	PU – Water/Sewer	30-7220-0200	\$12.643/hr (\$26,297.44/yr)
Police Officer I	Police	10-5100-0200	\$15.27/hr (\$34,143.72/yr)
P/T Firefighter I	Fire	10-5300-0210	\$10.00/hr
Firefighter I	Fire	10-5300-0200	\$14.88/hr (\$32,497.92/yr)
P/T SRAC Staff	P&R – Aquatics	10-6220-0210	\$9.50/hr
Interim Town Manager	General Government	10-4100-0200	\$20.00/hr
	PU – Electric	31-7230-0200	\$20.00/hr
	PU – Water/Sewer	30-7220-0200	\$20.00/hr

Unanimously approved.

BUSINESS ITEMS:

1. Approval of Resolution #565 (15-2015) making application for a grant for funding assistance from the NC Department of Commerce from the Building Reuse Grant Program for Atlantic Resources, Inc. to renovate the abandoned Jerald Manufacturing Facility

Planning Director Paul Embler addressed the Council on consideration and approval of Resolution #565 (15-2015) making application for a grant for funding assistance from the NC Department of Commerce from the Building Reuse Grant Program for Atlantic Resources, Inc. to renovate the abandoned Jerald Manufacturing Facility. Mr. Embler explained that owner of ARI, Brian Barefoot, has purchased the old Jerald Manufacturing Facility on South Brightleaf Boulevard and will renovate and modernize the building in order to conduct business. Atlantic Resources, Inc. (ARI) is an industrial systems design, fabrication and installation company specializing in mechanical systems, programmable logic controllers, thermal imaging and material handling for industrial and agricultural applications. The building has been primarily vacant for more than 20 years. To assist in financing the improvements ARI wishes the Town to apply for a Building Reuse grant through the Rural Economic Development Division (REDD) of the NC Department of Commerce. The ARI project will result in an investment of \$1,020,000 of private expenditure for acquisition, building renovation and equipment. ARI is requesting a grant amount of \$175,000 from REDD in order to assist in building renovation and equipment. The grant requires a 5% contribution from the sponsoring unit of government. ARI has will provide the 5% (\$12,500) to the Town. Therefore, there is no cost to the Town for sponsoring the grant.

Skip Greene informed the Council that this project is eligible for this grant funding because it was previously a vacant structure. Mr. Greene stated that the reduction in the original grant amount is due to the fact that Johnston County is a tier three and can only receive \$5,000 per job. With this project, 35 new jobs will be created at an average weekly wage is \$671.00. Mr. Greene explained that as the construction occurs, the Town would receive invoices of evidence of payment. Those invoices would be sent to the state and they pay ½ of the renovation cost up to \$175,000. The grant once it's made is a performance based loan between the Town and the Company. The loan states that within 18 months of the grant award, 35 jobs would be added and be retained for 6 months. If that happens then the loan is forgiven. The primary responsibility of the Town is that if there is a default or repayment is required then the Town do everything legally necessary to recoup the money. The Town is in no way obligated to repay the funds.

Interim Town Manager Jim Freeman questioned if there are any administrative costs to the Town. Mr. Greene responded that the owner has agreed to pay all administrative costs with the 5% contribution.

Councilman Harris made a motion, seconded by Councilman Williams, to approve the request. Unanimously approved.

Town of Smithfield

**AUTHORIZING RESOLUTION #565 (15-2015) BY GOVERNING BODY OF THE APPLICANT
Building Reuse Grants Program – Vacant Building Category**

WHEREAS, the North Carolina Rural Infrastructure Authority (RIA) has authorized the awarding of grants from appropriated funds to aid eligible units of government in financing the cost of building activities needed to create jobs; and

WHEREAS, the Town of Smithfield needs assistance in financing a building project that may qualify for Rural Grants/Programs funding; and

WHEREAS, the Town of Smithfield intends to request grant assistance for the Atlantic Resources Incorporated, 1515 S. Smithfield Boulevard Building Renovation project from the Building Reuse Grant Program – Vacant Building Category;

NOW THEREFORE BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD:

That the Town of Smithfield will provide 5% of the Building Reuse Program Grant toward project construction costs, if approved for a grant with Atlantic Resources Incorporated providing the match.

That John H. Lampe, II, Mayor and successors so titled, is hereby authorized to execute and file an application on behalf of the Town of Smithfield with the Rural Grants/Programs Section for a grant to assist in the above-named Building Reuse project.

That Jim Freeman, Interim Manager and/ or Manager, and successors so titled, is hereby authorized and directed to furnish such information as Rural Grants/Programs Section may request in connection with an application or with the project proposed; to make assurances as contained in the application; and to execute such other documents as may be required in connection with the application.

That the Town of Smithfield has substantially complied or will substantially comply with all federal, state, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Adopted this date, September 1, 2015 at Smithfield, North Carolina.

Councilman Harris stated that he had the opportunity to meet Mr. Barefoot and this was a wonderful economic development opportunity and was very excited with what he will do to the building.

2. Approval of Resolution # 566 (16-2015) Seeking assistance from the North Carolina Department of Transportation for sidewalks on Booker Dairy Road

Councilman Charles Williams informed the Council that he was seeking assistance from the NCDOT for sidewalks along Booker Dairy Road. He stated that there was some conversation that NCDOT would consider this project if a resolution was passed by the governing board.

Mayor Pro-Tem Moore made a motion, seconded by Councilman Harris, to approve Resolution #566 (16-2015). Unanimously approved

Interim Town Manager Jim Freeman stated that the typical next step is that NCDOT will seek the Town's approval for a Municipal Agreement for the project.

TOWN OF SMITHFIELD RESOLUTION #566 (16-2015) SEEKING ASSISTANCE FROM NCDOT FOR SIDEWALKS ON BOOKER DAIRY ROAD

WHEREAS, the Town of Smithfield is requesting assistance from the North Carolina Department of Transportation for sidewalks on Booker Dairy Road ; and

WHEREAS, the Town of Smithfield is grateful that NCDOT has agreed to share the cost of these improvements as NCDOT will finance 70% of the project and the Town will finance 30% of the project; and

WHEREAS, the Town of Smithfield is aware that the entire project will be completed over several years and as funds become available; and

WHEREAS, the Town of Smithfield appreciates all the assistance that NCDOT has provided to the Town and continues to provide to the Town.

3. Report on estimated costs to demolish the old Water Treatment Plant

Based on the Council allowing Mr. Phipps sixty days to pursue his interest in the Water Treatment Plant, Councilman Harris made a motion, seconded by Mayor Pro-Tem Moore, to table this request until the November 2015 regular Council Meeting. Unanimously approved.

Interim Public Utilities Director Pete Connet cautioned the Council on selling the old Water Treatment Plant siting past experience with selling the Old Municipal Building to a private owner.

Councilman Harris asked that the Council consider the presentation given by the NC Wildlife Commission stating that the Old water Treatment Plant site would be used for necessary parking.

4. Report to Council on Expansion of the Brogden Road Substation

Interim Public Utilities Director Pete Connet reported to the Council regarding the validity of the plans and specs for the additional transformer at the Brogden Road Substation if the bidding and construction were delayed for a year or two. Mr. Connet explained that he contacted Booth and Associates regarding the question raised at the last Council meeting regarding the validity of the Plans and Specs for the Brogden Road Substation should the Town Council decide not to proceed with the bidding of the project at the times the plans and specs are completed. According to Booth and Associates, the plans and specs would still be good if the construction of the project were delayed. Some of the work/task outlined in the approved contract document would not be needed at this time since they deal with the actual advertising, bidding, and review of bids with an award and construction

inspection and final drawing. Mr. Connet provided to the Council a list of pros and cons on proceeding with the project.

Councilman Harris questioned if any of the infrastructure improvement could be financed through a bond instead of through regular financing options. Mr. Connet responded that bonds are typically used for multi-million dollar projects or lease purchase agreement. Mr. Connet further explained that this project could go through the bond issuance process, but the Town would incur more expense because of the need for bond attorneys and bond ratings. Finance Director Greg stated that interest rates are as low if not lower than bond interest rates therefore it would be more feasible for the Town to explore regular financing options.

Councilman Ashley stated that the Council needed to proceed with the engineering and the ultimately the purchase of a new transformer.

Councilman Ashley made a motion, seconded by Councilman Wood to move forward with the engineering of the transformer. Unanimously approved.

Councilmembers Comments:

- Mayor Pro-Tem Moore looking at the graphs you provide on the monthly basis. Our revenues and expenditures are different than this time last year. Mr. Siler responded that this is typical given the nature in which the County receives taxes on behalf of the Town. Mr. Siler explained that he has no cause to be concerned at this time.
- Councilman Harris informed the Council that the West Smithfield Beautification Project is still proceeding. Work should begin when the weather is more conducive to planting.
- Councilman Wood stated that he would like to see sidewalks on Wilson's Mills Road in the same manner as the proposed sidewalks on Booker Dairy Road.

Town Manager's Report:

- **Department Reports**

- A highlight of each department's monthly activities was given to the Council.

- **Manager's Updates**

Mr. Freeman gave the Council a brief update on the following issues:

- Upgrade to the tower antenna by A T & T. Verizon is also seeking to do some ground level upgrades to its cellular service.
- Update on the financing of the I & I project.
- Electric Utilities Director – The Town has received only 4 application for the Electric Director's position. Staff was seeking direction from the Council to consider relooking at that and change it back to what was previously used; a Public Utilities Director. It was the consensus of the Council to go back and seek a Public Utilities Director position instead of an Electric Director.

Fire Chief – Mr. Freeman informed the Council of the process and stated that potentially a new Fire Chief could be hired by the end of October to early November.

- Manager Hiring Process - Mayor Lampe stated that he spoke with Mr. Freeman concerning whether to hire a consultant of preform the hiring process with current staff. Mr. Freeman outlined the pros and cons of both processes. He stated that consultants do most of the work and they have a wider in-depth search, but that a lot of the process can be done internally.

Mayor Pro-Tem Moore stated that he preferred, at the beginning, to do it internally because the Council has done it in the past. He further stated that if the Council doesn't receive viable applicants then we can always consider hiring a consultants.

Councilman Ashley agreed with Mayor Pro-Tem Moore stating that the Council needs to decide what they want in a Manager. He suggested forming a committee that allowed for community involvement.

Councilman Wood made a motion, seconded by Councilman Harris, to conduct the Manager hiring process internally with current staff. Unanimously approved

Councilman Ashley asked that the Interim Manager provide the Council with a checklist and some ideas within 7 days. Mr. Freeman asked for clarification if the checklist could be provided in e-mail form so that another meeting was not necessary. It was the consensus of the Council to allow Mr. Freeman to develop a checklist and e-mail it to the Council for input.

Closed Session: Pursuant to NCGS 143-318.11 (a) (3) & (6)

Councilman Harris made a motion, seconded by Mayor Pro-Tem Moore, to go into closed session pursuant to NCGS 143-318.11 (a) (3) & (6) to consult with the attorney and to discuss a personnel matter. Unanimously approved

Reconvene in Open Session:

Mayor Pro-Tem Moore made a motion, seconded by Councilman Wood to reconvene in open session. Unanimously approved

Adjourn

There being no further business, Councilman Wood made a motion, seconded by Councilman Harris to adjourn. Unanimously approved.

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John H. Lampe II, Mayor

ATTEST:

Shannan L. Williams, Town Clerk