



Mayor

M. Andy Moore

Mayor Pro-Tem

Travis Scott

Council Members

Marlon Lee

David Stevens

David Barbour

Emery Ashley

John A. Dunn

Stephen Rabil

Town Attorney

Robert Spence, Jr.

Town Manager

Michael L. Scott

Finance Director

Greg Siler

Town Clerk

Shannan Parrish

# Town Council Agenda Packet

Meeting Date: Tuesday, May 1, 2018

Meeting Time: 7:00 p.m.

Meeting Place: Town Hall Council Chambers

350 East Market Street

Smithfield, NC 27577





**TOWN OF SMITHFIELD  
TOWN COUNCIL AGENDA  
REGULAR MEETING MAY 1, 2018  
7:00 PM**

**Call to Order**

**Invocation**

**Pledge of Allegiance**

**Approval of Agenda**

**Page**

**Presentations**

- 1. Police Department's 2017 Officer of the Year**  
(Chief of Police – Keith Powell) See attached information.....1
  
- 2. American Public Power Association (APPA) Award: 2018 Platinum Member**  
(Public Utilities Director – Ted Credle) See attached information.....3

**Public Hearings**

- 1. SUP-18-04 Combine Mindz Tattoo Studio:** The applicant is requesting a special use permit to allow for a tattoo studio on property located within a B-3 (Business) zoning district. The property considered for approval is located on the southeast side of the intersection of Venture Drive and Peedin Road and further identified as Johnston County Tax ID# 15L11008V.  
(Planning Director – Stephen Wensman) See attached information.....7
  
- 2. SUP-18-05: Classic Touch Automobile Sales:** The applicant is requesting a special use permit to allow for an automobile sales lot of property located within a B-3 (Business) zoning district. The property considered for approval is located on the east side of Computer Drive approximately 250 feet northeast of its intersection with Fairway Drive and further identified as Johnston County Tax ID# 15O99006I.  
(Planning Director – Stephen Wensman) See attached information.....23

**Citizens Comments**

**Consent Agenda Items**

<b>1. Approval of Minutes:</b>	
<b>a.</b> April 3, 2018 – Regular Meeting.....	49
<b>2. Special Event: Spring Carnival –</b> Powers and Thomas Midway Entertainment is seeking approval to hold a Spring Carnival at the Carolina Premium Outlets. (Planning Director – Stephen Wensman) <u>See</u> attached information.....	69
<b>3. Special Event – Ham and Yam Jam –</b> Andrew Wagner, owner of the Little Brown Jug, is seeking approval to hold the second annual concert to benefit the Johnston Community College Foundation on Friday, May 4, 2018 from 6:00 pm until 11:00 pm at 101 West Market Street. This event will require a street closure and will have amplified sound. Staff is requesting that this event be approved as an annual event. (Planning Director – Stephen Wensman) <u>See</u> attached information.....	73
<b>4. Consideration and Approval to renew the Agreement with Southern Corrosion for Water Tank Management</b> (Public Utilities Director – Ted Credle) <u>See</u> attached information.....	79
<b>5. Consideration and Approval of Resolution # 617 (04-2018) Authorizing the disposition of certain surplus property and auctioning of that property by the electronic auction service of GovDeals.com</b> (Town Clerk – Shannan Parrish) <u>See</u> attached information.....	85
<b>6. Consideration and Approval of Various Budget Amendments</b> (Finance Director – Greg Siler) <u>See</u> attached information.....	89
<b>7. Advisory Board Appointment</b>	
<b>a.</b> Peggy Scott has submitted an application for consideration to be reappointed to the Appearance Commission for a second term.	
<b>b.</b> Scott Wright has submitted an application for consideration to be reappointed to the Parks and Recreation Advisory Committee for a third term.	
<b>c.</b> Paul Worley has submitted an application for consideration to be appointed to the Historic Properties Commission for a three year term. (Town Clerk – Shannan Parrish) <u>See</u> attached information.....	93
<b>8. New Hire Report</b> (Human Resources Director/PIO – Tim Kerigan) <u>See</u> attached information.....	101

**Business Items**

- 1. Consideration and approval for amendments to the Downtown Smithfield Development Corporation's By-laws**  
(Town Manager – Michael Scott) See attached information.....103
  
- 2. Consideration and approval to accept the Golden Leaf Foundation Grant Award & Approve the Proposed Contractor**  
(Public Utilities Director – Ted Credle) See attached information.....115

**Councilmember's Comments**

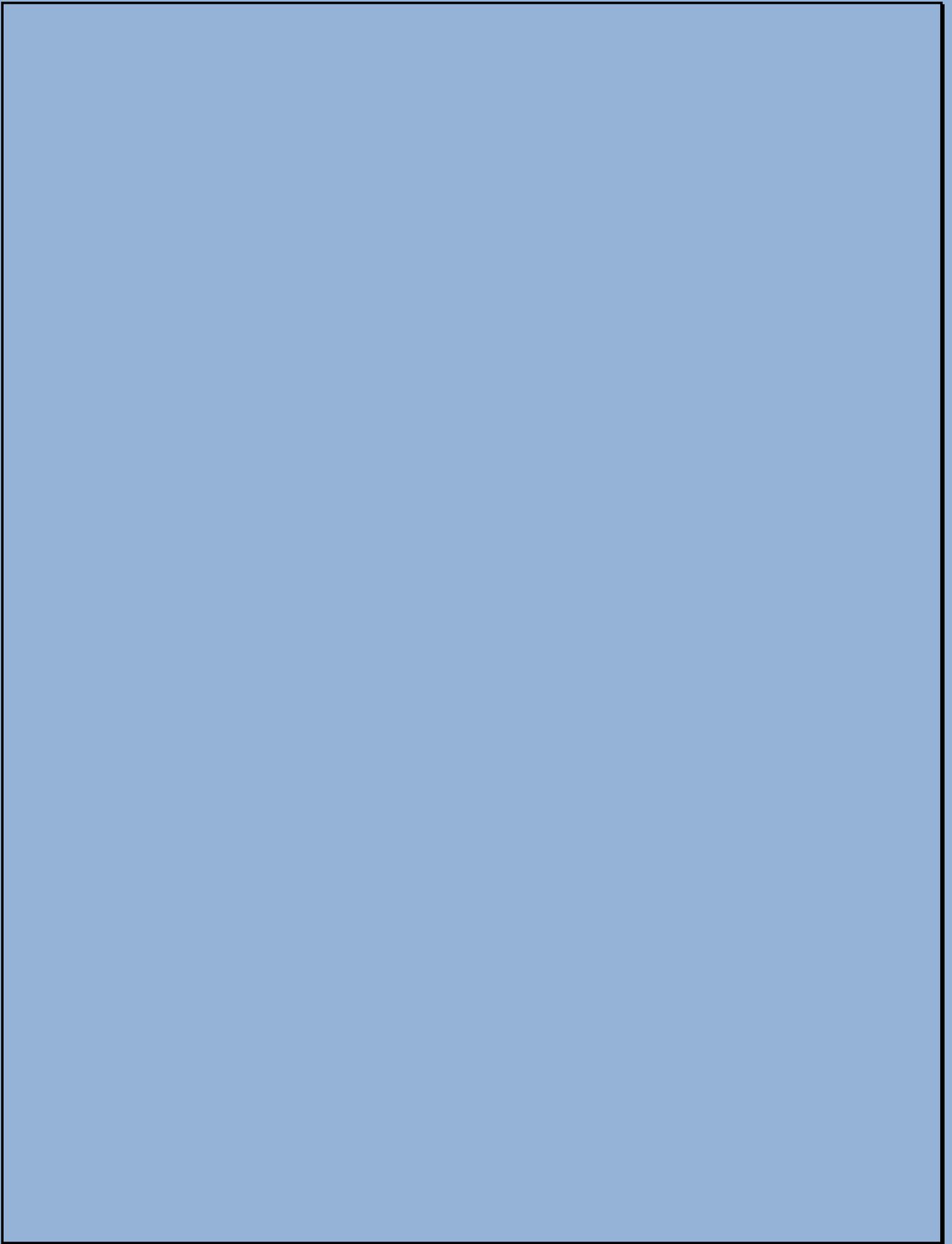
**Town Manager's Report**

- Financial Report (See attached information).....125
- Department Reports (See attached information).....129
- Manager's Report

**Recess :** The meeting will be recessed until Monday, May 7, 2018 at 6:00 pm in the Council Chambers of the Town Hall.



# Presentations





# Request for Town Council Action

**Presentation:** Police  
Dept. Officer of  
The Year  
Award  
Date: 05/01/2018

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**Subject:** Officer of The Year Award presentation

**Department:** Police Department

**Presented by:** Captain J. Grady

**Presentation:** Presentation

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## Issue Statement

Officer Joey Wheeler has been awarded the Officer Of The Year Award for 2017. This award is given to the officer who shows great professionalism, community service, and dedication to the Police Department and the Town of Smithfield.

## Financial Impact

None

## Action Needed

Presentation of award for Officer of the Year

## Recommendation

Captain to present Officer Joey Wheeler with this award

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff Report



# Staff Report

**Presentation**

**Police  
Dept.  
Officer  
of The  
Year**

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Officer Wheeler is receiving the Officer of The Year Award. This award is awarded to the officer who shows great professionalism, community service, and dedication to the Police Department and The Town of Smithfield. The officer of the year is voted on by all members of the Police Department by anonymous votes. The supervisors then take the top nominees and together vote for the most deserving officer based on a preselected guideline.

Officer Wheeler holds a Bachelors Degree in Criminal Justice Studies from Mount Olive College. Officer Wheeler has obtained his Advanced Law Enforcement Certification. Officer Wheeler has been with the Smithfield Police Department for 8 years. He has worked in the Patrol Division and is currently assigned to the Support Services Division. Please join me at this time in congratulating Officer Wheeler on this Officer of The Year Award.



# Request for Town Council Action

**2018 APPA  
RP3  
Presentation: Platinum  
Member  
Award**  
Date: 05/01/2018

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**Subject:** RP3 Award Designation

**Department:** Public Utilities

**Presented by:** Ted Credle

**Presentation:** Presentation

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## Issue Statement

Acceptance of the 2018 American Public Power designation as a Platinum member!  
This designation will remain in effect until 2021.

## Financial Impact

None

## Action Needed

Accept the award, as presented by a representative from the APPA

## Recommendation

Staff recommends acceptance of the designation

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff Report
2. E-mail of notification



# Staff Report

**Presentations:** **2018 APPA  
RP3 Platinum  
Member  
Award**

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The purpose of the American Public Power Association (APPA) Reliable Public Power Provider (RP3) program is to encourage public power utilities to demonstrate basic proficiency in four important disciplines: reliability, safety, work force development and system improvement. Utilities that successfully meet the guidelines in each of the four areas earn the designation as a Reliable Public Power Provider.

The designation program is set up so that each Public Power Provider applies for designation through a rigorous process; submitting cost data, program documentation and copies of Town policies & regulations to show the selection & grading committee that their particular community is striving for excellence in the 4 categories mentioned.

With a score of 97 out of a possible 100 points, the Town of Smithfield was designated a **"Platinum" utility, which is a grade up from the previous "Gold" designation in 2015. This grade exemplifies the Smithfield Electric Division's continuous search to improve itself in its safety, reliability, system improvement, and workforce development.**

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**From:** Ted Credle  
**Subject:** FW: Congratulations on receiving RP3 designation!

Ted Credle, P.E.  
Director of Public Utilities  
Town of Smithfield  
PO Box 761  
230 Hospital Rd.  
Smithfield, NC 27577  
919-934-2116 x-1162  
[ted.credle@smithfield-nc.com](mailto:ted.credle@smithfield-nc.com)

**From:** [rp3admin@publicpower.org](mailto:rp3admin@publicpower.org) [mailto:[rp3admin@publicpower.org](mailto:rp3admin@publicpower.org)]  
**Sent:** Friday, January 19, 2018 3:23 PM  
**To:** Ted Credle  
**Cc:** [rp3admin@publicpower.org](mailto:rp3admin@publicpower.org)  
**Subject:** Congratulations on receiving RP3 designation!

Dear Ted,

Congratulations! Town of Smithfield has earned 'Platinum' RP<sub>3</sub><sup>®</sup> designation!

Your utility will be recognized for achieving RP<sub>3</sub> designation during the opening breakfast of the [2018 Engineering & Operations Technical Conference](#) in Raleigh, North Carolina on Monday, April 30. We encourage you to send a representative to the E&O Conference to be recognized during the opening breakfast and to take pictures during the break Monday morning and at the vendor reception that evening. The E&O Technical Conference represents an excellent opportunity to discuss your application and achievement with other RP<sub>3</sub> designated utilities and the Review Panel. Visit [PublicPower.org/EandO](http://PublicPower.org/EandO) to register for the conference and make hotel arrangements.

To attain the full benefits of your RP<sub>3</sub> designation, please review the following items which we have also made available on the [RP<sub>3</sub> Designee Webpage](#):

- **Application Scores:** Your RP<sub>3</sub> Online Application will now display your score and designation level. View instructions on how to review your scores using [this guide](#).
  - **If you would like a reconsideration of your final score, please submit the request to RP<sub>3</sub> staff no later than Friday, February 23<sup>rd</sup>, 2018.**
  - If you have any difficulty logging in or reviewing your application, or if you would like to discuss your application with RP<sub>3</sub> staff, please contact [RP3@PublicPower.org](mailto:RP3@PublicPower.org).
- **Designation Plaque:** To order your one free RP<sub>3</sub> designation plaque, please fill out an [electronic request](#) form.
- **Photograph for Awards Video:** If you did not already submit a photo of your utility through your application, please submit one to be shown during the awards ceremony at the E&O Conference on our [upload form](#) no later than Friday, March 30. Photographs should be in the highest resolution possible and jpeg file format.

Photographs should be of your utility logo, your RP<sub>3</sub> team with your logo, or your utility's staff with your utility's logo. Examples of photographs suitable for submission can be seen by viewing the [2017 RP3 Awards Video](#).

- **Press Release:** [Electronic press release](#), for your use in publicizing your award locally. **Please note that any press release *must* be embargoed until Monday, April 30, 2018, following the Awards Ceremony at the Engineering and Operations Conference.**
- **Communications Toolkit:** To help your utility share the RP<sub>3</sub> designation with your community, the Association has created a [media and communications toolkit](#). Example items include:
  - **Logo:** Download a digital version of the RP<sub>3</sub> logo, for optional use on your utility letterhead, business cards, website, etc.
  - **Social Media Banners and Bill Stuffers:** Images showing off your designation can be added to social media sites like Facebook and Twitter, and bill stuffers can be used in newspapers and other outlets.
  - **Talking Points:** Use these talking points to help share information about the designation with the media and other audiences.

**Your designation will be valid for three years, from May 1, 2018 through April 30, 2021.** For more information about your RP<sub>3</sub> designation, please contact us at [RP3@PublicPower.org](mailto:RP3@PublicPower.org) or 202.467.2945.

We hope to see you in Raleigh this year and again, congratulations on your achievement!

Sincerely,

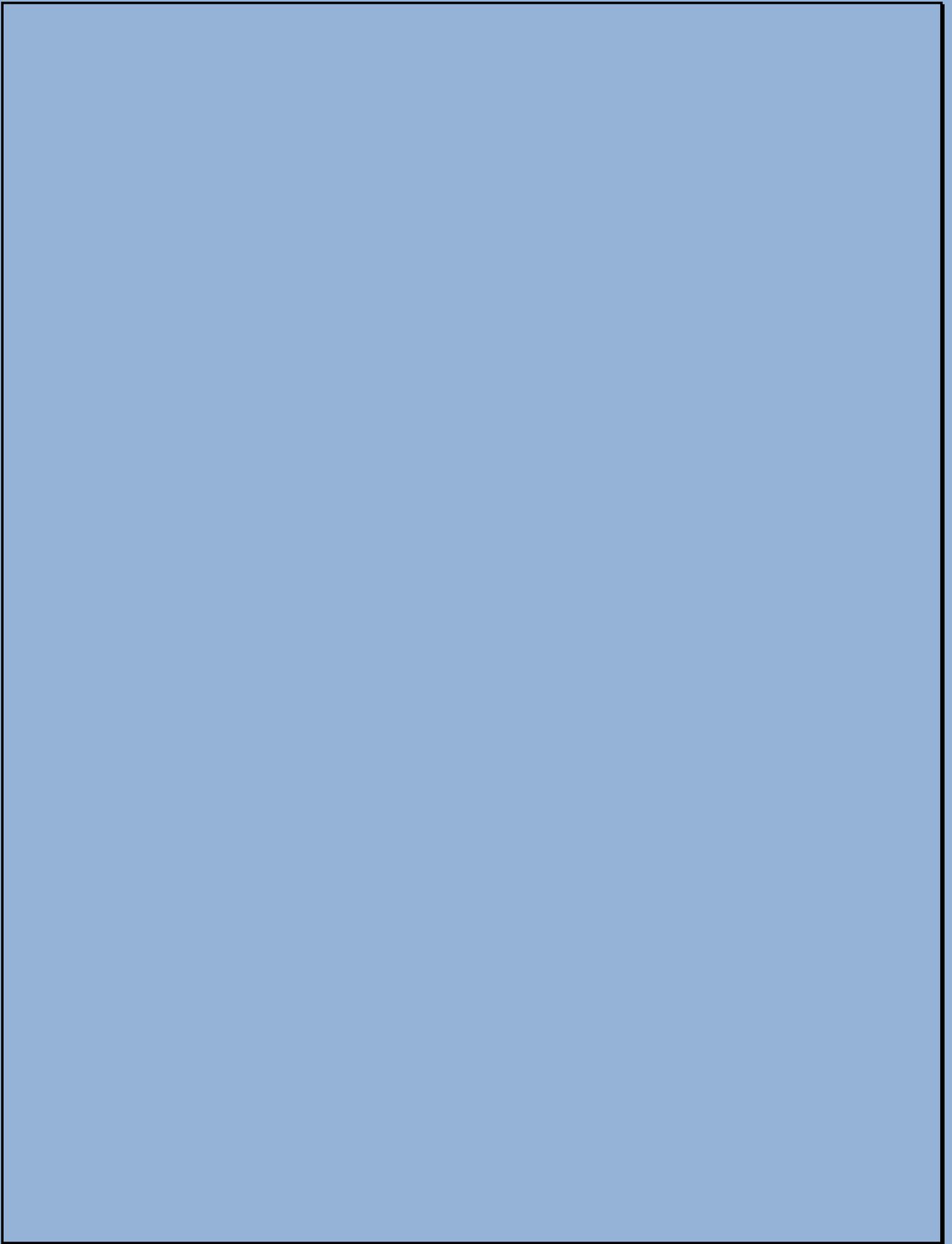
**RP<sub>3</sub> Staff**

*Michael J. Hyland, Senior Vice President, Engineering Services  
Alex Hofmann, Director, Energy and Environmental Services  
Tanzina Islam, Energy and Environmental Services Manager  
Christina Ospina, Energy and Environmental Services Specialist  
Ethan Epstein, Energy and Environmental Services Assistant*

**American Public Power Association**

2451 Crystal Drive, Suite 1000  
Arlington, VA 22202  
Main: 202.467.2900  
<http://publicpower.org/rp3>

# Public Hearings





# Request for Town Council Action

**Public  
Hearing:** SUP-18-04  
Date: 05/01/2018

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**Subject:** Special Use Permit for Combine Mindz Tattoo Productions  
**Department:** Planning Department  
**Presented by:** Stephen Wensman, Planning Director  
**Presentation:** Public Hearing

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## Issue Statement

Zack Rabil & Matt Wilkins are requesting a special use permit to allow for the operation of a tattoo studio on property located within a B-3 (Highway Entrance Business) zoning district. The property considered for approval is located at 191C Venture Drive.

## Financial Impact

None

## Action Needed

The Town Council is respectfully being requested to review the request, hold a public hearing, and make a decision with findings of fact in support of the decision.

## Recommendation

Staff is recommending approval of SUP-18-04 with no conditions.

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff report
2. Findings of Fact
3. Site Plan
4. Application



# Staff Report

**Public Hearing** SUP-18-04

**Application Number:** SUP-18-04  
**Project:** Combine Mindz Tattoo Productions  
**TAX ID number:** 15076019  
**Town Limits/ETJ:** Town Limits  
**Applicant:** Zack Rabil & Matt Wilkins  
**Owners:** Mohamed And Sons, Inc.  
**Agents:** N/A

**PROJECT LOCATION:** The property considered for approval is located on the southeast side of the intersection of Venture Drive and Peedin Road and further identified as Johnston County Tax ID# 15L11008V.

**REQUEST:** The applicant is requesting a special use permit to allow for a tattoo studio on property located within a B-3 (Highway Entrance Business) zoning district.

**SITE DATA:**

Acreage: 1.29 acres  
 Present Zoning: B-3 (Highway Entrance Business)  
 Proposed Zoning: N/A  
 Existing Use: Service related business selling body art.  
 Access: 28' driveway accessing Venture Dr.  
 32' driveway accessing Peedin Rd.

**ENVIRONMENTAL:** The use will have no impact to environmentally sensitive areas.

**ADJACENT ZONING AND LAND USES:**

Direction	Zoning	Existing Use
North	LI (Light Industrial)	Vacant
South	B-3 (Highway Entrance Business)	Body Fit
East	B-3 (Highway Entrance Business)	Private Stormwater Facility
West	B-3 (Highway Entrance Business)	Venture Place Retail Center

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## STAFF ANALYSIS AND COMMENTARY:

Combine Mindz Tattoo Productions is seeking a special use permit to operate a tattoo studio within the existing Venture Drive Plaza located at 141 Venture Drive. In accordance with Town of Smithfield Unified Development Ordinance (UDO) Article 6, Section 6.5 Table of Uses and Activities, tattoo and body piercing establishments within the B-3 (Highway Business Entrance) zoning district are permitted with a valid special use permit issued by Town Council. The UDO does not list any additional performance standards for the use.

Combine Mindz Tattoo Productions is proposing to occupy a twenty foot wide bay within the existing shopping center which was the former location of the Hooka House. Venture Place was constructed in 2001 appears to meet development regulations that were in place at the time of its approval and construction. Adequate parking and access exists on the site and the landscaped yards appear to be healthy and well maintained.

Combine Mindz Tattoo Productions will qualify for a wall mounted sign at a rate of 1 square foot per linear foot of wall or 25 square feet whichever is greater. The proposed use will also qualify for a sign permit to modify the existing ground mounted shopping center marque sign located on the site.

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## DRAFT FINDINGS OF FACT:

The Town Council is required to evaluate the special use permit request and should determine whether the use will meet each of the findings of fact. Staff findings are shown in ***italics and bold below***:

1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare. The car sales operation will have no impact to health, safety or welfare. ***A tattoo studio within an existing retail center should not create negative impacts on adjacent businesses and properties due to the low traffic generating potential of the proposed use.***
2. The special use will be in harmony with the existing development and uses within the area in which it is to be located. ***A tattoo studio within an existing retail center will be in harmony with the existing surrounding developments which are predominately retail and service related in nature.***
3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. ***The use will have no impact on the development of other business uses in the district or adjacent to the site.***
4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided. ***There will be no changes that impact utilities, access drainage and there is adequate parking area to accommodate the use.***

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. ***The use will have no additional impact on adjacent streets.***

6. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located. ***The special use will conform to all applicable regulations with a valid permit.***

7. Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern. ***The access to the site will not change.***

8. The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council. ***The use is in conformity with the plans for the Town.***

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#### **RECOMMENDED CONDITIONS OF APPROVAL:**

The Planning Department recommends approval of the special use permit request for a tattoo studio on property located within a B-3 (Highway Entrance Business) zoning district.

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#### **TOWN COUNCIL ACTION REQUESTED:**

The Town Council is respectfully requested to review the request, hold a public hearing, and make a decision with findings of fact in support of the decision.

**Town of Smithfield  
Special Use Permit Application  
Finding of Fact / Approval Criteria**

**Application Number:** SUP-18-04    **Name:** Combine Mindz Tattoo Productions

**Request:** Applicant seeks a special use permit to operate a tattoo studio on the property.

In approving an application for a special use permit in accordance with the principles, conditions, safeguards, and procedures specified herein, the Town Council may impose reasonable and appropriate conditions and safeguards upon the approval. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by the Town Council. The Town Council shall include in its comments a statement as to the consistency of the application with the Town's currently adopted Comprehensive Plan. The applicant has the burden of producing competent, substantial evidence tending to establish the facts and conditions which the below requires.

The Town Council shall issue a special use permit if it has evaluated an application through a quasi-judicial process and determined that:

1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
2. The special use will be in harmony with the existing development and uses within the area in which it is to be located.
3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.
7. Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.
8. The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council.

**Once all findings have been decided one of the two following motions must be made:**

**Motion to Approve:** *Based upon satisfactory compliance with the above 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 approve Special Use Permit Application # SUP-18-04 with the following conditions:*

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**Motion to Deny:** *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Special Use Permit Application # SUP-18-04 for the following stated reason:*

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**Record of Decision:**

**Based on a motion and majority vote of the Town of Smithfield Town Council for the Special Use Permit Application Number SUP-18-04 is hereby:**

\_\_\_\_\_ approved upon acceptance and conformity with the following conditions:

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\_\_\_\_\_ denied for the noted reasons.

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Decision made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ while in regular session.

\_\_\_\_\_  
**M. Andy Moore, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Shannan L. Parrish, Town Clerk**



Town of Smithfield  
 Planning Department  
 350 E. Market St Smithfield, NC 27577  
 P.O. Box 761, Smithfield, NC 27577  
 Phone: 919-934-2116  
 Fax: 919-934-1134

## SPECIAL USE PERMIT APPLICATION

*Pursuant to Article 4, of the Town of Smithfield Unified Development Ordinance, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to allow a Special Use. Special Uses are uses that may be appropriate in a particular district, but has the potential to create incompatibilities with adjacent uses.*

*Special Use Permit applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans and one (1) digital copy of all required documents, an Owner's Consent Form (attached) and the application fee. The application fee is \$300.00. All fees are due when the application is submitted.*

### SITE INFORMATION:

Name of Project: Combine Mindz Tatto Production Acreage of Property: 1.381  
 Parcel ID Number: 260418-21-7918 Tax ID: 5156163  
 Deed Book: 5083 Deed Page(s): 178-179  
 Address: 181 C venture Dr.  
 Location: Venture Plaza

Existing Use: vacant Proposed Use: Tattoo Studio  
 Existing Zoning District: B3

Is project within a Planned Development: Yes  No   
 Planned Development District (if applicable): N/A  
 Is project within an Overlay District: Yes  No   
 Overlay District (if applicable): N/A

### FOR OFFICE USE ONLY

File Number: \_\_\_\_\_ Date Submitted: \_\_\_\_\_ Date Received: \_\_\_\_\_ Amount Paid: \_\_\_\_\_



## REQUIRED FINDING OF FACT

Article 4 of the Town of Smithfield Unified Development Ordinance requires applications for a Special Use Permit to address the following findings. The applicant has the burden of producing competent, substantial evidence tending to establish the facts and conditions which this section requires. The Town Council shall issue a special use permit if it has evaluated an application through a quasi-judicial process and determined that:

- 1) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.

Services are provided & monitored by Public Health Dept.

- 2) The special use will be in harmony with the existing development and uses within the area in which it is to be located.

Retail service complementary to services at surrounding strip centers

- 3) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Will have no negative impact on development

- 4) Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.

2 artists growing to 4 with work occupancy to 12 short days resulting in minimal impact on infrastructure

- 5) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Center has two points of ingress and egress

- 6) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

tattoo shop is permitted under B-3

- 7) Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

Existing strip center meets requirements

- 8) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council.

Existing strip center meets requirements

## REQUIRED SITE PLAN INFORMATION

***Article 5 of the Town of Smithfield Unified Development Ordinance requires a site plan be prepared by a professional engineer, registered land surveyor, or licensed architect and shall be drawn to scale of not less than one inch equals 30 feet. The site plan shall be based on the latest tax map information and shall be of a size as required by each individual site plan. The site plan shall contain the following information, if applicable as determined by the UDO Administrator:***

- 1) A key map of the site with reference to surrounding areas and existing street locations.
- 2) The name and address of the owner and site plan applicant, together with the names of the owners of all contiguous land and of property directly across the street as shown by the most recent tax records.
- 3) Parcel Identification Numbers (PIN) for site and adjacent properties.
- 4) Deed book and page reference demonstrating ownership of property.
- 5) Location of all existing and proposed structures, including their outside dimensions and elevations, streets, entrances, and exits on the site, on contiguous property, and on property directly across the street.
- 6) Building setback, side line, and rear yard distances.
- 7) Location of watercourses, ponds, flood zones, water supply watershed areas, and riparian buffers.
- 8) All existing physical features, including existing trees greater than eight (8) inches in diameter measured four and one-half (4.5) feet above ground level, and significant soil conditions.
- 9) Topography showing existing and proposed contours at no greater than ten (10) foot intervals. All reference benchmarks shall be clearly designated.
- 10) The zoning of the property, including zoning district lines where applicable.
- 11) Lot line dimensions and property lines of the tract to be developed (with dimensions identified), adjacent property lines (including corporate limits, Town boundaries, and county lines).
- 12) Parking, loading, and unloading areas shall be indicated with dimensions, traffic patterns, access aisles, and curb radii per the requirements of Article 10, Part I.
- 13) Types of surfaces for drives, sidewalks, and parking areas.
- 14) Location and design of existing and proposed sanitary waste disposal systems, water mains and appurtenances (including fire hydrants) on or adjacent to the parcel.
- 15) Other utility lines both under- and above-ground, including electric power, telephone, gas, cable television.
- 16) Location of all US Clean Water Act Section 404 wetland areas, located of detention/retention ponds (Best Management Practices), riparian buffers and impervious surface areas with area dimensions, and ratios of impervious surface to the total size of the lot.
- 17) The location of all common areas.
- 18) The location and dimensions of all areas intended as usable open space, including all recreational areas. The plans shall clearly indicate whether such open space areas are intended to be offered for dedication to public use or to remain privately owned.
- 19) Landscaping and buffering plan showing what will remain and what will be planted, indicating names of plants, trees, and dimensions, approximate time of planting, and maintenance plans per the requirements of Article 10, Part II. The plan shall include the tree line of wooded areas and individual trees eight (8) inches in diameter or more, identified by common or scientific name.
- 20) Proposed site lighting.

**APPLICANT AFFIDAVIT**

*I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject Special Use Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.*

Waylon Matthew Wilkins  
Zachary Scott Rebil  
Print Name

Waylon Matthew Wilkins 3-19-18  
Zachary Scott Rebil  
Signature of Applicant

3-19-18  
Date

# OWNER'S CONSENT FORM

Name of Project: Combined Windz Tatto Production Submittal Date: 3/19/2018

## OWNERS AUTHORIZATION

I hereby give CONSENT to Zach Rabil & Matt Wilkins (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Zhilian Kerang Zhilian Kerang 03-19-18  
Signature of Owner Print Name Date

## CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Wilton Matthew Wilkins Wilton Matthew Wilkins 3-19-18  
Zachary Scott Rabil Zachary Scott Rabil 3-19-18  
Signature of Owner/Applicant Print Name Date

## FOR OFFICE USE ONLY

File Number: \_\_\_\_\_ Date submitted: \_\_\_\_\_ Date received: \_\_\_\_\_

# 100 Block of Venture Drive



Project Name:  
Combine Mindz  
Tattoo Productions

Proposed Use:  
Tattoo Studio

File Number:  
SUP-18-04

Property Owner:  
Mohamed & Sons Inc

Applicant:  
Zach Rabil &  
Matt Wilkins

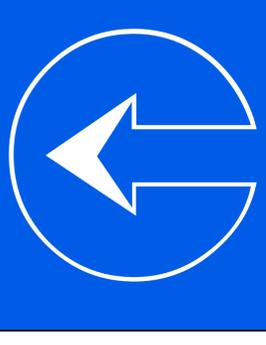
Location:  
101C Venture Dr

Tax ID#  
15L11008V

Zoning District:  
B-3 (Business  
Entrance Highway)

Map created by the  
Mark E. Helmer, AICP  
Senior Planner,  
GIS Specialist  
on 4/16/2018

1 inch = 40 feet





PLANNING DEPARTMENT  
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, SUP-18-04, were notified by First Class Mail on 4-16-18.

  
\_\_\_\_\_  
Signature

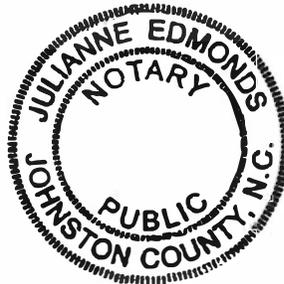
Johnston County, North Carolina

I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

16<sup>th</sup> day of April, 2018

  
\_\_\_\_\_  
Notary Public Signature

  
\_\_\_\_\_  
Notary Public Name



My Commission expires on Jan. 15, 2023  
(Seal)

TAX ID#	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15L11008T	260418-21-7665	WOLBERT, WENDY L	259 VENTURE DR	SMITHFIELD	NC	27577-4722
15L11008U	260418-21-9647	SPARKS MCLAMB INVESTMENTS LLC	111 MARIAH DR	FOUR OAKS	NC	27524-8433
15L11008	260418-21-8815	TOWN OF SMITHFIELD	P O BOX 761	SMITHFIELD	NC	27577-0000
15L11008V	260418-21-7918	MOHAMED AND SONS INC	P O BOX 1236	SMITHFIELD	NC	27577-0000
15L11008I	260418-22-9020	RENFROW PROPERTIES, LLC	5113-D US HIGHWAY 70 W	MOREHEAD CITY	NC	28557-4505





# Request for Town Council Action

**Public Hearing: SUP-18-05**  
Date: 05/01/2018

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**Subject:** Special Use Permit Classic Touch Auto Sales  
**Department:** Planning Department  
**Presented by:** Stephen Wensman, Planning Director  
**Presentation:** Public Hearing

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## Issue Statement

Danny Moowad is requesting a special use permit to allow for the operation of an automobile sales lot on property located within a B-3 (Business) zoning district. The property considered for approval is located at 100 Computer Drive.

## Financial Impact

None

## Action Needed

The Town Council is respectfully being requested to review the request, hold a public hearing, and make a decision with findings of fact in support of the decision.

## Recommendation

1. Staff is recommending approval of SUP-18-05 with the conditions 1) The vacuum cleaner island be removed from the parking lot; 2) and no more than five (5) vehicles for sale are on the property at any given time **and no more than eight (8) vehicles in total including customers and employees.**

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff report
2. Findings of Fact
3. Site Plan
4. Application



# Staff Report

**Public Hearing:** SUP-18-05

**Application Number:** SUP-18-05  
**Project:** Classic Touch Auto Sales  
**TAX ID number:** 5109823  
**Town Limits/ETJ:** Town Limits  
**Applicant:** Danny Moowad  
**Owners:** Same  
**Agents:** N/A

**PROJECT LOCATION:** The property is located at 100 Computer Drive, on the east side of Computer Drive approximately 200 feet north of Fareway Drive.

**REQUEST:** The applicant is requesting a special use permit for Automotive Sales Lot within the B-3 (Highway Entrance Business) zoning district.

### SITE DATA:

Acreeage: 0.4 acres  
Present Zoning: B-3 (Highway Entrance Business)  
Proposed Zoning: N/A  
Existing Use: Automotive repair.  
Access: Two curbcuts off of Computer Drive

**ENVIRONMENTAL:** The use will have no impact to environmentally sensitive areas.

### ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	B-3 (Highway Entrance Business)	Storage Building
South	B-3 (Highway Entrance Business)	Convenience Gas Station
East	R-10 Single Family Residential	Single Family Residential
West	B-3 (Highway Entrance Business)	Sauls Motor Sales and Auto Repair

## **STAFF ANALYSIS AND COMMENTARY:**

The applicant is requesting a special use permit for used auto sales. The property was originally constructed as a self-serve car wash and was later converted into an auto repair business with one repair garage and associated office. A small addition was added onto the rear of the structure. The owner would like to close the auto repair business and conduct his auto sales business from the property. In accordance with Town of Smithfield Unified Development Ordinance (UDO) Article 6, Section 6.5 Table of Uses and Activities, car dealerships within the B-3 (Highway Business Entrance) zoning district are permitted with a valid special use permit issued by Town Council. The UDO does provide any additional performance standards for car dealerships.

**Nonconformities.** The existing site contains numerous non-conformities. The parking area currently encroaches on the Computer Drive right-of-way. The distance between the curb and the parking lot is 4' feet. New development or redeveloped sites with building or site expansions would be required to maintain a 15' front bufferyard in addition to rear and side bufferyards. The change in use does not involved any increase in parking, building area any other expansion, therefore, the change in use is exempted from other improvements such as curbing and landscaping (UDO Section 10.8.2). Staff does not see the existing parking lot encroachment creating an impact on health, safety, or welfare as it has been in existence since the site was originally constructed.

**Parking.** The existing parking lot is large enough to support 5 cars for sale, a handicapped parking stall and two employee/guest parking spaces in the remaining two carwash bays. An existing vacuum island located in the proposed driveline will need to be dismantled.

**Trash Enclosure.** A pickup truck topper is being used as a trash shelter in the north east corner of the parking lot behind the building.

**Signs.** Any new signs for the proposed car dealership will require a separate sign permit issued by the Planning Department. None have been proposed at this time.

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## **DRAFT FINDINGS OF FACT:**

The Town Council is required to evaluate the special use permit request and should determine whether the use will meet each of the findings of fact. Staff findings are shown in *italics and bold below*:

- 1.** The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare. The car sales operation will have no impact to health, safety or welfare. *The car sales operation will have a lesser impact on the surrounding properties than the current auto sales.*
- 2.** The special use will be in harmony with the existing development and uses within the area in which it is to be located. *The use will be in harmony with the auto sales lot and other auto uses in the area.*

3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. *The use will have no impact on the development of other business uses in the district or adjacent to the site.*

4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided. *There will be no changes that impact utilities, access drainage and there is adequate parking area to accommodate the use.*

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. *The use will have no additional impact on adjacent streets.*

6. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located. *The special use will conform to all applicable regulations with a valid permit.*

7. Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern. *The access to the site will not change.*

8. The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council. *The use is in conformity with the plans for the Town.*

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**RECOMMENDED CONDITIONS OF APPROVAL:**

The Planning Department recommends the following conditions of approval:

1. That the vacuum cleaner island be removed from the parking lot.
2. That no more than five (5) vehicles for sale are on the property at any given time and no more than eight (8) vehicles in total including customers and employees.

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**TOWN COUNCIL ACTION REQUESTED:**

The Town Council is respectfully requested to review the request, hold a public hearing, and make a decision with findings of fact in support of the decision.

**Town of Smithfield  
Special Use Permit Application  
Finding of Fact / Approval Criteria**

**Application Number:** SUP-18-05    **Name:** Classic Touch

**Request:** Applicant seeks a special use permit to operate a car sales business on the property.

In approving an application for a special use permit in accordance with the principles, conditions, safeguards, and procedures specified herein, the Town Council may impose reasonable and appropriate conditions and safeguards upon the approval. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by the Town Council. The Town Council shall include in its comments a statement as to the consistency of the application with the Town's currently adopted Comprehensive Plan. The applicant has the burden of producing competent, substantial evidence tending to establish the facts and conditions which the below requires.

The Town Council shall issue a special use permit if it has evaluated an application through a quasi-judicial process and determined that:

1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
2. The special use will be in harmony with the existing development and uses within the area in which it is to be located.
3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.
7. Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.
8. The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council.

**Once all findings have been decided one of the two following motions must be made:**

**Motion to Approve:** *Based upon satisfactory compliance with the above 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 approve Special Use Permit Application # SUP-18-05 with the following conditions:*

- 1. That the vacuum cleaner island be removed from the parking lot.*
- 2. That no more than five (5) vehicles for sale are on the property at any given time.*

**Motion to Deny:** *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Special Use Permit Application # SUP-18-05 for the following stated reason:*

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**Record of Decision:**

**Based on a motion and majority vote of the Town of Smithfield Town Council for the Special Use Permit Application Number SUP-18-05 is hereby:**

\_\_\_\_\_ **approved upon acceptance and conformity with the following conditions:**

- 1. That the vacuum cleaner island be removed from the parking lot.*
- 2. That no more than five (5) vehicles for sale are on the property at any given time. and no more than eight (8) vehicles in total including customers and employees.*

\_\_\_\_\_ **denied for the noted reasons.**

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**Decision made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ while in regular session.**

\_\_\_\_\_  
**M. Andy Moore, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Shannan L. Parrish Town Clerk**



Town of Smithfield  
 Planning Department  
 350 E. Market St Smithfield, NC 27577  
 P.O. Box 761, Smithfield, NC 27577  
 Phone: 919-934-2116  
 Fax: 919-934-1134

## SPECIAL USE PERMIT APPLICATION

*Pursuant to Article 4, of the Town of Smithfield Unified Development Ordinance, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to allow a Special Use. Special Uses are uses that may be appropriate in a particular district, but has the potential to create incompatibilities with adjacent uses.*

*Special Use Permit applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans and one (1) digital copy of all required documents, an Owner's Consent Form (attached) and the application fee. The application fee is \$300.00. All fees are due when the application is submitted.*

### SITE INFORMATION:

Name of Project: Classic Touch Acreage of Property: \_\_\_\_\_  
 Parcel ID Number: 150940061 Tax ID: 5109823  
 Deed Book: \_\_\_\_\_ Deed Page(s): \_\_\_\_\_  
 Address: 100 Computer Dr Smithfield NC 27577  
 Location: \_\_\_\_\_

Existing Use: Car wash & Auto Repair Proposed Use: Auto Sales  
 Existing Zoning District: \_\_\_\_\_

Is project within a Planned Development: Yes No  
 Planned Development District (if applicable): \_\_\_\_\_  
 Is project within an Overlay District: Yes No  
 Overlay District (if applicable): \_\_\_\_\_

### FOR OFFICE USE ONLY

File Number: \_\_\_\_\_ Date Submitted: \_\_\_\_\_ Date Received: \_\_\_\_\_ Amount Paid: \_\_\_\_\_



**REQUIRED FINDING OF FACT**

Article 4 of the Town of Smithfield Unified Development Ordinance requires applications for a Special Use Permit to address the following findings. The applicant has the burden of producing competent, substantial evidence tending to establish the facts and conditions which this section requires. The Town Council shall issue a special use permit if it has evaluated an application through a quasi-judicial process and determined that:

- 1) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.

NO Impact

- 2) The special use will be in harmony with the existing development and uses within the area in which it is to be located.

all neighbors use Commercial

- 3) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

will not impact adjacent property one  
Derelict

- 4) Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.

NO change to utility or parking

- 5) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

NO Change to current use

- 6) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

YES

- 7) Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

NO Change

- 8) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council.

Yes

## REQUIRED SITE PLAN INFORMATION

*Article 5 of the Town of Smithfield Unified Development Ordinance requires a site plan be prepared by a professional engineer, registered land surveyor, or licensed architect and shall be drawn to scale of not less than one inch equals 30 feet. The site plan shall be based on the latest tax map information and shall be of a size as required by each individual site plan. The site plan shall contain the following information, if applicable as determined by the UDO Administrator:*

- 1) A key map of the site with reference to surrounding areas and existing street locations.
- 2) The name and address of the owner and site plan applicant, together with the names of the owners of all contiguous land and of property directly across the street as shown by the most recent tax records.
- 3) Parcel Identification Numbers (PIN) for site and adjacent properties.
- 4) Deed book and page reference demonstrating ownership of property.
- 5) Location of all existing and proposed structures, including their outside dimensions and elevations, streets, entrances, and exits on the site, on contiguous property, and on property directly across the street.
- 6) Building setback, side line, and rear yard distances.
- 7) Location of watercourses, ponds, flood zones, water supply watershed areas, and riparian buffers.
- 8) All existing physical features, including existing trees greater than eight (8) inches in diameter measured four and one-half (4.5) feet above ground level, and significant soil conditions.
- 9) Topography showing existing and proposed contours at no greater than ten (10) foot intervals. All reference benchmarks shall be clearly designated.
- 10) The zoning of the property, including zoning district lines where applicable.
- 11) Lot line dimensions and property lines of the tract to be developed (with dimensions identified), adjacent property lines (including corporate limits, Town boundaries, and county lines).
- 12) Parking, loading, and unloading areas shall be indicated with dimensions, traffic patterns, access aisles, and curb radii per the requirements of Article 10, Part I.
- 13) Types of surfaces for drives, sidewalks, and parking areas.
- 14) Location and design of existing and proposed sanitary waste disposal systems, water mains and appurtenances (including fire hydrants) on or adjacent to the parcel.
- 15) Other utility lines both under- and above-ground, including electric power, telephone, gas, cable television.
- 16) Location of all US Clean Water Act Section 404 wetland areas, located of detention/retention ponds (Best Management Practices), riparian buffers and impervious surface areas with area dimensions, and ratios of impervious surface to the total size of the lot.
- 17) The location of all common areas.
- 18) The location and dimensions of all areas intended as usable open space, including all recreational areas. The plans shall clearly indicate whether such open space areas are intended to be offered for dedication to public use or to remain privately owned.
- 19) Landscaping and buffering plan showing what will remain and what will be planted, indicating names of plants, trees, and dimensions, approximate time of planting, and maintenance plans per the requirements of Article 10, Part II. The plan shall include the tree line of wooded areas and individual trees eight (8) inches in diameter or more, identified by common or scientific name.
- 20) Proposed site lighting.

**APPLICANT AFFIDAVIT**

*I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject Special Use Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.*

Danny Moowad  
Print Name

  
Signature of Applicant

4-5-18  
Date

# OWNER'S CONSENT FORM

Name of Project: Classic Touch Submittal Date: 4-5-18

## OWNERS AUTHORIZATION

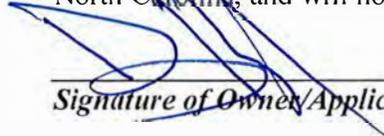
I hereby give CONSENT to Danny Moowad (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

 Danny Moowad 4-5-18  
*Signature of Owner* *Print Name* *Date*

## CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

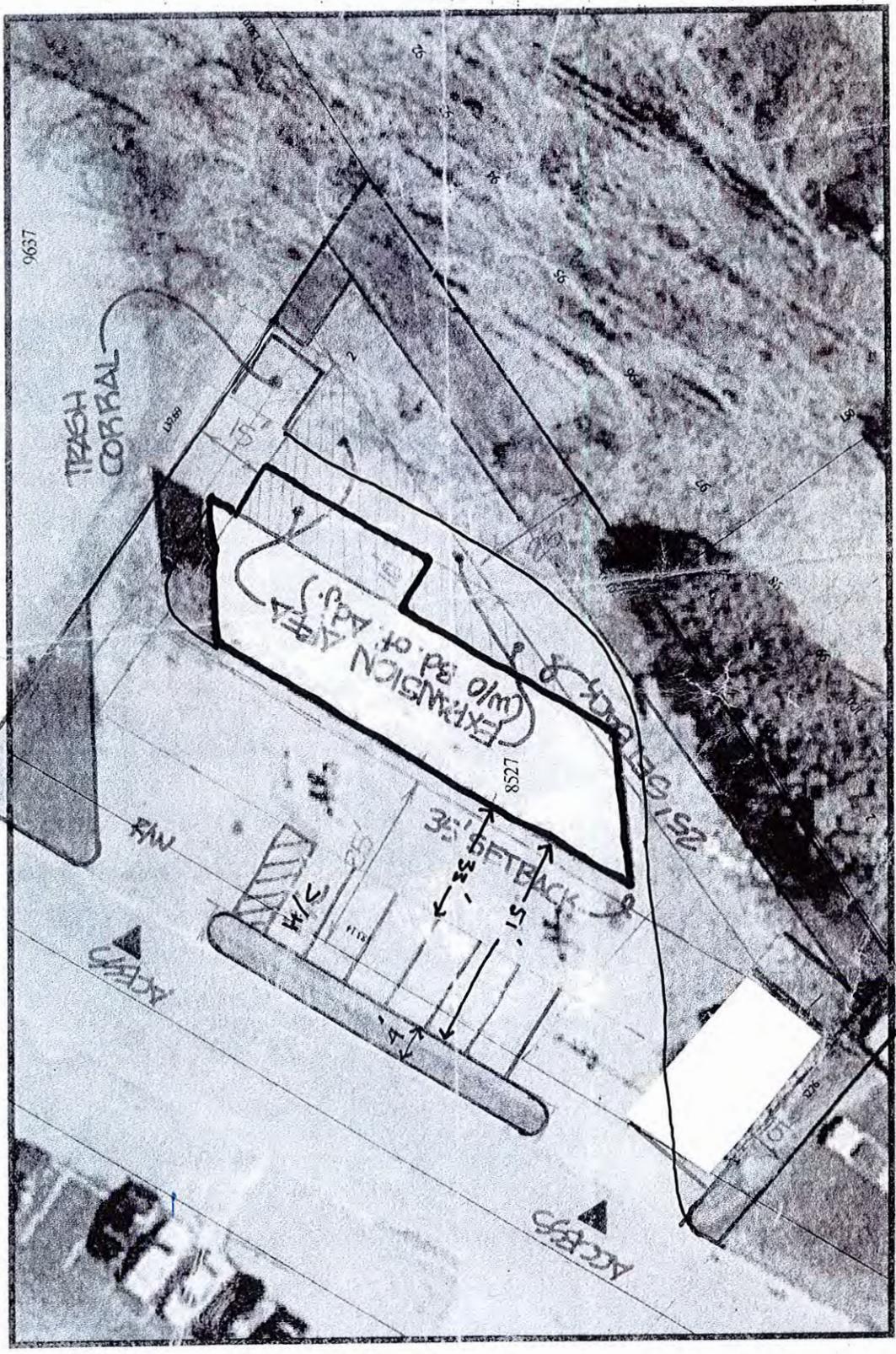
I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

 Danny Moowad 4-5-18  
*Signature of Owner/Applicant* *Print Name* *Date*

## FOR OFFICE USE ONLY

File Number: \_\_\_\_\_ Date submitted: \_\_\_\_\_ Date received: \_\_\_\_\_

\*\*\* DISCLAIMER \*\*\*  
Johnston County assumes no legal responsibility for the information represented here.



Scale 1 inch = 31 feet

Date September 3, 2014

(The scale is only accurate when printed landscape on a 8.5x11in size sheet with no page scaling)

# 100 Block of Venture Drive



Project Name:  
Classic Touch

Proposed Use:  
Automotive Sales

File Number:  
SUP-18-05

Property Owner:  
Danny Moowad

Applicant:  
Danny Moowad

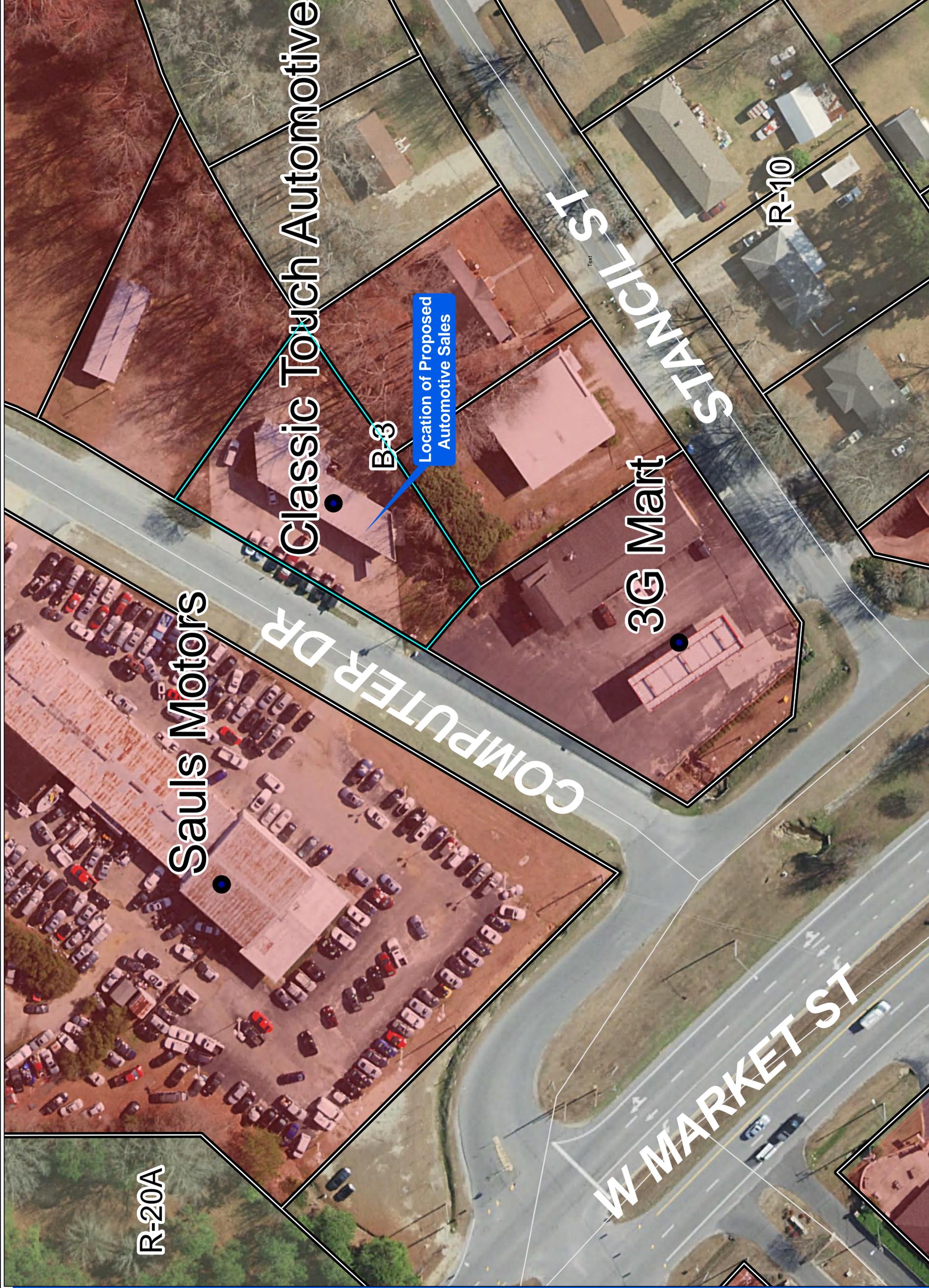
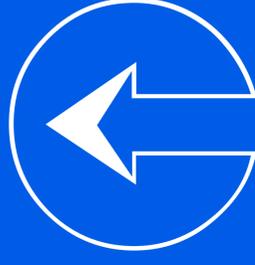
Location:  
100 Computer Dr

Tax ID#  
150990061

Zoning District:  
B-3 (Business  
Entrance Highway)

Map created by the  
Mark E. Helmer, AICP  
Senior Planner,  
GIS Specialist  
on 4/16/2018

1 inch = 26 feet

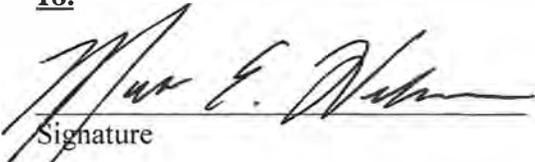




PLANNING DEPARTMENT  
Mark E. Helmer, AICP, Senior Planner

**ADJOINING PROPERTY OWNERS CERTIFICATION**

I, **Mark E. Helmer**, hereby certify that the property owner and adjacent property owners of the following petition, SUP-18-05, were notified by First Class Mail on 4-16-18.

  
Signature  
Johnston County, North Carolina

I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

16th day of April, 2018

  
Notary Public Signature  
Julianne Edmonds  
Notary Public Name



My Commission expires on Jan 15, 2023  
(Seal)

TAX ID#	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15089019	168408-98-1604	HOBBERCHALK, MAGGI Y.	507 PAGE ST	CLAYTON	NC	27520-2455
15089019B	168408-98-0528	HOBBERCHALK, MAGGI Y.	507 PAGE ST	CLAYTON	NC	27520-2455
15099006I	168408-88-8527	CLASSIC TOUCH LLC	4179 SWIFT CREEK RD	SMITHFIELD	NC	27577-8233
15089017	168408-88-8455	HOBBS, TINA SHIRLEY	616 HANCOCK STREET	SMITHFIELD	NC	27577
15089018	168408-88-7348	RIGVED LLC	320 STANCIL STREET	SMITHFIELD	NC	27577-0000
15J08068	168408-88-9637	L. EATMON LIVING TRUST	110 MAPLE DR	SMITHFIELD	NC	27577-3020

## **Notice Of Public Hearings**

Notice is hereby given that the Town Council of the Town of Smithfield will conduct public hearings during the course of their open meeting which starts at 7:00 P.M. on Tuesday, May 1, 2018 in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

**SUP-18-04 Combine Mindz Tattoo Studio:** The applicant is requesting a special use permit to allow for a tattoo studio on property located within a B-3 (Business) zoning district. The property considered for approval is located on the southeast side of the intersection of Venture Drive and Peedin Road and further identified as Johnston County Tax ID# 15L11008V.

**SUP-18-05: Classic Touch Automobile Sales:** The applicant is requesting a special use permit to allow for an automobile sales lot of property located within a B-3(Business) zoning district. The property considered for approval is located on the east side of Computer Drive approximately 250 feet northeast of its intersection with Fairway Drive and further identified as Johnston County Tax ID# 15O99006I.

You have been identified as a property owner in the area specified above and are being advised of this meeting as you may have interest in this matter. You are welcome to attend; however, you are not required to in order for the Board to act on this request. Additional information may be obtained by contacting the Town of Smithfield Planning Department at 919-934-2116.

## **Notice Of Public Hearings**

Notice is hereby given that the Town Council of the Town of Smithfield will conduct public hearings during the course of their open meeting which starts at 7:00 P.M. on Tuesday, May 1, 2018 in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

**SUP-18-04 Combine Mindz Tattoo Studio:** The applicant is requesting a special use permit to allow for a tattoo studio on property located within a B-3 (Business) zoning district. The property considered for approval is located on the southeast side of the intersection of Venture Drive and Peedin Road and further identified as Johnston County Tax ID# 15L11008V.

**SUP-18-05: Classic Touch Automobile Sales:** The applicant is requesting a special use permit to allow for an automobile sales lot of property located within a B-3(Business) zoning district. The property considered for approval is located on the east side of Computer Drive approximately 250 feet northeast of its intersection with Fairway Drive and further identified as Johnston County Tax ID# 15O99006I.

All interested persons are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the town office if you need assistance. Further inquiries regarding this matter may be directed to the Smithfield Planning Department at (919) 934-2116 or online at [www.smithfield-nc.com](http://www.smithfield-nc.com).

**Run “Legal Ad” in the News and Observer on 4/20/18 and 4/27/2018**

**Draft**  
**Smithfield Planning Board Minutes**  
**Thursday, April 5, 2018**  
**6:00 P.M., Town Hall, Council Chambers**

**Members Present:**

Chairman Stephen Upton  
Vice Chairman-Daniel Sanders  
Oliver Johnson  
Michael Taylor  
Eddie Foy  
Teresa Daughtry  
Ashley Spain

**Members Absent:**

Mark Lane

**Staff Present:**

Mark Helmer, Senior Planner  
Stephen Wensman, Planning Director  
Julie Edmonds, Administrative Assistant

**Staff Absent:**

**CALL TO ORDER**

Mr. Upton identified the Planning Board members as well as, Planning Department staff.

**AMENDMENTS TO THE AGENDA**

None

**APPROVAL OF MINUTES from March 1, 2018**

Ashley Spain made a motion, seconded by Eddie Foy to approve the minutes as written.

Unanimous

**New Business**

**Article 9 of the Unified Development Ordinance:**

Article 9 of the Unified Development Ordinance (UDO) regulates nonconforming situations. Nonconforming situations are those which legally exist but fail to comply with the current provisions of the UDO. Structures, lots and uses can be nonconforming.

The stated intent of Article 9 is to permit to continue until they are removed, discontinued, or destroyed, but not to encourage such continued use, and to prohibit the expansion of any nonconformance.

The current Article 9 is problematic from staff's perspective. It is overly complicated, subjective, and allows for authorizations or permits by the Board of Adjustments (BOA) that is not within their listed powers in Article 3. In several places, Article 9 states that the Board of Adjustments (BOA) is allowed to "authorize" or "issue permits" to allow nonconforming situations, while Article 3 of the UDO does not specifically grant these powers to the BOA. Also, Article 9 does

not distinguish what type of permit the BOA should grant, and in practice, the Town of Smithfield BOA only issues variances and appeals.

The current UDO Article 9 allows the BOA to issue permits under the following sections:

- In Section 9.2.3.6 the BOA can issue a permit to allow major renovation of nonconformities.
- In Section 9.2.3.9 the BOA can issue a permit to rebuild a structure that is destroyed if the work exceeds 10 percent of the appraised value if the work will not be more incompatible than the original.
- In Section 9.5.4, the BOA can issue a permit authorizing a change from a nonconforming use to a lesser nonconforming use.
- In Section 9.6.2, the BOA can issue a permit to a nonconforming use that has been discontinued for more than 180 consecutive days with findings.

The current UDO Article 9 allows the BOA to authorize nonconforming situations, but it is unclear whether this is by permit or variance:

- In section 9.3.2, a nonconforming structure can be enlarged, extended, reconstruct, moved or altered if it will be used for a conforming use after authorization of the BOA.

In Section 9.6.1 and 9.6.3 the BOA is to consider “intent” of the applicant in making its decision. It is difficult to regulate intent and often the intent of a property owner is difficult to know.

Section 9.5.3.2 allows the UDO Administrator to waive requirements of the UDO when compliance is not reasonably possible. This is a very subjective criterion. Within Article 10, there are several sections that address nonconformities such as 10.32, 10.91.4.7, 10.93.9.2. These sections should be reviewed to determine whether the regulations belong in Article 9.

#### **UDO UPDATE:**

Article 9 of the UDO was updated on August 2, 2017 with the overhaul of the entire UDO. Since its codification, Staff has found a number of issues with the UDO and has brought them to the attention of Dale Holland, the UDO Consultant who has agreed to review and make some limited revisions to the Code. One section he will be reviewing is Article 9. Because of the complexity of this Article and because of its potential impact on property owners with nonconforming property, of which there are many in the Town, Staff felt it should begin the discussion with the Planning Board about the need for revisions in order to prepare for a future zoning text amendment.

Mr. Stephen Wensman stated we had an example in the office today. Someone wanted to go from being an automotive repair to used car sales. It is just a building sitting on a lot without any landscaping and they're encroaching in the right-of-way. There are probably other nonconforming situations as well. If you read section 9, they need to comply with the UDO for us to issue a permit. However if you read section 10.8.2 it states in 10.8.2.2. when there is a change from an existing use to a new use, which requires additional parking, then the new use requires ten (10) or more parking spaces.

I've asked Dale Holland to take a look at several parts of our code that I think are incomplete. He agreed to do it; I don't know what he will come up with. He will focus on Article 9 in particular. He stated it was compliant with legislation, but it doesn't mean it complies with the rest of our code.

Teresa Daughtry asked if it were correct that changes could be made to the UDO, but once legislation makes decisions then we have to move forward in what they put in place.

Mr. Wensman said legislation does allow the Board of Adjustments to issue permits, but it doesn't mean ours has to.

Mr. Foy asked if the older UDO mentioned the Board of Adjustments issuing permits.

Mr. Helmer said there were some typos still in the older version, so yes it did.

Mr. Upton suggested the Planning Staff pursue this topic in question with Mr. Holland and get back to the board.

Mr. Wensman said where he is from in Minnesota, you aren't allowed to issue use variances. Our UDO has a section that allows you to issue a permit. You can go from one nonconforming use to another nonconforming use with only a permit. An example of this would be a residential district with an auto repair shop; instead someone wants to put in a retail store. It is less nonconforming because it isn't as intrusive. However in our UDO, instead of calling it a variance they call it a permit that the Board of Adjustment is supposed to issue. Dale Holland said it is allowed by the legislation. Mr. Wensman said to him that is whole other section. It is a use variance by another name and he thinks it would be thrown out of court. It doesn't mean our UDO has to allow it. How do you phase out nonconforming if you continue to allow them to persist? If the use goes away in a stipulated amount of time, it should just go away. I have talked to the Town Manager about this and I don't know how this will sit with the Town Council. It would be a big change if we suddenly got tough on nonconformities because there are a lot of them out there.

Mrs. Daughtry reminded everyone that the reason the UDO study was more detailed than others, was because we wanted to raise the bar on the Town's appearance and the future of the town. At one time you could pretty much do whatever you wanted, so that is why we felt the need to raise the bar.

Mr. Sanders asked if this change would create a conflict with this board, Board of Adjustment and Town Council, somewhere down the line.

Mr. Wensman said if Planning Board decided to get tough on nonconformities yet the Council doesn't want to take away people rights, then yes because they are the ones getting the phone calls.

Mr. Johnson stated that raising the bar is a worthy goal; I think it is also incumbent on us to make sure there are no inconsistencies or conflicts that are part of raising the bar.

**Article 10, Part IX, Section 10.91:**

This section contains the performance standards for properties within the Entry Corridor Overlay District. The overlay district purpose and standards should be reviewed to determine whether the purposes are still relevant and make sense. Also whether the standards reinforce the overlay's intended purpose.

Mr. Wensman stated we have what you call an entry corridor overlay district. I thought it was mandatory but it appears to be optional. I don't understand who would ever use it unless it worked in their favor. I think what would happen; we would end up on corridor variable setbacks. You would have those that took advantage of it and built up to the street; creating a downtown look. Then the next guy who doesn't want to take advantage of entry corridor will decide, I'll put the parking in front. We then would have a mixed look on any corridor. I don't think we are creating the vision of any corridor. Which corridor are we trying to emulate or what look are we looking for? The corridor extends from Market Street over the river from downtown all the way down pass the outlet mall and then both ways on Hwy 301. That is not a uniformed looking corridor. We have one overlay district stipulating some alternatives. Essentially a developer can utilize this to create a look that is different from any parts of the corridor that exist right now. What are we trying to achieve for that corridor? You would want it to be uniformed in setback. I don't know that I would tackle this issue until after the update is done on the Comprehensive Plan.

Mrs. Daughtry asked if we were going to be developing a new Comp Plan soon. She thought it was going to be done before the UDO was updated, but it didn't happen in that order.

Mr. Wensman said yes, usually you update the Comp Plan then codify the UDO afterwards. We need to come up with a vision for our corridors. How would we want them to look? What setbacks or features would be want in the zoning code to make sure it gets built that way? If the setbacks are optional, then you're not really achieving any specific corridor.

Mrs. Daughtry asked how long it would take to make a new Comp Plan.

Mr. Wensman said it was a 14 month process.

Mrs. Daughtry asked if someone presented a plan that didn't meet the current Comp Plan and we knew it didn't meet what our goals are for the future, where would it leave us legally if we denied that plan.

Mr. Wensman said well right now our current Comp Plan is all we have. It is recommended but not required in this state.

## **Connectivity Report:**

The Town of Smithfield Planning Board is requested to review the document and supporting information as it pertains to street connectivity and to provide direction on any needed changes in the Town plans or ordinances.

Mark Helmer said the subject of connectivity and sidewalks are components of a larger concept called Complete Streets and are one of the most studied topics in the Urban Planning profession. Complete Streets can be thought of as streets that are for everyone. They are designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists and transit riders of all ages and abilities. Complete Streets make it easy to cross the street, walk to shops, and bicycle to work. They allow buses to run on time and make it safe for people to walk to various local destinations.

The term “street connectivity” suggests a system of streets with multiple routes and connections serving the same origins and destinations. Connectivity not only relates to the number of intersections along a segment of street, but how an entire area is connected by the transportation system. A well-designed, highly-connected network helps reduce the volume of traffic and traffic delays on major streets (arterials and major collectors), and ultimately improves livability in communities by providing parallel routes and alternative route choices. By increasing the number of street connections or local street intersections in communities, bicycle and pedestrian travel also is enhanced. A well-planned, connected network of collector roadways allows a transit system to operate more efficiently.

Local street connectivity provides for both intra- and inter-neighborhood connections to knit developments together, rather than forming barriers between them. The street configuration within each parcel must contribute to the street system of the neighborhood. Research has shown that high roadway connectivity can result in:

- Reduction in travel distance (VMT) for drivers**
- Reduction in travel times for drivers;**
- Better and redundant emergency vehicle access;**
- More efficient public services access (mail, garbage, transit)**
- Improved bicycle and pedestrian routes and accessibility.**
- Higher percentage mode share for transit, bicycling and walking**
- Safer roads**

Mr. Helmer said the whole concept of street connectivity through complete streets was embraced by N.C. Department of Transportation in July 2009 as well as our Comprehensive Plan and Unified Development Ordinance. The method Town of Smithfield uses for connectivity particularly with stub streets to adjoin properties is a link and node ratio. Ours is set at 1.45 and if you meet that ratio it will almost always include a stub street to adjacent properties. If you come up short on your ratio, it's because you don't have a stub. You can also have that ratio higher, just a stub may or may not satisfy this ratio.

Mr. Helmer provided a separate handout showing the various communities connectivity requirements such as Smithfield, Clayton, Knightdale, Wendell, and Fuquay-Farina.

Mrs. Daughtry said Fuquay-Varina and Wendell are two of the fastest growing areas. Fuquay-Varina says they may be required, whereas Wendell says new development shall connect so it's giving that developer the option. If you build a subdivision and you have an \$80,000 dollar home at the end of that subdivision where the stub out is, and someone comes in and says they want to build \$150,000 dollar or more homes, I imagine you will have someone unhappy to be sitting beside that. A commercial project is totally different than a residential. If Belk's and Wal-Mart weren't connected it would be a disaster. When you take a subdivision in the county that is coming up in 5 or 6 phases and these streets have to connect, the people who bought in the first, second or third phase are going to lose out. We need to be careful how we word this so it isn't mandatory.

Mr. Helmer said some ordinances are wishy washy and say if the way you stub out and connect cause more traffic, then your subdivision was developed poorly.

Mr. Wensman said the Town Council waived these requirements for the upcoming PUD development on Buffalo Rd. The Comp Plan is loaded with information about it; we have an appendix that talks about street connectivity to our Comp Plan. It's definitely going to be a topic area for our new Comp Plan. We need to step back and present this to the community and get community input and revalidate what we have in our Comp Plan or strike it from our Comp Plan if the community feels otherwise. The UDO is a tool to implement the vision of the community which is the Comp Plan and in this instance the UDO is right on. It's doing what it is supposed to do to implement our Comp Plan. We need to use the community, process the next 14 months to raise this issue before the public and ask how you feel about this. If people like the idea, we either need to leave it in the Comp Plan or make it clearer. If people don't like it then it shouldn't be in the Comp Plan.

Mr. Upton asked if the public really knows how to make this kind of determination.

Mr. Wensman said they don't know but we are going to do as much as possible in this public participation process to reach out to people we don't normally meet. There will be visual preference surveys, those would be ways to find out what people like and don't like.

Mr. Wensman stated that the Comprehensive Planning process will be a 14 month process. We will have a steering committee as part of the public engagement piece. The steering committee will be made up of various stakeholders and one of them would be a representative of the Planning Board. The Steering Committee will meet 8 times over the 14 month process.

Mr. Upton said personally he didn't feel that he would be qualified to serve on the Steering Committee on behalf of the Planning Board.

Mrs. Daughtry asked what would be expected of the person who represented the Planning Board.

Mr. Wensman said we hired a consulting team for both Comprehensive and Transportation Planning. They're teaming up and working together and we decided to have a joint steering committee. They will have exercises with the committees to gather feedback. Also as they reach out to the communities for ideas then bounce those off the Steering Committee. They will help the Steering Committee come up with a vision statement, setting goals and guiding principles and all the implementation items.

Mrs. Daughtry agreed to serve on the Steering Committee on behalf of the Planning Board.

### **Old Business**

#### **Administrative Actions report**

Land Use Permit Report for February, 2018

Board Actions Report for February, 2018

#### **Adjournment**

Ashley Spain made a motion to adjourn, seconded by Daniel Sanders. Unanimous

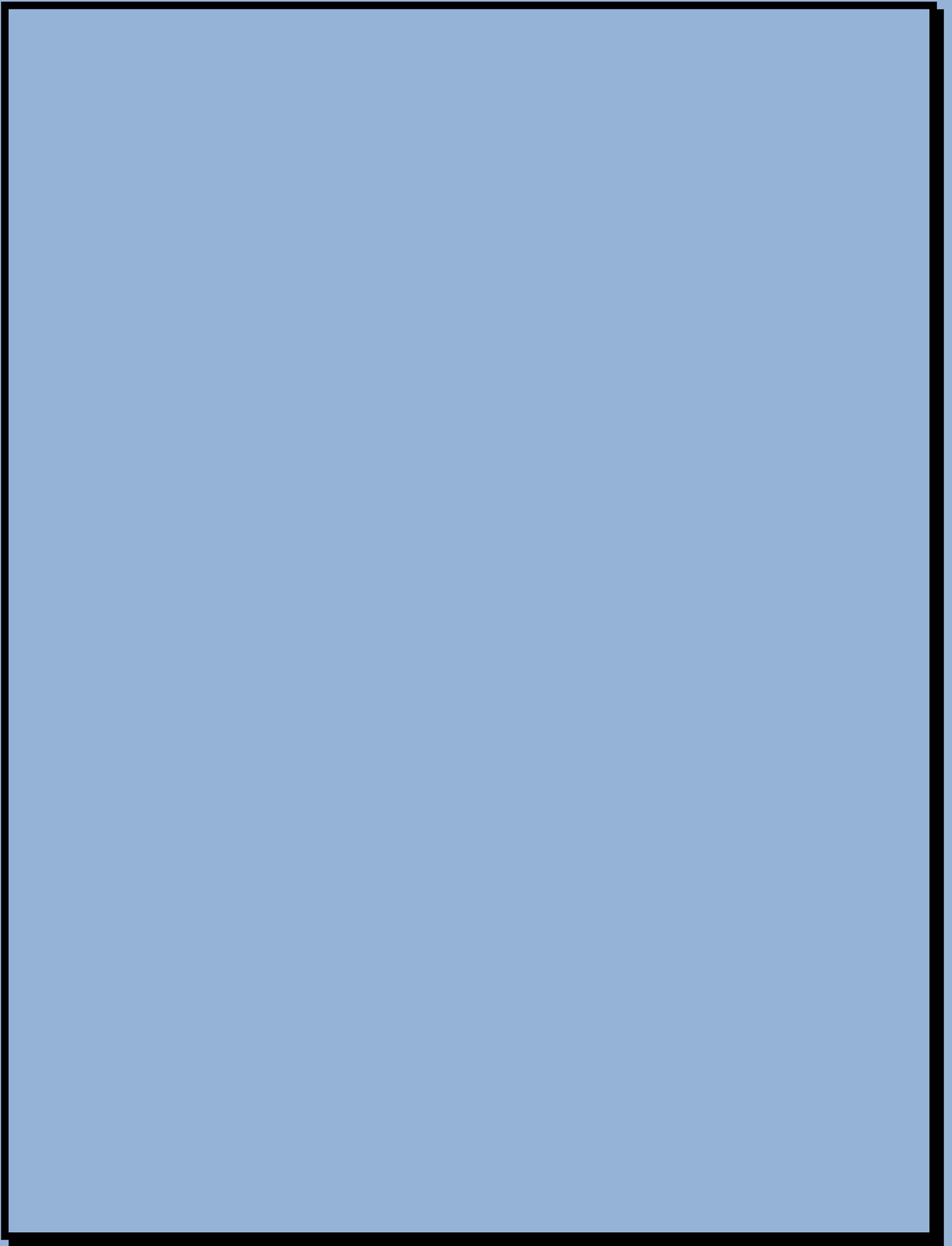
Submitted this 6th day of April, 2018

Julie Edmonds  
Administrative Assistant  
Planning Department



# Consent

## Agenda Items



The Smithfield Town Council met in regular session on Tuesday, April 3, 2018 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

Travis Scott, Mayor Pro-Tem  
Marlon Lee, District 1  
David Stevens, District 2  
Dr. David Barbour, District 4  
Emery Ashley, At-Large  
John A. Dunn, At-Large  
Stephen Rabil, At-Large

Councilmen Absent

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

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.

**INVOCATION**

The invocation was given by Mayor Pro-Tem Scott followed by the Pledge of Allegiance

**APPROVAL OF AGENDA:**

Councilman Dunn made a motion, seconded by Councilman Rabil, to approve the agenda with the following amendments:

1. Remove Business Item #7: ***Discussion concerning the Water Plant Expansion Time Line*** until the Budget Sessions
2. Remove Business Item #8: ***Consideration and approval to adopt Resolution #616 (03-2018) to begin the process of closing North 2nd Street from the intersection of North Street and 2nd Street in a northeast direction until the roadway intersects with Hospital Road***

Unanimously approved.

**PRESENTATIONS:**

**1. Proclamation – Recognizing April 18, 2018 as Electrical Lineman Day**

Mayor Moore presented the following Proclamation to Electrical Lineman Jeff Stewart and Public Utilities Director Ted Credle.

**Town of Smithfield  
Proclamation  
Electrical Lineman Appreciation Day  
April 18, 2018**

**Whereas**, the Town of Smithfield honors the profession of linemen, as this profession is steeped in personal, family and professional tradition; and

**Whereas**, electrical linemen are often first responders during storms and other

catastrophic events, working to repair broken lines to make the scene safe for the citizens of the Town of Smithfield; as well as, other public safety workers; and

**Whereas**, electrical linemen work on the Town of Smithfield power lines 24 hours a day, 365 days a year, to keep the electricity flowing; and

**Whereas**, due to the danger of their work with thousands of volts of electricity high atop power lines, these linemen put their lives at risk every day for the citizens of the Town of Smithfield with little recognition from the community regarding the danger of their work; and

**Whereas**, the U.S. Senate in April of 2013 first recognized the efforts of electrical linemen in keeping the power on and protecting public safety, and has designated by resolution the celebration of a National Linemen Appreciation Day.

**NOW, THEREFORE, I, M. Andy Moore**, Mayor of the Town of Smithfield along with the members of the Town Council, do hereby proclaim **April 18, 2018** as **“Electrical Linemen Appreciation Day”**; and we call upon the citizens of the Town of Smithfield to recognize and appreciate the hard work, innovation and dedication that these public servants make every day to our health, safety, comfort, and quality of life.

## **2. Parks and Recreation Updates on the Miracle League Field, Inclusion Park and Grand Opening of the Sarah Yard Community Center**

Parks and Recreation Director Gary Johnson provided an update to the Council on various Parks and Recreation Projects. Mr. Johnson explained the Sarah Yard Community Center opened on March 26<sup>th</sup>. A lot of citizens have volunteered to provide scholarships for children who would like to attend the center. Another project nearing completion was the Partnership to Build a Miracle Inclusion Playground and Baseball Field. These parks are all handicapped accessible; a first of its kind in Johnston County. A grand opening ceremony is scheduled for April 14<sup>th</sup>. Mr. Johnson also informed the Council of the ribbon cutting ceremony at the newly refinished boat ramp on July 14<sup>th</sup>. The Parks and Recreation Department will be holding its first annual River Rat Regatta boat race on the Neuse.

New Executive Director of the Greater Smithfield Selma Area Chamber of Commerce, Mike Mancuso, introduced himself to the Council.

## **PUBLIC HEARINGS:**

- 1. Rezoning Request by Adams and Hodge Engineering, PC (RZ-18-04):** The applicant was requesting to rezoning approximately 67.88 acres of land from the R-8 (Residential) zoning district to the PUD Special District (Planned Unit Development) with a PUD master plan for a 288 to 315 unit residential development. The property consider for rezoning was located on the east and west side of Buffalo Road approximately 570 feet north of its intersection with Booker Dairy Road. The property is further identified as Johnston County Tax ID# 14075013.

Councilman Dunn made a motion, seconded by Councilman Rabil, to open the Public Hearing. Unanimously approved.

Planning Director Stephen Wensman addressed the Council on a request by Adams and Hodge Engineering, PC. Mr. Wensman explained on January 8, 2008, the Town Council approved a rezoning to R8 Single, Two and Multi-Family Residential District and a special use permit, SUP-07-19 for a residential Planned Unit Development (PUD). At that time, PUDs were allowed in the R-8 zoning district by Special Use Permit. No conditional district or PUD rezoning was required. Also, allowed uses within the PUD were required to be the same as those in the R20-A, R8 and R10 Districts. That SUP expired after 5 five years with no subsequent development and the property remains zoned R-8. On October 3, 2017, the Town of Smithfield approved a new Unified Development Ordinance (UDO). The new UDO allows PUDs, but as a Special District rezoning. The

new UDO also only allows PUDs if they are mixed use. Adams and Hodge Engineering, PC submitted application for Rezoning to PUD for a 298-315-unit single-family and townhouse residential development on 67.88 acres, 54.62 acres on the west side of Buffalo Road and 13.27 acres on the east side of Buffalo Road. Prior to the March 6th Council meeting, the applicant requested the item be postponed until the April 3rd meeting. The agenda item has been re-notified for the public hearing. In the meantime, staff confirmed that in the Town's UDO, PUDs are considered Special District rezonings rather than Special Use District rezonings – under NC Statutes, these rezonings are considered a legislative proceeding and there is no separate special use permit required.

With the new UDO a PUD rezoning is essentially a Conditional District rezoning by another name, requiring an approved master site plan showing how the site will be developed with a mixture of land uses, residential and nonresidential. A PUD is a negotiated approach to a legislative decision allowing flexibility to tailor regulations to a particular site and project. It can offer a developer greater flexibility in dimensional standards (such as lot sizes and setbacks) with the approval of the master plan rather than following strict typical rigid separation of different land uses. Allowed uses are limited to those identified on the master plan. With the approval of the masterplan the site specific standards, zoning regulations and (mutually agreed to) conditions for the development are approved. The Town, in the negotiation, needs to ensure the development meets or exceeds the standards in the UDO as is appropriate. Through this PUD master plan, the developer was seeking flexibility to allow: 1) to determine the type of unit and location with each phase, not to exceed the overall lot/unit count. This is not a dimensional flexibility allowed by a PUD. 2) Reduced setbacks. 3) A smaller lot area requirement. 4) Lesser lot frontage requirement and 5) lesser building separation requirement.

In the UDO, there are certain requirements that PUDs are expected to meet: 1) Have a mix of land uses. The development is a mix of detached single-family and attached single-family triplex, and town house development, all single-family residential uses. Last month, the Town Council approved an ordinance amendment which will encourage mixed use, but not make it mandatory. This ordinance was necessary for this application to proceed. . 2) PUDs should have a dense network of narrow interconnected streets designed to minimize through traffic by the design of the street and the location of land uses. (UDO Section 10.108.19.1). The proposed development does not meet this requirement. 3) PUDs should have a high proportion of sidewalks, and paths (UDO Section 10.108.19.2). The proposed development has sidewalks on both sides of streets and a robust trail network, although sidewalks are also required along both sides of the Buffalo Road Right-of-Way.

Much of the proposed PUD development is within the WS IV-PA Overlay District. This overlay district provides an extra layer of regulation intended to protect the water supply watershed from pollution caused primarily from stormwater runoff. Within the WS IV-PA lot sizes are limited to ½ acre lots, unless cluster subdivision standards are followed (UDO Section 7.34). Impervious surfaces are limited to 24% unless the High Density Option is utilized (UDO Section 10.92.6.2.3). With the High Density Option, higher level of stormwater management controls is required. The proposed development is proposing lots smaller than ½ acre in size and will be utilizing the cluster subdivision standards, although modified through the PUD. The applicants were seeking PUD flexibility with the Following Requirements: 1) Lot width min 40' wide; 2) Side yard setback 6'; and 3) Building separation 12'

UDO Section 5.7 stipulates all the required submittals for an application. The application was lacking many of the required submittals such as utility plans, grading and erosion control plans, tree preservation plans, landscaping plans, lighting plans, stormwater plan and a traffic impact study among other items. Without all the required plans, Town staff is limited in its ability to evaluate the proposed master plan for the PUD. For example, it is uncertain whether the stormwater management plan or utility plans will function correctly or will be sized accordingly to meet requirements. There will likely be a lift station, requiring easements and other provisions that are not shown on the plans. It is not clear whether the tree preservation or landscaping requirements can be met with the current design layout. If approved, the subsequent subdivision development will need to comply with the master plan. Any material change to the plan such as moving roads and lots deemed a material changes as result of the subdivision process will require an amended PUD rezoning with an amended master plan. This should be made a condition of approval.

Mr. Wensman explained the following issues with the proposed plan: 1) No specificity on unit type and location. 2) Does not appear to meet all key clustering provisions for watershed protection. 3) Stormwater management is critical and no details. 4) PUD Street requirements not met. 5) NCDOT R/W not shown with sidewalks, turn lanes, etc. (TIS needed). 6) Block lengths too long (+1,000 ft). 7) Public parks and trails not articulated. 8) Public utility design not detailed. 9) Tree preservation impacts unknown. 10) Landscaping not fully developed into a plan. 11) Annexation is not addressed, but Town utilities are assumed. 12) No lateral street connections to future adjacent development.

#### PLANNING BOARD REVIEW AND RECOMMENDATIONS:

The Planning Board reviewed the applications on February 1st, and recommended approval of the rezoning as recommended by staff but with one exception. The Board did not recommend condition number 5. There was a discussion whether the lateral connections made sense and whether they were already required by the UDO.

At the meeting, the applicant rejected conditions 4, 5, 6 and 8.

In response, Staff offers the following:

- Conditions 5 and 6 are requirements of the UDO and could be clearly be eliminated.
- Condition 4 has been recommended because staff interprets the PUD requirements as requiring a higher level of street connectivity than would otherwise be required.
- Condition 8 has been recommended because staff believes the location of the townhouse units and the overall density is critical to the master plan. More units triggers the requirement for more open space and the location of townhomes on small lots will impact the street network.

#### PLANNING DEPARTMENT RECOMMENDATIONS:

The Planning Department recommends approval of the Rezoning, RZ-18-04, from R8 to PUD based on consistency with the Town's plans and policies with the following conditions:

- 1) That a Traffic Impact Study be conducted and the PUD Master Plan be updated to reflect any recommended internal circulation design, site access location and design, external roadway and intersection design and improvements, traffic signal installation and operation including signal timing, and transit service improvements.
- 2) That the applicant submit a request for voluntary annexation prior to subdivision application if connection to Town water and sewer are to be requested with the subdivision.
- 3) That the developer obtains a NCDOT Right-of-Way Permit for the street accesses onto Buffalo Road.
- 4) That an additional east-west street be incorporated into the site plan on the west side of the development consistent with the PUD requirements of the UDO.
- 5) That lateral connections to adjacent developable parcels be incorporated into the PUD masterplan.
- 6) That public sidewalks along Buffalo Road be incorporated into the PUD Master Plan.
- 7) That any area to be dedicated for public parks or trails be identified on the PUD master plan.
- 8) That the PUD master plan be updated to identify the type and placement of each unit type on a lot.
- 9) That all changes resulting from Town review of the required subdivision and construction plan review process, including, but not limited to utility, tree preservation, landscaping, lighting, stormwater management, grading and erosion control plans will be incorporated into the PUD master plan and resubmitted for final approval by Town staff.
- 10) Any material change to the plan such as moving roads and lots deemed a material changes as result of the subdivision process will require a new PUD rezoning with an amended master plan.

Planning Director Stephen Wensman has incorporated his entire record and provided it to Council in written form in the April 3, 2018 agenda packet.

Mayor Moore asked if there were any questions from the Council

Councilman Ashley questioned if this property was in the corridor with the Mountains to the Sea Trail. Mr. Wensman responded in the affirmative. Mr. Ashley questioned if this had been addressed. Mr. Wensman responded there were a number of options for the trail, but it had not been fully addressed. Mr. Ashley stated that it appeared the Council was being asked to approve a plan that is

incomplete. Mr. Wensman responded the Council was being asked to approve a master plan with a lot of additional details to be provided and staff approved. Town Manager Michael Scott explained there have been several meetings with the developer. The developer doesn't want to invest a lot of money obtaining plans and studies if the Town is not going to approve the rezoning. The plan does lack details, but staff believes by conditioning it, they can invest their money in the necessary plans to move forward with the project. Mr. Wensman informed the Council if there were significant changes to the plan, it would be brought back to Council for review.

Councilman Ashley questioned the two entry ways proposed on Buffalo road. Mr. Wensman responded the plan had not been sent to NCDOT for comment and review, but staff would require those on the master plan before they went to preliminary plat.

Councilman Barbour questioned the developer's response to the ten conditions. Mr. Wensman responded that they are objecting to conditions 4 & 5

Mayor Moore asked the applicant if he would like to address the Council. Mr. Reid Smith of One21 Homes stated that his team consists of himself, Donnie Adams with Adams and Hodge Engineering and James Lipscom with Hometown Realty. Mr. Smith explained he knew this market very well and this was not the first time he has taken these products through the PUD system. Mr. Smith explained this development was modeled after a development in Clayton called Parkview. When this tract of land became available, he thought it was a great idea to build a similar development in Smithfield. In his opinion, the master plan was a guiding document. In order to get to the first for sale sign, \$3 million would have to be invested. Mr. Smith further explained a lot of the plan would have to be completed, but they did not want to complete them until they knew the project would be approved by the Council. Each phase of the development will have to be reviewed by the Planning Staff.

Mr. Smith stated that for the neighborhood and the product type, they felt they were seeking the appropriate density. In Parkview, they started with the single family home, but proposed the triplex in case there was a need. At this point, there has been no need to build triplexes. He would work with the Town's Planning Staff to ensure that town homes or triplexes are developed in the right area. All homes are price point driven. Homes do not back to other homes and this will be a maintenance free neighborhood. Mr. Smith and his staff do plan to participate in the Mountains to Sea Trail. Mr. Smith and his team does believe this development will be a benefit to the Town as it will provide \$40 - \$50 million in tax base once fully built out.

As for the conditions, Mr. Smith explained that they did object to #4 siting that developers want to create a sense of neighborhood. Less roads mean more open space. He felt they had met the requirement and staff's interpretation was a little grey. Mr. Smith also explained they objected to #5 siting safety. They believe crime is reduced in a neighborhood when there is one way in and one way out. They also objected to #6 siting that it should state sidewalks or trails.

Mayor Pro-Tem Scott questioned if the utilities would be underground. Mr. Smith responded that they had not gotten that far into the plan.

Mayor Pro-Tem Scott questioned in which phases the townhomes and triplexes would be built. Mr. Smith responded the appropriate phases would be phases 3 and 4 where there would be cul-de-sacs and runs of types of homes.

Mayor Pro-Tem Scott questioned if the development would have curb and gutter. Mr. Smith responded there would be curb and gutter as well as sidewalks on both sides of the street.

Councilman Barbour questioned if Mr. Smith experienced catastrophic fires in any of its subdivisions due to the high density. Mr. Smith responded that they have never experienced any of those types of incidents.

Mayor Moore questioned if there were any objections to voluntary annexation. Mr. Smith responded that he did not object to voluntary annexations and he would put a condition to limit triplexes and townhomes to away from the entrances and none would be built in phases 1 or 3

Councilman Ashley asked if there was an objection to adding electricity to condition #2. Mr. Smith responded that he had no objections to adding electricity.

Mayor Moore asked if there was anyone present that wished to speak on this matter.

John Twisdale Jr. stated that his family owned property at 2117 and 1755 Buffalo Road. He asked if the Council had considered the impact that the additional 300 residents would have on the turning and through movements of the intersection of Buffalo and Booker Dairy road which were already at capacity especially while school was in session. Mr. Twisdale inquired if the Council had considered requesting a traffic study. He asked if the Council had put any thought into the additional capacity that would be needed for the sewer line that was installed in 1982 stating he thought the purpose of that line was to transfer sewage from Selma to Smithfield for treatment. He believed this would cause an unfair financial hardship on all remaining undeveloped property should those properties be developed in the future. He further questioned if the Council had confirmed if the developer had achieved verification of all jurisdictional wetlands and streams from the Corps of Engineers. Mr., Twisdale also inquired if the developer had evaluated pre versus post constructions conditions of all propose storm drainage outlets returning to pre-development conditions. While Mr. Twisdale agreed that growth was important, he questioned if this type of high density development was what the Town really needed. He asked that the Council consider making the lot sizes much larger than proposed.

Councilman Ashley responded that a traffic impact study was condition number one.

Tucker Twisdale of 1755 Buffalo Road addressed the Council on her concerns about the proposed development. In reviewing all the agenda material, she was disturbed about the lack of detail on the plan stating that the requested flexibility does not lead to accountability. Mrs. Twisdale questioned where would cars be parked if three hundred homes only had one garage since most families have two cars. She stated that the water and sewer issues would need to be addressed. She further questioned the buffer that would be required between the development and her property.

Mayor Pro-Tem Scott questioned if there would be a buffer. Mr. Wensmen responded the developer had referenced a 50 foot Class A buffer. The UDO defines the plantings of the buffer.

Reid Smith stated that his development team was not afraid of accountability. They simply did not want to waste money doing studies if they were not going to be able to obtain the proper zoning for the project.

Councilman Barbour questioned if street parking would be permissible. Mr. Smith responded that there will be instances when street parking will be allowed, but the UDO takes in account the width needed in the event an emergency services vehicle would need to safely pass on the streets.

Councilman Barbour also questioned if the sewer issue had been addressed. Public Utilities Director Ted Credle responded that he has not seem any utility plan therefore he could not comment. Mr. Credle stated that the line is owned by Johnston County even though the customers are serviced by the Town. The Town and the County would have to work together.

Councilman Ashley made a motion, seconded by Councilman Barbour to close the Public Hearing. Unanimously approved.

Mayor Pro-Tem Scott made a motion, seconded by, Councilman Rabil, approving the Rezoning, RZ-18-04, from R8 to PUD based on consistency with the Town's plans and policies with the following conditions:

1. That a Traffic Impact Study be conducted and the PUD Master Plan be updated to reflect any recommended internal circulation design, site access location and design, external roadway and intersection design and improvements, traffic signal installation and operation including signal timing, and transit service improvements.

2. That the applicant submit a request for voluntary annexation prior to subdivision application if connection to Town water, sewer and electricity are to be requested with the subdivision.
3. That the developer obtains a NCDOT Right-of-Way Permit for the street accesses onto Buffalo Road.
4. That any area to be dedicated for public parks or trails be identified on the PUD master plan.
5. That all changes resulting from Town review of the required subdivision and construction plan review process, including, but not limited to utility, tree preservation, landscaping, lighting, stormwater management, grading and erosion control plans will be incorporated into the PUD master plan and resubmitted for final approval by Town staff.
6. Any material change to the plan such as moving roads and lots deemed a material changes as result of the subdivision process will require a new PUD rezoning with an amended master plan.
7. No triplexes or townhomes can be built in the first or second phase and not close to the entrances of the subdivision.

Unanimously approved.

Mr. Wensman explained that since lateral connections to adjacent developable parcels be incorporated into the PUD masterplan was defined in the UDO and the Council had waived that condition, it would be best if the Council made a separate motion to that fact

Councilman Barbour made a motion seconded by Mayor Pro-Tem Scott, to waive condition #5 *That lateral connections to adjacent developable parcels be incorporated into the PUD masterplan.* Unanimously approved.

2. **Text Amendment Request by the Town of Smithfield (ZA-18-021):** The Smithfield Planning Department was requesting to adopt the Flood Risk Insurance Study for Johnston County and to amend the Town of Smithfield Unified Development Ordinance, Article 10, Part VII, Flood Damage Prevention, Non-Coastal Regular Phase as required by the study.

Councilman Dunn made a motion, seconded by Councilman Barbour, to open the Public Hearing. Unanimously approved.

Planning Director Stephen Wensman explained the Town of Smithfield was required to adopt the Federal Emergency Management Agency (FEMA) revised Flood Insurance Study (FIS) for Johnston County which includes both the revised Digital Flood Insurance Rate Map (DFIRM) and North Carolina Model Flood Damage Prevention Ordinance as developed by the North Carolina Department of Public Safety. Adoption of the FIS and mandatory revisions to the Town of Smithfield's existing Flood Damage Prevention Ordinance must occur no later than June 20, 2018. Failure to adopt the FIS and make the mandatory revisions to the Town of Smithfield Unified Development Ordinance (UDO) within the time allotted will result in the Town of Smithfield being suspended from the Nation Flood Insurance Program (NFIP) and all flood insurance policies within the Town of Smithfield's planning and zoning jurisdiction will be canceled.

The Planning Department was requesting adoption of revised Flood Insurance Study (FIS) for Johnston County and amendments to the Town of Smithfield Flood Damage Prevention Ordinance for continued participation and compliance with the National Flood Insurance Program.

Mr. Wensman explained many of the changes to the Town of Smithfield's existing Flood Damage Prevention Ordinance are mandatory, while others are recommended changes not necessarily

required to participate in National Flood Insurance Program. For usability and enforcement purposes, the proposed ordinance amendment generally mirrors proposed changes that will be adopted by Johnston County. Modifications to the existing ordinance are represented by double underline for new text, strikethrough for deleted text. In addition, blue text represents text that is changed from the existing ordinance, green text represents new text and, red text represents items to be deleted.

Over 1,200 properties within the Town of Smithfield Planning and Zoning Jurisdiction are affected by Special Flood Hazard Areas. Sandy Run and surrounding area will have approximately 86 properties and 66 structures removed from the 100 year floodplain. FIS now includes a detailed study area of Buffalo Creek from North Brightleaf Boulevard to US 70 Bypass. Spring Branch 100 year floodplain and floodway appears to be smaller in area. Neuse River floodway appears to have increased in area in most places. The majority of other changes appear to be from the natural meandering of the creeks and streams and can be seen through the subtle shifting of its floodway and floodplain from one side to the other. Mr. Wensman further explained

Summary of Mandatory Changes: 1) Required determination by UDO Administrator of market value, repair value and make a determination as to whether substantial damages or substantial improvement thresholds are met and to notify the applicant of the findings; 2) Required time period for use in establishing substantial damages and substantial improvements; 3) Failure to comply with UDO Administrator orders for correction of violation will be classified as a Class 1 misdemeanor pursuant to NC G.S 143-215.58; 4) Penalties for violations are increasing from \$50 to \$100 per day; 5) All electrical, heating, air conditioning and ventilation for new construction will be required to be 2 feet above base flood elevations or be water tight; 6) Alteration and repairs are no longer classified as new construction; 7) Non-residential structures with basements shall be no lower than 2 feet above base flood elevation or be constructed of robust material and flood proofed; 8) All above ground fuel tanks must be elevated two (2) feet above base flood elevation or be strapped down; 9) Use of NAVD 1988 vertical datum will replace the use of mean sea level tidal datum; 10) Minor text changes design to clarify existing regulations and 11) Additional definitions of commonly used terms.

Summary of Voluntary Changes: 1) Prohibit fill within a special food hazard area which is currently allowed. Staff recommends no change; 2) Increase in freeboard which is currently set at two (2) feet. Staff recommends no change; 3) Fully enclosed area of new construction or substantially improved structure which is below the lowest floor shall not be temperature controlled. (staff recommended); 4) A statement is placed on the permit stating that all material below the base flood elevation must be made from flood resistant material. (staff recommended); 5) Property owner requirement to execute and record a non-conversion agreement for spaces below the lowest floor and agree to annual inspections by Town staff. (staff does not recommend); 6) Required time period for establishing substantial damages and substantial improvements. Time period language required but period can vary based on community needs. Staff recommends 1 year for substantial improvements and 10 years for substantial damages. The substantial damage threshold is more stringent to avoid repetitive loss penalties to property owners that include ineligibility for Increased Cost of Compliance (ICC) benefits that are often needed for required elevating of flood damaged structures.

Planning staff finds the Flood Insurance Study (FIS) for Johnston County and ordinance amendment is consistent with the Comprehensive Land Use Plan which identifies and recommends areas within the floodway as Conservation Districts. Planning staff finds the Flood Insurance Study (FIS) for Johnston County and proposed ordinance amendment is reasonable and in the public interest because they reduce the loss of life and property damage caused by flooding.

The Planning Department recommends adoption of the Flood Insurance Study (FIS) for Johnston County and approval of proposed ordinance amendment to the Town of Smithfield Unified Development Ordinance, Article 10, Part VII, Flood Damage Prevention Ordinance, Non-Coastal Regular Phase and Appendix A. Definitions.

Planning Director Stephen Wensman has incorporated his entire record and provided it to Council in written form in the April 3, 2018 agenda packet.

Mayor Moore asked if there were any questions from the Council

Councilman Lee stated suddenly many parts of East Smithfield were being removed from the flood plain. In speaking with some residents, they have to build their houses ten feet above ground and are unable to obtain loans because they are in a flood area. The timing of these changes were ironic.

Councilman Ashley questioned if the impact of these changes has been conveyed to the citizenry and could this be harmful to the citizens. Mr. Wensman responded there were winners and losers with these amendments. Those that are being removed will no longer have to worry about floodplain requirements. They will be able to build like anyone else. Other properties that will be added to the floodplain will have more stringent building requirements. Mr. Wensman stated that if the Town does not adopt the maps and the ordinance, no one in Town will be able to obtain FEMA flood insurance.

Mayor Moore asked if there was anyone present that wished to speak on this matter. There was no one in attendance wishing to speak on this matter.

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

Councilman Barbour made a motion, seconded by Councilman Dunn, to approve the Text Amendment Request ZA-18-02 as submitted and declared it to be consistent with the Town of Smithfield's Comprehensive Growth Management Plan and it was reasonable and in the public interest. Councilman Barbour, Councilman Dunn, Mayor Pro-Tem Scott, Councilman Ashley, Councilman Rabil and Councilman Stevens voted in favor of the motion. Councilman Lee voted against the motion. Motion passed 6 to 1.

*{A copy of the Text Amendment (ZA-18-021) is on file in the Office of the Town Clerk}*

3. **Text Amendment Request by the Town of Smithfield (ZA-17-06):** The Planning Department was requesting an ordinance amendment to Appendix A, Article 7 and Article 10 of the Town of Smithfield Unified Development Ordinance to clarify minimum lot width standards and the maximum length of cul-de-sacs.

Councilman Rabil made a motion, seconded by Councilman Barbour, to open the Public Hearing. Unanimously approved.

Planning Director Stephen Wensman addressed the Council on a request by staff to make amendments to Appendix A, Article 7 and Article 10 of the Town of Smithfield Unified Development Ordinance (UDO) that removes inconsistencies within the text and clarifies development standards as they pertain to flag lots and cul-de-sac streets.

The proposed zoning ordinance amendment would clarify development standards by: 1) Creating a more descriptive definition of a flag lot; 2) Eliminating inconsistent standards concerning flag lots; 3) Establishing a flag lot width that can accommodate a standard public right-of-way and that will not hinder future planning and development efforts and 4) Revising maximum cul-de-sac lengths within manufactured home parks

Mr. Wensman explained flag lots are so named because of the long, slender strips of land resembling flag poles that extend from the typically rectangular main sections of these lots — or the “flags” — out to the street. Each “flag pole” typically provides just enough street frontage for vehicle access and is often shared by several neighbors. Flag lots can also be thought of as permitted lots with reduced street frontage that allow access to otherwise landlocked parcel acreage. Use of flag lots recognizes the environmental and economic advantages in substituting private drive lengths to tap land that would require additional street length and potentially greater disturbance and infrastructure costs. The negative attributes of flag lots include potential burden on property owners to maintain longer driveways or private streets lengths, potential access constraints for emergency vehicles, and possible house-to-house relationships as flag lot dwellings may be perceived to be in the rear yards of the adjacent residences. In most cases however, the biggest drawback from creating flag lots is that no further land divisions or intensive land uses can occur when the property

does not and cannot ever front on a public street due to inadequate land reserves needed for the construction of a public street from the existing public street to the flag portion of the lot to be divided. However, judicious use of flag lot arrangements can provide distinct benefits in residential design when its use, resulting lot size, dwelling orientation and access considerations are based on sound planning and community design criteria. With these considerations in mind, the Town of Smithfield Unified Development Ordinance has retained language allowing for newly created flag lots. The proposed amendment clarifies the existing flag lot provisions by creating a better definition of a flag lot. It will require flag lot dimensions to meet or exceed the underlying zoning district dimensional standards and sets the flag pole portion of the lot to a minimum width of 60' measured at the public right-of-way and were the pole portion of the lot intersects the flag portion of the lot.

Mr. Wensman also explained cul-de-sac lots street frontage requirements will remain at 25'. The proposed ordinance amendment will clarify conflicting cul-de-sac length standards by increasing the maximum cul-de-sac length within planned manufactured home parks to 750 linear feet making them identical to traditional subdivisions standards. In the future, Staff intends to work with the Town Engineer to update the Engineering Standard Detail and Specifications Manual to also reflect this change along with other changes to be adopted by the Town Council.

The Planning Department and Planning Board recommend approval of the proposed amendments to Appendix A, Article 7 and Article 10 of the UDO and recommends that the Town Council approve a statement declaring that the request is 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 April 3, 2018 agenda packet.

Mayor Moore asked if there were any questions from the Council

Councilman Ashley questioned if this amendment resulted in an issue or simply from Mr. Wensman's review of the UDO. Mr. Wensman responded that in reviewing the UDO, there were a lot of inconsistencies with this section.

Councilman Barbour stated that since mobile home parks were not allowed in Town, then shouldn't the language be removed as it pertained to this amendment. Mayor Moore responded that manufacture homes are allowable while mobile homes were not.

Councilman Ashley stated flag lots have been widely used in the County and while the amendment does not affect those in Town, it does affect those in the ETJ.

Mayor Moore asked if there was anyone present that wished to speak on this matter. There was no one in attendance wishing to speak on this matter.

Councilman Barbour made a motion, seconded by Councilman Stevens to close the Public Hearing. Unanimously approved.

Councilman Stevens made a motion, seconded by Councilman Barbour, to approve the Text Amendment Request ZA17-06 as submitted and declared it to be consistent with the Town of Smithfield's Comprehensive Growth Management Plan and it was reasonable and in the public interest. Councilman Stevens, Councilman Barbour, Mayor Pro-Tem Scott, Councilman Lee, Councilman Dunn and Councilman Rabil voted in favor of the motion. Councilman Ashley abstained from voting. Motion passed six to zero.

ORDINANCE # ZA-17-06

AN ORDINANCE TO AMEND

APPENDIX A, ARTICLE 7 AND ARTICLE 10

OF THE TOWN OF SMITHFIELD UNIFIED DEVELOPMENT ORDINANCE TO CLARIFY MINIMUM LOT WIDTH AND MAXIMUM LENGTH OF A CUL-DE-SAC.

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 set unified standard for flag lots and maximum cul-de-sac lengths.

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:

Part 1

[Revise APPENDIX A. DEFINITIONS content as it pertains to flag lots and lot width]

APPENDIX A. DEFINITIONS

[Definitions not listed remain unchanged]

Lot, Flag

Lots or parcels with less frontage on a public street than is normally required. The panhandle is an access corridor to lots or parcels located behind lots or parcels with normally required street frontage.

A lot with two distinct parts:

- The flag, which typically contains building site; and is located behind another lot; and
- The pole, which connects the flag to the street; provides the only street frontage for the lot; and at any point is less than or equal to the minimum lot width for the zone.

And

Lot Width

The distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard; provided, however, that width between side lot lines at their foremost points (where they intersect the right-of-way line, or for lots having an access strip extending from the front of the main portion of the lot, at the place where the access strip joins the main portion of the lot) shall not be less than 60 feet eighty percent (80%) of the required lot width, except in the case of the turning circle of cul-de-sacs where the eighty percent (80%) requirement shall not apply.

And

Section 10.108 Streets

[Revises Article 10 by referring to Article 8 for required minimum lot widths]

10.108.1.4.2. Lot Width and Depth. All lots shall have a minimum width and

street frontage at the building line of 70 feet as required in Article 8, except in the case of the turning circle of cul-de-sacs and a where a minimum width at the street right-of-way line of 25 feet is permissible. Corner lots shall have an extra width of 10 feet to permit adequate setback from side streets. The minimum lot depth of single tier lots (when approved) shall be 125 feet. All other lots shall be 110 feet in depth. Additional lot width and depth shall be required when:

10.108.1.4.2.1. A lot is served by either public water or sewer, but not both: Lot width - 100 feet; Lot depth - 200 feet.

10.108.1.4.2.2. A lot is not served by either public water or sewer: Lot width - 125 feet; Lot depth - 200 feet.

And

#### Section 10.108 Streets

[Revise Article 10 to refer to Article 8 for required minimum lots width]

10.108.1.4.4. Every lot shall maintain required street frontage as required in Article 8 abut at least 25 feet on one of the following:

10.108.1.4.4.1. A public street dedicated to and maintained by the Town of Smithfield or the North Carolina Department of Transportation.

10.108.1.4.4.2. A street constructed to the standards of the Town or Smithfield or the North Carolina Department of Transportation, with a written agreement concerning the future maintenance of the street.

And

#### Section 10.108 Streets

[Revises Article 10 and sets minimum flag lot street frontage at 60 feet]

10.108.1.4.7. Flag-shaped lots shall only be permitted in cases where the minimum area, lot width, lot depth, and street frontage requirements of this Ordinance are complied with and the lot has a minimum street frontage of at least 60 feet in width. If the standards of the zoning district in which the property is located are more stringent, the stricter requirement shall govern.

And

#### Section 7.34 Residential Cluster Developments

[Revises Article 7 and sets minimum lot frontage to 40 feet for lots within a cluster subdivision]

7.34.4.2. Lot Width. 40 feet. On a case-by-case basis, flag lots may be allowed with a minimum street frontage of 10 feet.

And

#### Section 7.18 Manufactured Home Parks. [Revises maximum cul-de-sac lengths within Manufactured Home Parks]

7.18.14.1. Cul-De-Sacs. Any interior drive designed to be closed shall have a turnaround at the closed end with a minimum right-of-way diameter of 100 feet. The entire right-of-way of such turnaround shall be graded and usable for the turning of motor vehicles. Cul-de-sacs shall not exceed 600 750 feet in length.

PART 2

That the Unified Development Ordinance shall be page number as necessary to accommodate these changes.

PART 3

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

**CITIZENS' COMMENTS:**

1. Matthew Clancy of 520 Dogwood Street addressed the Council on a request to have the white vinyl fencing on Outlet Center Drive that was installed by the Town be extended approximately 100 – 120 feet. Mr. Clancy explained the fencing ends at his next door neighbor's yard. Two problems he and his wife encounter was light and noise coming into his property from the roadway and people walking through his yard to get to the Outlets. He explained that he spoke with the Town Manager concerning this issues and it was suggested Mr. Clancy install a fence around his property. Mr. Clancy informed the Council that there was a lot of standing water in his backyard and it was not feasible to install a fence.

**CONSENT AGENDA:**

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

1. Approved the following Minutes:
  - March 6, 2018 – Regular Meeting
  - March 6, 2018 – Close Session
2. Approved Unsealing the following Closed Session Minutes
  - February 10, 2014
  - September 16, 2014
  - December 16, 2014
  - January 6, 2015
  - May 27, 2015
  - June 22, 2015
  - August 10, 2015
  - November 10, 2015
  - January 26, 2016
  - August 2, 2016
  - November 1, 2016
3. Special Event – 5k/10k Run/Walk: Approval was granted to allow the Johnston Health Foundation to add a 10k run/walk to its annual 5k event. The event will take place on April 14th from 8:00 am until 12:00 pm. The 10k Run/Walk was approved as an annual event
4. Special Event – Cinco De Mayo: Approval was granted to allow Mucho Mexico to have appropriate Latin karaoke on its patio area on May 5th from 2:00 pm until 8:00 pm to celebrate Cinco de Mayo. Also approved as an annual event.
5. Special Event – Gospel Concert: Approval was granted to allow the Smithfield Church of God to hold a Gospel Concert at the Smithfield Town Commons stage on April 27th between the hours of 7:00 – 9:00 pm
6. Special Event – Rhythm & Brews Concert Series: Approval was granted to allow the Downtown Smithfield Development Corporation to conduct its summer concert series on June 15<sup>th</sup>, August

17<sup>th</sup> and September 21<sup>st</sup>. These events will require amplified sound and street closure of the 100 block of South Third Street from 4:00 pm until 11:00 pm. The concert series were also approved as annual events.

7. Approved a bid award to W. E. Blackmon Construction in the amount of \$60,000.00 for the 2018 Storm Debris Removal Project Bids received are as follows:
  - W. E. Blackmon Construction \$60,000
  - Marlin Construction \$245,323
8. Approved the submittal of a grant for the Wayfinding Project and adopted Resolution # 615 (02-2018).
9. The following Advisory Board Appointments were approved:
  - Oliver Johnson was appointed to serve a first term on the Historic Properties Commission
10. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Apprentice Electric Line Tech	PU – Electric	31-72-7230-5100-0200	\$13.10/hr. (\$27,248.00/yr.)
P/T Lifeguard	P & R – Aquatics	10-60-6220-5100-0220	\$7.50/hr.

<u>Current Vacancies</u>			
<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	
P/T Lifeguard	P & R – Aquatics	10-60-6220-5100-0220	
Utility Line Mechanic	PU – Water / Sewer	30-71-7220-5100-0200	
Water Plant Operator	PU – Water Plant	30-71-7200-5100-0200	

Unanimously approved.

**BUSINESS ITEMS:**

**1. Consideration and approval of Ordinance # 494 to amend Chapter 6: Cemeteries to allow Columbarium in Riverside Extension Cemetery**

Public Works Director Lenny Branch addressed the Council on a request to amend the Town of Smithfield’s Code of Ordinances. Mr. Branch explained the Public Works department received a request to have a Columbarium placed on a private family lot in Riverside Extension Cemetery. Mr. Branch further explained the Town of Smithfield Cemetery Ordinance (No. 379, 6-5-01 Sec 6-19) defines Mausoleum; as a structure or building used for the entombment of human remains. In Sec. 6-50 the ordinance states; No private mausoleums shall be constructed or installed in any cemetery. The verbiage in the ordinance (entombment of human remains) can very easily be interpreted as cremation remains when not further clarified. The request was denied based on the Town of Smithfield’s current ordinance. The Town has since been approached by the family (and the current owners of Riverside Extension) requesting for a revision of the cemetery ordinance; and allow columbarium’s as an approved burial option. The Public Works department has seen an increase in cremation burials in the past couple of years and agrees that revisions to the ordinance may be in order.

Councilman Barbour questioned the security of the columbarium. Mr. Branch responded that they are completely secure.

Councilman Stevens explained that at the recent passing of his mother, it was possible to spend as much as a person wanted on funeral services. While meeting with the funeral director, he questioned the cost of cremations and approximately how many the funeral home had done annually. He was informed that cremations are increasing as the cost is relatively inexpensive compared to traditional funeral services.

Councilman Dunn made a motion, seconded by Councilman Rabil, to approve the Ordinance # 494 to amend the Town of Smithfield Code of Ordinance, Chapter 6, Cemeteries. Unanimously approved.

**TOWN OF SMITHFIELD**  
**North Carolina**  
**ORDINANCE # 494**

**AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD CODE OF ORDINANCES,  
CHAPTER 6, CEMETERIES**

**WHEREAS**, Chapter 6 of the Town of Smithfield's Code of Ordinances outlines the regulations concerning cemeteries within the Town; and

**WHEREAS**, The Public Works Department is requesting that the Ordinance be amended to include the addition of columbarium to Riverside Extension Cemetery.

**NOW THEREFORE BE IT ORDAINED** by the Town Council of the Town of Smithfield that Chapter 6, Cemeteries is rewritten as follows:

Sec. 6-17. - Definitions.

Columbarium. A freestanding structure containing niches for the inurnment of cremated remains

Inurnment. The permanent placement of cremated remains which are contained in an urn in a columbarium or by burial in the earth.

Niche. The recessed compartment in a columbarium designed to hold urns

Sec. 6-38. - Speculation in grave, lot and columbarium niche sales prohibited

(b) No person shall sell or exchange any grave, lot or columbarium niche for a profit or gain.

**ARTICLE IV. - MAUSOLEUMS, MONUMENTS, SURFACE AND CORNER MARKERS, COPING AND COLUMBARIUM**

Sec. 6-55. - Installation, repair and removal of monuments, columbarium, surface marker and corner markers and coping.

(a) No surface marker, monument or columbarium shall be constructed or installed on any grave or lot in any cemetery without prior authorization of the cemetery official.

(d) Should any surface marker, monument or columbarium in any cemetery, at any time, become unsafe, unsightly or in need of repair or resetting, the cemetery official or his/her designee shall notify the deed holder of such condition and request that appropriate action be taken to remedy said condition.

(e) Should any surface marker, monument or columbarium be constructed or installed on any grave or lot in any cemetery without prior authorization of the cemetery official or his/her designee, and said surface marker or monument does not comply with the requirements of this ordinance, the cemetery official or his/her designee shall notify the deed holder of such violation and request action be taken to remedy said condition.

(f) The town shall not be held responsible for damages to surface markers, monuments or columbarium which require repair or replacement of such markers or monuments caused by faulty or premature construction or installation, vandalism, or environmental conditions.

(g) No surface marker, monument or columbarium shall be removed from any grave or lot in any cemetery without prior authorization of the cemetery official or his/her designee.

Secs. 6-56. COLUMBARIUM

- (a) Columbarium are permitted in Riverside Extension Cemetery only
- (b) No portion of any Columbarium shall be constructed of any material other than cut stone; i.e. granite or marble
- (c) All Columbarium will be grey with black niche panels
- (d) Complete, detailed scale drawings for all proposed columbarium shall be submitted to the Town Manager or his designee for approval thirty (30) days prior to construction/ installation date.
- (e) Approved designs for Columbarium shall not be altered in any way without the consent of the Town Manager or his designee.
- (f) Columbarium shall only be constructed/installed on four-grave and six grave lots, provided that all grave spaces are owned by a single deed holder.
  - i. Four grave lots
    - 1. Columbarium will be single sided, unless prior approval is received from the Town
    - 2. A maximum of eight niches are permitted
    - 3. Columbarium must be constructed/ installed in the center of the lot
    - 4. All Columbarium must be installed on a 6 inch concrete base
    - 5. One urn is permitted in a single columbarium niche.
  - ii. Six grave lots
    - 1. Columbarium will be single sided, unless prior approval is received from the Town
    - 2. A maximum of twelve niches are permitted
    - 3. Columbarium must be constructed/ installed in the center of the lot
    - 4. All Columbarium must be installed on a 6 inch concrete base
    - 5. One urn is permitted in a single columbarium niche.
- (g) Columbarium Inurnment.
  - i. The owner must notify the Town 24 hour prior to inurnment
  - ii. The owner must notify the Town of the cremated remains to be placed in each niche so that accurate records can be maintained by the Town
  - iii. A \$350 opening/closing fee will be assessed in the event that the owner chooses to hold a committal service.

iv. The Town is not responsible for the sealing of privately owned columbarium niches

(h) Cremated remains to be placed in a columbarium niche are recommended to be enclosed in a rigid, permanent, rustproof, waterproof, sealed container. Identification of the remains shall be within or on the urn following state law.

This ordinance shall be effective upon adoption

## **2. Consideration and approval to change Online Bill Pay Providers**

Finance Director Greg Siler addressed the Town Council on a request to change online bill pay providers. Mr. Siler explained the Town of Smithfield contracted with NCO Financial Systems, Inc., in August 2014, to provide Online Bill Pay at a rate of \$2.45 per transaction with a \$500 limit. NCO offered an alternative; less sophisticated option known as “blind” payments since system integration between our software (LOGICS) and NCO was not an option. Since customer data could not be viewed online using NCO, the customer would need their account number, service address, and amount due, to complete the electronic or on-line transaction. Shortly after contracting with the Town, the rules changed for NCO. NCO could no longer charge a convenience fee due to the nature of their business. As a result, NCO allowed customers to make online payments at no cost for the remainder of our two-year agreement. NCO lost money on our arrangement. In the last quarter of 2016, the Town contracted with Official Payments Corporation to provide Online Bill Pay. Charges were tied to the type of payment with a flat fee of \$4.50 for credit card transactions, \$3.00 for debit cards and \$.50 for electronic checks. No payment limits were imposed. Recently, Official Payments notified the Town of a fee change as they are losing money on our account. The new fees would be \$8.95 for credit cards, \$3.95 for debit cards, and \$1.95 for electronic checks, all with a \$500 limit.

With the recent installation of the new records management system, Tyler Technologies, now was the time to consider changing online bill pay providers. Tyler Tech, working with ETS Corporation, offers an agreement with no contract term, system integration (customer will have the ability to access their account online) and fees are tied to a percentage of charges. In addition, The Town gets to choose the percentage as we keep the fee and Tyler Tech bills the Town based on an agreed rate per transaction. The Finance Director has negotiated a discount rate of .10 plus interchange, a per item rate of .05 plus interchange, and \$1.25 per transaction to Tyler; and is suggesting Tyler Techs recommended 2.5 percent convenience fee (to be paid by the customer). The Town could gain, breakeven or lose money on this arrangement because there is no history on the types of visa/master cards used to make online payments. However, Tyler has indicated that the worst case scenario on a \$100 payment would cost the Town approximately \$2.37. Again, our cost would be offset by the customer’s convenience fee of \$2.50 in this particular example.

Councilman Ashley questioned if Mr. Siler thought this was a good arrangement. Mr. Siler responded that it was a fair arrangement and he would monitor the first three months to determine a total cost to the Town.

Councilman Ashley made a motion, seconded by Councilman Rabil, to approve changing online bill pay provider to ETS Corporation provided the Town cancel its current contract without penalty. Unanimously approved.

## **3. Discussion concerning two requests to refund taxes of more than \$100 from two property owners in the Downtown Municipal Service District**

Town Manager Michael Scott addressed the Council on a request by two business owners in the Downtown Municipal Service District (MSD) for refund of taxes. The Town Manager explained the Town Attorney received two requests from property owners in the MSD requesting their taxes

refunded siting they were illegal. Town Attorney Bob Spence explained Municipal Service Districts were authorized by the legislature thus allowing the Town the right to levy a tax on that district.

The Town Manager explained in 1985, the Town Council approved by resolution, the establishment of the special tax district in the Smithfield Downtown area. The service district was approved following the requirements of NC General Statute, Article 23, at the time. According to records from Johnston County Tax Administration, the disputed amount of taxes for each business is less than \$1,000. The Council was asked to review the information provided and make a determination if the tax imposed for the service district in downtown Smithfield is indeed a legal tax. The Town Manager further explained there were only three instances why this can be deemed an illegal tax. They are as follows: 1) Tax imposed by clerical error, 2) an illegal tax, or 3) tax imposed for an illegal purpose.

Councilman Barbour questioned if the legislators give the Town the right to set that tax. The Town Manager responded in the affirmative.

Councilman Barbour made a motion, seconded by Councilman Stevens, stating the tax imposed in the Downtown Municipal Service District was and is a legal tax. Unanimously approved.

#### **4. Consideration and approval to eliminate the Two Hour Parking Limit on the 300 block of Johnston Street**

Town Manager Michael Scott explained that the Downtown Smithfield Development Corporation (DSDC) was requesting to have the two hour parking limit removed from the 300 block of Johnston Street. The Town Manager explained parking in the Downtown area has been an issue for discussion for the last decade. Currently in place, there is a two-hour parking restriction in the downtown area. DSDC is asking the 300 block of Johnston Street be removed from the parking schedule. Their reasoning revolves around opening open additional full-time parking for those businesses in the immediate area. While Town Staff does not object to the request, it does question the wisdom of the decision based on the reality that the open parking may likely be used by court house staff/employees on a fulltime basis. Staff is also requesting that the 200 and 300 blocks of West Market Street be removed from the schedule due to the new bridge and road widening/beautification project in these areas no longer allow for parking in these blocks.

Councilman Barbour questioned if input on this matter has been received from all business owners. DSDC Executive Director Sarah Edwards responded that back in September of 2017, a survey was distributed to all business owners seeking input on if the two-hour parking limit should be enforced. At that time, a majority of the business owners stated that it should be enforced. Councilman Barbour question if Ms. Edwards had sought input from the business owners about the proposed change. Ms. Edwards responded that only one business person would be affected by this change and he was amenable to the elimination of the two hour parking on Johnston Street. Ms. Edwards explained that there are nine parking lots close to the intersection of Johnston and Third Street. Those parking long term should utilize the parking lots which would free up spaces in front of businesses.

Mayor Pro-Tem Scott suggested that Ms. Edwards poll the businesses again before a decision is made.

Councilman Ashley made a motion, seconded by Councilman Barbour, to table the request until it can be discussed further. Unanimously approved.

#### **5. Consideration and approval to request the use of Occupancy Tax Funds for engineering services for a new design of the Neuse River Amphitheater**

Town Manager Michael Scott addressed the Council on a request to use occupancy tax funds for

the engineering services for the design of Neuse River Amphitheater. The Town Manager explained the Johnston County Visitor's Bureau had been working with Town Staff to develop recommendations for a new amphitheater to replace the existing stage and town commons area. The Johnston County Visitor's Bureau secured a bid from Withers and Ravenel to complete a conceptual design for the project. The cost of the design project is \$10,000. Money will be spent by The Johnston County Visitor's Bureau through funds received from occupancy tax dollars. No property tax dollars will be spent on this project and the Town's budget will be unaffected.

Councilman Barbour made a motion, seconded by Councilman Rabil, to approve the request as submitted. Unanimously approved.

## **6. Consideration and approval to update the Sanitary Sewer Standards**

Public Utilities Director Ted Credle addressed the Council on a request to update the Town's Sanitary Sewer Standards. Mr. Credle explained the Town's current construction details & standards were approved by Council in 2000. In the last 18 years, certain construction methods & materials have modernized. Such modern updates are not reflected in the Town's current standards. The Public Utilities Department has updated the sanitary sewer construction standards for the Town and is asking for these updated standards to be adopted. The proposed changes update the text to reflect modern methods and materials, deletes all references to NCDEHNR which is no longer in existence, complies with state law and standards are redrawn and updated.

Mayor Pro-Tem Scott questioned who the Town would make older developments comply with these changes. Mr. Credle responded these changes would only apply to new developments.

Mayor Pro-Tem Scott made a motion, seconded by Councilman Rabil, to approve the update to the Sanitary Sewer Standards as submitted. Unanimously approved.

## **Councilmembers Comments**

- Councilman Lee: Wished Happy Birthday to Jack Temple. Thanked Mr. Marvin Byrd for serving as the Athletic Director at Smithfield Selma High School. Expressed his appreciation to Parks and Recreation Director Gary Johnson for all he has done at the Sarah Yard Community Center. While at the Center, he noticed a kid that was not participating. It was discovered that the child had not eaten. Councilman Lee explained that although \$2.00 may not be a lot to us, it is a lot to a child that can't even afford food. The Town now has this nice building that we all know is not going to make money, but this could be a safe haven for some children in the community. It was his opinion that there should not be a fee for anyone that wishes to come to the Center. He asked the members of Council to consider that during the budget process. Councilman Lee stated that the fence that Mr. Clancy spoke about during citizens comments was a real problem. It should have been extended.
- Councilman Barbour informed the Council that he and Councilman Stevens attended the School of Government's class for elected officials. He explained that he attended the Main Street Conference which was very eye opening. The equipment at the Inclusion Park was safe for children of all abilities. He challenged everyone to attend the #SSS Strong day to show the Town's support for our local high school

## **Town Manager's Report:**

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

- Booker Dairy Road: Construction is beginning on the roadway portion of the project. Cable lines are still being moved by cable companies but all the Town's utilities have been moved as required.
- Fire Hydrants: Fire Department flow testing of hydrants will continue through the end of May. This is an annual part of hydrant and pressure maintenance, analyzed and maintained by the

fire department.

- PD CALEA: The Police Department was awarded its first reaccreditation designation with the Commission on Accreditation for Law Enforcement Agencies (CALEA). The police department continues to receive high marks and praise from assessors from CALEA and the CALEA Commission.
- Pay Checks: The Town is attempting to implement the emailing of pay check stubs to all employees. Employees are asked to provide an email address where the Town can email their by-weekly pay check stub to. This will save the Finance Department a considerable amount of time, resources and money over the course of the fiscal year.
- Utility Bills: The Town now has the ability to email utility bills to utility customers. This is an important step toward efficiency and cost savings. Please encourage residents within your districts to consider signing up for paperless billing of their utility bill

### **Department Reports**

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

Mayor Moore asked that the Council consider recessing the meeting to schedule the first budget session. Town Manager Michael Scott recommended scheduling a meeting on April 10<sup>th</sup>. The Town Manager explained that he had to provide the Council with a recommended budget by June 1 and it has to be finalized by June 30<sup>th</sup>. He will provide the Council with a balanced budget, but if the Council chooses to add or delete items, it takes time to redo the budget. It was suggested that staff send proposed budget meeting dates to the Council.

### **Recess**

Councilman Dunn made a motion, seconded by Mayor Pro-Tem Scott, to recess the meeting until April 24<sup>th</sup> at 6:00 pm in the Town Hall Council Chambers. The meeting recessed at approximately 10:02 pm.

ATTEST:

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M. Andy Moore, Mayor

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Shannan L. Parrish, Town Clerk



# Request for Town Council Action

**Consent  
Agenda  
Item:** Application  
for  
Temporary  
Use Permit  
**Date:** 05/01/2018

---

**Subject:** Temporary Use Permit  
**Department:** Planning  
**Presented by:** Planning Department  
**Presentation:** Consent Agenda Item

## Issue Statement

The Council is asked to authorize Powers and Thomas Midway Entertainment to hold a Spring Carnival at the Carolina Premium Outlets

## Financial Impact

None

## Action Needed

To approve the Temporary Use Permit Application

## Recommendation

Staff recommends approving the Temporary Use Permit Application

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application



# Staff Report

**Consent  
Agenda  
Item:** **Application  
for  
Temporary  
Use Permit**

---

Powers and Thomas Midway Entertainment is seeking approval to hold a Spring Carnival in the parking lot of the Carolina Premium Outlets. The event will have amplified sound and food for sale.



Town of Smithfield's Planning Department  
 P.O. Box 761 or  
 350 East Market Street  
 Smithfield, NC 27577  
 Effective: January 2008

### Temporary Use Permit Application

Completed applications should be submitted to the Town of Smithfield's Planning Department at least four weeks prior to the event. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

**A site plan/diagram of event property MUST BE ATTACHED (see attachments)**

<p><b>TYPE OF EVENT</b></p> <p><input type="checkbox"/> Expansion or replacement of existing facilities</p> <p><input type="checkbox"/> Sale of agricultural products grown off-site</p> <p><input type="checkbox"/> Sale of fireworks</p> <p><input checked="" type="checkbox"/> Special event, over 100 people in attendance</p> <p><input type="checkbox"/> Athletic event on streets, greenways</p> <p><input type="checkbox"/> Other (please describe) _____</p>	<p style="text-align: right;"><b>PERMIT FEE \$100.</b></p> <p><input type="checkbox"/> Construction Trailer</p> <p><input type="checkbox"/> Real estate sales office or model home</p> <p><input type="checkbox"/> Sale of non-agricultural products, except fireworks</p> <p><input type="checkbox"/> Not-for-profit event, over 100 people in attendance</p> <p><input type="checkbox"/> Town recognized event _____</p> <p><input type="checkbox"/> Live Band / Concert _____</p>
---	--

SPRING CARNIVAL	CAROLINA PREMIUM OUTLETS.
Name of Event	Location of Event (exact street address)

Applicant name POWERS AND THOMAS MIDWAY ENTERTAINMENT E-mail address ED POWERS 95@HORMAN.COM

Address WILMINGTON NC. Zip \_\_\_\_\_

Day phone 585-451-5955 Mobile phone \_\_\_\_\_

Event set-up/start time/date APRIL 10 2018 Event clean-up/end date/time APRIL 15 2018

Sound amplification hours \_\_\_\_\_ Will food or goods be sold? Yes

Security provided by Smithfield Police or private security (describe duties): SMITHFIELD POLICE DEPT.

Private agency name & phone, if applicable: \_\_\_\_\_

Will any Town property be used (i.e., streets, parks, greenways)? \_\_\_\_\_

Do you wish to: Restrict animals at this event? (circle Yes No) Prohibit Fireworks? (circle Yes No)

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for Temporary Uses. I certify that I have notified all adjoining property owners of the planned temporary use.

PIERS WESTON - BURT Applicant's name (print) [Signature] Signature 4/10/2018 Date

**PLEASE RETURN THIS PERMIT TO INSPECTIONS AND PERMIT DEPARTMENT WITH \$100.00 FEE.**

Method of payment: Cash  Check \_\_\_\_\_ Credit card \_\_\_\_\_ Amount \$ 100.00

Reviewing Planner: [Signature] Date: 4/10/18

(Note: See attached letter)





# Request for Town Council Action

**Consent  
Agenda  
Item:** Application  
for  
Temporary  
Use Permit  
Date: 05/01/2018

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**Subject:** Temporary Use Permit  
**Department:** Planning  
**Presented by:** Planning Department  
**Presentation:** Consent Agenda Item

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## Issue Statement

The Council is being asked to authorize the second annual Ham and Yam Jam concert to benefit the Johnston Community College Foundation. The concert will be held at 101 W Market Street, at the Little Brown Jug.

## Financial Impact

None

## Action Needed

To approve the Temporary Use Permit Application

## Recommendation

Staff is recommending approval and requests this event be approved as an annual event.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Temporary Use Permit Application
3. Letter from Applicant
4. Map of Street Closure Request



## Staff Report

**Consent  
Agenda  
Item:** **Application  
for  
Temporary  
Use Permit**

---

Andrew Wagner, owner of the Little Brown Jug, is seeking approval of a temporary use permit to hold the second annual Ham and Yam Jam . The event will be located at 101 W. Market Street and would be held Friday, May 4, 2017 from 6:00 p.m. until 11:00 p.m. This concert would raise funds for the Johnston Community College Foundation. The event requires the closure of Front Street from Bridge Street to Market Street from 5:00 p.m. until 11:00 p.m. Private security will be provided. A PA system will be used from 6:00 p.m. to 11:00 p.m. Food will be sold at this event. Staff is requesting that this event be approved as an annual event.



Town of Smithfield's Planning Department  
 P.O. Box 761 or  
 350 East Market Street  
 Smithfield, NC 27577  
 Effective: January 2008

### Temporary Use Permit Application

Completed applications should be submitted to the Town of Smithfield's Planning Department at least four weeks prior to the event. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

**A site plan/diagram of event property MUST BE ATTACHED (see attachments)**

**TYPE OF EVENT**

- Expansion or replacement of existing facilities
- Sale of agricultural products grown off-site
- Sale of fireworks
- Special event, over 100 people in attendance
- Athletic event on streets, greenways
- Other (please describe) \_\_\_\_\_

**PERMIT FEE \$100**

- Construction Trailer
- Real estate sales office or model home
- Sale of non-agricultural products, except fireworks
- Not-for-profit event, over 100 people in attendance
- Town recognized event \_\_\_\_\_
- Live Band / Concert \_\_\_\_\_

<u>Ham &amp; Yam Jam</u> Name of Event	<u>100 block of N. Front Street</u> Location of Event (exact street address)
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Applicant name Andrew Wagner E-mail address andy.wagner1@embarqmail.com  
 Address 101 W. Market Street Smithfield, NC Zip 27577  
 Day phone 847-826-7094 Mobile phone 847-826-7094  
 Event set-up/start time/date 5pm, 5/4/18 Event clean-up/end date/time 11pm, 5/4/18  
 Sound amplification hours 6-11pm Will food or goods be sold? \_\_\_\_\_  
 Security provided by Smithfield Police or private security (describe duties): Private security  
 Private agency name & phone, if applicable: \_\_\_\_\_

Will any Town property be used (i.e., streets, parks, greenways)? 100 block of N. Front St.  
 Do you wish to: Restrict animals at this event? (circle Yes **(No)**) Prohibit Fireworks? (circle **(Yes)** No)

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for Temporary Uses. I certify that I have notified all adjoining property owners of the planned temporary use.

Andrew Wagner Andrew Wagner 04/17/18  
 Applicant's name (print) Signature Date

**PLEASE RETURN THIS PERMIT TO INSPECTIONS AND PERMIT DEPARTMENT WITH \$100.00**

Method of payment: Cash  Check  Credit card  Amount \$ \_\_\_\_\_

Reviewing Planner: Stephen Wen Date: 4/17/18  
 (Note: See attached letter)

April 11, 2018

Town of Smithfield  
PO Box 761  
Smithfield, NC 27577

Re: Street Closure for May 4 Ham & Yam Jam

Dear Mayor, Council and Staff,

The Little Brown Jug would like to conduct the second annual Ham & Yam Jam on Friday, May 4 from 6:00 p.m. until 11:00 p.m. in order to raise funds for the Johnston Community College Foundation. This event will primarily take place on the Little Brown Jug's property, with only the band setting up in the street. Alcohol will only be consumed on the Little Brown Jug property. With the number of people we expect to attend, we are asking that the Town allow the closure of Front Street from Bridge Street to Market Street from approximately 5:00 p.m. until 11:00 p.m. Enclosed you will find temporary use permit application for this event; please let me know if you have any questions.

Sincerely,

Andrew Wagner  
Owner, Little Brown Jug







# Request for Town Council Action

**Consent  
Agenda  
Item:** **Approval of  
Agreement**  
Date: 05/01/2018

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**Subject:** Approval of agreement for Water Tank Maintenance

**Department:** Public Utilities

**Presented by:** Ted Credle

**Presentation:** No

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## Issue Statement

The existing maintenance of the **Town's elevated water tanks** has been under contract with Southern Corrosion, Inc. and the existing contract has lapsed. The contractor has proposed a new agreement, and staff is asking the Council to approve the new agreement.

## Financial Impact

The selection of this firm will have an annual contractual cost of \$35,334.00 This sum is included in the annual Water Fund budget under line item #30-71-7200-5300-4501, service contracts.

## Action Needed

Approve the proposed, annual contract with Southern Corrosion, Inc. in the amount of \$35,334.00

## Recommendation

Staff recommends the approval of the proposed agreement

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff Report
2. Proposed agreement



# Staff Report

**Consent  
Agenda  
Item:** **Approval of  
Agreement**

---

The Town owns three (3) elevated water tanks; along Market Street, Shelter Way and Flowers Street. These tanks have been under an existing service agreement with Southern Corrosion, Inc. for the last few years. The current agreement lapsed, and the contractor proposed anew agreement. Due to the specific nature of the service, there are very few companies that perform this service. Further, the current contractor has provided quality and timely service. As such, the Town is seeking to renew the service agreement with the same contractor.



## WATER TANK MANAGEMENT SCHEDULE

**Date:** March 29, 2018  
**Customer:** Town of Smithfield, NC  
**Tanks:** 200,000 Gallon Main Street Elevated Tank  
300,000 Gallon West Elevated Tank  
500,000 Gallon Animal Control Elevated Tank

### Year 1 - 2018

#### 200,000 Gallon Main Street Elevated Tank

1) Visual inspection and repairs uncovered through inspection.

#### 300,000 Gallon West Elevated Tank

1) Visual inspection and repairs uncovered through inspection.

#### 500,000 Gallon Animal Control Elevated Tank

1) Visual inspection and repairs uncovered through inspection.

### Year 2 - 2019

#### 200,000 Gallon Main Street Elevated Tank

1) Visual inspection and repairs uncovered through inspection.

#### 300,000 Gallon West Elevated Tank

1) Visual inspection and repairs uncovered through inspection.

#### 500,000 Gallon Animal Control Elevated Tank

1) Visual inspection and repairs uncovered through inspection.

### Year 3 - 2020

#### 200,000 Gallon Main Street Elevated Tank

1) Visual inspection and repairs uncovered through inspection.

#### 2) Wash-out Interior:

- a) Wash-out the tank bottom and all tank wall surfaces that can be reached from the bottom using 4,000 psi or higher pressure washers.
- b) Sterilize the interior using AWWA Disinfection Method #2, spray method.

**300,000 Gallon West Elevated Tank**

**1) Visual inspection and repairs uncovered through inspection.**

**500,000 Gallon Animal Control Elevated Tank**

**1) Visual inspection and repairs uncovered through inspection.**

**Year 4 - 2021**

**200,000 Gallon Main Street Elevated Tank**

**1) Visual inspection and repairs uncovered through inspection.**

**300,000 Gallon West Elevated Tank**

**1) Visual inspection and repairs uncovered through inspection.**

**2) Repaint interior:**

- a) Abrasive blast all rusted areas to bare metal in accordance with SSPC surface preparation method #10, near white grade. All remaining interior surfaces will be brush blasted in accordance with SSPC surface preparation method #7, brush blast.
- b) Apply one full prime coat of epoxy that is NSF approved for contact with potable water to all interior surfaces, applied at 4 to 5 mils dry film thickness.
- c) Apply a stripe coat of epoxy that is NSF approved for contact with potable water to all weld seams and ladders, applied using paint brushes and rollers.
- d) Apply one full finish coat of epoxy that is NSF approved for contact with potable water to all interior surfaces, applied at 4 to 5 mils dry film thickness.
- e) Caulk unwelded roof lap seams using Sikflex 1a polyurethane caulk.
- f) Sterilize the tank interior using AWWA Disinfection Method #2, spray method.
- g) Test abrasive blast debris for the 8 RCRA heavy metals using the TCLP Method.
- h) Dispose of abrasive blast debris in accordance with Federal, State, and Local regulations.

**500,000 Gallon Animal Control Elevated Tank**

**1) Visual inspection and repairs uncovered through inspection.**

**Year 5 - 2022**

**200,000 Gallon Main Street Elevated Tank**

**1) Visual inspection and repairs uncovered through inspection.**

**300,000 Gallon West Elevated Tank**

**1) Visual inspection and repairs uncovered through inspection.**

**2) Repaint Exterior:**

- a) Pressure wash all exterior surfaces using 4,000 psi or higher pressure washers.
- b) Clean all rusted areas using hand and power tools in accordance with SSPC surface preparation methods #2 & #3.
- c) Prime coat all bare metal surfaces using epoxy mastic paint, applied at 2.5 to 3.5 mils dry film thickness.
- d) Apply two(2) full finish coats of acrylic paint applied to all exterior surfaces at 1.5 to 2.5 mils dry film thickness per coat.
- e) Reapply the tank sign as existing.

**500,000 Gallon Animal Control Elevated Tank**

**1) Visual inspection and repairs uncovered through inspection.**

**2) Wash-out Interior:**

- a) Wash-out the tank bottom and all the tank wall surfaces that can be reached from the bottom using 4,000 psi or higher pressure washers.
- b) Sterilize the interior using AWWA Disinfection Method #2, spray method.

**3) Repaint Exterior:**

- a) Pressure wash all exterior surfaces using 4,000 psi or higher pressure washers.
- b) Clean all rusted areas using hand and power tools in accordance with SSPC surface preparation methods #2 & #3.
- c) Prime coat all bare metal surfaces using epoxy mastic paint, applied at 2.5 to 3.5 mils dry film thickness.
- d) Apply two(2) full finish coats of acrylic paint applied to all exterior surfaces at 1.5 to 2.5 mils dry film thickness per coat.
- e) Reapply the tank sign as existing.

**SCHEDULE CONTINUATION**

The tanks will be visually inspected every year. The tank interiors will be washed-out at 5 year intervals until 15 years has elapsed from the last time the interior was recoated. The tank interiors will be recoated at 15 year intervals and the tank exteriors will be recoated at 8 year intervals.

**After Year 5:**

**200,000 Gallon Main Street Elevated Tank**

The next repainting of the tank exterior is scheduled for Year 8 of the Service (Year 2025), and the tank interior is not included in this maintenance agreement.

**300,000 Gallon West Elevated Tank**

The next repainting of the tank exterior is scheduled for Year 8 of the Service (Year 2025), and the tank interior is not included in this maintenance agreement.

**500,000 Gallon Animal Control Elevated Tank**

The next repainting of the tank exterior is scheduled for Year 9 of the Service (Year 2026), and the tank interior is not included in this maintenance agreement.

At no time does the service include the complete abrasive blasting of the tank exteriors nor the pressure washing of any tank exteriors as a stand alone maintenance item apart from being a surface preparation method for painting.

**PRICING & TERMS**

Necessary repair of any coatings or appurtenances noted during our inspections will be added to our service schedule at no additional cost. These necessary repairs include paint failed areas and areas of corrosion. If the coating is continuing to protect the steel from corrosion, paint repair is not necessary. The definition of paint failure does not include loss of gloss, color fading, mildew, discoloration, or any other defects that are aesthetic

Emergency service will apply during the entire period. We will guarantee a 24 hour response time. Corrective maintenance noted during our inspections will be added to our schedule at no added expense. The annual premium for the first year of the service is 35,334.00. All

subsequent year premiums will be the total of the past year's premium amount plus the % change in the CPI (Consumer Price Index) for that previous year (ie. Year 2 premium equals Year 1 premium plus the % change in the CPI for Year 2).

Each year represents a 12 month period beginning with the effective date of the contract, rather than the actual calendar year. The Owner will be given the opportunity to schedule the yearly work at any time during the 12 month period that represents the contract term. The annual premium is due within 30 days of the contract date. Premiums quoted are firm for 60 days.

**We agree to add this tank and maintenance schedule to the July 1, 2015 Water Tank Management contract.**

ATTEST:

\_\_\_\_\_  
Asst. Secretary

(Corporate Seal)

SOUTHERN CORROSION, INC.

BY: \_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_

TOWN OF SMITHFIELD, NC

BY: \_\_\_\_\_



# Request for Town Council Action

**Consent  
Agenda  
Item:** Surplus  
Property  
**Date:** 05/01/2018

**Subject:** Surplus Vehicles  
**Department:** Police Department  
**Presented by:** Chief R.K. Powell, Public Works Director Lenny Branch &  
Town Clerk Shannan Williams  
**Presentation:** Consent Agenda

## Issue Statement

The Police Department and Public Works Department are requesting to have vehicles and equipment declared as surplus property. The vehicles and equipment can be auctioned on Govdeals.com, thus removing them from the Town's inventory.

## Financial Impact

None

## Action Needed

Approval of Resolution #617 (04-2018) Authorizing the sale of certain personal property at public auction.

## Recommendation

Staff recommends the items listed on the resolution be declared surplus property and allow them to be auctioned on GovDeals.com

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff Report
2. Resolution # 617 (04-2018)



# Staff Report

**Consent  
Agenda  
Item**      **Surplus  
Property**

Staff is requesting the following items be declared surplus property thus allowing them to be sold at the online Public Auction site, GovDeals.com.

<b>Dept.</b>	<b>Vin/Ser.#</b>	<b>Description</b>
Police	2G1WS553X81262170	2008 Chev. Impala
Police	2G1WS553081262257	2008 Chev. Impala
Police	2B3KA43VX9H597270	2009 Dodge Charger
Police	2B3CL1CT5BH556479	2011 Dodge Charger
Police	2B3CL1CT7BH556484	2011 Dodge Charger
Police	2B3CL1CT5BH556482	2011 Dodge Charger
Police	28031	MPH, Inc. K55 Radar Single Antenna
Police	26538	MPH, Inc. K55 Radar Single Antenna
Police	11717	Kustom Signals Pro-1000
Public Works	1GBHC24U63Z190460	2003 Chevrolet 2500 HD
Public Works	1GCGC24UXYZ244213	2000 Chevrolet 2500
Public Works	1HTSHAAR2YH689804	2000 Navistar International Garbage Truck
Public Works	IFVABTDC54DN35719	2004 Freightliner Street Sweeper
Public works	5HK72384	1997 Caterpillar 416C backhoe
Public Works	0506121TD	2006 Morris Trailer Asphalt Hotbox
Planning	2G1WS55R279253693	2007 Chevrolet Impala

**TOWN OF SMITHFIELD RESOLUTION # 617 (04-2018)  
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:

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

<b>Dept.</b>	<b>Vin/Ser.#</b>	<b>Description</b>
Police	2G1WS553X81262170	2008 Chevrolet Impala
Police	2G1WS553081262257	2008 Chevrolet Impala
Police	2B3KA43VX9H597270	2009 Dodge Charger
Police	2B3CL1CT5BH556479	2011 Dodge Charger
Police	2B3CL1CT7BH556484	2011 Dodge Charger
Police	2B3CL1CT5BH556482	2011 Dodge Charger
Police	28031	MPH, Inc. K55 Radar Single Antenna
Police	26538	MPH, Inc. K55 Radar Single Antenna
Police	11717	Kustom Signals Pro-1000
Public Works	1GBHC24U63Z190460	2003 Chevrolet 2500 HD
Public Works	1GCGC24UXYZ244213	2000 Chevrolet 2500
Public Works	1HTSHAAR2YH689804	2000 Navistar International Garbage Truck
Public Works	IFVABTDC54DN35719	2004 Freightliner Street Sweeper
Public works	5HK72384	1997 Caterpillar 416C backhoe
Public Works	0506121TD	2006 Morris Trailer Asphalt Hotbox
Planning	2G1WS55R279253693	2007 Chevrolet Impala

2. The 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.
3. The public electronic auction will be held beginning no earlier than May 14, 2018.
4. 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](http://www.govdeals.com).

Citizens wanting to bid on property may do so at [www.govdeals.com](http://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.

5. 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](http://www.smithfield-nc.com)
6. 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.

Adopted this the 1<sup>st</sup> day of May, 2018.

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M. Andy Moore, Mayor

ATTEST:

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Shannan L. Parrish, Town Clerk



# Request for Town Council Action

**Consent  
Agenda  
Item:** **Budget  
Amendments**  
Date: 5/01/2018

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**Subject:** Various Budget Amendments  
**Department:** Finance  
**Presented by:** Greg Siler  
**Presentation:** Consent

---

**Issue Statement -** Various Budget Amendments. These are primarily accounting changes required by the Finance Department. See attached amendments for additional information.

**Financial Impact –** None

**Action Needed –** Approve as presented

**Recommendation –** Approve Amendments

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff report
2. Budget Amendments



# Staff Report

**Consent May-2018  
Agenda Budget  
Item: Amendments**

---

The attached budget amendments represent movement of monies between line items within individual departments in order to account for approved and additional expenditures. The individual department budgets are not being increased due to these amendments.

**BUDGET AMENDMENTS**  
**May, 2018**

	<b><u>BEFORE</u></b>	<b><u>ADJ.</u></b>	<b><u>AFTER</u></b>
<b><u>GENERAL FUND</u></b>			
<b>1. Expenditure</b>			
10-10-4900-5300-4500 Planning - C.S. / Storm Water Planning	\$ 70,000	\$ 30,000	\$ 100,000
10-10-4900-5300-4501 Planning - Service Contracts	<u>\$ 45,000</u>	<u>\$ (30,000)</u>	<u>\$ 15,000</u>

To move monies budgeted for Storm Water Action Plan in service contracts to a designated Storm Water expense line

**GENERAL CAPITAL PROJECTS FUND**

<b>2. Expenditure</b>			
46-30-5600-5700-7407 Backhoe	\$ 100,000	\$ 24,000	\$ 124,000
46-40-5800-5700-7403 Street Sweeper	<u>\$ 250,000</u>	<u>\$ (24,000)</u>	<u>\$ 226,000</u>

To fund additional cost for backhoe with savings from street sweeper purchase

**ELECTRIC FUND**

<b>3. Expenditure</b>			
31-72-7230-5300-3100 Electric - Vehicle Supplies/Maintenance	\$ 18,000	\$ 20,000	\$ 38,000
31-72-7230-5300-4501 Electric - Service Contracts	<u>\$ 213,000</u>	<u>\$ (20,000)</u>	<u>\$ 193,000</u>

To fund additional truck maintenance

<b>4. Expenditure</b>			
31-72-7230-5300-4800 Electric - Non Demand Electric Purchase	\$ 12,800,000	\$ (6,406,175)	\$ 6,393,825
31-72-7230-5300-4801 Electric - Demand Electric Purchase	\$ -	\$ 5,250,000	\$ 5,250,000
31-72-7230-5300-4802 Electric - Debt	<u>\$ -</u>	<u>\$ 1,156,175</u>	<u>\$ 1,156,175</u>
	<u>\$ 12,800,000</u>	<u>\$ -</u>	<u>\$ 12,800,000</u>

To fund and separate NCEMPA electric cost

**J B GEORGE FUND**

**5. REVENUE**

40-61-3900-3900-0000 Fund Balance Appropriation

\$ \_\_\_\_\_ - \$ 1,018 \$ 1,018

**Expenditure**

40-61-4100-5300-3400 J.B. George Projects

\$ 1,346 \$ 615 \$ 1,961

40-61-4100-5300-3410 J.P. George Projects

- 403 403

\$ 1,346 \$ 1,018 \$ 2,364

To bring forward balances not spent from last fiscal year

APPROVED: \_\_\_\_\_  
M. Andy Moore, Mayor

VERIFIED: \_\_\_\_\_  
Shannan Parrish, Town Clerk



# Request for City Council Action

**Consent  
Agenda  
Item:** **Advisory  
Board  
Appointments**

Date: 05/01/2018

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**Subject:** Advisory Board Appointments  
**Department:** General Government  
**Presented by:** Town Clerk, Shannan Parrish  
**Presentation:** Consent Agenda

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## Issue Statement

The Town Council is asked to consider reappointments to Appearance Commission, and the Parks and Recreation Advisory Committee and a new appointment to the Historic Properties Commission

## Financial Impact

N/A

## Action Needed

The Town Council is asked to consider and approve the following reappointments: Peggy Scott to a second term on the Appearance Commission and Scott Wright to a second term on the Parks and Recreation Advisory Committee. Also consider and approve the new appointment of Paul Worley to the Historic Properties Commission.

## Recommendation

Staff recommends approval of this appointment.

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff Report
2. Peggy Scott – Board Application
3. Scott Wright – Board Application
4. Paul Worley – Board Application



# Staff Report

**Consent  
Agenda  
Item** **Advisory  
Board  
Appointments**

---

## **Current Board vacancies are as follows:**

**Appearance Commission** – 2 positions

**Historic Properties** – 3 positions

**Parks and Recreation Advisory Commission**

- 2 High School student positions (2 year term)

**Planning Board** – 1 ETJ Alternate

## **Board Reappointments**

1. Peggy Scott has submitted an application for consideration to be reappointed to the Appearance Commission to serve a second term.
2. Scott Wright has submitted an application for consideration to be reappointed to a third term on the Parks and Recreation Advisory Board.
3. Paul Worley has submitted an application for consideration to be appointed to the Historic Properties Commission for a three year term.



Town of Smithfield
Board, Commission, or Committee
Application

Name: Scott (Last), Peggy (First), M (MI)

Home Address: S Crescent Dr

Business Name & Address:

Telephone Numbers: (Home), (Mobile), (Email)

Please check the Board(s) that you wish to serve on:

- Appearance Commission
Board of Adjustment In Town Resident
Board of Adjustment ETJ Member
Historic Properties Commission
Library Board of Directors
Parks/Recreation Advisory Commission
Planning Board In-Town Resident
Planning Board ETJ Resident
Other:

Interests & Skills: Sewing Gardening Outdoor Activities

Circle highest level of education completed: (High School) 10 11 12 GED College 1 2 3 4 5 6

Recent Job Experiences: Own Curtain Calls Window Treatment Co.

Civic or Service Organization Experience:

Town Boards previously served on and year(s) served: 3yrs. Appearance Comm. 2015-2018

Please list any other Boards/Commissions/Committees on which you currently serve: Wayfinding Committee

Why are you interested in serving on this Board/Commission/Committee? I have enjoyed the first 3 yrs. I have enjoyed the

**Affirmation of Eligibility:**

Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes  No If yes, please explain disposition: \_\_\_\_\_

Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council?  Yes  No If yes, please explain: \_\_\_\_\_

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate and if necessary. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and, accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the Town Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Printed Name: Peggy Scott

Signature: Peggy Scott Date: 4-3-18

Return completed for to:  
Shannan Parrish  
Town Clerk  
P. O. Box 761  
Smithfield, North Carolina 27577  
Phone: (919) 934-2116 Fax: (919) 989-8937 E-Mail: [shannan.parrish@smithfield-nc.com](mailto:shannan.parrish@smithfield-nc.com)

**Applicants are required to be a resident of the Town of Smithfield for In-Town positions and within the Town's ETJ for ETJ positions**



Town of Smithfield
Board, Commission, or Committee
Application

Name: Wright Scott J
Home Address: Nottingham Place Smithfield NC 27577
Business Name & Address: Harnett Health 800 Tilghman Dr Dunn NC 28334
Telephone Numbers: (Home) (Mobile) (Email)

Please check the Board(s) that you wish to serve on:

- Appearance Commission
Board of Adjustment In Town Resident
Board of Adjustment ETJ Member
Historic Properties Commission
Library Board of Directors
Parks/Recreation Advisory Commission
Planning Board In-Town Resident
Planning Board ETJ Resident
Other:

Interests & Skills: Health & Wellness, Parks & Rec

Circle highest level of education completed: (High School) 10 11 12 GED College 1 2 3 4 5 6

Recent Job Experiences: Cardiac & Pulmonary Rehab Manager and Exercise Physiologist

Civic or Service Organization Experience: Parks & Rec Advisory

Town Boards previously served on and year(s) served: Parks & Rec Advisory ~2014/2015 - current

Please list any other Boards/Commissions/Committees on which you currently serve: None

Why are you interested in serving on this Board/Commission/Committee? Improve health of my community and help make decisions on imp aspect of our community such as parks

**Affirmation of Eligibility:**

Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes  No If yes, please explain disposition: \_\_\_\_\_

Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council?  Yes  No If yes, please explain: \_\_\_\_\_

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate and if necessary. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and, accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the Town Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Printed Name: Scott Wright  
Signature: *Scott Wright* Date: 4-13-18

Return completed for to:  
Shannan Parrish  
Town Clerk  
P. O. Box 761  
Smithfield, North Carolina 27577  
Phone: (919) 934-2116 Fax: (919) 989-8937 E-Mail: [shannan.parrish@smithfield-nc.com](mailto:shannan.parrish@smithfield-nc.com)

**Applicants are required to be a resident of the Town of Smithfield for In-Town positions and within the Town's ETJ for ETJ positions**



**Town of Smithfield**  
**Board, Commission, or Committee**  
**Application**

Name: Worley Paul C  
(Last) (First) (MI)

Home Address: Eden Drive, Smithfield, NC 27577

Business Name & Address: Mott MacDonald, 1101 Haynes Street, Raleigh, NC 27604

Telephone Numbers: \_\_\_ (Home) \_\_\_ (Mobile) \_\_\_ (Email)

Please check the Board(s) that you wish to serve on:

- |   |   |
|---|---|
| <input type="checkbox"/> Appearance Commission<br><input type="checkbox"/> Board of Adjustment In Town Resident<br><input type="checkbox"/> Board of Adjustment ETJ Member<br><input checked="" type="checkbox"/> Historic Properties Commission<br><input type="checkbox"/> Library Board of Directors | <input type="checkbox"/> Parks/Recreation Advisory Commission<br><input type="checkbox"/> Planning Board In-Town Resident<br><input type="checkbox"/> Planning Board ETJ Resident<br><input type="checkbox"/> Other: _____<br>_____ |
|---|---|

Interests & Skills: Knowledge of transportation issues, bringing over 29 years of innovative and outcome-focused public service experience producing collaborations among local, state, and federal governments and private industry for project delivery and economic development.

Circle highest level of education completed: (High School) 10 11 12 GED College 1 2 3 **4** 5 6

Recent Job Experiences: 2017-Present, Vice-President - Rail Strategic Development, Mott MacDonald  
2013-2017; Rail Division Director, North Carolina Department of Transportation; 1996-2013; Assistant Director Rail Division, NCDOT

Civic or Service Organization Experience: Fellowship Lodge No. 84, A.F. & A.M., Smithfield, NC; First Presbyterian Church, Smithfield, NC

Town Boards previously served on and year(s) served: Chairman, Vice-Chairman and Member, Town of Smithfield Planning Board 1991 – 2000

Please list any other Boards/Commissions/Committees on which you currently serve: Chairman, Vice-Chairman and Member, Town of Smithfield Board of Adjustment, 2004 – Present;

Why are you interested in serving on this Board/Commission/Committee? \_\_\_\_\_  
*Particularly interested in opportunities for redevelopment of historical properties and neighborhoods, both  
business and residential, in a manner that is preserves the integrity of neighborhoods and districts, while  
encouraging affordable investment.*

**Affirmation of Eligibility:**

Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes  No If yes, please explain disposition: \_\_\_\_\_  
\_\_\_\_\_

Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council?  Yes  No If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate and if necessary. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and, accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the Town Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Printed Name: Paul C. Worley \_\_\_\_\_

Signature:  \_\_\_\_\_ Date: April 22, 2018

Return completed form to:  
Shannan Parrish  
Town Clerk  
P. O. Box 761  
Smithfield, North Carolina 27577  
Phone: (919) 934-2116 Fax: (919) 989-8937 E-Mail: [shannan.parrish@smithfield-nc.com](mailto:shannan.parrish@smithfield-nc.com)

**Applicants are required to be a resident of the Town of Smithfield for In-Town positions  
and within the Town's ETJ for ETJ positions**



# Staff Report

**Consent New Hire /  
Agenda Vacancy  
Item: Report  
Date 05/01/2018**

**Staff Work By: Tim Kerigan, HR Director**

## **Background**

Per Policy, upon the hiring of a new or replacement employee, the Town Manger or Department Head shall report the new/replacement hire to the Council on the Consent Agenda at the next scheduled monthly Town Council meeting.

In addition, please find the following current vacancies:

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Firefighter I	Fire	10-20-5300-5100-0200
Police Officer I	Police	10-20-5100-5100-0200
P/T Lifeguard	P & R – Aquatics	10-60-6220-5100-0220
Utility Line Mechanic	PU – Water / Sewer	30-71-7220-5100-0200
P/T Zoning Compliance Asst.	Planning	10-10-4900-5100-0200

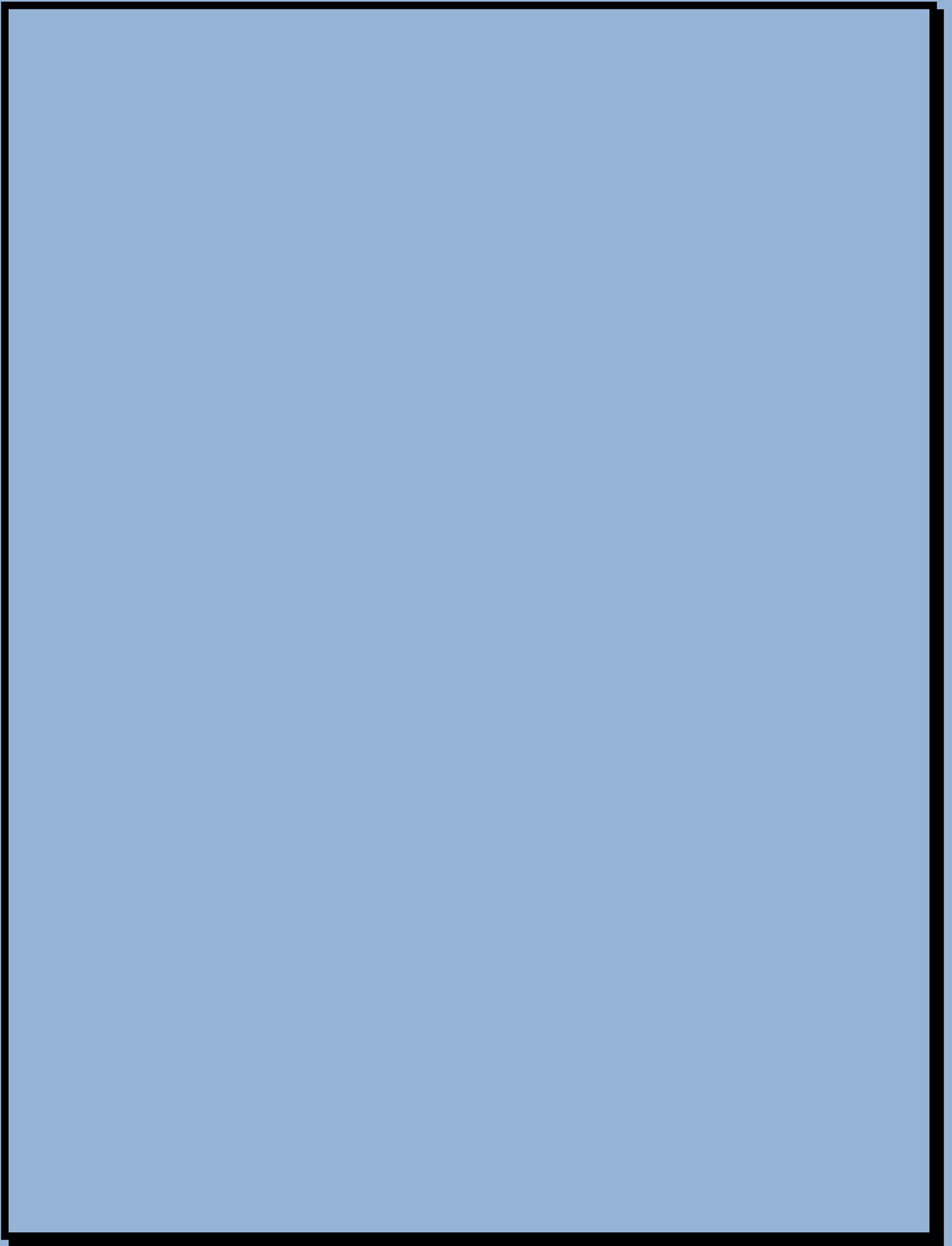
## **Action Requested**

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 17-18 Budget.

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
P/T Lifeguard	P & R – Aquatics	10-60-6220-5100-0220	\$7.50/hr.
P/T Lifeguard	P & R – Aquatics	10-60-6220-5100-0220	\$7.50/hr.
P/T Lifeguard	P & R – Aquatics	10-60-6220-5100-0220	\$7.50/hr.
P/T Temp. Animal Control Ofc.	Police	10-20-5100-5100-0200	\$20.35/hr.
Water Plant Operator Trainee	PU – Water Plant	30-71-7200-5100-0200	\$13.62/hr. (\$28,329.60/yr.)



# Business Items





# Request for Town Council Action

**Business  
Agenda  
Item:** DSDC By-  
Laws  
Date: 05/01/2018

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**Subject:** Amendments to DSDC By-Laws  
**Department:** General Government  
**Presented by:** Town Manager Michael Scott  
**Presentation:** Business

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## Issue Statement

Downtown Smithfield Development Corporation (DSDC) is requesting the Council approve changes to its By-Laws as attached in the request.

## Financial Impact

None

## Action Needed

Approve or Deny Changes

## Recommendation

Follow the recommendation of DSDC.

Approved:  Town Manager  Town Attorney

Attachments:

- Staff Report
- Draft Amended DSDC By-Laws



# Staff Report

**Business DSDC  
Agenda By-  
Item: Laws**

---

Attached the Mayor and Council will find DSDC recommended changes to its by-laws. Changes are in red and revolve around how ex-officio members are utilized as board members, as well as additions of committees that report to the Board.

Sarah Edwards, the Director of Downtown Smithfield Development Corporation (DSDC) will be present to explain the request and why these changes are needed.

**Proposed**  
**Changes are denoted in red**

**BYLAWS OF THE  
DOWNTOWN SMITHFIELD DEVELOPMENT  
CORPORATION**

**Name**

Article I – **Name**

The name of the Corporation is “Downtown Smithfield Development Corporation.”

**Principal Office**

Article II – **Principal Office**

The principal office of the Corporation shall be located at such place as the Board of Directors of the Corporation may from time to time designate.

**Purposes**

Article III - **Purpose**

The purpose of the Corporation shall be:

- (a) To promote, stimulate and encourage the development of Downtown Smithfield, North Carolina in a manner beneficial to the citizens of Smithfield and Johnston County.
- (b) To undertake activities that will assist in, enable, or expedite the development of Downtown Smithfield.
- (c) To assist in the comprehensive planning of the beneficial development of Downtown Smithfield.
- (d) To undertake activities to attract businesses, investors, developers, and other persons and entities to invest in and take part in the development of Downtown Smithfield.
- (e) To undertake activities to improve and maintain the property values of Downtown Smithfield
- (f) To generally assist the Town of Smithfield and Johnston County and other organizations with purposes similar to or compatible with those of the Corporation.

**Members**

Article IV – **Members**

The Corporation shall have no members.

**Board of Directors**

Article V – **Board of Directors**

The management of the Corporation shall be vested in the Board of Directors. The Board shall determine the number of employees of the Corporation, shall hire and terminate employees, and shall fix the compensation of employees.

Article VI – **Number of Directors**

The Board of Directors shall consist of seventeen (17) Directors, five of which shall be ex-officio representatives.

Article VII – **Directors Terms**

Directors shall be elected for a term of three years, with four Directors elected each year. Directors will be elected in the month of January. Directors shall be nominated by the Board of Directors and shall become Directors upon approval by resolution of the Smithfield Town Council.

Article VIII – **Vacancies on Board**

When a vacancy shall occur on the Board of Directors, the Chair of the Nominating Committee shall be notified. The nominating committee shall advertise the vacancy and recommend a person to fill the vacancy to the Board within ninety days. The nominee remaining Directors shall nominate and elect a person to fill the vacancy and the nominee shall become a Director upon approval by resolution of the Smithfield Town Council.

Article IX – **Removal of Directors**

A Director may be considered for removal upon three absences in a calendar year and/or upon recommendation of three-fourths (¾) of the Board of Directors.

Article X – **Ex-officio Representation**

The Mayor of the Town of Smithfield (or his appointee), the Chairman of the Johnston County Commissioners (or his appointee), the Director of the Johnston County Heritage Center (or his appointee), the Director of the Public Library of Smithfield and Johnston County (or his appointee), and the Director of the Ava Gardner Museum (or his appointee) shall each be ex-officio members of the Board of Directors. Ex-officio directors shall have all the privileges, including the right to make motions and to vote, and obligations of board membership

## **Officers**

Article XI – **Officers**

The officers of the Corporation shall be a President, Vice President, Secretary, and Treasurer. The Board of Directors, from among themselves, shall elect the officers. Ex-officio directors can be elected officers.

Article XII - **Term**

Each officer shall serve for a term of one year or until his successor is elected and qualifies. Officer elections shall be held at the regular meeting of the Board in January.

Article XIII – **President**

The President shall, when present, preside at all meetings of the Board. He shall sign, with any other proper officer, deeds, mortgages, bonds, contracts, or other instruments which may be lawfully executed on behalf of the Corporation, except where required or permitted by law to be otherwise signed and executed and except where the signing and execution thereof shall be delegated by the Board of Directors to some other officer or agent; and, in general, he shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time.

Article XIV – **Vice President**

The Vice President, unless otherwise determined by the Board of Directors, shall, in the absence or disability of the President, perform the duties and exercise the powers of that office. In addition, he shall perform such other duties and have such other powers as the Board of Directors shall prescribe.

Article XV - **Secretary**

The Secretary shall keep accurate records of the acts and proceedings of all meetings of the Board. He shall give all notices required by law and by these Bylaws. He shall have general charge of the corporate books and records and of the corporate seal, and he shall affix the corporate seal to any lawfully executed instrument requiring it. He shall sign such instruments as may require his signature, and, in general, shall perform all duties incident to the office of Secretary and such other duties as may be assigned him from time to time by the President or by the Board of Directors.

Article XVI – **Treasurer**

The Treasurer shall have custody of all funds and securities belonging to the Corporation and shall receive, deposit or disburse the same under the direction of the Board of Directors. He shall keep full and accurate accounts of the finances of the Corporation in books especially provided for that purpose; and he shall cause a true statement of its assets and liabilities as of the close of each fiscal year and of the results of its operations to be made and filed at the registered or principal office of the Corporation within four months after the end of such fiscal year. The Treasurer

shall, in general, perform all duties incident to his office and such other duties as may be assigned to him from time to time by the President or by the Board of Directors.

### **Meeting of Board of Directors**

#### **Article XVII – Monthly Meetings of Board**

The Board of Directors shall meet once each calendar month at a time and place designated by the President of the Corporation.

#### **Article XVIII – Special Meetings**

A special meeting of the Board of Directors may be called by the President upon five (5) days prior notice or upon call of a majority of the Board of Directors.

#### **Article XIX – Quorum**

At any meeting of the Board of Directors of the Corporation, a majority of the Directors of the Corporation shall constitute a quorum. Ex-officio directors should be counted toward the determination of having a quorum. A quorum shall be required at a meeting of the Board of Directors for business transacted thereat to constitute action of the Board of Directors.

#### **Article XX – Robert’s Rules of Order**

Robert’s Rules of Order shall be the rules of order for all meetings, except as may be otherwise provided in these Bylaws.

### **Committees**

#### **Article XXI – Committees**

The President shall appoint, with the advice and consent of the Board of Directors, such committees as may be deemed advisable from time to time. The President shall be an ex-officio member of all committees.

The corporation shall have the following standing committees, which report to the full board:

- (a) Executive Committee shall oversee personnel.
- (b) Nominating Committee shall advertise board vacancies, review candidates, and make recommendations to the full Board.
- (c) Design Committee shall educate about good design, provide appropriate advice about design improvements, plan for downtown’s growth and help shape regulations for it, and help create incentives for private sector investment.
- (d) Economic Development Committee shall understand current economic conditions, strengthen existing businesses, identify new economic uses, develop financial incentives and capital for building rehabilitations and business development, and monitor the economic performance of downtown.
- (e) Promotions Committee shall develop the image of and awareness for the corporation, and develop retail promotions and special events.

Only directors may serve on the Executive and Nominating committees; members of the public may serve on the Design, Economic Development, and Promotions committees.

### **Fiscal Year**

#### **Article XXII – Fiscal Year**

Unless otherwise fixed by the Board of Directors, the fiscal year of the Corporation shall end on June 30.

### **Annual Report**

#### **Article XXIII – Annual Report**

An annual un-audited financial report of the Corporation shall be prepared within seventy-five (75) days after the end of each fiscal year. All Corporate records shall be available for review by the Town of Smithfield or its designated independent auditor.

### **Bonding**

#### **Article XXIV – Bonding**

The Board of Directors shall obtain a bond or bonds on the Treasurer or any other officer or employee of the Corporation of such nature and in such amounts as shall be necessary in the opinion of the Board to protect the Corporation from loss.

### **Indemnity**

#### **Article XXV – Indemnity**

The Corporation shall indemnify and hold harmless any director, officer or employee of the Corporation from any loss including reasonable expense incurred in defense of any action or claim resulting to such director, officer or employee as a result of serving in such capacity except to the extent such loss might be occasioned by intentional wrongdoing.

### **Amendments**

#### **Article XXVI – Amendments**

These Bylaws or any portion thereof may be amended, altered, or repealed by the affirmative vote of two-thirds (2/3) of the Board at any regular or special meeting called for such purpose with approval of such amendment by the Smithfield Town Council.

#### **Article XXVII - Staff**

The Executive Director shall be the principal Executive Officer of the Corporation, and subject to the control of the Board Directors, shall supervise and control the management of the Corporation in accordance with these Bylaws.

The Executive Director or other appointed staff shall maintain accurate records of the acts and proceeds of all meetings of the Board. He shall give all notices required by law and by these Bylaws. He shall have general charge of the corporate books and records and of the Corporate Seal, and he shall affix the Corporate Seal to any lawfully executed instrument requiring it.

The Accountant of the Downtown Smithfield Development Corporation shall have custody of all funds and securities belonging to the Corporation. He shall keep full and accurate accounts of the finances of the Corporation in books especially provided for that purpose; and he shall cause a true statement of its assets and liabilities as of the close of each fiscal year and of the results of its operations to be made and filed at the registered or principal office of the Corporation within four months after the end of such fiscal year.

#### **Article XXVIII – Executive Committee**

The Executive Committee shall be made up of the Officers of the Board of Directors and one at-large Director appointed by the President. Except for the power to amend the articles of incorporation and bylaws, the Executive Committee shall have all the powers and authority of the board of directors in the intervals between meetings of the board of directors, and is subject to the direction and control of the full board.

#### **Article XXIX - Conflict of Interest Policy**

Whenever a director or officer has a financial or personal interest in any matter coming before the board of directors, the affected person shall fully disclose the nature of the interest and should not be physically present for discussion, lobbying, and voting on the matter. Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested directors determine that it is in the best interest of the corporation to do so. The minutes of meetings at which such votes are taken shall record such disclosure, abstention and rationale for approval.

| ADOPTED this the ~~1<sup>st</sup> day of May, 2018~~<sup>3<sup>rd</sup></sup> day of March, 2015.

|

\_\_\_\_\_  
~~John H. Lampe, H.M. Andy Moore~~, Mayor

ATTEST:

\_\_\_\_\_  
Shannan L. Parrish, Town Clerk



**BYLAWS OF THE  
DOWNTOWN SMITHFIELD DEVELOPMENT  
CORPORATION**

**Name**

**Article I – Name**

The name of the Corporation is “Downtown Smithfield Development Corporation.”

**Principal Office**

**Article II – Principal Office**

The principal office of the Corporation shall be located at such place as the Board of Directors of the Corporation may from time to time designate.

**Purposes**

**Article III - Purpose**

The purpose of the Corporation shall be:

- (a) To promote, stimulate and encourage the development of Downtown Smithfield, North Carolina in a manner beneficial to the citizens of Smithfield and Johnston County.
- (b) To undertake activities that will assist in, enable, or expedite the development of Downtown Smithfield.
- (c) To assist in the comprehensive planning of the beneficial development of Downtown Smithfield.
- (d) To undertake activities to attract businesses, investors, developers, and other persons and entities to invest in and take part in the development of Downtown Smithfield.
- (e) To undertake activities to improve and maintain the property values of Downtown Smithfield
- (f) To generally assist the Town of Smithfield and Johnston County and other organizations with purposes similar to or compatible with those of the Corporation.

**Members**

**Article IV – Members**

The Corporation shall have no members.

**Board of Directors**

**Article V – Board of Directors**

The management of the Corporation shall be vested in the Board of Directors. The Board shall determine the number of employees of the Corporation, shall hire and terminate employees, and shall fix the compensation of employees.

**Article VI – Number of Directors**

The Board of Directors shall consist of seventeen (17) Directors, five of which shall be ex-officio representatives.

**Article VII – Directors Terms**

Directors shall be elected for a term of three years, with four Directors elected each year. Directors will be elected in the month of January. Directors shall be nominated by the Board of Directors and shall become Directors upon approval by resolution of the Smithfield Town Council.

**Article VIII – Vacancies on Board**

When a vacancy shall occur on the Board of Directors, the remaining Directors shall nominate and elect a person to fill the vacancy and the nominee shall become a Director upon approval by resolution of the Smithfield Town Council.

**Article IX – Removal of Directors**

A Director may be considered for removal upon three absences in a calendar year and/or upon recommendation of three-fourths (¾) of the Board of Directors.

**Article X – Ex-officio Representation**

The Mayor of the Town of Smithfield (or his appointee), the Chairman of the Johnston County Commissioners (or his appointee), the Director of the Johnston County Heritage Center (or his appointee), the Director of the Public Library of Smithfield and Johnston County (or his appointee), and the Director of the Ava Gardner Museum (or his appointee) shall each be ex-officio members of the Board of Directors.

**Officers**

**Article XI – Officers**

The officers of the Corporation shall be a President, Vice President, Secretary, and Treasurer. The Board of Directors, from among themselves, shall elect the officers.

**Article XII - Term**

Each officer shall serve for a term of one year or until his successor is elected and qualifies. Officer elections shall be held at the regular meeting of the Board in January.

**Article XIII – President**

The President shall, when present, preside at all meetings of the Board. He shall sign, with any other proper officer, deeds, mortgages, bonds, contracts, or other instruments which may be lawfully executed on behalf of the Corporation, except where required or permitted by law to be otherwise signed and executed and except where the signing and execution thereof shall be delegated by the Board of Directors to some other officer or agent; and, in general, he shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time.

**Article XIV – Vice President**

The Vice President, unless otherwise determined by the Board of Directors, shall, in the absence or disability of the President, perform the duties and exercise the powers of that office. In addition, he shall perform such other duties and have such other powers as the Board of Directors shall prescribe.

**Article XV - Secretary**

The Secretary shall keep accurate records of the acts and proceedings of all meetings of the Board. He shall give all notices required by law and by these Bylaws. He shall have general charge of the corporate books and records and of the corporate seal, and he shall affix the corporate seal to any lawfully executed instrument requiring it. He shall sign such instruments as may require his signature, and, in general, shall perform all duties incident to the office of Secretary and such other duties as may be assigned him from time to time by the President or by the Board of Directors.

**Article XVI – Treasurer**

The Treasurer shall have custody of all funds and securities belonging to the Corporation and shall receive, deposit or disburse the same under the direction of the Board of Directors. He shall keep full and accurate accounts of the finances of the Corporation in books especially provided for that purpose; and he shall cause a true statement of its assets and liabilities as of the close of each fiscal year and of the results of its operations to be made and filed at the registered or principal office of the Corporation within four months after the end of such fiscal year. The Treasurer shall, in general, perform all duties incident to his office and such other duties as may be assigned to him from time to time by the President or by the Board of Directors.

## **Meeting of Board of Directors**

### **Article XVII – Monthly Meetings of Board**

The Board of Directors shall meet once each calendar month at a time and place designated by the President of the Corporation.

### **Article XVIII – Special Meetings**

A special meeting of the Board of Directors may be called by the President upon five (5) days prior notice or upon call of a majority of the Board of Directors.

### **Article XIX – Quorum**

At any meeting of the Board of Directors of the Corporation, a majority of the Directors of the Corporation shall constitute a quorum. A quorum shall be required at a meeting of the Board of Directors for business transacted thereat to constitute action of the Board of Directors.

### **Article XX – Robert's Rules of Order**

Robert's Rules of Order shall be the rules of order for all meetings, except as may be otherwise provided in these Bylaws.

## **Committees**

### **Article XXI – Committees**

The President shall appoint, with the advice and consent of the Board of Directors, such committees as may be deemed advisable from time to time. The President shall be an ex-officio member of all committees.

## **Fiscal Year**

### **Article XXII – Fiscal Year**

Unless otherwise fixed by the Board of Directors, the fiscal year of the Corporation shall end on June 30.

## **Annual Report**

### **Article XXIII – Annual Report**

An annual un-audited financial report of the Corporation shall be prepared within seventy-five (75) days after the end of each fiscal year. All Corporate records shall be available for review by the Town of Smithfield or its designated independent auditor.

## **Bonding**

### **Article XXIV – Bonding**

The Board of Directors shall obtain a bond or bonds on the Treasurer or any other officer or employee of the Corporation of such nature and in such amounts as shall be necessary in the opinion of the Board to protect the Corporation from loss.

## **Indemnity**

### **Article XXV – Indemnity**

The Corporation shall indemnify and hold harmless any director, officer or employee of the Corporation from any loss including reasonable expense incurred in defense of any action or claim resulting to such director, officer or employee as a result of serving in such capacity except to the extent such loss might be occasioned by intentional wrongdoing.

**Amendments**

**Article XXVI – Amendments**

These Bylaws or any portion thereof may be amended, altered, or repealed by the affirmative vote of two-thirds (2/3) of the Board at any regular or special meeting called for such purpose with approval of such amendment by the Smithfield Town Council.

**Article XXVII - Staff**

The Executive Director shall be the principal Executive Officer of the Corporation, and subject to the control of the Board Directors, shall supervise and control the management of the Corporation in accordance with these Bylaws.

The Executive Director or other appointed staff shall maintain accurate records of the acts and proceeds of all meetings of the Board. He shall give all notices required by law and by these Bylaws. He shall have general charge of the corporate books and records and of the Corporate Seal, and he shall affix the Corporate Seal to any lawfully executed instrument requiring it.

The Accountant of the Downtown Smithfield Development Corporation shall have custody of all funds and securities belonging to the Corporation. He shall keep full and accurate accounts of the finances of the Corporation in books especially provided for that purpose; and he shall cause a true statement of its assets and liabilities as of the close of each fiscal year and of the results of its operations to be made and filed at the registered or principal office of the Corporation within four months after the end of such fiscal year.

**Article XXVIII – Executive Committee**

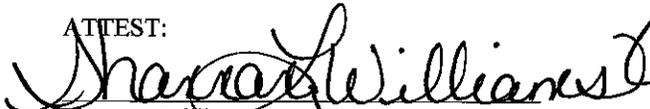
The Executive Committee shall be made up of the Officers of the Board of Directors and one at-large Director appointed by the President. Except for the power to amend the articles of incorporation and bylaws, the Executive Committee shall have all the powers and authority of the board of directors in the intervals between meetings of the board of directors, and is subject to the direction and control of the full board.

**Article XXIX - Conflict of Interest Policy**

Whenever a director or officer has a financial or personal interest in any matter coming before the board of directors, the affected person shall fully disclose the nature of the interest and should not be physically present for discussion, lobbying, and voting on the matter. Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested directors determine that it is in the best interest of the corporation to do so. The minutes of meetings at which such votes are taken shall record such disclosure, abstention and rationale for approval.

ADOPTED this the 3<sup>rd</sup> day of March, 2015.

ATTEST:

  
Shannan Williams, Town Clerk



John H. Lampe, II, Mayor



# Request for Town Council Action

**Business** **GLF Grant**  
**Agenda** **and Project**  
**Item:** **Update**  
Date: 05/01/2018

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**Subject:** Accept the Golden Leaf Foundation Grant Award & Approve the Proposed Contractor

**Department:** Public Utilities

**Presented by:** Ted Credle

**Presentation:** Business

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## Issue Statement

The Golden Leaf Foundation grant application was approved by their Board of Directors on April 11. This funding will help the Town complete the project on schedule. The Council is asked to accept the award and approve, selected contractor, and authorize the town Manager to execute the approved contract.

## Financial Impact

The acceptance of the Golden Leaf grant will add \$500,00 of revenue to the Water Fund and assist in speeding along the construction of the water project. The grant requires a \$250,000 match amount, as was included in the original application. The grant totals \$750,000.

The funds for design & permitting of this project were approved as part of the FY 2017-2018 Town budget. The approved budget allocated \$85,000 for the survey, design and permitting of this project. Approval of this contract will accomplish these tasks for \$56,000

## Action Needed

Accept the Golden leaf grant Award, approved the selected contractor for a contract value of \$42,100, and authorize the Town Manager to execute the contract.

## Recommendation

Staff recommends the acceptance of the award, approval of the contractor, and authorization of the Town Manager to execute the project contract.

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff Report
2. Golden Leaf Foundation Notification of Award
3. Contract for Design and Permitting Assistance



# Staff Report

**Business  
Agenda  
Item:** **GLF Grant  
and Project  
Update**

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As part of the approved Capital Improvement Plan (CIP), the survey, design & permitting for the proposed 16" water line connecting US-70 highway and Wilson's Mills Road was approved in the Town budget for FY 2017-FY 2018.

In conjunction with the approved project, last fall the Town applied for grant funding from the Golden Leaf Foundation (GLF) to assist in the construction of the 16" water line, which is scheduled to occur in the FY 2018 – FY 2019 fiscal year. After going through the grant application process, the GLF notified the Town that the grant application was approved for the entire \$500,000 amount. The grant also requires a \$250,000 match from the Town, which brings the total value of the project to \$750,000.

To obtain approval from the North Carolina Department of Environmental Quality (NCDEQ) and the North Carolina Department of Transportation (NCDOT), design plans will have to be created and submitted for approval. To assist the Town in this process, a qualified contractor was selected and the proposed contract is included.

Staff is asking the Council to accept the awarded funds from the GLF, approve the selected contractor, and authorize the Town Manager to execute the proposed contract.



(LONG-TERM ECONOMIC ADVANCEMENT FOUNDATION)

April 11, 2018

**BOARD OF DIRECTORS**

RANDY ISENHOWER  
CHAIR  
NEWTON, NC

MURCHISON "BO" BIGGS  
LUMBERTON, NC

S. LAWRENCE DAVENPORT  
GREENVILLE, NC

BARRY Z. DODSON  
STONEVILLE, NC

DON FLOW  
WINSTON-SALEM, NC

JIM GARDNER  
ROCKY MOUNT, NC

TOMMY HESTER  
HENDERSON, NC

CAROLYN H. JUSTICE  
HAMPSTEAD, NC

JOHNATHAN L. RHYNE, JR.  
LINCOLNTON, NC

LEE ROBERTS  
RALEIGH, NC

DAVID ROSE  
NASHVILLE, NC

THOMAS STITH  
DURHAM, NC

DAVID M. STOVER  
RALEIGH, NC

TOM TAFT  
GREENVILLE, NC

JEROME VICK  
WILSON, NC

**PRESIDENT**  
DAN GERLACH

Mr. Michael L. Scott  
Town Manager  
Town of Smithfield  
PO Box 761  
350 East Market Street  
Smithfield, North Carolina 27577

Dear Mr. Scott:

I am pleased to inform you that the Board of Directors of the Golden LEAF Foundation has approved a grant for your project, "Smithfield Water Delivery Initiative," in the amount of \$500,000.00. We trust that this support will further your work to the benefit of North Carolinians.

Enclosed are two copies of our Grantee Acknowledgement and Agreement, which includes details regarding administration of the grant, including the payment schedule and reporting requirements. Please read your grantee agreement carefully and take note of special conditions that may apply to your grant award.

We require that grantees become acquainted with Golden LEAF's policies governing grants by attending a grants management workshop. We will provide you the dates and locations of upcoming workshops in the near future.

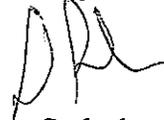
Upon receipt of one original signed Grantee Acknowledgement and Agreement form, documentation that any requisite conditions have been met, and a written request for payment, we will make the first disbursement of funds in connection with your project. As outlined in the Grantee Acknowledgement and Agreement, subsequent payments will be forwarded upon the receipt of the required reports. Reporting forms can be accessed at our website, [www.goldenleaf.org](http://www.goldenleaf.org), or by contacting us at 888-684-8404 or at [programs@goldenleaf.org](mailto:programs@goldenleaf.org).

All publicity and printed materials regarding projects or activities funded in whole or in part by this grant should contain the following language: **"This project received support from the Golden LEAF Foundation."** The Golden LEAF logo is to be displayed in all of the publicity and printed materials relating to this grant. Please contact Jenny Tinklepaugh ([jtinklepaugh@goldenleaf.org](mailto:jtinklepaugh@goldenleaf.org)) for digital versions of the logo.

Mr. Michael L. Scott  
April 11, 2018  
Page 2

Please let me or any member of our programs staff know if you have any questions regarding your grant, its conditions, or reporting requirements. We stand ready to be of assistance to you at any time. Once again, on behalf of the Board, congratulations on your grant award. We look forward to learning about your accomplishments.

Sincerely,



Dan Gerlach  
President

DG:bs

Enclosures: as stated

cc: ~~Mr. Ted Credle, Utilities Director~~  
Mr. Rick Hester, Johnston County Manager

**NORTH CAROLINA  
TOWN OF SMITHFIELD**

**SERVICE CONTRACT**

**THIS CONTRACT** is made, and entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 2018, by and between the **TOWN of SMITHFIELD**, a political subdivision of the State of North Carolina, (hereinafter referred to as “TOWN”), and Vision NC a corporation duly authorized to do business in the state of North Carolina, (hereinafter referred to as “CONTRACTOR”).

For and in consideration of mutual promises to each as herein after set forth, the parties hereto do mutually agree as follows:

- 1. SCOPE OF SERVICES.** CONTRACTOR hereby agrees to provide the services and/or materials under this contract pursuant to the provisions and specifications identified in “Attachment 1” (hereinafter collectively referred to as “Services”). Attachment 1 is hereby incorporated herein and made a part of this contract. Time is of the essence with respect to all provisions of this contract that specify a time for performance.

The TOWN will perform on-going contract monitoring to ensure that the terms of this contract are complied with. CONTRACTOR agrees to cooperate with the TOWN in its monitoring process and provide documentation and/or information requested during the term of this Agreement for the purpose of monitoring the services provided by CONTRACTOR.

- 2. TERM OF CONTRACT.** The Term of this contract for services is from May 1, 2018 to December 31, 2018 unless sooner terminated as provided herein.

- 3. PAYMENT TO CONTRACTOR.** CONTRACTOR shall receive from TOWN an amount not to exceed Forty-Two Thousand One Hundred and No Dollars (\$ 42,100.00 ) as full compensation for the provision of Services. TOWN agrees to pay CONTRACTOR at the rates specified for Services performed to the satisfaction of the TOWN, in accordance with this contract, and Attachment 1. Unless otherwise specified, CONTRACTOR shall submit an itemized invoice to TOWN by the end of the month during which Services are performed. A Funds Reservation number may be assigned to encumber the funds associated with this contract and must appear on all invoices and correspondence mailed to Purchaser. Payment will be processed promptly upon receipt and approval of the invoice by TOWN.

- 4. INDEPENDENT CONTRACTOR.** TOWN and CONTRACTOR agree that CONTRACTOR is an independent contractor and shall not represent itself as an agent or employee of TOWN for any purpose in the performance of CONTRACTOR’s duties under this Contract. Accordingly, CONTRACTOR shall be responsible for payment of all federal, state and local taxes as well as business license fees arising out of CONTRACTOR’s activities in accordance with this Contract. For purposes of this contract taxes shall include, but not be limited to, Federal and State Income, Social Security and Unemployment Insurance taxes.

CONTRACTOR, as an independent contractor, shall perform the Services required hereunder in a professional manner and in accordance with the standards of applicable professional organizations and licensing agencies.

- 5. INSURANCE AND INDEMNITY.** To the fullest extent permitted by laws and regulations, CONTRACTOR shall indemnify and hold harmless the TOWN and its officials, agents, and employees from and against all claims, damages, losses, and expenses, direct, indirect, or consequential (including but not limited to fees and charges of engineers or architects, attorneys, and other professionals and costs related to court action or mediation) arising out of or resulting from CONTRACTOR’s performance of this Contract or the actions of the CONTRACTOR or its officials, employees, or contractors under this Contract or under contracts entered

into by the CONTRACTOR in connection with this Contract. This indemnification shall survive the termination of this Contract.

In addition, CONTRACTOR shall comply with the North Carolina Workers' Compensation Act and shall provide for the payment of workers' compensation to its employees in the manner and to the extent required by such Act. Additionally, CONTRACTOR shall maintain, at its expense, the following minimum insurance coverage:

- \$1,000,000 per occurrence /\$2,000,000 aggregate --- Bodily Injury Liability, and
- \$ 100,000 --- Property Damage Liability, or
- \$1,000,000 per occurrence /\$2,000,000 aggregate---Combined Single Limit Bodily Injury and Property Damage

CONTRACTOR, upon execution of this Contract, shall furnish to the TOWN a Certificate of Insurance reflecting the minimum limits stated above. The Certificate shall provide for thirty-(30) days advance written notice in the event of a decrease, termination or cancellation of coverage. Providing and maintaining adequate insurance coverage is a material obligation of the CONTRACTOR. All such insurance shall meet all laws of the State of North Carolina. Such insurance coverage shall be obtained from companies that are authorized to provide such coverage and that are authorized by the Commissioner of Insurance to do business in North Carolina. The limits of coverage under each insurance policy maintained by the CONTRACTOR shall not be interpreted as limiting the CONTRACTOR's liability and obligations under the Contract. Notwithstanding the foregoing, nothing contained in this section 5 shall be deemed to constitute a waiver of the sovereign immunity of the TOWN, which immunity is hereby reserved to the TOWN.

6. **HEALTH AND SAFETY.** CONTRACTOR shall be responsible for initiating, maintaining and supervising all safety precautions and programs required by OSHA and all other regulatory agencies while providing Services under this Contract.
7. **NON-DISCRIMINATION IN EMPLOYMENT.** CONTRACTOR shall not discriminate against any employee or applicant for employment because of age, sex, race, creed, national origin, or disability. CONTRACTOR shall take affirmative action to ensure that qualified applicants are employed and that employees are treated fairly and legally during employment with regard to their age, sex, race, creed, national origin, or disability. In the event CONTRACTOR is determined by the final order of an appropriate agency or court to be in violation of any non-discrimination provision of federal, state or local law or this provision, this Contract may be canceled, terminated or suspended in whole or in part by TOWN, and CONTRACTOR may be declared ineligible for further TOWN contracts.
8. **GOVERNING LAW.** This Contract shall be governed by and in accordance with the laws of the State of North Carolina. All actions relating in any way to this Contract shall be brought in the General Court of Justice in the County of Johnston and the State of North Carolina.
9. **TERMINATION.**
  - 9.1 **EVENT OF DEFAULT.** Any one or more of the following acts or omissions of the Contractor shall constitute an Event of Default hereunder:
    - a. Failure to perform the Services satisfactorily or on schedule,
    - b. Failure to submit any report required hereunder; and/or
    - c. Failure to perform any other covenant, term, or condition of this Agreement.

Upon the occurrence of an Event of Default, the TOWN may take one or more or all of the following actions:

1. Give Contractor written Notice of the Event of Default, specifying the Event of Default and requiring it to be remedied within, in the absence of greater or lesser specification of time, seven (7) calendar days from the date of the notice; and if the Event of Default is not timely remedied, terminate the agreement, effective two (2) days after giving the Contractor written Notice of Termination; and/or
2. Deduct any and all expenses incurred by the TOWN for damages caused by the Contractor's Event of Default; and/or
3. Treat the agreement as breached and pursue any of its remedies at law or in equity, or both, including damages and specific performance.

**9.2 TERMINATION FOR CONVENIENCE.** This Contract may be terminated, without cause, by either party upon thirty (30) days written notice to the other party. This termination notice period shall begin upon receipt of the Notice of Termination.

Termination of this Contract, under either section 9.1 or 9.2, shall not form the basis of any claim for loss of anticipated profits by either party.

- 10. SUCCESSORS AND ASSIGNS.** CONTRACTOR shall not assign its interest in this Contract without the written consent of TOWN. CONTRACTOR has no authority to enter into contracts on behalf of TOWN.
- 11. COMPLIANCE WITH LAWS.** CONTRACTOR represents that it is in compliance with all Federal, State, and local laws, regulations or orders, as amended or supplemented. The implementation of this Contract shall be carried out in strict compliance with all Federal, State, or local laws.
- 12. NOTICES.** All notices which may be required by this contract or any rule of law shall be effective when received by certified mail sent to the following addresses:

**TOWN OF SMITHFIELD**  
**ATTN: PUBLIC UTILITIES DEPARTMENT**  
**230 HOSPITAL ROAD**  
**SMITHFIELD, NORTH CAROLINA 27577**

**CONTRACTOR**  
**ATTN: Vision, NC**  
**2542-B SAM MOSS ROAD**  
**CREEDMOOR, NC 27522**

- 13. AUDIT RIGHTS.** For all Services being provided hereunder, the TOWN shall have the right to inspect, examine, and make copies of any and all books, accounts, invoices, records and other writings relating to the performance of the Services. Audits shall take place at times and locations mutually agreed upon by both parties. Notwithstanding the foregoing, CONTRACTOR must make the materials to be audited available within one (1) week of the request for them.
- 14. TOWN NOT RESPONSIBLE FOR EXPENSES.** TOWN shall not be liable to CONTRACTOR for any expenses paid or incurred by CONTRACTOR, unless otherwise agreed in writing.
- 15. EQUIPMENT.** CONTRACTOR shall supply, at its sole expense, all equipment, tools, materials, and/or supplies required to provide Services hereunder, unless otherwise agreed in writing.
- 16. ENTIRE CONTRACT.** This contract, including Attachment 1, shall constitute the entire understanding between TOWN and CONTRACTOR and shall supersede all prior understandings and agreements relating to the subject matter hereof and may be amended only by written mutual agreement of the parties.
- 17. HEADINGS.** The subject headings of the sections are included for purposes of convenience only and shall not affect the construction or interpretation of any of its provisions. This contract shall be deemed to have been drafted by both parties and no interpretation shall be made to the contrary.

**18. EXISTENCE.** CONTRACTOR warrants that it is a corporation duly organized, validly existing, and in good standing under the laws of the State of North Carolina and is duly qualified to do business in the State of North Carolina and has full power and authority to enter into and fulfill all the terms and conditions of this contract.

**19. CORPORATE AUTHORITY.** By execution hereof, the person signing for CONTRACTOR below certifies that he/she has read this contract and that he/she is duly authorized to execute this contract on behalf of the CONTRACTOR.

**20. E-VERIFY.** As a condition of payment for services rendered under this agreement, CONTRACTOR shall comply with the requirements of Article 2 of Chapter 64 of the General Statutes. Further, if CONTRACTOR provides the services to the County utilizing a subcontractor, CONTRACTOR shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the General Statutes as well. CONTRACTOR shall verify, by affidavit, compliance of the terms of this section upon request by the TOWN.

IN TESTIMONY WHEREOF, the parties have expressed their agreement to these terms by causing this Service Contract to be executed by their duly authorized office or agent.

**TOWN OF SMITHFIELD**

\_\_\_\_\_  
**Michael L. Scott, Town Manager**

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Budget and Fiscal Control Act.

\_\_\_\_\_  
**Gregory D. Siler, Town of Smithfield Chief Financial Officer**

**CONTRACTOR**

By: \_\_\_\_\_  
Authorized Representative

**Print Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

ATTACHMENT 1” to follow

## ATTACHMENT 1

### SCOPE OF SERVICES

This Scope of Services is an integral part of the contract between the Town of Smithfield (hereinafter referred to as “Town”), and Vision, NC (hereinafter referred to as “Contractor”), which contract is dated May 1, 2018.

CONTRACTOR hereby agrees to provide services and/or materials to the Town pursuant to the provisions set forth below.

I. Background/Purpose (Why): The purpose and intent of this request is to establish a contract with Vision, NC to perform design assistance in the creation of plans for the Durwood Stephenson Highway Waterline – Phase I project. This service will entail the assistance in design of plans, detailing of specifications, permitting submittal, and bidding assistance. These services are needed so contractors can accurately bid the proposed construction.

II. References: The following documents are incorporated herein by reference to them: The Contractor was provided the field survey by Draper Aden Associates (December 2017) to be used as a base map.

III. Work/Requirements (What and Where): The contractor will furnish the material, equipment, & labor to execute the work. Work is to be completed along the right-of-way of Durwood Stephenson Highway in the Town of Smithfield, NC.

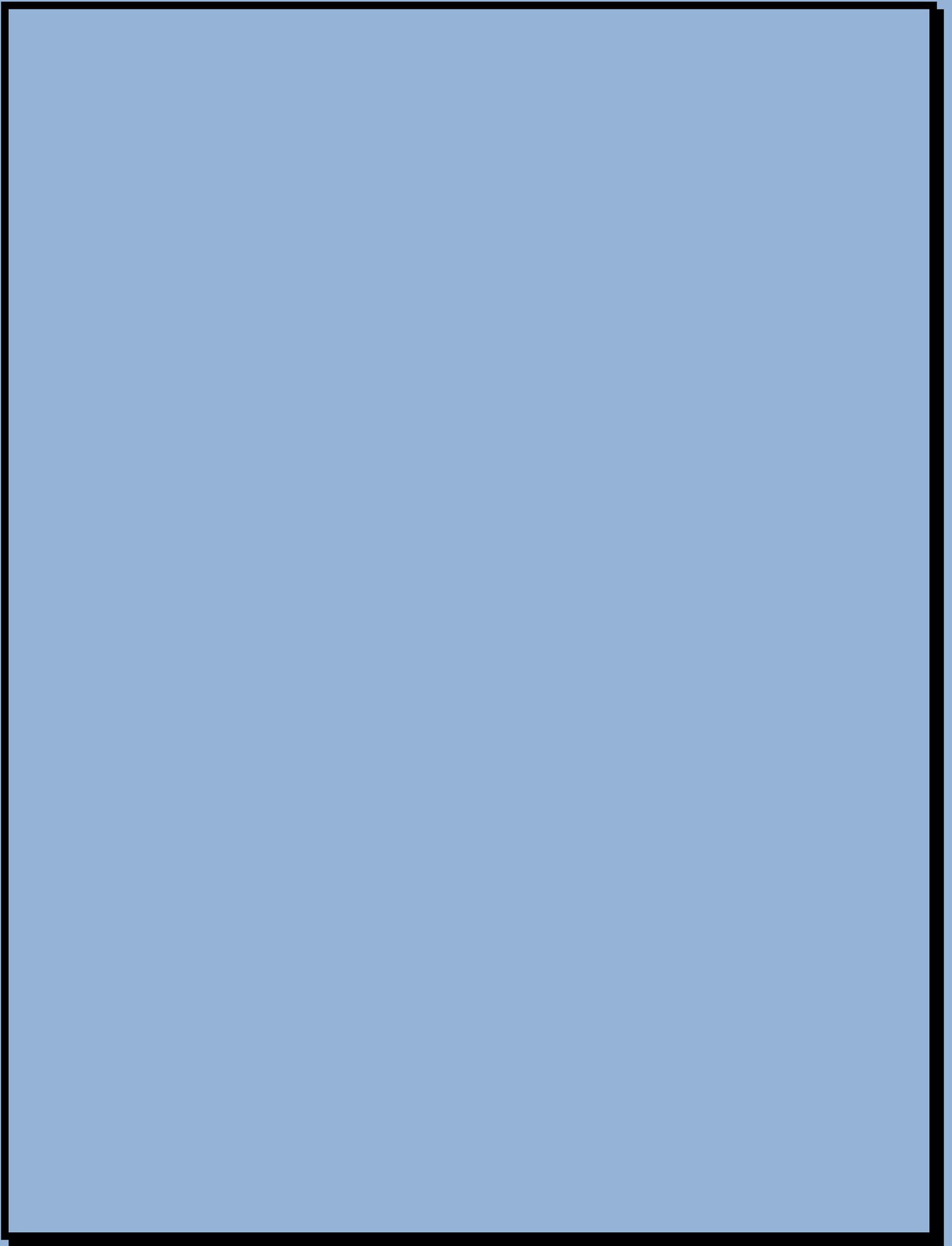
IV. Schedules/Timelines (When): The Contractor shall proceed with services services once the contract is executed and will have finished operations by December 31, 2018.

V. Transmittal/Delivery/Accessibility (How): The Contractor is required to provide the necessary labor, security and safety measures to uphold this contract. Work is to be completed along the right-of-way of Durwood Stephenson Highway in the Town of Smithfield, NC

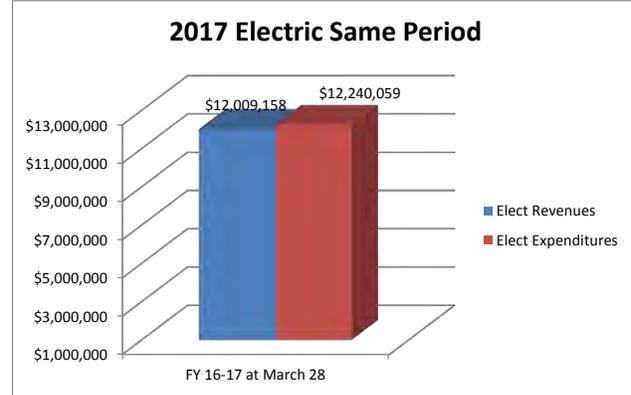
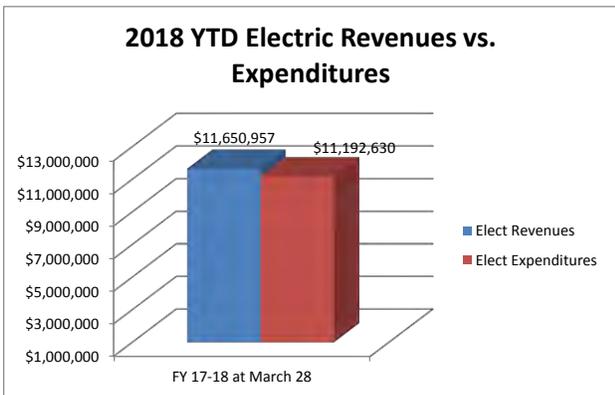
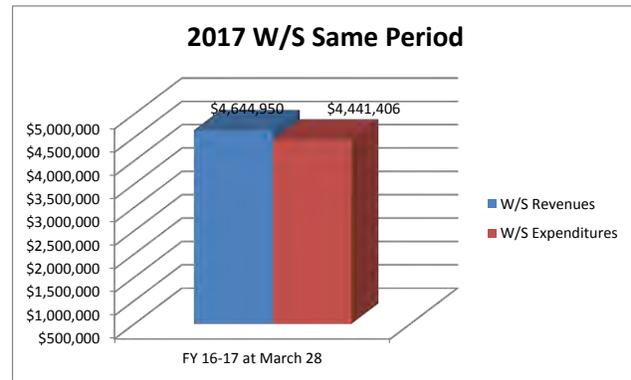
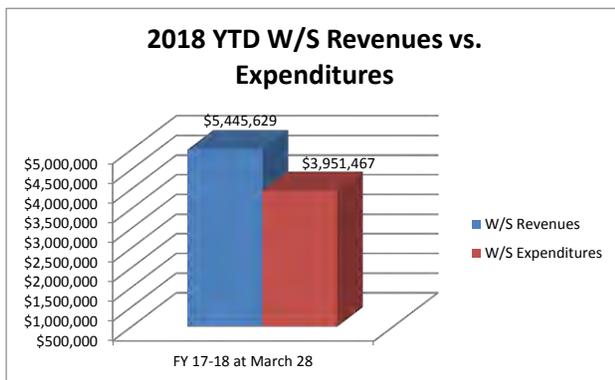
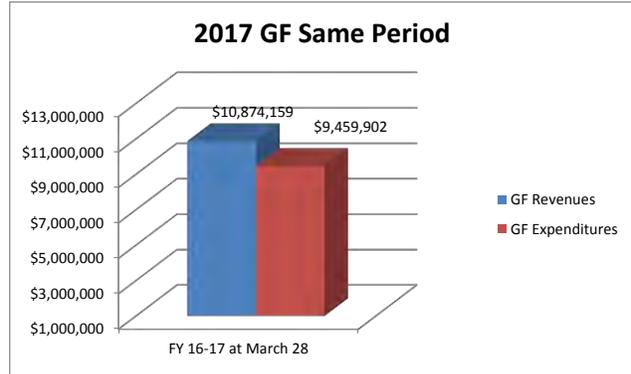
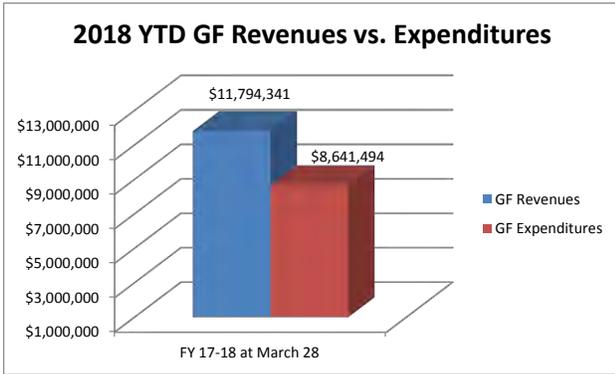
VI. Payment: Invoices and required warranties, permits or additional submittals shall be forwarded to Town Representative for review. Upon payment authorization, invoices will be paid net 30. Invoices and forms submitted MUST reference Town of Smithfield funds reservation number assigned to this contract. Authorization of payments will be forwarded to Finance Department dependent on receipt of all forms. The Town may withhold payment if required reports or submittals are not received. For this work the contractor will be paid an hourly rate not to exceed a contract value of \$ 42,100.00; in accordance with the attached proposal, provided by the contractor.



# Financial Report



## Town of Smithfield Revenues vs. Expenditures



**TOWN OF SMITHFIELD  
MAJOR FUNDS FINANCIAL SUMMARY REPORT**

**March, 2018**

**Gauge: 9/12 or 75 Percent**

**75.00%**

**GENERAL FUND**

	Frequency	Actual	Budget	Actual to Date	YTD %
		FY '16-17	FY '17-18	FY '17-18	Collected
<b>Revenues</b>					
Current & Prior Year Property Taxes	Monthly	\$ -	\$ 5,559,000	\$ 5,633,367	101.34%
Motor Vehicle Taxes	Monthly	-	500,000	391,007	78.20%
Utility Franchise Taxes	Quarterly	-	975,000	714,357	73.27%
Local Option Sales Taxes	Monthly	-	2,065,019	1,487,712	72.04%
Aquatic and Other Recreation	Monthly	-	765,100	563,622	73.67%
Sanitation	Monthly	-	1,305,500	907,595	69.52%
All Other Revenues		-	1,569,871	1,835,067	116.89%
Loan Proceeds		-	25,400	-	0.00%
Transfers (Electric and Fire Dist.)		-	261,614	261,614	100.00%
Fund Balance Appropriated		-	431,896	-	0.00%
Total		\$ -	\$ 13,458,400	\$ 11,794,341	87.64%

	Actual	Budget	Actual to Date	YTD %
	FY '16-17	FY '17-18	FY '17-18	Spent
<b>Expenditures</b>				
General Gov.-Governing Body	\$ -	\$ 382,278	\$ 271,799	71.10%
Non Departmental	-	856,674	635,098	74.14%
Debt Service	-	1,342,760	1,013,069	75.45%
Finance	-	143,501	68,407	47.67%
Planning	-	646,951	207,191	32.03%
Police	-	3,745,925	2,406,569	64.24%
Fire	-	1,651,559	1,267,662	76.76%
EMS	-	-	-	#DIV/0!
General Services/Public Works	-	638,764	334,400	52.35%
Streets	-	570,388	340,482	59.69%
Motor Pool/Garage	-	91,391	45,941	50.27%
Powell Bill	-	322,725	28,973	8.98%
Sanitation	-	1,097,678	748,581	68.20%
Parks and Rec	-	962,819	614,907	63.87%
SRAC	-	932,329	658,415	70.62%
Contingency	-	72,658	-	0.00%
Appropriations/Contributions	-	-	-	0.00%
Total	\$ -	\$ 13,458,400	\$ 8,641,494	64.21%

YTD Fund Balance Increase (Decrease)

- -

75.00%

**WATER AND SEWER FUND**

	Actual	Budget	Actual to Date	YTD %
	FY '16-17	FY '17-18	FY '17-18	Collected
<b>Revenues</b>				
Water Charges	\$ -	\$ 2,560,000	\$ 1,730,568	67.60%
Water Sales (Wholesale)	-	955,000	925,274	96.89%
Sewer Charges	-	3,350,000	2,492,787	74.41%
Tap Fees	-	15,500	10,340	66.71%
All Other Revenues	-	121,000	297,000	245.45%
Loan Proceeds	-	-	-	#DIV/0!
Fund Balance Appropriated	-	99,017	-	0.00%
Total	\$ -	\$ 7,100,517	\$ 5,455,969	76.84%

	Actual	Budget	Actual to Date	YTD %
	FY '16-17	FY '17-18	FY '17-18	Spent
<b>Expenditures</b>				
Water Plant (Less Transfers)	\$ -	\$ 1,751,006	\$ 1,269,863	72.52%
Water Distribution/Sewer Coll (Less Transfers)	-	3,906,658	2,093,397	53.59%
Transfer to General Fund	-	-	-	#DIV/0!
Transfer to W/S Capital Proj. Fund	-	585,000	-	0.00%
Debt Service	-	717,038	588,207	82.03%
Contingency	-	140,815	-	0.00%
Total	\$ -	\$ 7,100,517	\$ 3,951,467	55.65%

**ELECTRIC FUND**

	Actual	Budget	Actual to Date	YTD %
	FY '16-17	FY '17-18	FY '17-18	Collected
<b>Revenues</b>				
Electric Sales	\$ -	\$ 16,400,000	\$ 11,318,474	69.02%
Penalties	-	315,000	269,485	85.55%
All Other Revenues	-	46,000	62,998	136.95%
Loan Proceeds	-	-	-	
Fund Balance Appropriated	-	111,566	-	
Total	\$ -	\$ 16,872,566	\$ 11,650,957	69.05%

	Actual	Budget	Actual to Date	YTD %
	FY '16-17	FY '17-18	FY '17-18	Spent
<b>Expenditures</b>				
Administration/Operations	\$ -	\$ 2,048,433	\$ 1,484,402	72.47%
Purchased Power - Non Demand	-	12,800,000	4,375,173	34.18%
Purchased Power - Demand	-	-	4,108,239	#DIV/0!
Purchased Power - Debt	-	-	867,132	#DIV/0!
Debt Service	-	359,972	351,278	97.58%
Capital Outlay	-	103,672	6,406	
Contingency	-	609,275	-	

Transfers to Electric Capital Proj Fund	750,000	-		
Transfer to Electric Capital Reserve	115,000	-		
Transfers to General Fund	-	86,214	-	0.00%
Total	\$ -	\$ 16,872,566	\$ 11,192,630	66.34%

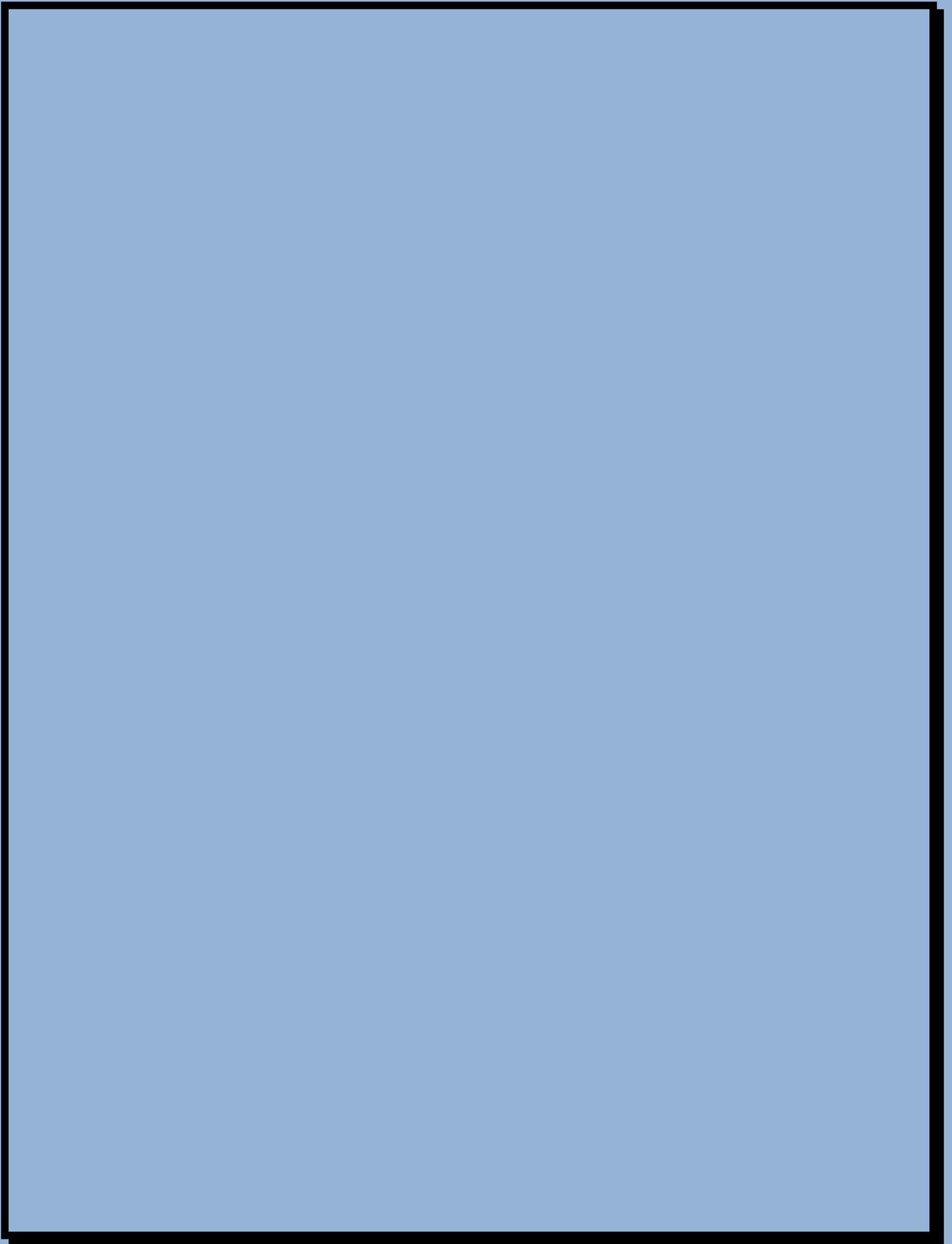
**CASH AND INVESTMENTS**

General Fund (Includes P. Bill)	11,988,155			
Water and Sewer Fund	6,359,600			Interest Rate
Electric Fund*	10,185,968			
Booker Dairy Road Fund (44)	262,673			
Capital Project Fund: Wtr/Sewer (45)	(106,724)	1st CITIZENS	20,763,387	0.20%
Capital Project Fund: General (46)	(927,932)	NCCMT	2,297,230	1.300%
Capital Project Fund: Electric (47)	47,946	STIFEL	-	Market
Firemen Relief Fund (50)	130,887	KS BANK	3,726,629	1.10%
Fire District Fund (51)	5,834	FOUR OAKS	1,290,135	0.85%
JB George Endowment (40)	130,975	PNC BANK	-	0.00%
Total	\$28,077,382		\$ 28,077,382	

\*Plug

**Account Balances Confirmed By Finance Director on 4/20/2018**

# Department Reports





# Staff Report

**Department Report** **Economic Development Update**

**Date of Meeting:** May 01, 2018      **Date Prepared:** April 20, 2018

**Staff Work By:** Tim Kerigan, Economic Development Liaison

## **Update**

In July 2017, upon request of Economic Development Liaison Tim Kerigan along with Rocky Lane of Sanford Holshouser, Council approved to continue to engage the Scope of Work with Sanford Holshouser for Implementation of the Strategic Economic Development Update Action Items that originally began in August 2016.

Since August of 2016, the Town has been able to make steady progress on implementing the identified action items from the Town's Economic Development Strategic Plan that was updated in 2014.

Please see the attached most recent Implementation Activities and Progress Matrix.

Going further, at the request of Council, staff will provide similar monthly summary and matrix updates.

## **Action Requested**

No action requested.

## Smithfield Economic Development Implementation Activities MAR/APR 2018

1. Product Development – in a discussion among Tim, Rocky and Chris Johnson, it was decided that the name of the properties being certified should be changed to make it more descriptive in terms of location. To that end, the name was changed from the Fleming Industrial Park to the West Smithfield Industrial Park.

Continued communications with the owners/representatives of the five parcels that are within town limits that are to be included in the industrial park. Multiple phone calls were made to answer any questions and address any concerns. For this certification, three of the five parcels will be included in the industrial park. The other two parcels could be included in future recertifications, if the land owners decide to participate.

The Intent to Certify package was submitted to the EDPNC Certified Site program manager. It was reviewed by the Steering Committee at their 18APR18 meeting and a notice to proceed with the certification was received the next day.

Soil borings on the property have been completed and the information and data gathering for the certification package is well underway.

2. Golden LEAF Grant -Submitted a copy of the West Smithfield Industrial Park Intent to Certify package to Ted Lord in support of the Town's grant request. The report was to be submitted, along with the request for consideration at the April Golden LEAF Board meeting.
3. Product Development-Recertification – followed up with the co-owner of a property again He remains positive about the recertification but the issues with the property are still pending. We will follow-up again in a month
4. BRE - contacted several companies via phone to discuss the town's renewed emphasis on BRE. Several meetings have been scheduled over the next few months.

Tim and Rocky met with Mark Kirby of Double Barley Brewing. Mark is the Head Brewer and part owner. He described the operations, status, and growth of the company. We discussed several areas that he identified where he could use assistance, one was a need for training in various areas. The community college and its continuing education programs were discussed, and we offered to follow-up on this matter if he would like. Expansion plans and a downtown location were discussed as well. We expressed the town's desire to help him grow and expand in any way possible.

Tim and Rocky met with Kent Denning, President of Carolina Packers. Carolina Packers are the number one producer of hot dogs in North Carolina. Kent described the company as a mature business, having been established in 1940. They have experienced solid growth and have made changes in their produce lines as markets have dictated. They have survived while other similar companies have not. One of the challenges identified was finding

available labor. He is aware and uses the training services offered by the community college. The facility is located totally within the corporate limits of Smithfield. Kent stated that the Town treats them very well. He specifically cited the Fire and Police departments for praise. Kent said the Fire department was very proactive, with visits to ensure that they knew the best access points in case of a fire and helping with inspections. The Police department was praised for being “Johnny-on-the-spot when there were any issues, “going above and beyond” to make sure things were handled quickly. Kent expressed a desire to expand the facility but cautioned it would have to be a business decision based on solid data. We expressed the town’s desire to assist the company in any way possible to grow and expand and would follow-up with him in a few months to further this discussion.

5. Identified a developer that has deep experience renovating/rehabilitating old facilities in multiple communities across North Carolina, that expressed interest in the Old Town Hall. He is familiar with the building and the Town. A conference call has been scheduled to further the conversation and encourage a tour of facility.

# SMITHFIELD STRATEGIC PLAN IMPLEMENTATION-20APR18

ACTIVITY	TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
Develop overall support for the Economic Development Program					
	Develop and increase support for the Town's economic development efforts	Smithfield-Selma Chamber of Commerce Commercial Realtors		Good contact and support established with the organization. Tim attends Chamber meetings regularly Maintaining on-going contact with realtors.	
132		SEDAC		Maintaining on-going contact with SEDAC.	Made an update presentation of economic development activities to the SEDAC at their November meeting.
		East Smithfield		Met with Tony Nixon to discuss needs, challenges, and opportunities in the community.	Received a listing of East Smithfield concerns submitted to the former town manager by the East Smithfield Improvement Organization.
		Business Community		Meeting with business community via BRE program.	Additional meetings with the business community are being scheduled via BRE activities.
Existing Business & Industry Support					
	Reestablish the Existing Industry Outreach Program				Reprioritization of Plan of Work will put a focus on Existing Business and Industry Support.

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
		Develop a contact directory of Existing Industries			Initial Directory completed and will be updated regularly.	Contacted business owners via phone to discuss the renewed BRE Program.
		Developing an introductory letter to be mailed by January 2017				
		Schedule visitations			Visitations are on-going.	Met with Mark Kirby, brewmaster and part owner of Double Barley Brewing. Identified some needs that the company has and explored expansion plans.
133						Met with Kent Denning, president of Carolina Packers. Identified some needs that the company has and explored expansion plans.
		Determine Recognition Activities			Options discussed and being considered.	
New Business Recruitment					Met with Chris Johnson and discussed business attraction and expansion issues, including product and workforce.	
Attract new business investment and jobs		Identify needs of major companies in the County that Smithfield can capitalize on	JCED			

ACTIVITY	TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
				Met with Durwood Stephenson regarding an initiative that would be of great benefit to the town, and would assist in the recruitment of other businesses.	
Town Image/Gateways					
	Identify areas for improvement	SEDAC		Meetings to be scheduled in conjunction with Visioning/Branding and the development of the Strategic Communication Plan (SCP) to more fully discuss the issue.	
		East Smithfield - Tony Nixon Business Community		Tony Nixon of the East Smithfield Improvement organization was identified as the best person to contact re: to East Smithfield issues.	Information will be gathered on the different areas of the town, including East Smithfield, in the development of the SCP and Visioning/Branding efforts.
Conduct a Visioning/Branding process					

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
			ElectriCities/ Business Community/ SEDAC/East Smithfield		Town Council agreed to move forward with the development of the Strategic Communication Plan at their 07MAR17 meeting and a draft is being prepared by ElectriCities for review.	Received a draft strategic communications plan from Michelle Vaught, VP of Marketing for ElectriCities.
					A decision on what level of Visioning/Branding effort the town feels is appropriate will be made after a review of the SCP.	
135					A decision on what level of Visioning/Branding effort the town feels is appropriate will be made after a review of the SCP.	
Product Development						

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
	Industrial Sites and Buildings	Increase the Town's product inventory	County and SEDAC		<p>Contacted one of the Wellons-Howell property owners to discuss recertification. Reached out to owners of other properties identified as suitable for development as industrial sites. Searching for other suitable properties for evaluations and inclusion in the town's product inventory</p>	<p>Contacted the co-owner again and the issues concerning the property are still unresolved. We will follow-up again with him in a month.</p>
					<p>The town is partnering with Johnston County Economic Development on assembling properties for an industrial park that will then be certified. Five parcels lie within the town's corporate limits. Land owners will be contacted to secure the properties for the project.</p>	<p>The industrial park has been renamed the West Smithfield Industrial Park to give it a better geographic location description.</p>

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
						Contacted the owners or representatives of the five parcels to answer any questions and to secure the properties for inclusion in the industrial park. Three of the five parcels will be included in the industrial park.
	Infrastructure Improvements				The county has received, or will receive grant funding for economic development related projects from the Golden LEAF Foundation. One of the projects identified is the extension improvement of water/sewer lines along the U.S. 70 corridor, which will serve the new industrial park. The GL Board will approve the projects at their April meeting.	Submitted a copy of the Intent to Certify package for the West Smithfield Industrial Park prior to the April Board Meeting in support of the Town's grant proposal.
Downtown Redevelopment		Golden LEAF Grant	Public Works Department- Johnston County			

ACTIVITY	Renovation and redevelopment of Downtown properties	Redevelopment of the former Town Hall	PARTNER	RESOURCES NEEDED	STATUS	NOTES
					The final report on the redevelopment of the Old Town Hall by the UNC SOG graduate student class was presented on 30NOV17.	
						Identified a developer who has experience in renovating similar facilities in multiple municipalities across North Carolina, who has expressed an interest in the building and wants to explore it further. A conference call to discuss the project and potentially a building tour will be scheduled.
Internal/External Marketing					Tim Kerigan is the spokesperson for the Economic Development Program.	
		Identify the Economic Development Program Spokesman			Exploring options for newsletter.	
	External	Develop a newsletter			The marketing flyer has been reviewed and finalized, utilizing town staff resources.	The Electricities Smart Communities Grant Award receipt and its required match will be placed on the Town Council agenda for their February meeting.
	Internal/External	Develop Marketing Materials				

ACTIVITY	TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
	Strategic Communications Plan			Received a draft strategic communications plan, social media presentation, social media content calendar, and references to additional resources for social media.	The documents are being reviewed and assessed as to how best to utilize the information.
Johnston Community College					
Identify JCC needs that can be translated into economic development activities	Convene a meeting with JCC leadership to discuss opportunities for collaboration	JCC		Follow up meeting with Dr. Johnson and Dr. McGraw to continue earlier discussion and identify other areas of collaboration.	Follow-up with the college in regards to the building will be late in the Spring.
Incentives	Review the Town's Incentives to assess the Town's competitiveness			A list of typical incentive practices was developed for consideration of incentive proposals for current and future prospects	A conference call with Mike Scott, Mike Fleming, Tim and Rocky was conducted with Ernie Pearson, an attorney and SHEDC partner with extensive experiences in incentives was held to discuss practices and procedures.
Retirement Development	Determine interest in advancing this initiative				

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
Residential Development		Assess Housing Stock	Tax Office Planning Department Local Realtors		Working with the SEDAC Redevelopment Committee to explore options of increasing/enhancing the housing stock in the town limits, primarily near downtown.	
					The OTH was adopted by a graduate class of the UNC School of City and Regional Planning.	A conference call with Ernie Pearson and Mike Scott, Mike Fleming, Tim, and Rocky was held to discuss the various ways that residential renovation/revitalization/development might be encouraged.
Retail Development		Expanding the Retail offerings of the Town	Electricities-Retail Strategies		Discussions were held with a retail developer that has an interest in the town for a project.	
Public Education						Tim met with Supt. Renfro to discuss the Smithfield Economic Development program and explore areas of collaboration and support



**FINANCE DEPARTMENTAL REPORT FOR MARCH, 2018**

**SUMMARY OF ACTIVITIES:**

Daily Collections/Property Taxes/Other .....	\$2,473,236
Franchise Tax.....	251,714
Sales & Use Tax.....	242,911
Powel Bill.....	0
<b>Total Revenue</b>	<b>\$2,967,861</b>

Expenditures: General, Water, Electric and Firemen’s Fund..... \$3,163,967

**FINANCE:**

- Compiled and submitted monthly retirement report on 3/31/18
- Issued 54 purchase orders
- Processed 909 vendor invoices for payment and issued 475 accounts payable checks
- Prepared and processed 2 regular payrolls. Remitted federal and state payroll taxes on 3/9/2018 and 3/23/2018
- Issued 3 new privilege licenses (new law change in effect 7/1/2015)
- Collected \$340.00 on past due privilege license fees. **NOTE:** Total collected now at \$10,714. The past due collections are the result of mailing some 287 past due notices to local businesses. Approximately 40 second notices were sent
- Sent 0 past due notices for grass cutting
- Collected \$0 in grass cutting invoices. Total collected to date is \$7,026
- Processed 18 NSF Checks (Utility and SRAC)
- Bad debt calendar year-to-date collections total \$14,428.04 (EMS = \$4,403.25; SRAC = \$2,387.30; Utility= \$7,637.49; and Other = \$0).
- Invoiced five(5) grave openings for a total of \$3,500
- Invoiced Smithfield Housing Authority and Johnston Community College for Police Security
- Paid \$0 to First Citizens Bank for bank fees in February
- Paid \$5,063.36 to PNC Bank for credit/debit card fees
- Payroll Clerk received system budget training on March 12, 2018
- Payroll Clerk received system accounts receivable training on March 15, 2018

**FINANCE DIRECTOR**

- Attended Town Council Meeting on March 6, 2018
- Reviewed CDARS accounts for duplication of depositors to ensure no one depositor held more than the FDIC limit of \$250,000
- Reviewed child support payable accounts in each fund to verify withholdings and payments
- Viewed First Citizens Bank P-Card webinar
- Recommended and reviewed monthly utility bill format changes for better layout
- Submitted affidavit of software removal to LOGICS
- Completed Annual Report for NC Utilities Commission on March 19, 2018
- Attended department head meeting on March 20, 2018
- Prepared revenue projections for each fund
- Prepared and distributed form to collect/update employee emergency contact information and emails addresses.



Town of Smithfield  
 Planning Department  
 350 E. Market St Smithfield, NC 27577  
 P.O. Box 761, Smithfield, NC 27577  
 Phone: 919-934-2116  
 Fax: 919-934-1134

**BOARD ACTIONS REPORT - 2018**

	March	Calendar Year to date
<b>Town Council</b>		
Zoning Map Ammendments	4	4
Special Use Permit	2	3
Zoning Ordinance Amendments	1	3
Major Subdivisions	0	0
Annexations	0	0
Special Events	1	2
Site Plan	0	0
<b>Planning Board</b>		
Zoning Map Amendments	0	4
Zoning Ordinance Ammendments	2	5
Major Subdivisions	0	0
<b>Board of Adjustment</b>		
Variance	0	0
Admin Appeal	0	0
<b>Historic Properties Commission</b>		
Certificate of Appropriateness	0	0
Historic Landmarks	0	0



**Town of Smithfield**  
**Planning Department**  
**350 E. Market St Smithfield, NC 27577**  
**P.O. Box 761, Smithfield, NC 27577**  
**Phone: 919-934-2116**  
**Fax: 919-934-1134**

### Permit Issued for March 2018

				Permit Fees	Permits Issued
	Site Plan	Major Site Plan		200.00	2
	Zoning			\$25.00	1
	Zoning	Land Use		\$950.00	11
	Zoning	Sign		\$300.00	6
<b>Total:</b>				<b>\$1,475.00</b>	<b>20</b>
<b>Fiscal YTD Total:</b>				<b>\$12,525.00</b>	<b>178</b>
SP18-000003	Site Plan	Major Site Plan	Penn Compression Moulding	309 Components Drive	
Z18-000036	Zoning	Land Use	Pumpkin's Jewelry and Products	415 North Fifth Street	
Z18-000037	Zoning	Land Use	J & C New and Used Tires	515 South Brightleaf Blvd	
Z18-000022	Zoning	Land Use	Austin Manor Apartments	129 South Third Street	
Z18-000038	Zoning	Sign	Timberland	1025 Outlet Center Dr	
Z18-000039	Zoning	Land Use	Davis Floor Designs LLC	332 North Brightleaf Blvd	
Z18-000041	Zoning	Land Use	Driveway & Curb Reconstruction	506 South Seventh Street	
Z18-000043	Zoning	Land Use	Verizon	836 West Market Street	
Z18-000042	Zoning	Land Use	Johnston County Regional Airport	3149 Swift Creek Road	
Z18-000033	Zoning	Land Use	United Community Bank	128 North Second Street	
SP18-000005	Site Plan	Major Site Plan	Dollar General	429 West Market Street	
Z18-000044	Zoning	Sign	Firehouse Subs	515 Outlet Center Drive	
Z18-000046	Zoning	Sign	Smithfield Sign Design, Inc.	332 North Brightleaf Blvd	
Z18-000047	Zoning	Land Use	Existing SFD 16'x16' Shed Addition	305 Maplewood Drive	
Z18-000049	Zoning	Land Use	Pure Shenanigans Hair Salon	117 North Third Street	
Z18-000048	Zoning	Sign	Partnership for Children Donor Wall	600 Booker Dairy Road	
Z18-000050	Zoning	Sign	J & C New and Used Tires	515 South Brightleaf Blvd	
Z18-000051	Zoning	Sign	Panera Bread	1716 East Market Street	
Z18-000052	Zoning	Land Use	Accessory Structure	407 South Third Street	
Z18-000053	Zoning	Land Use	Detached Garage	216 West Turlington Street	



**TOWN OF SMITHFIELD  
POLICE DEPARTMENT  
MONTHLY REPORT  
MONTH ENDING March 31, 2018**

**I. STATISTICAL SECTION**

Month Ending Mar. 31, 2018	March 18	March 17	Total 2018	Total 2017	YTD Difference
Calls For Service	1940	2177	5466	5598	-132
Incident Reports Completed	135	168	414	467	-53
Cases Closed	98	108	289	307	-18
Accident Reports	71	69	201	199	2
Arrest Reports	93	129	293	363	-70
Burglaries Reported	5	12	16	26	-10
Drug Charges	34	35	94	122	-28
DWI Charges	5	12	16	25	-9
Citations Issued	248	226	630	658	-28
Speeding	51	64	149	243	-94
No Operator License	63	40	139	116	23
Registration Violations	43	25	111	87	24

**II. PERSONNEL UPDATE**

The police department currently has 1 vacant position. Officer resigned to work for the Johnston County Sheriff's Office. One officer is currently still in Field Training.

**III. MISCELLANEOUS**

Mandatory in-service training is underway for the department, which is currently being done on-line. The agency attended the CALEA conference in Frisco, Texas and the agency received its first Reaccreditation, which is good for four years. The department has been busy with community events during the month of March. The officers have had lunches with school students and also read to the students. Coffee with a Cop was held at McDonalds in West Smithfield during March.

## REPORTED UCR OFFENSES FOR THE MONTH OF MARCH 2018

PART I CRIMES	March	March	+/-	Percent	Year-To-Date		+/-	Percent
	2017	2018		Changed	2017	2018		Changed
MURDER	0	0	0	N.C.	0	0	0	N.C.
RAPE	0	0	0	N.C.	0	0	0	N.C.
ROBBERY	1	0	-1	-100%	6	4	-2	-33%
Commercial	0	0	0	N.C.	1	1	0	0%
Individual	1	0	-1	-100%	5	3	-2	-40%
ASSAULT	2	2	0	0%	10	8	-2	-20%
* VIOLENT *	3	2	-1	-33%	16	12	-4	-25%
BURGLARY	12	3	-9	-75%	25	14	-11	-44%
Residential	12	0	-12	-100%	22	6	-16	-73%
Non-Resident.	0	1	1	N.C.	1	3	2	200%
Commercial	0	2	2	N.C.	2	5	3	150%
LARCENY	39	28	-11	-28%	121	102	-19	-16%
AUTO THEFT	0	1	1	N.C.	1	2	1	100%
ARSON	0	0	0	N.C.	0	0	0	N.C.
* PROPERTY *	51	32	-19	-37%	147	118	-29	-20%
PART I TOTAL:	54	34	-20	-37%	163	130	-33	-20%
PART II CRIMES								
Drug	36	30	-6	-17%	99	98	-1	-1%
Assault Simple	9	16	7	78%	32	38	6	19%
Forgery/Counterfeit	8	6	-2	-25%	19	14	-5	-26%
Fraud	9	5	-4	-44%	22	20	-2	-9%
Embezzlement	1	1	0	0%	3	1	-2	-67%
Stolen Property	0	3	3	N.C.	1	7	6	600%
Vandalism	7	6	-1	-14%	24	11	-13	-54%
Weapons	4	1	-3	-75%	10	5	-5	-50%
Prostitution	0	0	0	N.C.	0	0	0	N.C.
All Other Sex Offens	2	1	-1	-50%	5	1	-4	-80%
Gambling	0	0	0	N.C.	0	0	0	N.C.
Offn Agnst Faml/Chld	0	0	0	N.C.	0	1	1	N.C.
D. W. I.	11	5	-6	-55%	23	15	-8	-35%
Liquor Law Violation	0	1	1	N.C.	0	2	2	N.C.
Disorderly Conduct	2	1	-1	-50%	3	2	-1	-33%
Obscenity	0	0	0	N.C.	0	1	1	N.C.
Kidnap	0	0	0	N.C.	0	0	0	N.C.
All Other Offenses	8	8	0	0%	23	20	-3	-13%
PART II TOTAL:	97	84	-13	-13%	264	236	-28	-11%
===== GRAND TOTAL:	151	118	-33	-22%	427	366	-61	-14%

N.C. = Not Calculable



**Town of Smithfield  
Fire Department  
March, 2018**

**I. Statistical Section**

Responded to	2018 Mar.	Mar. IN	Mar. OUT	2017 Mar.	2018 IN	2018 OUT	2018 YTD	2017 YTD
<b>Total Structure Fires Dispatched</b>	<b>8</b>	<b>6</b>	<b>2</b>	<b>11</b>	<b>21</b>	<b>14</b>	<b>35</b>	<b>36</b>
*Confirmed Structure Fires (Our District)*	4	3	1	2	9	3	12	14
*Confirmed Structure Fires (Other Districts)*	0	0	0	2	0	0	1	15
<b>EMS/Rescue Calls</b>	<b>159</b>	<b>155</b>	<b>4</b>	<b>155</b>	<b>432</b>	<b>28</b>	<b>460</b>	<b>422</b>
<b>Vehicle Fires</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>1</b>	<b>8</b>	<b>0</b>
<b>Motor Vehicle Accidents</b>	<b>16</b>	<b>14</b>	<b>2</b>	<b>13</b>	<b>43</b>	<b>4</b>	<b>47</b>	<b>39</b>
<b>Fire Alarms (Actual)</b>	<b>8</b>	<b>8</b>	<b>0</b>	<b>13</b>	<b>28</b>	<b>4</b>	<b>32</b>	<b>35</b>
<b>Fire Alarms (False)</b>	<b>6</b>	<b>6</b>	<b>0</b>	<b>8</b>	<b>26</b>	<b>3</b>	<b>29</b>	<b>19</b>
<b>Misc./Other Calls</b>	<b>26</b>	<b>15</b>	<b>11</b>	<b>19</b>	<b>46</b>	<b>19</b>	<b>65</b>	<b>56</b>
*Mutual Aid (Received)*	9	0	0	6	0	0	21	18
*Mutual Aid (Given)*	4	0	0	9	0	0	20	27
*Overlapping Calls (Calls at the same time)*	29	0	0	23	0	0	94	61
<b>TOTAL EMERGENCY RESPONSES</b>	<b>226</b>	<b>208</b>	<b>18</b>	<b>219</b>	<b>603</b>	<b>73</b>	<b>676</b>	<b>607</b>

\* Denotes the breakdown of calls, these are not calculated into the totals \*  
**IN/OUT** denotes in and out of the Town, not outside the fire district. When we respond to another fire district (Mutual Aid), which is outside of our total fire district boundaries that is reported in (**Other Districts**).

	Mar.	YTD
Fire Inspections/Compliance Inspections	36	90
Public Fire Education Programs	2	6
Children in Attendance	18	45
Adults in Attendance	17	56
Plans Review Construction/Renovation Projects	5	23
Fire Code Citations	0	0
Fire Lane Citations	0	0
Consultation/Walk Through	27	84
Re-Inspections	12	69

**II. Major Revenues**

	Mar.	YTD
<b>Inspections</b>	<b>\$1,700.00</b>	\$4,025.00
<b>False Alarms</b>	<b>\$375.00</b>	\$1,850.00
<b>Fire Recovery USA</b>	<b>\$0.00</b>	\$3,086.40
<b>EMS Debt Setoff</b>	<b>\$4,277.67</b>	\$4,403.25

## **Major Expenses for the Month:**

### **III. Personnel Update:**

### **IV. Narrative of monthly departmental activities:**

- We participated in Fire prevention programs throughout the month of March: Smithfield 1<sup>st</sup> Seventh Day Adventist Church, a Flag Ceremony at the American Legion building, West Smithfield Elementary and at the SSS high school fire program.
- March 8<sup>th</sup> we were officially notified of our recent ISO inspection completed on January 9<sup>th</sup> 2018. The new Fire Rating for our district is now a Class 3, improving from a Class 4. This change will not take effect until June 1<sup>st</sup> 2018.

**Town of Smithfield  
Public Works Department  
March 31, 2018**



179 Total Work Orders completed by the Public Works Department

5 Burials, at \$700.00 each = \$3,500.00

0 Cremation Burial, \$400.00 each = \$0

\$2,000.00 Sunset Cemetery Lot Sales

\$0.00 Riverside Extension Cemetery Lot Sales

397.38 tons of household waste collected

144 tons of yard waste collected

6.25 tons of recycling collected

A total of 137 gallons of used motor oil and 30 gallons of antifreeze were recycled.

**Town of Smithfield**  
**Public Works Appearance Division**  
**Cemetery, Landscapes, and Grounds Maintenance**  
**Buildings, Facilities, and Sign Division**  
**Monthly Report**  
**March 31, 2018**



**I. Statistical Section**

5 \_\_\_\_\_ Burials  
7 \_\_\_\_\_ Works Orders – Buildings & Facilities Division  
19 \_\_\_\_\_ Work Orders – Grounds Division  
38 \_\_\_\_\_ Work Orders – Sign Division

**II. Major Revenues**

Sunset Cemetery Lot Sales:	\$2,000.00
Riverside Ext Cemetery Lot Sales:	\$0.00
Grave Opening Fees:	\$3,500.00
Total Revenue:	\$5,500.00

**III. Major Expenses for the Month:**

None for the month.

**IV. Personnel Update:**

None for the month

**V. Narrative of monthly departmental activities:**

The overall duties include daily maintenance on cemeteries, landscapes, right-of-ways, buildings and facilities. The Public Works Department safety meeting was on "Workplace Violence Prevention – Part II".

**Town of Smithfield  
Public Works Drainage/Street Division  
Monthly Report  
March 31, 2018**



**I. Statistical Section**

- a. All catch basins in problem areas were cleaned on a weekly basis
- b. Put down 58 tons of 57 stone on paths in Oakland Cemetery.
- c. 1 - Work Order – 140 Linear Feet Drainage Pipe installed.
- d. Mulched in street trees on Pine Street and Old Goldsboro Road.
- e. 21 - Work Orders – 1,470lbs. of Cold Patch was used for 37 Potholes.

**II. Major Revenues**

None for the month

**III. Major Expenses for the Month:**

\$675.00 to H D Supply for pallet of Perma Patch asphalt, \$1,833.30 to ADS for drainage pipe in Sunset Cemetery, \$14,900.83 to Withers Ravenal Inc. for Pavement Condition Survey.

**IV. Personnel Update:**

None for the month

**V. Narrative of monthly departmental activities:**

The Public Works Department safety meeting was on "Workplace Violence Prevention – Part 2".

**Town of Smithfield  
Public Works Department  
March 31, 2018 Drainage Report**

Location: 310-312 E Church Street, 405 N 5<sup>th</sup> Street, 410 Canterbury, 904 S 5<sup>th</sup>, 5<sup>th</sup> and Dundee, N Sussex and Canterbury, Town Hall Parking Lot, Front and Market, 408-502-510-806 North Street, Strickland and W Market, Outlet Center Drive near Outback, Computer and Fairway, Bridge and Front, Bingham and Chestnut, 1<sup>st</sup> and Hood, Hood and Crescent, Venture and Magnolia.

Starting Date: 3/2/2018  
 Completion Date: 3/28/2018  
 Description: Repaired 37 potholes with Perma Patch asphalt.  
 Man-hours: 6.92 hrs.  
 Equipment: 905 & 402 pickup plus hand tools.  
 Materials: 24.5 bags of Perma Patch asphalt.

Location: E Market at Underpass.  
 Starting Date: 3/2/2018  
 Completion Date: 3/2/2018  
 Description: Tree down across roadway. Tree was cut up and removed.  
 Man-hours: 7hrs.  
 Equipment: Line truck, 301 knuckleboom plus hand tools.  
 Materials: N/A

Location: MLK culvert at Housing Authority.  
 Starting Date: 3/2/2018  
 Completion Date: 3/2/2018  
 Description: Cleaned our blockage from culvert for positive drainage.  
 Man-hours: 1hr.  
 Equipment: 401 pickup plus hand tools.  
 Materials: N/A

Location: Whitley Drive and Fareway, Franklin and Bright Leaf, 9<sup>th</sup> and Massey, Massey and 7<sup>th</sup>.  
 Starting Date: 3/5/2018  
 Completion Date: 3/13/2018  
 Description: Replaced faded stop signs at Massey and 7<sup>th</sup> and Massey and 9<sup>th</sup> Street. Replaced missing street blades at Whitley and Fareway and Franklin and Bright Leaf.  
 Man-hours: 3hrs.  
 Equipment: 401 pickup plus hand tools.  
 Materials: 2 new 30 x 30 stop signs, 1 new 10ft u-channel pole and 4 street blades.

Location: Sunset Cemetery.  
 Starting Date: 3/7/2018  
 Completion Date: 3/7/2018  
 Description: Had to replace the 15" drainage out fall line from the catch basin behind the mausoleum to the main ditch in the rear of the cemetery.  
 Man-hours: 32hrs.  
 Equipment: Mini excavator, 402 pickup plus hand tools.  
 Materials: 140ft of 15" HDPE drain line, 45degree elbow and 15" coupling.

Location: 909 E Lee Street (Sarah Yard Center).  
Starting Date: 3/9/2018  
Completion Date: 3/9/2018  
Description: Drive way was leveled and scraped for Police department.  
Man-hours: 1hr.  
Equipment: Bobcat tractor with leveler attachment.  
Materials: N/A

Location: S 2<sup>nd</sup> and Rose Street (AG Lee Building).  
Starting Date: 3/14/2018  
Completion Date: 3/14/2018  
Description: Trimmed back the low hanging limbs from the sidewalk and facility.  
Man-hours: 12hrs.  
Equipment: 905 pickup, dump trailer plus hand tools.  
Materials: N/A

Location: Pine Street and Old Goldsboro Road.  
Starting Date: Mulched in the street trees in the subdivision.  
Completion Date: 3/14/2018  
Description: 3/14/2018  
Man-hours: 16hrs.  
Equipment: 905 pickup, dump trailer plus hand tools.  
Materials: 8 yards of mulch.

Location: S 2<sup>nd</sup> Street at court house.  
Starting Date: 3/15/2018  
Completion Date: 3/16/2018  
Description: Painted parking spaces and no parking zones.  
Man-hours: 12.5hrs.  
Equipment: 401 pickup plus hand tools.  
Materials: 1 gallon of white and 1 ½ gallon of yellow traffic paint.

Location: East Street at dead end.  
Starting Date: 3/20/2018  
Completion Date: 3/20/2018  
Description: Blew out 400LF of storm drain for positive drainage.  
Man-hours: 33hrs.  
Equipment: jet truck, 401 pickup plus hand tools.  
Materials: N/A

Location: 417 S Bright Leaf (ABC)  
Starting Date: 3/23/2018  
Completion Date: 3/23/2018  
Description: Repaired damaged drain line in rear of facility for positive drainage.  
Man-hours: 17.5hrs.  
Equipment: 408 flatbed, Jet truck, 420 backhoe.  
Materials: 2 yards of 3000psi concrete.

Location: W Caroline Ave, S Crescent and S 1<sup>st</sup> Street.  
Starting Date: 3/21/2018  
Completion Date: 3/21/2018  
Description: Scraped dirt roads.  
Man-hours: 18hrs.  
Equipment: 420 Cat backhoe plus hand tools.  
Materials: N/A

Location: Oakland Cemetery.  
Starting Date: 3/27/2018  
Completion Date: 3/27/2018  
Description: Hauled in rock and scraped paths in the cemetery  
Man-hours: 16hrs.  
Equipment: 405 Dump truck and bob cat tractor with leveling attachment.  
Materials: 58 tons of 57 stone.

**Town of Smithfield  
Public Works Fleet Maintenance Division  
Monthly Report  
March 31, 2018**



**I. Statistical Section**

- 1 Preventive Maintenances
- 0 North Carolina Inspections
- 31 Work Orders

**II. Major Revenues**

None for the month

**III. Major Expenses for the Month:**

None for the month

**IV. Personnel Update:**

None for the month

**V. Narrative of monthly departmental activities:**

The shop employee performed preventive maintenances on all Town owned generators. The Public Works Department safety meeting was on "Workplace Violence Prevention – Part II".

**Town of Smithfield  
Public Works Sanitation Division  
Monthly Report  
March 31, 2018**



**I. Statistical Section**

The Division collected from approximately 4100 homes, 4 times during the month

- a. Sanitation forces completed 67 work orders
- b. Sanitation forces collected tons 397.38 of household waste
- c. Sanitation forces disposed of 72 loads of yard waste and debris at Spain Farms Nursery
- d. Recycled 0 tons of clean wood waste (pallets) at Convenient Site Center
- e. Town's forces collected 0 tons of construction debris (C&D)
- f. Town disposed of 0 scrap tires that was collected at Convenient Site Center
- g. Recycling forces collected 5.76 tons of recyclable plastic
- h. Recycled 1260 lbs. of cardboard material from the Convenient Site Center
- i. A total of 137 gals of used oil was collected at the Convenient Site Center
- j. Recycled 0 lbs. of plastics & glass (co-mingle) from the Convenient Site Center
- k. A total of 30 gals. Used Anti Freeze was collected at the Convenient Site Center

**II. Major Revenues**

- a. Received \$45.93 from Sonoco Products for cardboard material
- b. Sold 0 lbs. of aluminum cans for \$0
- c. Sold 1620 lbs. of shredder steel for \$101.25 to Omni Source

**III. Major Expenses for the Month:**

Spain Farms Nursery was paid \$3696.00 for disposal of yard waste and debris.

**IV. Personnel Update:**

No new employee was hired.

**V. Narrative of monthly departmental activities:**

The department worked closely with Parks & Recreation providing traffic control devices and event containers for special events held at the SRAC. The Public Works Department safety meeting was on "Workplace Violence Prevention – Part II".

Community Service Workers worked 104.49 hrs.



## PARKS AND RECREATION

### MONTHLY REPORT FOR MARCH, 2018

<b>PROGRAMS STATISTICS</b>	<b>MARCH, 2018</b>		<b>MARCH, 2017</b>	
NUMBER OF PROGRAMS	13		20	
TOTAL ATHLETICS PARTICIPANTS	108		274	
TOTAL NON/ATHLETIC PARTICIPANTS	346		348	
NUMBER OF GAMES PLAYED	19		6	
TOTAL NUMBER OF PLAYERS (GAMES)	472		120	
NUMBER OF PRACTICES	89		34	
TOTAL NUMBER OF PLAYER(S) PRACTICES	1156		672	
	<b>MARCH, 2018</b>	<b>17/18 FY YTD</b>	<b>MARCH, 2016</b>	<b>15/16 FY YTD</b>
PARKS RENTALS	31	169	12	144
USERS (PARKS RENTALS)	642	13920	1492	10793
<b>TOTAL UNIQUE CONTACTS</b>	<b>2,724</b>		<b>2,906</b>	
	<b>MARCH, 2018</b>	<b>17/18 FY YTD</b>	<b>MARCH, 2017</b>	<b>16/17 FY YTD</b>
PARKS AND RECREATION REVENUES	\$ 11,250.25	\$ 68,842.55	\$ 12,788.88	\$ 55,701.47
PARKS AND RECREATION EXPENDITURES (OPERATIONS)	\$ 48,838.90	\$ 481,099.90	\$ 58,698.94	\$ 466,173.71
PARKS AND RECREATION EXPENDITURE (CAPITAL OUTLAY EQUIP)	\$ 1,345.95	\$ 133,807.49	\$ 56,291.20	\$ 137,670.24

#### HIGHLIGHTS

OPENED THE SARAH YARD COMMUNITY CENTER ON MARCH 26  
 OPENING DAY FOR MIRACLE LEAGUES ON THE NEWLY COMPLETED MRACLE LEAGUE FIELD  
 HOSTED USSSA GIRLS SOFTBALL TOURNAMENT



**SMITHFIELD RECREATION  
AND AQUATICS CENTER**

**SRAC MONTHLY REPORT FOR MARCH, 2018**

<b>PROGRAMS SATISTICS</b>	<b>MARCH, 2018</b>		<b>MARCH, 2017</b>	
NUMBER OF PROGRAMS	28		31	
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	2616		1908	
	<b>MARCH, 2018</b>	<b>17/18 FY YTD</b>	<b>MARCH, 2017</b>	<b>16/17 FY YTD</b>
SRAC MEMBER VISITS	5382	44909	5985	46571
DAY PASSES	612	6355	623	6362
RENTALS (SRAC)	55	662	61	607
USERS (SRAC RENTALS)	2905	27423	2325	30630
<b>TOTAL UNIQUE CONTACTS</b>	<b>11,515</b>	<b>97,329</b>		
<b>FINANCIAL STATISTICS</b>	<b>MARCH, 2018</b>		<b>MARCH, 2017</b>	
	<b>MARCH, 2018</b>	<b>17/18 FY YTD</b>	<b>MARCH, 2017</b>	<b>16/17 FY YTD</b>
SRAC REVENUES	\$ 63,896.00	\$ 545,341.95	\$ 62,190.46	\$ 481,445.82
SRAC EXPENDITURES	\$ 68,583.75	\$ 658,415.06	\$ 76,586.84	\$ 650,204.51
SRAC MEMBERSHIPS	3208			

**HIGHLIGHTS**

HOSTED ZUMBATHON  
 HOSTED CAROLINA EASTERN REGIONAL VOLLEY BALL TOURNAMENT  
 12 TEAMS and over 500 VISITS



- **Statistical Section**

- Electric CP Demand 20,694 Kw relative to February's demand of 20,200 Kw.
- Electric System Reliability for was 99.998%, with one (1) recorded outage; relative to February's 99.999%.
- Raw water treated on a daily average was 3.471 MG relative to 3.443 MG for February; with maximum demand of 3.794 MG relative to February's 3.906 MG.
- Total finished water to the system was 99.721 MG relative to February's 91.107 MG. Average daily for the month was 3.217 MG relative to February's 2.939 MG. Daily maximum was 3.603 MG (March 20<sup>th</sup>) relative to February's 3.586 MG. Daily minimum was 2.390 (March 14<sup>th</sup>), relative to February's 2.854 MG.

- **Miscellaneous Revenues**

- Water sales were \$184,373 relative to February's \$225,646
- Sewer sales were \$279,191 relative to February's \$337,593
- Electrical sales were \$1,175,870 relative to February's sales of \$1,453,702
- Johnston County Water purchases were \$137,776 for 68.888 MG relative to February's \$108,990 for 54.495 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$942,674 relative to February's \$881,891
- Johnston County sewer charge was \$186,537 for 58.669 MG relative to February's \$163,280 for 51.397 MG.

- **Personnel Changes –**

- David Rodriguez resigned on March 5, 2018 as a Utility Line Mechanic
- John Pilkington resigned on March 23, 2018 as a Utility Line Mechanic
- Robert Fuller resigned on March 29, 2018 as a Water Plant Operator II
- Chad van Antwerp was hired on March 12, 2018 as an Electric Line Technician



**Town of Smithfield  
Electric Department  
Monthly Report  
March, 2018**

**I. Statistical Section**

- Street Lights repaired –26
- Area Lights repaired -10
- Service calls – 43
- Underground Electric Locates –119
- Poles changed out, installed or removed-1
- Underground Services Installed/Repaired -1

**II. Major Revenues**

- N/A

**III. Major Expenses for the Month:**

- N/A

**IV. Personnel Update:**

- Utility Dept. had a Safety meeting on Hearing Conservation.

**V. Miscellaneous Activities:**

- Continuing work on Bookerdairy Rd. Project. All Overhead Tap lines have been installed & transferred over to the new line. Directional boring is complete & all Underground primary lines have been installed & transferred over to the new line.
- Assisted Water Plant in installation of Cameras & CCTV lines.



## **MONTHLY WATER LOSS REPORT**

**MARCH, 2018**

### **(4) Meters with slow washer leaks**

**2" Line, 1/8" hole – 1 days**

**2" Tee, Slow drip – 1 month**

**2" valve – 4hrs**

**3/4" Line, 1/8" hole – 3days**

**(2) 3/4" Line, 1/16" hole – 1day**

**1 1/2 Line, 1/16 hole – 3 weeks**

**Fire Hydrant, full flow – 4hrs**



## WATER & SEWER MARCH 2018 MONTHLY REPORT

● DISCONNECT WATER	8
● RECONNECT WATER	2
● TEST METER	1
● TEMPORARY METER SET	2
● DISCOLORED WATER CALLS	5
● LOW PRESSURE CALLS	4
● NEW/RENEW SERVICE INSTALLS	2
● LEAK DETECTION	17
● METER CHECKS	26
● METER REPAIRS	21
● WATER MAIN/SERVICE REPAIRS	7
● STREET CUTS	8
● REPLACE EXISTING METERS	16
● INSTALL NEW METERS	4
● FIRE HYDRANTS REPAIRED	1
● FIRE HYDRANTS REPLACED	1
● SEWER REPAIRS	11
● CLEANOUTS INSTALLED	4

- SEWER MAIN CLEANED 1250LF
- SERVICE LATERALS CLEANED 595LF
- SERVICE CALLS 132
- LOCATES 136
  
- SERVICE AND MAINTAINED ALL 18 LIFT STATIONS 2 TIMES PER WEEK
- INSPECTED ALL AERIAL SEWERS ONE TIME
- INSPECTED HIGH PRIORITY MANHOLES WEEKLY

## MAJOR EXPENSES FOR THE MONTH

## PERSONNEL UPDATES

- DAVID RODRIGUEZ RESIGNED
- JOHN PILKINGTON RESIGNED

## UPCOMING PROJECTS FOR THE MONTH OF APRIL

- BRASWELL WILL FINISH BOOKER DAIRY ROAD.
- BRASWELL WILL FINISH SEWER REPLACEMENT AT DURHAM ST THIS MONTH.

**Smithfield Water Plant**

Distribution Sampling Site Plan

**Hydrant Flushing**

2,832,078

Street Name	Date	Chlorine	Time	Gallons	Psi	Street Name	Date	Chlorine	Time	Gallons	PSI
Stephson Drive	03/21/18	1	15	7965	10	North Street	03/21/18	1.5	15	17820	40
Computer Drive	03/21/18	1.2	15	31860	10	West Street	03/21/18	1	30	156060	50
Castle Drive	03/21/18	1.2	15	7965	10	Regency Drive	03/21/18	1	15	63720	60
Parkway Drive	03/21/18	1.2	15	63720	40	Randers Court	03/21/18	1	15	15930	40
Garner Drive	03/21/18	1	15	63723	40	Noble Street	03/21/18	1	15	15930	40
Hwy 210 LIFT ST.	03/21/18	1	30	31860	40	Fieldale Dr#1(L)	03/21/18	1	15	63720	40
Skyland Drive	03/21/18	1.5	15	7965	10	Fieldale Dr#2(R)	03/21/18	1	15	63720	40
Bradford Street	03/21/18	1.1	30	31860	10	Heather Court	03/21/18	1	15	15930	40
Kellie Drive	03/22/18	0.9	30	15930	10	Reeding Place	03/21/18	1	15	15930	40
Edgewater	03/22/18	1	15	7965	10	East Street	03/21/18	1	30	127440	40
Edgecombe	03/22/18	1	15	15930	40	Smith Street	03/21/18	1	15	63720	40
Valley Wood	03/22/18	0.9	30	127440	40	Wellons Street	03/21/18	0.5	15	63720	40
Creek Wood	03/22/18	0.9	30	127440	40	Kay Drive	03/27/18	1.5	15	38985	15
White Oak Drive	03/22/18	0.9	30	15930	10	Huntington Place	03/27/18	1.5	15	38985	15
Brookwood Drive	03/22/18	1	30	45030	5	N. Lakeside Drive	03/27/18	2	15	9750	15
Runnymede Place	03/22/18	1	30	63720	10	Cypress Point	03/27/18	2	15	34890	12
Nottingham Place	03/22/18	1.4	15	31860	10	Quail Run	03/27/18	2	15	8715	12
Heritage Drive	03/22/18	1	30	63720	10	British Court	03/27/18	2	15	8715	12
Noble Plaza #1	03/23/18	1	30	15930	10	Tyler Street	03/27/18	2.4	15	78030	60
Noble Plaza #2	03/23/18	1	30	15930	10	Yelverton Road	03/21/18	1	15	63720	40
Pinecrest Street	03/23/18	0.8	30	15930	10	Ava Gardner	03/21/18	1.2	15	63720	40
S. Sussex Drive	03/23/18	1.4	15	31860	10	Waddell Drive	03/21/18	1	15	7965	10
Elm Drive	03/23/18	1.1	30	15930	10	Henly Place	03/21/18	1.2	15	8715	12
Bradford Street	03/21/18	1.1	30	63720	10	Birch Street	03/21/18	1.2	15	34890	12
Coor Farm Supply	3/23/218	1.2	15	7965	10	Pine Street	03/21/18	1	15	38985	15
Old Goldsboro Rd,	03/23/18	1.2	15	7965	10	Oak Drive	03/21/18	1.2	15	37695	14
Hillcrest Drive	03/21/18	1.5	15	31860	10	Cedar Drive	03/21/18	1.4	15	31860	10
Eason Street	03/21/18	1.5	15	15930	40	Aspen Drive	03/21/18	0.9	15	34890	12
Magnolia circle	03/23/18	1.2	30	156060	40	Furlonge Street	03/21/18	1.2	15	34890	12
Rainbow Drive	03/21/18	2	15	19500	60	Golden Corral	03/21/18	1	15	40290	16
Rainbow Circle	03/21/18	2	15	19500	60	Holland Drive	03/21/18	1	15	9750	15
Moonbeam Circle	03/21/18	2	15	19500	60	Davis Street	03/21/18	1	15	34890	12
Ray Drive	03/23/18	0.3	15	15930	60	Caroline Ave.	03/21/18	1	15	31860	10
Will Drive	03/23/18	0.2	15	63720	40	Johnston Street	03/21/18	1	15	38985	15
Michael Lane	03/21/18	0.5	15	63720	40	Ryans	03/21/18	1	90	58500	15
Ward Street	03/21/18	0.2	15	15930	40						

**Town of Smithfield  
Water Treatment Plant**

All figures are in MGD.

Mar-18  
Plant Totals

Date	Rate of Flow	Hrs. Operated	Raw Treated	Finish Metered	Plant Useage	Finish to Dist. System	% of RAW TREATED TO SYSTEM
1	3.75	24.0	3.763	3.391	0.0650	3.326	88.39
2	3.75	22.0	3.446	3.430	0.0550	3.375	97.94
3	3.75	21.0	3.276	3.211	0.0540	3.157	96.37
4	3.75	21.0	3.253	3.289	0.0520	3.237	99.51
5	3.75	21.5	3.376	3.433	0.0770	3.356	99.41
6	3.75	22.0	3.472	3.206	0.0900	3.116	89.75
7	3.75	24.0	3.794	3.547	0.0630	3.484	91.83
8	3.75	22.0	3.469	3.337	0.0760	3.261	94.00
9	3.75	23.0	3.620	3.200	0.0660	3.134	86.57
10	3.75	18.0	2.833	2.891	0.0830	2.808	99.12
11	3.75	19.5	3.008	3.137	0.0900	3.047	101.30
12	3.75	22.5	3.522	3.153	0.0610	3.092	87.79
13	3.75	23.0	3.604	3.553	0.0890	3.464	96.12
14	3.75	23.0	3.631	3.401	0.0590	3.342	92.04
15	3.75	18.5	2.903	2.440	0.0500	2.390	82.33
16	3.75	22.0	3.417	3.048	0.0510	2.997	87.71
17	3.75	20.5	3.217	3.091	0.0520	3.039	94.47
18	3.75	22.0	3.440	3.263	0.0540	3.209	93.28
19	3.75	23.0	3.576	3.314	0.0520	3.262	91.22
20	3.75	23.0	3.589	3.665	0.0620	3.603	100.39
21	3.75	24.0	3.773	3.650	0.0540	3.596	95.31
22	3.75	24.0	3.771	3.449	0.0540	3.395	90.03
23	3.75	24.0	3.744	3.308	0.0860	3.222	86.06
24	3.75	22.5	3.514	3.317	0.0870	3.230	91.92
25	3.75	21.0	3.272	3.103	0.0840	3.019	92.27
26	3.75	22.0	3.467	3.389	0.0640	3.325	95.90
27	3.75	23.0	3.557	3.338	0.0510	3.287	92.41
28	3.75	22.5	3.504	3.173	0.0520	3.121	89.07
29	4.00	21.5	3.569	3.280	0.0860	3.194	89.49
30	4.00	21.5	3.580	3.217	0.0850	3.132	87.49
31	4.00	22.0	3.656	3.588	0.0870	3.501	95.76
Total	117.00	683.5	107.616	101.812	2.091	99.721	92.66
Avg	3.77	22.0	3.471	3.284	0.067	3.217	
Max	4.00	24.0	3.794	3.665	0.090	3.603	
Min	3.75	18.0	2.833	2.440	0.050	2.390	