

The Smithfield Town Council met in regular session on Tuesday, April 6, 2021 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

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

Councilmen Absent

Administrative Staff Present

Michael Scott, Town Manager
John Blanton, Fire Chief
Ted Credle, Public Utilities Director
Lawrence Davis, Public Works Superintendent
Gary Johnson, Parks & Rec Director
Shannan Parrish, Town Clerk
R. Keith Powell, Chief of Police
Greg Siler, Finance Director
Stephen Wensman, Planning Director

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

Also Present

Bob Spence, Town Attorney

Administrative Staff Absent

Tim Kerigan, Human Resources/PIO

CALL TO ORDER

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

INVOCATION

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

APPROVAL OF AGENDA:

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

PRESENTATIONS:

1. Recognition of Public Works Director Lenny Branch's 26+ years of service to the Town of Smithfield

Mayor Moor presented retiring Public Works Director Lenny Branch with a plaque and a watch honoring his service to the Town of Smithfield. Mayor Moore expressed his appreciation to Mr. Branch for his dedication to the Town of Smithfield.

2. Administration of the Oath of Office to new Police Officer Jonathan Joyner

Mayor Moore administered the Oath of Office to new Police Officer Jonathan Joyner and welcomed him to the Town of Smithfield.

3. Proclamation – Proclaiming April 18, 2021 as Electric Lineman Appreciation Day in the Town of Smithfield

Mayor Moore presented the following proclamation to Electric Lineman Thomas Harper who received it on behalf of the Town's Electric Lineman.

**Town of Smithfield
Proclamation
Electrical Lineman Appreciation Day
April 18, 2021**

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, 2021** 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.

4. 2020 American Public Power Association (APPA) Safety Award of Excellence

Public Utilities Director Ted Credle informed the Town Council that the Electric Department had received the 2020 American Public Power Association Safety of Excellence Award.

5. 2021 American Public Power Association (APPA) Reliable Public Power Provider (RP3) Award

Public Utilities Director Ted Credle informed the Town Council that the Electric Department had received the 2021 American Public Power Association Reliable Public Power Provider Award. The Town is now designated as a diamond utility which is an improvement from the previous platinum status.

PUBLIC HEARINGS:

1. **UDO Text Amendment Request: Town of Smithfield (ZA-21-02):** The applicant was requesting an amendment to the Town of Smithfield Unified Development Ordinance, Article 6, Table 6.6 Table of Uses and Activities to allow for a pharmaceutical manufacturing as a permitted use by right in the light industrial zoning district and to amend Article 8.10 to allow for a maximum building height of 80 feet within the light industrial zoning district

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

Planning Director Stephen Wensman explained staff was requesting to amend Article 6, Section 6.6 to change pharmaceutical manufacturing from a special use with supplementary standards to a permitted use with supplementary standards in the Light Industrial District. Pharmaceutical manufacturing was called out in the table of uses as a special use to give the Town the ability to address any adverse issues with wastewater. The NC Department of Environmental Quality already reviews such uses for adverse impacts; therefore, the Town's review is duplicative and puts the town at a disadvantage when trying to attract such manufacturing.

Staff was further requesting to amend Article 8, Section 8.10 because it currently limits light industrial buildings to 40-feet and up to 100-feet with a special use permit. Many industrial users are looking for taller buildings, up to 80-feet. The Fire Department is equipped with ladder trucks for fighting fires in tall buildings. The special use permit for buildings over 40-feet is an impediment to marketing the light industrial properties in the town.

Planning Staff and the Planning Board (unanimously) recommend approval of the zoning text amendment, ZA-21-02, with a statement declaring 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 the Council in written form in the April 6, 2021 agenda packet.

Mayor Moore asked if there were any questions from Council.

Councilman Scott questioned why the height of a building would be restricted. Mr. Wensman responded the building height would be restricted because the Fire Department can only handle fires up to 100 feet.

Mayor Pro-Tem Dunn questioned the number of requests the Town has received for exceeding the building height requirement. Mr. Wensman responded the Town has received two requests since he has been the Planning Director.

Mayor Moore asked Fire Chief John Blanton for his input on the proposed height change. Chief Blanton responded that the Fire Department was capable of handling up to 100 feet.

Mayor Moore asked if there was anyone in attendance who wished to speak on the matter. There was no one in attendance that wished to speak on the matter.

Pam Lampe of 415 North Second Street asked for Mr. Wensman to expand on the wastewater portion of the proposed UDO amendment. Mr. Wensman responded in speaking with Johnston County Economic Development Director Chris Johnson that pharmaceutical companies are heavily regulated by NCDEQ. His expertise lies with them and to have that language in the UDO would be redundant.

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

Councilman Scott made a motion, seconded by Councilman Rabil, to approve zoning text amendment, ZA-21-02, amending Article 6, Section 6.6 to change pharmaceutical

manufacturing to a permitted use with supplemental standards in the Light Industrial District; and Article 8, Section 8.10 to change the maximum building height to 80 feet in the Light Industrial District finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

**ORDINANCE # ZA-21-02
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ARTICLE 6 ZONING DISTRICTS, SECTION 6.5
TABLE OF USES AND ACTIVITIES AND
ARTICLE 8, SECTION 8.10 LI LIGHT INDUSTRIAL DISTRICT**

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 as it pertains pharmaceutical manufacturing in the Light Industrial District and Building Height in the Light Industrial District; and

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; and

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 Article 6, Zoning Districts, Section 6.5 Table of Uses and Activities to allow for the Exterminating Services as a use by right in the Light Industrial (LI) zoning district.]

Excerpt of Article 6, Zoning Districts, Section 6.5 Table of Uses and Activities to be amended as follows.

Uses	B-2	B-3	LI	HI
Pharmaceutical Manufacturing			SS <u>PS</u>	PS

AND

[Revise Article 8, Section 8.15 LI Light Industrial District to allow for maximum height of 80 feet.]

SECTION 8.10 LI LIGHT INDUSTRIAL DISTRICT. 8.10.1. Dimensional Requirements.

F) Maximum Building Height	40 <u>80</u> ft
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PART 2

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

PART 3

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

- 2. Conditional Zoning Request: Courtyard Cabins at White Swan (CZ-21-01)** The applicant is seeking conditional zoning approval for the rezoning of approximately 2.68 acres from the B-3 and R-20A zoning district to the B-3 conditional zoning district for the creation of 14 additional rental cabins. The properties considered for rezoning are located at Galilee Road approximately 400 feet northeast of its intersection with South Brightleaf Boulevard and further identified as Johnston County Tax ID #15J10061W and 15J10061F

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

Planning Director Stephen Wensman explained the site was currently developed with a motel and (4)-400 sq. ft. stand-alone cabins on 2.53 acres with street access from S. Brightleaf Boulevard and Galilee Road. The property surrounds the White Swan Barbecue at the corner of South Brightleaf

Boulevard and Galilee Road. The proposed rezoning is accompanied with a plan for the expansion and upgrade of the site with an additional (14)-598 sq. ft. cabins on 2.83-acres of land to be developed in three phases. The expansion includes the redevelopment of an existing 0.3-acre residential property that will be combined with the larger property through a lot recombination.

The site improvements include:

- A new one-way vehicular drive consisting of two 30" wide concrete wheel runners, 44" apart to accommodate all vehicles including emergency service vehicles.
- Reduced and minimized impervious surfaces to lessen impact on stormwater management (center of vehicular drive will include #57 stone, 2' deep with a 6" sock pipe for drainage and infiltration).
- Preservation of existing large trees on the site.
- Landscaping to meet UDO requirements.
- Privacy fence on side and rear perimeter.
- Improved paved entrances off of NCDOT roads.
- Upgraded motel parking.
- Concrete parking pad (for single vehicle) for each cabin.
- Paved motel parking lot for 7- vehicles and 9 stalls on angled pads accessible by one-way drive lane consisting of two 30" wheel runners.
- Easement for future sidewalk along S. Brightleaf Boulevard.

The purpose of conditional zoning is to provide flexibility from conventional zoning and to allow creative projects to occur through a negotiated (give and take) approach to achieve a desired project that both the developer and town mutually can be satisfied with. The Courtyard Cabins at White Swan are seeking deviations from the following UDO Requirements:

- Driveway paving. The site plan shows the drive lane consisting of two 30" wide concrete wheel runners, 44" apart, intended to accommodate all vehicles including emergency service vehicles. The Fire Code and the Standard Detail and Specifications Manual both require a minimum 20-foot-wide driveway for non-residential one-way drive-lanes. The UDO requires the driveway be paved with bituminous or concrete.
- Sidewalk easements are proposed along S. Brightleaf Boulevard and Galilee Road for future sidewalk, but no sidewalks are being proposed for construction as required in UDO Section 2.22. The motel parking lot is proposed with ribbon curb and no wheel-stops rather than concrete curb and gutter as required by the UDO.
- The angled motel parking is proposed as gravel parking rather than paved.
- Cabin parking is proposed as gravel rather than paved.
- The entrance driveways, except the motel entrance are proposed as gravel (#57 stone).

Fire Code and the Standard Detail and Specifications require 20-foot-wide non-residential driveways. The UDO requires non-residential driveways to be constructed of concrete or bituminous. The Fire Chief was consulted, and the proposed driveway detail is acceptable if a gravel or a grass pave product is provided to an acceptable width. The detail shall be subject to the Fire Inspector's approval if acceptable to the Town Council.

The applicant is proposing sidewalk easements along both S. Brightleaf Boulevard and Galilee Road with the project. NCDOT is planning an upgrade to S. Brightleaf Boulevard in the next 10-15 years and as a result of its complete streets policy, it will be obligated to provide the sidewalk/trails with that improvement because the improvements are identified on the Town's Transportation Plan. The route is part of the Mountains-to-Sea route and an 8-10' trail would likely be constructed with the road upgrade. It may make sense to forego the sidewalk required under the UDO given that a trail is what is needed along this portion of S. Brightleaf Boulevard and will likely be constructed by the NCDOT in the future. Staff recommends the sidewalk be constructed along Galilee Road. Additional development/redevelopment is expected in this area and pedestrian accommodations are needed.

Ribbon curb is proposed around the paved parking lot for the hotel which will allow the existing sheet flow drainage to remain. The proposed parking lot is essentially a retrofit of an existing parking lot and adding raised curb and gutter would disrupt the current drainage pattern. Therefore, staff finds the proposed motel parking lot and ribbon curb acceptable if the applicant provides concrete curb stops.

The angled motel parking was proposed to be paved with gravel rather than required concrete, bituminous or similar with parking lot striping. Currently, this portion of the front of the motel area is gravel. The proposed angle parking will continue to be gravel; however, a grassy strip between the drive and the motel covered walkway will be introduced. The gravel parking will be angled. Striping cannot easily be achieved with a gravel parking area; however, the angle shape of the individual parking bays will define the parking if executed correctly with construction. Staff recommends wheel-stops be provided with the gravel parking spaces. Like the angled motel parking, the individual cabin parking stalls are proposed with gravel surfacing. Given the residential nature of these spaces, Staff recommends approval of them as proposed with the addition of wheel stops

The applicant's site plan showed improved entrance driveways onto Galilee Road and Brightleaf Boulevard, paved with concrete or bituminous from the road surface to the edge of the public right-of-way. The applicant will be required to provide a copy of NCDOT driveway permits for any work on driveways in the public right-of-way

Planning Staff and the Planning Board recommend approval of the zoning text amendment, CZ-21-01 with 6 conditions with a statement declaring the request is consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest. The 6 conditions are as follows:

1. That public easements for sidewalks/trails be provided along both S. Brightleaf Boulevard and Galilee Road for sidewalks with the project.
2. That the public sidewalks be installed along Galilee Road with Phase 3 and the plans updated to reflect the required sidewalk.
3. That an NCDOT permit be submitted to the town for any work within the NCDOT right-of-way.
4. That concrete wheel stops be provided for all parking spaces.
5. That the drive lanes be designed to withstand the load of a firetruck and the detail be approved by the Fire Chief.
6. That the properties, 15J10061F and 15J10061W, be combined into a single lot before phase 3.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the April 6, 2021 agenda packet.

Mayor Moore asked if there were any questions from Council.

Mayor Pro-Tem Dunn questioned who would be responsible for the cost of the sidewalks along Highway 301 when NCDOT decides to widen the road. Mr. Wensman responded NCDOT had recently changed its practice. If the Town identifies areas where sidewalks are needed, the NCDOT will incur the cost of those sidewalks if they do improvements to the roadway.

Mayor Moore asked if there was anyone in attendance who wished to speak on the matter.

Scott Stewart of 6933 Running Brook Terrace, Wilmington, North Carolina explained he was the landscape architect in charge of designing the property. The owners of the property have entrusted Mr. Stewart with the design of the proposed project.

Councilman Scott questioned the design of the traffic flow for the proposed project. Mr. Stewart responded that NCDOT prefers right in entrances and right out exits. Also, since the driveways are angled, you are forced to follow the traffic pattern.

Councilman Barbour made a motion, seconded by Mayor Pro-Tem Dunn, to close the public hearing. Unanimously approved.

Councilman Barbour made a motion, seconded by Councilman Stevens, approve of zoning map amendment, CZ-21-01, with the following 6-conditions finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan as to be and other adopted plans, and that the amendment is reasonable and in the public interest.

1. That public easements for sidewalks/trails be provided along both S. Brightleaf Boulevard and Galilee Road for sidewalks with the project.
2. That the public sidewalks be installed along Galilee Road with Phase 3 and the plans updated to reflect the required sidewalk.
3. That an NCDOT permit be submitted to the town for any work within the NCDOT right-of-way.
4. That concrete wheel stops be provided for all parking spaces.
5. That the drive lanes be designed to withstand the load of a firetruck and the detail be approved by the Fire Chief.
6. That the properties, 15J10061F and 15J10061W, be combined into a single lot before phase 3.

Unanimously approved.

Town Clerk Shannan Parrish administered affirmations to those that wished to offer testimony during the Public Hearings.

3. **Special Use Permit Request – Scooters Coffee (SUP-21-01):** The applicant is seeking a special use permit to construct and operate a drive-thru coffee shop within an existing shopping center on property located within a B-3 zoning district. The property is located on the northeast side of the intersection of Hospital Road and North Brightleaf Boulevard and further identified as Johnston County Tax ID# 15004024C

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

Planning Director Stephen Wensman testified that major shopping centers are a special use in the B-3 zoning district and the addition of Scooter's Coffee represents a change to the shopping center requiring the permit. He explained the Pine Needles Square shopping center sits at the corner of N. Brightleaf Boulevard and Hospital Road. The shopping center has been undergoing renovations by its owners with façade, lighting and changes to the tenant mix. The shopping center has mature landscaping around its perimeter although it lacks parking lot landscaping and foundation plantings. The stormwater for the site sheet flows to adjacent ditches and catch basins at the side and rear of the property. The site for the Scooter's Coffee is at the south west corner of the mall in the paved parking lot. Scooter's Coffee is planning to subdivide the shopping center property to create a new 0.31 acre outparcel at the corner of Hospital Road and N. Brightleaf Boulevard for a new free-standing 648 sq. ft. building. The coffee shop will attract new customers and will benefit the shopping center tenants. The applicant will be submitting a minor subdivision to create the new 0.31-acre lot.

The vehicular access to the coffee shop will be through the Pine Needles Square parking lot. There will be no new driveway access onto adjacent roads. A cross access easement will be required to provide shared use of that access.

According to Section 10.4 of the UDO, restaurants require stacking for 6 vehicles for the order box. The Scooter's site plan shows stacking space for 4 vehicles. Between the order box and pickup window, there should be stacking for 4 vehicles. The Scooter's plans show space for 4 vehicles. The Starbucks Coffee on Equity Drive has stacking for 3 vehicles at the order box and 4 vehicles between the order box and pickup window and backs up into the parking lot at peak hours. The stacking space for the coffee shop is less than ideal, but the parking area in which the coffee shop is to be located is currently underutilized.

Scooter's will have 10 parking stalls on its property for the use of the coffee shop; four are required. The construction of the coffee shop will displace 27 existing parking stalls currently used by the Pine Needles Square. Based on the data from the owner of Pine Needles Square, there is approximately 106,529 sq. ft. of retail space. Required parking for retail is calculated as 1 parking stall per 600 sq. ft. The Pine Needles Square retail requires roughly 178 parking spaces and has 472 parking spaces. The loss of 27 parking spaces for the coffee shop construction will not impact required parking.

Scooters will be constructed in the parking lot and will be behind the mature street yard landscaping that exists for the shopping center. The reconfiguration of the parking lot for the coffee shop will result in planting islands for trees and shrubs. Some foundation plantings will also be required.

A new pedestrian access will be created from the sidewalk on Brightleaf Boulevard. The pedestrian access is shown to cross through a parking stall. Staff recommends the curbing be extended eastward to accommodate the sidewalk; eliminating 1 parking stall.

The Scooters site is mostly impervious and the construction of the parking lot will decrease the amount of impervious on site slightly. The proposal will utilize existing surface stormwater patterns. Just to the west of the proposed building there is a concrete flume the drains to the Hospital Road ditch which will carry most of the water.

The coffee shop will be lit by the Pine Needles Square parking lot lights and downcast wall lighting.

No signs have been proposed at this time. Outparcels in shopping centers are entitled to one 75 sq. ft. – 6 ft. high ground mounted monument sign and wall signs on two sides of the building facing public roads.

The Planning Department and Planning Board recommend approval of the SUP-21-01 based on the findings of fact with 4 conditions:

1. A site plan shall be submitted for review in accordance with the Town's Unified Development Ordinance.
2. An application for minor subdivision shall be submitted for the planned outparcel.
3. A cross access agreement/easement shall be executed and submitted to the Planning Department.
4. The proposed curbing shall be extended eastward to accommodate the sidewalk, eliminating 1 parking stall.

Mr. Wensman reviewed staff's opinion of the findings. They are as follows:

STAFF'S FINDINGS OF FACT

1. The proposed development will not be detrimental to or endanger the public health, safety, or general welfare.
2. The coffee shop is a normal development and will benefit the surrounding property with additional commercial traffic and customers and provide a service/product that benefits adjacent residents and workers.
3. The coffee shop development will utilize existing utilities, drainage, and parking.
4. The proposed use will not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas
5. The use has adequate ingress and egress within the Pine Needles Square shopping center and will not impact public streets.
6. The use will not adversely affect the use or physical attribute of adjoining or abutting property. The use will benefit adjoining or abutting properties by providing a desired product and customers.
7. The plan will be in harmony with the renovations in the shopping center.
8. The use will conform to applicable regulations.

The Planning Department recommends approval of the Special Use Permit, SUP-20-07, with the following conditions:

1. A site plan shall be submitted for review in accordance with the Town's Unified Development Ordinance.
2. An application for minor subdivision shall be submitted for the planned outparcel.
3. A cross access agreement/easement shall be executed and submitted to the Planning Department.
4. The proposed curbing shall be extended eastward to accommodate the sidewalk, eliminating 1 parking stall."

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the April 6, 2021 agenda packet.

Mayor Moore asked if there were any questions from Council.

Councilman Scott questioned if a vehicle was in the drive thru lane if they would be able to exit the drive thru or if it would have to follow the traffic pattern. Mr. Wensman responded that the landscaping and curbing would prevent cars from impeding the traffic flow.

Mayor Moore asked if there was anyone in attendance sworn to testify in this matter.

Mark McDonell of AdVenture Development testified that when his company purchased the Pine Needles shopping center, they made a commitment to improve its appearance. After the property was purchased, Mr. McDonell stated his staff conducted a survey of hospital staff on how the shopping center could better serve their needs. The results showed that hospital staff desired convenience services; such as, coffee and food.

Alan Wilson of 402 Blandwood, Greensboro, NC testified he was the surveyor that provided the site work for the project. He stated he was in attendance should the Council have any questions.

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

The Written Finding

Councilman Barbour made a motion, seconded by Councilman Wood, to approve the eight findings of fact for Special Use Permit SUP-21-01 as recommended in the staff report on pages 70 and 71 of the agenda packet. Unanimously approved.

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 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.
3. Adequate utilities, drainage, parking, or necessary facilities have been or are being provided.
4. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.
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. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property.
7. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located.
8. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

Record of Decision: Approval of Special Use Permit Application Number SUP-21-01

Councilman Barbour made a motion, seconded by Councilman Wood, to recommend approval of SUP-21-01 with four conditions of approval:

1. A site plan shall be submitted for review in accordance with the Town's Unified Development Ordinance.
 2. An application for minor subdivision shall be submitted for the planned outparcel.
 3. A cross access agreement/easement shall be executed and submitted to the Planning Department.
 4. The proposed curbing shall be extended eastward to accommodate the sidewalk, eliminating 1 parking stall."
4. Special Use Permit Request – East River Phase 6 & 7 (SUP-21-02): The applicant is seeking a special use permit to construct a 65-unit townhouse complex on approximately 11.97-acre tract of land and located within an existing PUD zoning district. The property considered for approval is located on the east side of Buffalo Road approximately 690 feet north of its intersection with M. Durwood Stephenson Parkway and further identified as Johnston County Tax ID# 14075015X

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

Planning Director Stephen Wensman testified The East River Planned Unit Development Master Plan was originally approved by the Town Council in December 2018. A revised PUD Master Plan was approved by the Town Council in December 2020. The revised PUD improved the stormwater management infrastructure, added a new Central Park feature, a new mail kiosk area, improved the parking layout, and rerouted the greenway/trail. The detailed site plans for the multi-family development were not included in the PUD plans or preliminary plat construction plans approved by the Town Council on December 22, 2020 and a condition of plat approval was the application of a special use permit for the multi-family development in phases 6 and 7. The application is for the final two phases (6 & 7) that include the development of 65 townhomes.

The site for the townhomes is within the East River PUD on the east side of Buffalo Road. On the site is existing wetlands and pond. The site is relatively flat with a mixture of open field and woods. The site plan is arranged into two phases with 42 townhomes in phase 6 and 23 townhomes in phase 7. Phases 6 and 7 are separated by the existing pond and wetland. The only connection between the phases is the greenway trail

There are 64 townhomes on 11.56 acres. The townhouses have a gross density of 5.3 units per acre. The gross density of the overall PUD is 5.21 units per acre.

Sixty-four 2-bedroom townhouses are planned; 42 units in phase; 23 units in phase 7. The end units will have windows on the façade. Each unit has a small front and rear yard. Each unit has a entry canopy in the front yard. Each unit has a small storage structure and concrete patio in the rear yard.

East River Phases 6 & 7 will be served by private drives to Buffalo Road. The private drives will extend through each phase and provide required parking spaces.

Phase 6 has 42 units and 97 parking stalls and phase 7 has 23 units and 48 parking stalls. 1.75 parking stalls per 2-bedroom townhouses is required; therefore, there are 23 parking stalls for guests in phase 6 and 8 parking stalls for guests in phase 7.

Sidewalks will be connected to a 10' wide trail on Buffalo Road and to phases 1-5. Each phase of the project will be served by public water and sewer. The sewer will be extended into the site from the County's existing system located in Buffalo Road. Water will also be extended into the site from the existing water main in Buffalo Road to provide domestic water and fire protection. Public utility easements are provided over public utilities.

The townhouse development is connected to the central park and greenway amenities located on the west side of Buffalo Road. No play area is proposed other than the open green space between phases 6 and 7. Typically, large multifamily projects provide tot lot play apparatus with development to accommodate the recreation needs of families with small children. The traffic on Buffalo Road will limit the ability of children to utilize the central park feature. A provision for a small to tlot apparatus should be considered by the Town Council.

Stormwater management for phases 6 and 7 is being provided by two constructed wetland SCMs on the site. In phase 6, the SCM is in the center of the parking area. In phase 7, the SCM is located between the townhouse lots and the Buffalo Road right-of-way. Both SCMs will be designed as bio-retention ponds which use of plants and soils for removal of pollutants from stormwater runoff via adsorption, filtration, sedimentation, volatilization, ion exchange, and biological decomposition. If well maintained, bioretention provides landscaping and habitat enhancement benefits. Bio-retention SCMs require a great amount of maintenance, especially in the initial years until well established. A provision for maintenance of the ponds should be addressed in the HOA declarations.

A single dumpster enclosure is being provided in each phase that accommodate 2 dumpsters in each. Phase 6 is more than double the size of phase 7 and an additional dumpster has been added to phase 6, however it is located prominently at the entrance and should be moved if possible. There is no planting around the dumpster enclosure near the entrance.

The street yard has been provided however a short section is lacking on the plans. Sections of the buffer yard have been provided in the rear and sides of the townhouse development except where existing natural vegetation is shown. A tree inventory is required and credit towards the buffer requirements may be applicable. Parking lot and foundation plantings have been provided in accordance with the UDO. Additional foundation plantings should be provided on the side façade facing the entrance to phase 6. Berming along the street yard was requested, but not provided because of drainage issues it would cause. A small berm was provided in the street yard in phase 7.

A lighting plan is required for the entire site with review of the construction plans.

Mr. Wensman reviewed staff's opinion of the findings. They are as follows:

STAFF'S FINDINGS OF FACT

1. The special use will not be detrimental to or endanger the public health, safety, or general welfare.
2. The special use permit is part of the orderly development of the PUD and was part of the original PUD Master Plan.
3. Adequate utilities, drainage, parking, or necessary facilities have been provided
4. The proposed use will not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas

5. Adequate ingress and egress have been provided for and have been approved by NCDOT.
6. The use will not adversely affect the use or physical attribute of adjoining or abutting property. Adequate buffer yards will be provided, and adjacent zoning is residential or commercial.
7. The plan will be in harmony with the PUD Master Plan
8. The use conforms with the PUD Plans and applicable UDO regulations with conditions.

The Planning Department recommends approval of the Special Use Permit, SUP-21-02, with the following conditions:

1. An inventory of existing trees on the south property line shall be provided to ensure compliance with the bufferyard requirement.
2. The landscape plan shall be revised to provide screening of the end unit in phase 6, to provide a street yard that extends to the southern boundary of the site, and to provide required bufferyards or show protected trees meeting the buffer requirement.
3. SCM access easements shall be provided in accordance with Town standards
4. Provide an Operations and Maintenance Agreement for the Stormwater SCMs.
5. The center of pumper connection on the fire hydrants shall be a minimum of 18" above finished grade.
6. Provide NCDOT driveway permits for signature prior to construction plan approval.
7. Sign permits are required prior to installation of signs.
8. A lighting plan be submitted with construction documents for review.
9. Provide 30' wide public easements over public utilities.
10. Provide NCDOT driveway permits for signature prior to plan approval."

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the April 6, 2021 agenda packet.

Mayor Moore asked if there were any questions from Council.

Councilman Scott questioned the lighting plan for the first 5 phases. David DeYoung of River Wild, 114 West Main Street, Clayton, North Carolina testified that the streetlighting has been paid and they are awaiting the Town to install the lighting. Phases 3 through 5 are currently being constructed.

Councilman Barbour requested that private drive signs be installed and added to the list of conditions of approval.

Councilman Barbour questioned if there was overglow parking spaces on both sides of the street. Mr. DeYoung testified there were 23 spaces on one side and 8 on the other side for a total of 31 additional parking spaces.

Mr. DeYoung testified that they agreed to all the conditions of approval including the addition of installation of private drive signs.

Councilman Scott questioned if the townhomes would be owner occupied or rental units. Mr. DeYoung responded they would be affordable workforce housing units for nurses, teacher and the like. The townhomes could be both owner occupied and rental units.

Councilman Scott further questioned if sewer permits from Johnston County had been obtained for the townhomes. Mr. DeYoung responded those permits were forthcoming.

Mayor Moore asked if there was anyone in attendance sworn to testify in this matter. There was no one in attendance that wished to testify on the matter.

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

The Written Finding

Councilman Barbour made a motion, seconded by Councilman Rabil, to approve the eight findings of fact for Special Use Permit SUP-21-02 as recommended in the staff report on pages 90 and 91 of the agenda packet. Unanimously approved.

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 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.
3. Adequate utilities, drainage, parking, or necessary facilities have been or are being provided.
4. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.

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. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property.
7. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located.
8. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

Record of Decision: Approval of Special Use Permit Application Number SUP-21-02

Councilman Barbour made a motion, seconded by Councilman Rabil, to recommend approval of SUP-21-02 with eleven conditions of approval:

1. An inventory of existing trees on the south property line shall be provided to ensure compliance with the bufferyard requirement.
2. The landscape plan shall be revised to provide screening of the end unit in phase 6, to provide a street yard that extends to the southern boundary of the site, and to provide required bufferyards or show protected trees meeting the buffer requirement.
3. SCM access easements shall be provided in accordance with Town standards
4. Provide an Operations and Maintenance Agreement for the Stormwater SCMs.
5. The center of pumper connection on the fire hydrants shall be a minimum of 18" above finished grade.
6. Provide NCDOT driveway permits for signature prior to construction plan approval.
7. Sign permits are required prior to installation of signs.
8. A lighting plan be submitted with construction documents for review.
9. Provide 30' wide public easements over public utilities.
10. Provide NCDOT driveway permits for signature prior to plan approval.
11. The street signs posted at the intersections with Buffalo Road shall identify the new streets as private driveways.

Unanimously approved.

CITIZEN'S COMMENTS: None

CONSENT AGENDA:

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

1. The following minutes were approved:
 - March 3, 2021 – Regular Meeting
 - March 11, 2021 – Special Session Meeting
2. Special Event: Third StrEATery – The Downtown Smithfield Development Corporation is seeking approval to conduct outdoor dining events every other Friday beginning May 7th and ending July 30th from 6:00 pm until 9:00 pm. This request includes amplified sound and the closure of the 100 block of South Third Street.
3. Special Event: Neighborhood Party – David Auge is seeking approval to conduct a neighborhood party on Maplewood Drive on Saturday, May 1st from 1:00 pm until 4:00 pm. This request includes the closure of Maplewood Drive.
4. Special Event: Outreach Church Service – Alice Wells is seeking approval to conduct an outreach church service at Community Park on Sunday, May 16th from 2:00 pm until 4:00 pm. This request includes amplified sound.
5. Bid award to Southern Tide Homes in the amount of \$22,750.00 for improvements to the Rotary shelter at Community Park.
6. Bid award to JLP Carpentry in the amount of \$9,500.00 for improvements to the shelter at Talton Park.
7. Consideration and request for approval of various budget amendments

<u>GENERAL FUND</u>	<u>BEFORE</u>	<u>ADJ.</u>	<u>AFTER</u>
1. Revenue			\$
10-20-3300-3307-0000 Grant - FEMA AFG	\$ -	\$ 28,398	<u>28,398</u>

Expenditures

	\$	\$	\$
10-00-9990-5300-0000 General Fund Contingency	291,213	(1,495)	289,718
10-20-5300-5700-7400 Fire - Capital Outlay	<u>196,100</u>	<u>29,893</u>	<u>225,993</u>
	<u>\$</u>	<u>\$</u>	<u>\$</u>
	<u>487,313</u>	<u>28,398</u>	<u>515,711</u>

To establish and fund the Fire Department Exhaust Removal System with FEMA Assistance to Firefighters Grant (AFG) proceeds and contingency funds as approved at the Feb. 02, 2021 Council Meeting

WATER/SEWER FUND**2. Expenditures**

30-76-7200-5970-9101 Water - Transfer to W/S Cap. Proj. Fund	\$	\$	\$
	350,000	(200,000)	150,000
30-76-7200-5970-9102 Water - Transfer to Water Plant CPF	<u>-</u>	<u>200,000</u>	<u>200,000</u>
	<u>\$</u>	<u>\$</u>	<u>\$</u>
	<u>350,000</u>	<u>-</u>	<u>350,000</u>

To repurpose funds originally budgeted for Water Plant Improvements in the W/S Capital Project Fund (Fund 45) to the Water Plant Capital Project Fund (Fund 43)

Note: Only \$200K of the budgeted \$350k in FY21 was repurposed as \$150K was transferred at initial setup of the Water Plant Capital Project Fund

3. Revenue

30-71-3900-3900-0000 - Fund Balance Appropriations	<u>\$</u>	<u>\$</u>	<u>\$</u>
	<u>231,812</u>	<u>1,948,500</u>	<u>2,180,312</u>

Expenditures

30-76-7200-5970-9102 Water - Transfer to Water Plant CPF	<u>\$</u>	<u>\$</u>	<u>\$</u>
	<u>200,000</u>	<u>1,948,500</u>	<u>2,148,500</u>

To adjust water plant expansion project budget to agree with Dec. 1, 2020 presentation to council

ELECTRIC FUND**4. Revenue**

31-72-3550-3520-0000 Electric - Misc.	<u>\$</u>	<u>\$</u>	<u>\$</u>
	<u>4,000</u>	<u>6,756</u>	<u>10,756</u>

Expenditures

31-72-7230-5700-7401 Electric - East River Electric Infrastructure	<u>\$</u>	<u>\$</u>	<u>\$</u>
	<u>130,000</u>	<u>6,756</u>	<u>136,756</u>

To fund East River Subdivision Street Lights Upgrade - funded by developer

5. Revenue

31-72-3550-3520-0000 Electric - Misc.	<u>\$</u>	<u>\$</u>	<u>\$</u>
	<u>10,756</u>	<u>13,400</u>	<u>24,156</u>

Expenditures

31-72-7230-5300-3300 Electric - Supplies/Operations	<u>\$</u>	<u>\$</u>	<u>\$</u>
	<u>218,862</u>	<u>13,400</u>	<u>232,262</u>

To fund Johnson Court Apartments Lighting Upgrade to LED - funded by developer

WATER/SEWER CAPITAL PROJECT FUND**6. Revenue**

45-75-3870-3870-0307 Transfer From W/S Fund	<u>\$</u>	<u>\$</u>	<u>\$</u>
	<u>350,000</u>	<u>(350,000)</u>	<u>-</u>

Expenditures

45-71-7200-5700-7410 Water Plant Improvements	<u>\$</u>	<u>\$</u>	<u>\$</u>
	<u>350,000</u>	<u>(350,000)</u>	<u>-</u>

To repurpose funds originally budgeted for Water Plant Improvements in the W/S Capital Project Fund (Fund 45) to the Water Plant Capital Project Fund (Fund 43)

8. Consideration and request for approval to adopt Resolution No. 678 (06-2021) authorizing the disposition of certain surplus property and the auctioning of that property by the electronic service of GovDeals.com

**TOWN OF SMITHFIELD RESOLUTION NO. 678 (06-2021)
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:

Dept.	Vin/Ser.#	Description
Finance	S/N 768491	Data General LDM 900 Printer
Fire	4Z3AAAA871RJ30595	2001 American LaFrance American Eagle Fire Engine
Fire	4Z3AAAA853RK88596	2003 American LaFrance American Eagle ALS Pumper Truck
Public Utilities		Con Ex Storage Silo
Public Utilities		Con Ex Storage Silo

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 April 19, 2021.
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. Citizens wanting to bid on property may do so at www.govdeals.com. The terms of the sale shall be: All items are sold as is, where is, with no express or implied warranties; All items will be sold for cash or certified check only; Payment must be received for all items sold before they may be removed from the premises; All items sold must be paid for and removed from the site of the sale within 5 business days of the sale, or they will be subject to resale.
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
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.
9. Consideration and request for approval to appoint Julia Narron to the Downtown Smithfield Development Corporation's Board of Directors
10. The following advisory appointment was approved:

- Tim Depp was appointed to serve a first term on the Appearance Commission

11. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Police Officer II	Police	10-20-5100-5100-0200	\$19.52/hr. (\$43,646.72/yr.)
P/T SYCC Staff	P&R – SYCC	10-60-6240-5100-0210	\$9.00/hr.

Current Vacancies

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Assistant Finance Director	Finance	10-10-4200-5100-0200
Camp Counselors (Part-time)	P&R – Recreation	10-60-6200-5100-0210
Firefighter I	Fire	10-20-5300-5100-0200
Fire Inspector (Part-time)	Fire	10-20-5300-5100-0210
Public Works Director	Public Works	10-60-5500-5100-0200
Police Officer I (3 positions)	Police	10-20-5100-5100-0200
Sanitation Equipment Operator	Public Works	10-40-5800-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200

Business Items:

1. Update and timeline for the Equity Drive Construction Project

Town Engineer Bill Dreitzler explained to the Council that Equity Drive has been a challenge, but staff was aware it would be a challenge. Mr. Dreitzler explained curb and gutter has been installed on both sides of the road and a sidewalk was installed on the inside perimeter. Drainage has been added to

improve the overall drainage in the area. The challenge has been the reconstruction of the road surface and maintain access to the many businesses in the area. Staff has provided updates to the business owners and to the public in general. When completed, it will be a well-constructed road. The initial timeframe was approximately 75 days until completion, but extreme rainy conditions has delayed the project by almost 3 months. The finished surface cannot be installed until temperatures are consistently above 65 degrees. This surface will be installed during night time hours to be less impactful to the businesses in the area.

Councilman Scott stated that while there has been some frustration, the road will be a great product once completed. He questioned if there were still semi-trucks parking on the new sidewalk. Town Manager Michael Scott responded the Police Chief has installed temporary "No Parking" signage and Police patrols have increased in the area to quickly remove any truck improperly parked.

Mayor Moore questioned if the original road was poorly constructed and if Mr. Dreitzler was confident with the reconstruction of the road. Mr. Dreitzler responded he was confident in the integrity of the new road.

2. Consideration and request for approval to enter into a contract with ASCM for Phase III of the Wayfinding Project

Planning Director Stephen Wensman explained the Town has worked with ASCM to fabricate and install Phase I and II of the wayfinding signage. This phase would include the following:

- 1 Existing Gateway Sign Refurb to Mimic G1s
- 3 G2 Post & Panel Gateway to follow Frazier & Assoc. Design (with footers & breakaway bolts)
- 7 Lg 2-sided Parking Kiosk on 2 posts (with footers & breakaway bolts)
- 1 P - Parking sign (by Wells Fargo and United Community Bank on Second St)
- 1 Designs and planning for new Kiosks

Mr. Wensman explained that funds from the Town's 2% tourism money would pay for the project. All except the 7 large parking kiosks were included in the original wayfinding project design.

Mayor Moore questioned the size of the kiosk signs. Mr. Wensman responded they were 7'9" x 3' and these signs were suggested by the DSDC Board.

Town Manager Michael Scott explained staff was trying to accommodate the DSDC and provide them the authority to make decisions in their district. Though the signs do identify parking, the kiosk provide additional information for pedestrians in the downtown area. This item can be tabled until the May meeting to allow staff to provide the Council's feedback to the DSDC.

Councilman Scott made a motion, seconded by Councilman Wood, to approve the contract with the elimination of the seven large 2 parking kiosk signs. Unanimously approved.

3. Consideration and request for approval to use budgeted funds and "in lieu of" park funds for parking lot improvements at the Sarah Yard Center and at the new Splash pad. This request also includes awarding the bid to JP Edwards in the amount of \$62,536

Parks and Recreation Director Gary Johnson explained the Parks and Recreation Department was allocated \$22,000 for parking improvements at the Sarah Yard Community Center. Staff was requesting to use additional "in lieu of" park funds to add curb and gutter and a curb island. Also, staff solicited a total cost from JP Edwards for parking lot improvements at the newly constructed splash park site. The total cost of both projects would be \$62,536. The \$22,000 budgeted funds and the \$40,536 in lieu of park funds would be used for the completion of both projects.

Councilman Wood made a motion, seconded by Councilman Rabil, to award the bid to JP Edwards for parking lot improvements at the Sarah Yard Community Center and at the new Splash Park. Staff was authorized to use \$40,536 of "in lieu of" park funds. Unanimously approved.

4. Update on CUP-17-08: Theron Lee McLamb- Recreational Vehicle Park

Town Manager Michael Scott provided the Town Council with an update on the RV Park. He explained no official requests have been submitted, but some work has been done that is concerning. When the Town Manager visited the site and discovered that the drainage ditch was installed, but by doing so, the developer cleared a 50' swath of pine trees. The developer was required to leave a vegetative buffer between the properties and the RV park. There are 10 feet of trees and shrubbery that via aerial view seems dense, but standing next to it, it is very thin between the drainage ditch and the backyards of the adjacent properties. A fence will be constructed, but it has not been installed. Next to the drainage ditch, they will install holly bushes/trees approximately 6' apart. The Town Manager believed it was the desire of the Council to leave more trees in the 50' buffer, but they have been removed. The developer anticipates removing a good portion of the trees remaining on their property. There will be nothing but the RV park between the drainage ditch and Magnolia Drive.

Councilman Scott questioned the purpose of the drainage ditch. The Town Manager responded it created additional drainage for several properties in Pine Acres. Also, one of the conditions of approval was the maintenance of the ditches. They must remain clean and clear. The developer contends that he has a large piece of equipment to maintain the ditches. In order to use that piece of equipment, the trees had to be removed.

The Town Manager stated he and Town Attorney Bob Spence would continue keeping communication open with the developer and his attorney to ensure the Town has the best product possible for the community, but the Town has limited authority.

5. Consideration and request for approval to enter into a contract to hire an employment agency to conduct Fire Chief search

Town Manager Michael Scott explained staff was requesting to engage the services of an outside firm to assist with the hiring of a new Fire Chief. He stated the Fire Chief position and the Police Chief positions were the two most dynamic positions in the Town of Smithfield. He stated he did not feel that staff had the adequate time needed to dedicate to hiring this position to ensure the Town was getting the proper candidate. Unfortunately, he and the HR Director did not plan for this retirement or for the retirement of the Public Works Director.

Mayor Pro-Tem Dunn questioned if this process is typically conducted for the Police and Fire Chief. The Town Manager responded the only time the process was done by the Town was when he was hired as the Police Chief.

Councilman Wood recommended staff work on hiring the Public Works Director internally and allow the Assistant Fire Chief to serve as Interim Fire Chief. The Town Manager responded he was responsible for hiring new Department Heads. He stated he was against interim positions because he felt the Town should not have to increase the pay of the second in command. He stated a new Fire Chief should be in place at the time of the current Fire Chief's retirement or closely thereafter.

Councilman Scott stated he struggled with paying an outside consultant to run the hiring process.

Councilman Stevens stated it appeared that the Council was concerned about spending \$12,000 to hire a consultant, but it would cost the Town more if the wrong candidate was chosen to fill the Fire Chief's position. He stated the Town should do its due diligence to make sure the right person was hired to fill that position.

Councilman Barbour made a motion, seconded by Councilman Stevens, to approve the request to enter into a contract with Triangle J. Council of Governments to assist with the hiring of the Fire Chief position. Councilman Barbour, Councilman Stevens, Mayor Pro-Tem Dunn and Councilman Rabil voted in favor of the motion. Councilman Lee, Councilman Scott and Councilman Wood voted against the motion. Motion passed 4 to 3.

6. FY 2021-2022 Budget Discussions

Town Manager Michael Scott explained this was simply on the agenda so if the Council so chose to recess this meeting until a date time certain to begin budget discussions. Mayor Moore suggested the Town Manager provide a list of possible budget meeting dates to the Council.

Councilman Scott asked the Town Clerk to reaffirm the vote on Business Item #5. The Town Clerk indicated Councilman Barbour, Councilman Stevens, Mayor Pro-Tem Dunn and Councilman Rabil voted in favor of the motion. Councilman Lee, Councilman Scott and Councilman Wood voted against the motion. Councilman Rabil stated he did not vote. Mayor Moore reminded the Council that not voting on this type of business item constitutes as a vote in the affirmative.

Councilmembers Comments:

- Councilman Barbour expressed his appreciation to Town staff for communicating with NCDOT to get the intersection of Wilson's Mills Road and M. Durwood Stephenson Parkway fixed.
- Mayor Moore expressed his appreciation to the Parks and Recreation staff on the Easter Bunny going around Town. Mayor Moore reminded everyone the Town would be conducting a litter sweep in Town on April 24th. He stated the amount of litter throughout the state was appalling.

Town Manager's Report:

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

- The monthly utility arrears information is attached to this report. We are witnessing a flattening out of the accounts that were under contract created due to the Governor's previous Covid-19 restrictions regarding utility cut-offs and contract requirements. Numbers have dropped and are normalizing in comparison to pre-covid times.
- Staff is beginning the process to bid the annual street resurfacing contract. Staff is reviewing the street resurfacing schedule as created by WithersRavenel, comparing the next set of streets that are in significant need of repair this year.
- If the Covid-19 environment remains as it currently is, Town Hall will be back open for in-person assistance on May 3rd. The Manager is recommending a temporary daily opening time of 8:30 as opposed to 8:00 in order to clean the high touch areas prior to customers coming into the building in the morning. Staff hours will remain unchanged.

Closed Session Pursuant to NCGS 143-318.11 (a) (4)

Mayor Pro-Tem Dunn made a motion, seconded by Councilman Wood, to enter into Closed Session pursuant to the aforementioned statute. Unanimously approved at approximately 10:51pm

Reconvene in Open Session

Councilman Barbour made a motion, seconded by Mayor Pro-Tem Dunn, to reconvene in Open Session. Unanimously approved at approximately 11:21pm.

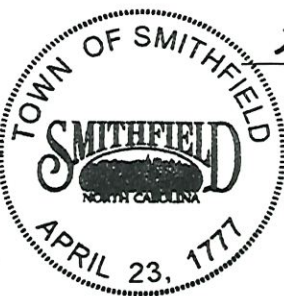
No action was taken by the Council following the Closed Session

Adjournment

Being no further business, Councilman Barbour made a motion, seconded by Mayor Pro-Tem Dunn to adjourn the meeting. Unanimously approved. The meeting adjourned at approximately 11:20pm.

ATTEST:


Shannan L. Parrish, Town Clerk




M. Andy Moore, Mayor