



Mayor

M. Andy Moore

Mayor Pro-Tem

John A. Dunn

Council Members

Marlon Lee

David Stevens

Travis Scott

David Barbour

Stephen Rabil

Roger A. Wood

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, February 1, 2022

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 FEBRUARY 1, 2022
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page

Presentations:

- 1. Administering Oath of Office to New Police Officer Dante Scarboro**
(Mayor – M. Andy Moore) See attached information.....1
- 2. Proclamation – All in Red Month**
(Mayor – M. Andy Moore) See attached information.....3
- 3. Proclamation – Recognizing the Neuse Charter Varsity Volleyball Team**
(Mayor – M. Andy Moore) See attached information.....4

Public Hearings:

- 1. CA-22-01 Town Plan Amendment:** The Town of Smithfield is requesting an amendment to update the Transportation and Growth Management Plan in response to rapid growth in the West Smithfield area
(Planning Director – Stephen Wensman) See attached information.....5
- 2. ZA-21-08 Regulations for Signs:** The Town of Smithfield is requesting an amendment to Article 10, Part III, Regulations for Signs that will allow additional wall mounted sign opportunities for commercial properties, creates residential subdivision signs requirements and modifies existing text to clarify and eliminate inconsistencies throughout the document
(Planning Director – Stephen Wensman) See attached information.....15

Citizens Comments

Consent Agenda Items:

- 1. Approval of Minutes:**
 - a. January 4, 2022 – Regular Meeting.....47
- 2. Consideration and request for approval to promote a Senior Customer Service Representative to the position of Payroll/Accounting technician**
(Finance Director – Greg Siler) See attached information.....59
- 3. Consideration and request for approval to promote a Firefighter II to the rank of Fire Engineer**
(Fire Chief – Michael Brown) See attached information.....61
- 4. Consideration and request for approval to promote a Police Officer II to the rank of Master Police Officer**
(Chief of Police – R. Keith Powell) See attached information.....63
- 5. Consideration and request for approval to purchase four Dodge Durango SUV's for the Police Department**
(Chief of Police – R. Keith Powell) See attached information.....77
- 6. Consideration and request for approval to adopt a Drone Policy**
(Parks and Recreation Director – Gary Johnson) See attached information.....81
- 7. Consideration and request for approval to accept State grant funds and adoption of Resolution No. 693 (02-2022)**
(Town Manager – Michael Scott) See attached information.....87
- 8. Consideration and request for approval to appoint Suzanne Taylor and reappoint Dr. Kathleen Coates to the Downtown Smithfield Development Corporation**
(Town Clerk – Shannan Parrish) See attached information.....91
- 9. Consideration and request for approval to appoint Kaitlyn Tarley to a first term on the Appearance Commission**
(Town Clerk – Shannan Parrish) See attached information.....99
- 10. New Hire Report**
(HR Director/ PIO – Tim Kerigan) See attached information.....103

Business Item:

- 1. Economic Development Administration (EDA) Grant Update and request for matching funds**
(Town Manager – Michael Scott) See attached information.....105

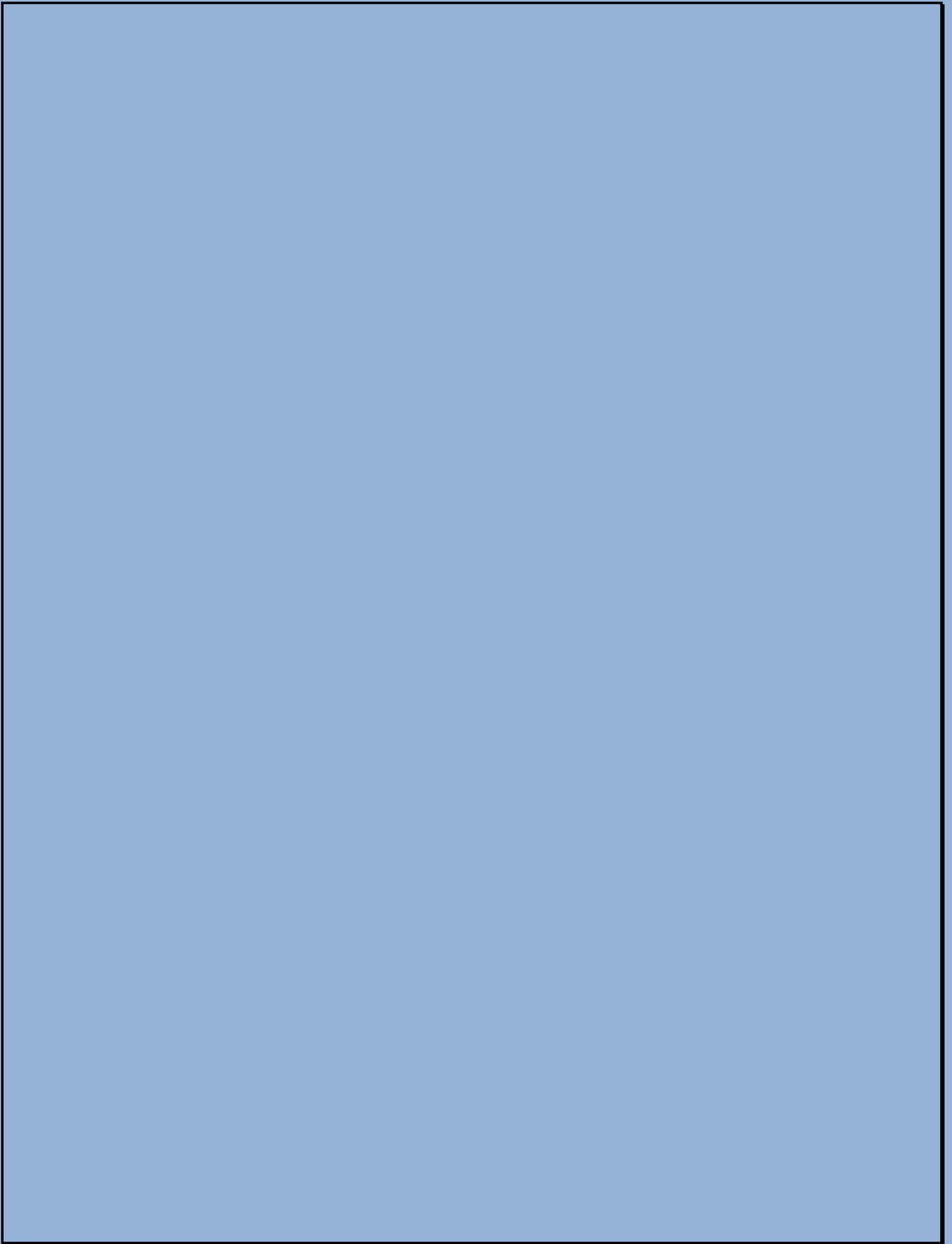
Councilmember's Comments

Town Manager's Report

- Financial Report (See attached information).....111
- Department Reports (See attached information).....115
- Manager's Report (Will be provided at the meeting)

Adjourn

Presentations





Request for Town Council Action

Presentation: Police
**Oath of
Office**
Date: 02/01/2022

Subject: Oath of Office
Department: Police Department
Presented by: Mayor Andy Moore
Presentation: Presentations

Issue Statement

The Police Department has hired a new officer to fill existing vacancies within the Police Department. Dante Lashawn Scarboro has been hired to fill one of these positions. Dante Lashawn Scarboro was hired by the Town and sent to basic law enforcement training at Johnston Community College. Scarboro joins the agency with no law enforcement experience.

Financial Impact

Approved Budgeted Amount for FY 2021-2022: Covered by the Current Budget

Action Needed

Administer Oath of Office to Officer Scarboro and welcome him into the Smithfield Community.

Recommendation

Administer Oath of Office to Officer Scarboro and welcome him into the Smithfield Community.

Approved: Town Manager Town Attorney

Attachments:

1. Oath of Office

PROCLAMATION
DESIGNATING FEBRUARY AS
“ALL IN RED MONTH”
IN THE TOWN OF SMITHFIELD

Whereas, the well-being of our community is of paramount importance and maintaining excellent health among our citizens is a top priority, February marks the one month, county-wide heart health awareness campaign entitled “**ALL IN RED**”, presented by Johnston Health and Aramark, and organized by the Johnston Health Foundation; and

Whereas, In the United States, North Carolina, and Johnston County heart disease is the leading cause of death among men and women;

Whereas, Heart Disease and Stroke ranks among the top five health priorities in Johnston County; per the 2019 Johnston County Community Health Needs Assessment Implementation Plan; and

Whereas, per the Center for Disease Control and Prevention (CDC), about 80% of deaths from premature heart disease and stroke could be prevented by changes in physical activity, diet, education and management of common medical conditions, and;

Whereas, **ALL IN RED** is an opportunity to increase heart health awareness, while addressing the growing needs of local heart patients; and

Whereas, the **ALL IN RED** campaign invites all Johnston County residents, business owners and visitors to participate in this initiative by **wearing RED on February 4, 2022**, National Wear Red Day, and/or **running a RED promo or fundraiser in February**; and

Whereas, the financial challenges of a heart patient are enormous; all funds raised within this campaign period will benefit local heart patients through the Johnston Health Foundation’s Heart Fund; and

Whereas, on this day, we recognize heart disease and stroke survivors, those battling the disease, their families who are their source of love and encouragement, and applaud the efforts of our medical professionals who provide quality care; and

NOW, THEREFORE, the Honorable Mayor, M. Andy Moore and the Smithfield Town Council does hereby proclaim February 2022 as “**ALL IN RED MONTH**” and encourages businesses, industries and citizens in the community to support and participate in this event.

Duly proclaimed this 1st day of February 2022, while in regular session.



M. Andy Moore, Mayor

PROCLAMATION

Recognizing the Neuse Charter Varsity Volleyball Team

WHEREAS, the Neuse Charter Varsity Volleyball Team, under Head Coach Jennifer Cochran and Assistant Coach Gail Browning, is to be commended for their outstanding volleyball season; and

WHEREAS, by its extraordinary efforts, the Neuse Charter Varsity Volleyball Team was undefeated conference champions and conference tournament champions; and

WHEREAS, the Neuse Charter Varsity Volleyball Team entered the 64 team NCHSAA 1A bracket and were East Region Champions; and

WHEREAS, the Neuse Charter Varsity Volleyball Team played in the State Championship game in Reynolds Coliseum, something that has never been accomplished in the school's history; and

WHEREAS, the Neuse Charter Varsity Volleyball Team ended their impressive season with an amazing record of 26-3 (2 of the 3 losses were preseason to a 3A school, final loss was in the state tournament); and

WHEREAS, this has been an exciting, hard-fought and successful season for the Neuse Charter Varsity Volleyball Team; and

WHEREAS, the Town of Smithfield is proud of the record the Neuse Charter School Volleyball Team has earned and the fine publicity they have brought to our community by their good sportsmanship and inspired team play.

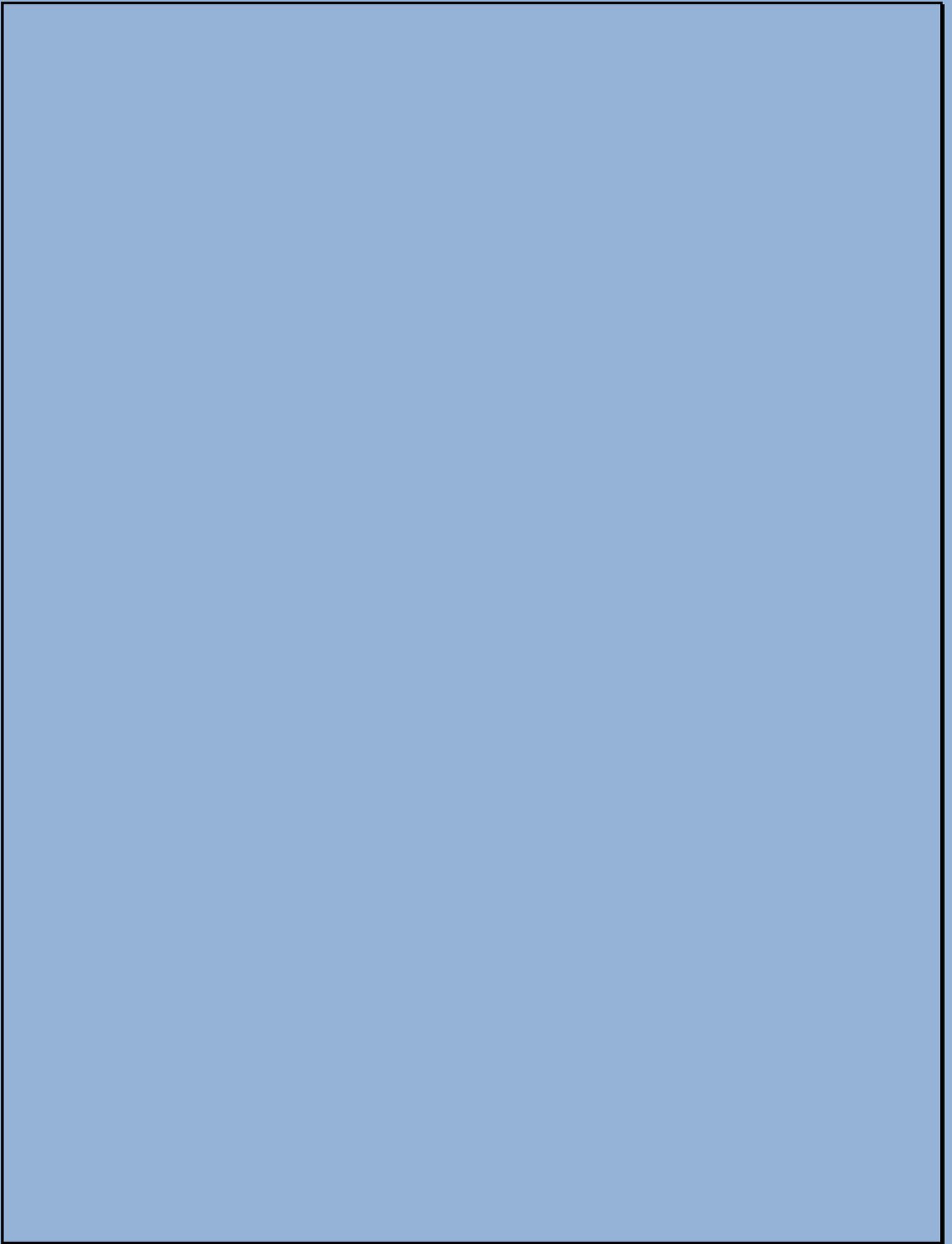
NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield along with the members of the Town Council, congratulates Neuse Charter School, its volleyball team, its coaches, its athletic department and all people associated with the volleyball team for the outstanding accomplishments.



M. Andy Moore, Mayor

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the Town of Smithfield on this First day of February in the year of our Lord Two Thousand Twenty-Two.

Public Hearings





Request for Town Council Action

**Public
Hearing:** CA-22-01
Date: 02/01/2022

Subject: Transportation Plan and Growth Management Plan
Amendment

Department: Planning Department

Presented by: Planning Director – Stephen Wensman

Presentation: Public Hearing

Issue Statement

Staff is requesting an amendment to the Town's Transportation Plan and Comprehensive Growth Management Plan, collectively called the Town Plan.

Financial Impact

None

Action Needed

To review the proposed Transportation Plan and Comprehensive Growth Management Plan

Recommendation

Staff recommends the Town Council approve the amendments to the Transportation Plan and Comprehensive Growth Management Plan

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Transportation Plan & Comprehensive Growth Management Plan Amendments Map
3. Planning Board Minutes



Staff Report

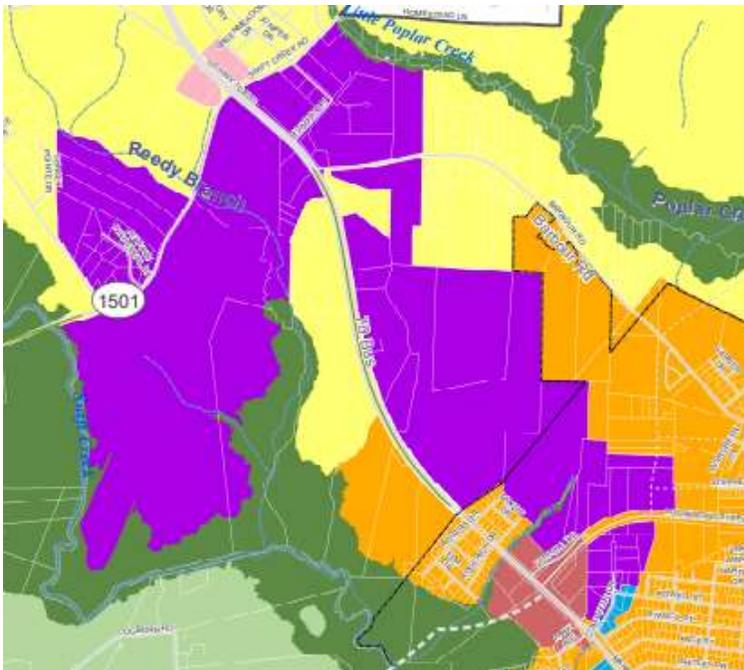
Public Hearing: CA-22-01

INTRODUCTION:

The Town approved the current Town Plan (Transportation Plan and Comprehensive Growth Management plan) on February 4, 2020. Comprehensive Plans are typically long-range planning documents and are typically renewed every ten years. Smithfield has been experiencing unprecedented growth that has rendered portions of the plan in need of an update.

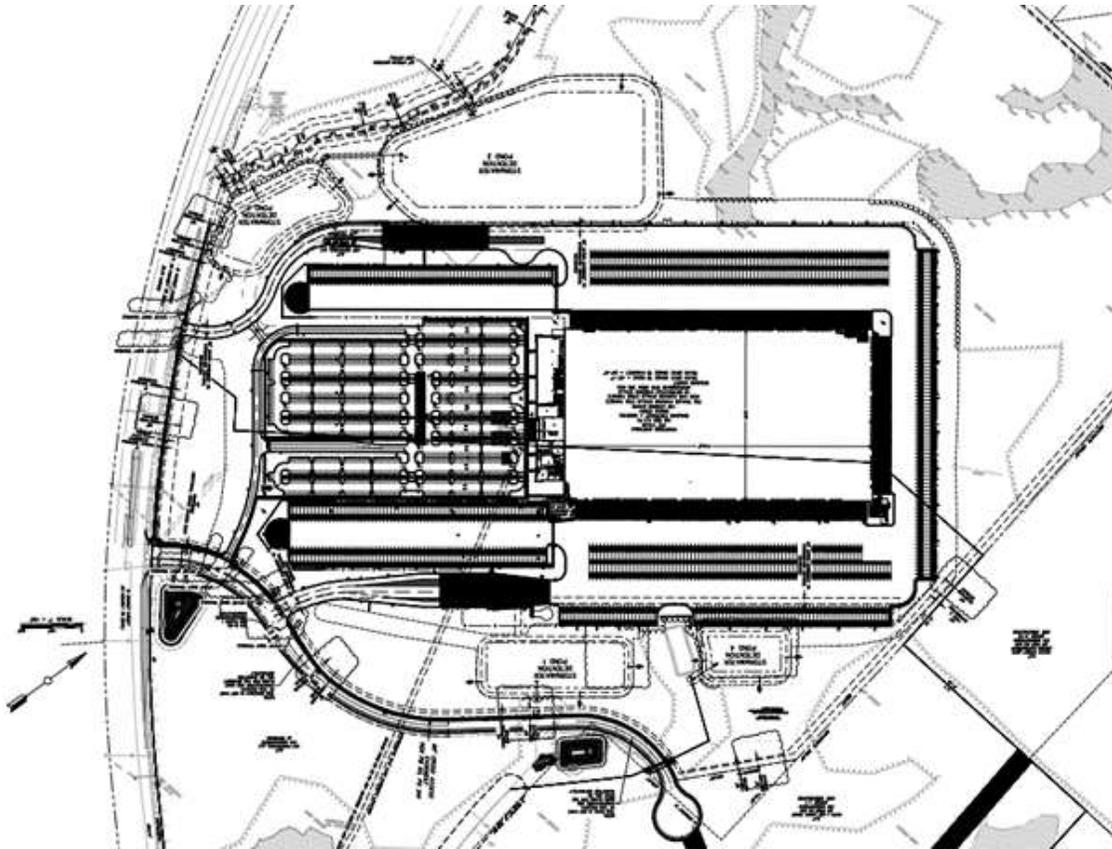
TOWN PLAN:

The Town Plan guided approximately 389 acres of land to Industrial/Employment of which nearly all has been rezoned to Light Industrial including the 240-acre planned West Smithfield Business Park (WSBP) (of which 170 is under construction for Amazon) and future industrial road. According to the Town's economic development consultants, additional industrial land is needed and in demand.

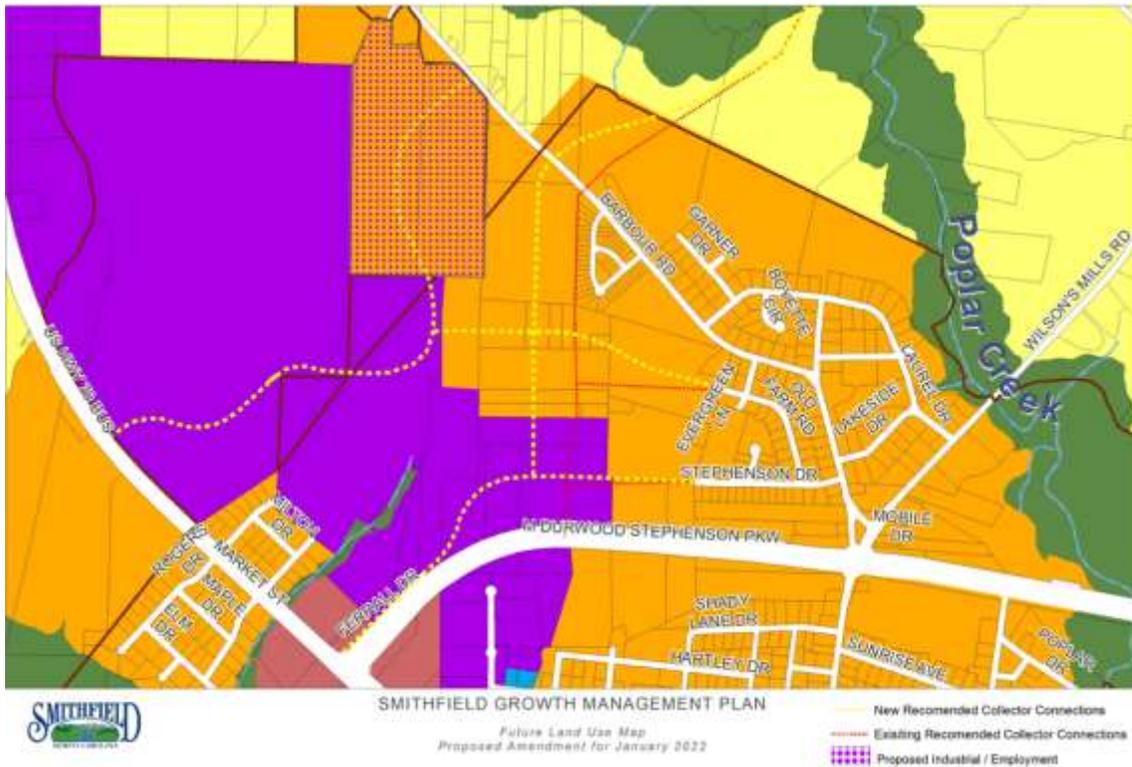


The Town Plan (above) envisioned an industrial park and connectivity through the block of land bordered by US Highway 70 Business, M. Derwood Stephenson Parkway and Barbour Road and a road connection to M. Derwood Stephenson Parkway, but this will not be allowed by NCDOT. The Plan did not anticipate the Amazon site and the proposed WSBP

industrial road (still in the planning stages) which is different than what was envisioned (see image below).



PROPOSED TOWN PLAN AMENDMENT:



Comprehensive Growth Management Plan. Staff is recommending the Town amend the Comprehensive Growth Management Plan to guide 2 parcels of land, 51.64-acres, (Johnston County Tax IDs 15078199W and 15078199V) for Industrial/Employment. The land is adjacent to the planned WSBP development and would allow for an expansion of the industrial park in the future. The land is relatively flat and open and suitable for industrial development and currently used for agriculture.

Transportation Plan. Staff is recommending the Town amend its Transportation Plan to allow for a future extension of the WSBP road infrastructure through 4 parcels of land (Johnston County Tax IDs 15078011G, 15077033C, 15078199W 15078199V) to prepare for a collector road between US 70 Business West and Barbour Road for future development in the area. The Plan also proposes local connector roads to create a local network of streets.

PLANNING BOARD REVIEW

The Planning Board was unanimously in favor of the amendment but split the vote 3 in favor and 3 opposed because several members, although in favor, felt the affected property owners should be notified by mail of the changes.

Staff explained that it was following the proper notification procedure for comprehensive plan amendments. NCGS 160D states:

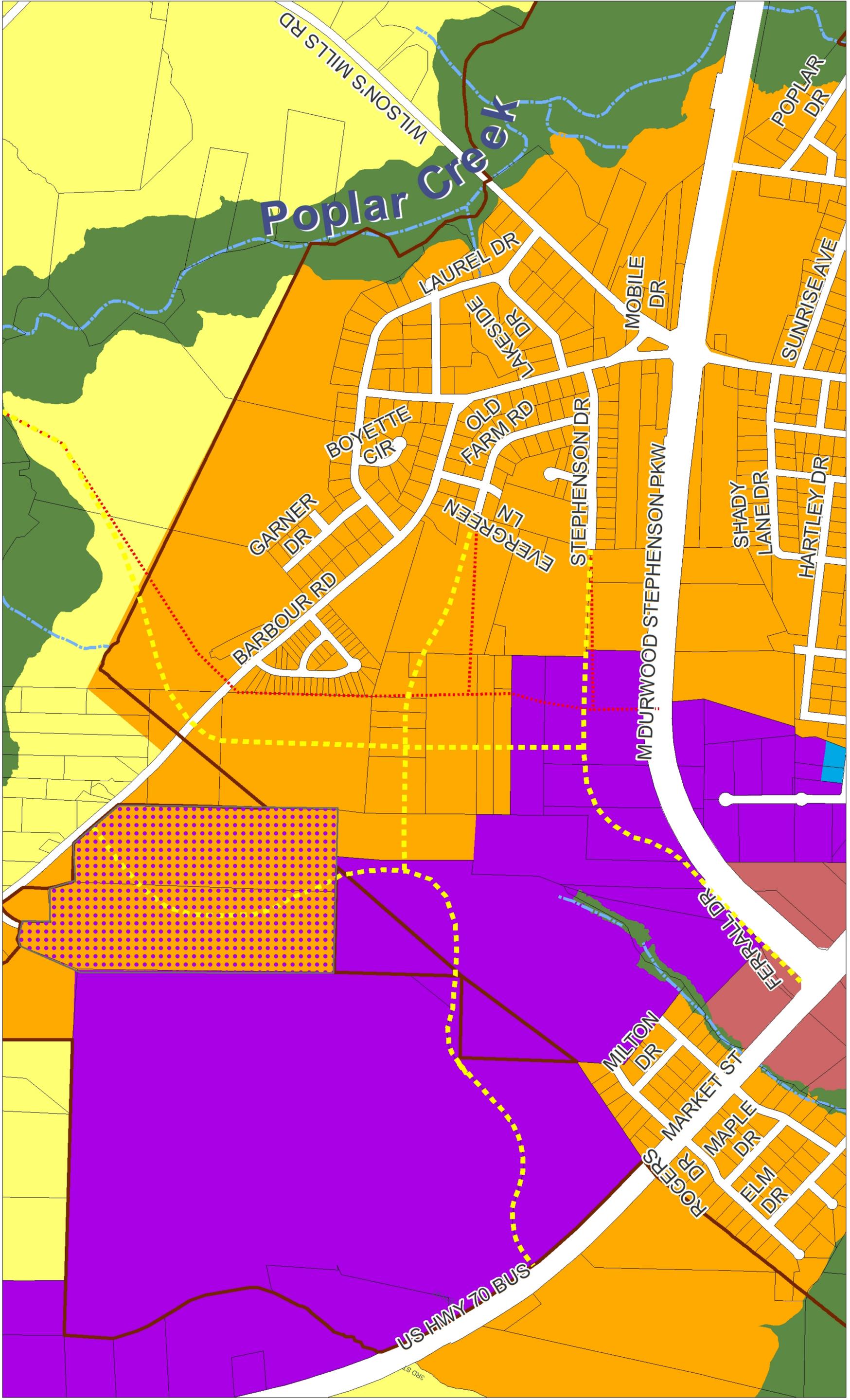
(c) Adoption and Effect of Plans. - Plans shall be adopted by the governing board with the advice and consultation of the planning board. Adoption and amendment of a comprehensive or land-use plan is a legislative decision and shall follow the process mandated for zoning text amendments set by G.S. 160D-601.

RECOMMENDATION:

Staff recommends the Town Council approve the amendments, CA-22-01, to the Town Plan.

RECOMMENDED MOTION:

“move to recommend the Town Council approve the proposed amendments, CA-22-01, to the Transportation Plan and Comprehensive Growth Management Plan.”



SMITHFIELD GROWTH MANAGEMENT PLAN

Future Land Use Map
Proposed Amendment for January 2022

- - - - - New Recommended Collector Connections
- - - - - Existing Recommended Collector Connections
- Proposed Industrial / Employment

**Town of Smithfield
Planning Board Minutes
Thursday, January 6th, 2022
Town Hall Council Chambers
6:00 PM**

Members Present:

Chairman Stephen Upton
Vice-Chairman Mark Lane
Debbie Howard
Sloan Stevens
Ashley Spain
Doris Wallace

Members Absent:

Alisa Bizzell
Michael Johnson

Staff Present:

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

Staff Absent:

CALL TO ORDER

APPROVAL OF AGENDA

Doris Wallace made a motion to approve the agenda, seconded by Debbie Howard. Unanimously approved.

APPROVAL OF MINUTES FOR DECEMBER 2nd, 2021

Debbie Howard made a motion to approve the minutes for December 2, 2021, seconded by Sloan Stevens. Unanimously approved.

NEW BUSINESS

Town Plan Amendment: The Town of Smithfield is requesting an amendment to update the Transportation and Growth Management Plan in response to rapid growth in the West Smithfield area.

Stephen Wensman stated that staff is requesting an amendment to the town's Transportation Comprehensive Growth Management Plan, collectively called the Town Plan. The Town approved the current Town Plan on February 4, 2020. Comprehensive Plans are typically long-range planning documents and are typically renewed every ten years. Smithfield has been experiencing unprecedented growth that has rendered portions of the plan in need of an update. The Town Plan guided approximately 389 acres of land to Industrial/Employment of which nearly all has been rezoned to light industrial including the 240-acre planned West Smithfield Business Park (WSBP) (of which 170 is under construction for Amazon) and future industrial road. According to the town's economic development consultants, additional industrial land is needed and in demand.

The Town Plan envisioned an industrial park and connectivity through the block of land bordered by US Highway 70 Business, M. Durwood Stephenson Parkway and Barbour Road and a road connection to M. Durwood Stephenson Parkway, but this will not be allowed by NCDOT. The Plan did not anticipate the Amazon site and the proposed WSBP industrial road which is different than what was envisioned.

Staff is recommending the Town amend the Comprehensive Growth Management Plan to guide 2 parcels of land, 51.64-acres, (Johnston County Tax IDs 15078199W and 15078199V) for Industrial/Employment. The land is adjacent to the planned WSBP development and would allow for an expansion of the industrial park in the future. The land is relatively flat and open and suitable for industrial development and currently used for agriculture. Staff is recommending the Town amend its Transportation Plan to allow for a future extension of the WSBP road infrastructure through 4 parcels of land Johnston County Tax IDs 15078011G, 15077033C, 15078199W 15078199V to prepare for a collector road between US 70 Business West and Barbour Road for future development in the area. The Plan also proposes local connector roads to create a local network of streets.

Mark Lane asked where the additional road was that he was proposing?

Stephen Wensman pointed on the map and stated it's a single road coming up through the North. With what Amazon is proposing what we have will never cut it. We can't get access to Durwood Stephenson Parkway as a road corner. The NCDOT will not give us access.

Doris Wallace

Mark Lane asked if any of the area property owners had been contacted.

Stephen Wensman said no, this is a comprehensive plan guidance so there will be a hearing for it next month at the Town Council meeting.

Mark Lane said he didn't like making decisions such as these without public input.

Stephen Wensman said the public was notified by the newspaper.

Debbie Howard asked we are only making a recommendation, correct?

Stephen Wensman said correct.

Mark Helmer said individual property owners are not required by the state statute to be notified by first class mail because the plan affects all people and property within the limits of the plan. It is not practical to send out first class mail to all citizen and property owners.

Mark Lane asked if the area property owners would be notified when this recommendation went before Town Council.

Stephen Wensman said no, it will be for a public hearing advertised through the newspaper and website.

Stephen Upton asked what the timeframe was for this to take place?

Stephen Wensman said these are considered 10-year plans. At the end of the 10 years, you reevaluate what's happened and make changes. In this case, we redid the comp plan two years ago. However, with Amazon coming we have to look at this area in more detail and realize what we have doesn't work. If someone came and developed behind Amazon, we wouldn't ever get us through road. This will ensure us that we will have a transportation network that provides for future growth.

Pam Lampe of 415 N. Second Street agreed that this amendment to the Town Plan was needed but she feels area property owners should be notified of any changes.

Emma Gemmel of 207 Hancock St asked if she misunderstood that this was a rezoning.

Stephen Wensman said it's not a rezoning but a comprehensive plan amendment. It guides future rezoning's.

Emma Gemmel said but you mentioned it couldn't be residential.

Stephen Wensman said if the property were being rezoned to something different, you'd have to follow the plan. With our new subdivision standards, they have to be compliant with the comprehensive plan which is one of the four findings of fact. It would make it hard to be a residential development if it was non-compliant with the comprehensive plan.

Emma Gemmel asked what about the property now?

Stephen Wensman said without this amendment this property could become a residential development.

Debbie Howard made a motion to recommend the Town Council approve the proposed amendments to the Transportation Plan and Comprehensive Growth Management Plan, seconded by Sloan Stevens. Denied by Doris Wallace, Mark Lane, Stephen Upton and Ashley Spain.

Stephen Wensman asked if those opposed were due to the first call mail notification concerns. They answered yes.

ZA-21-08 Regulations for Signs: Staff is proposing an amendment to Town of Smithfield Unified Development Ordinance, Article 10, Part III Regulations for Signs.

Mark Helmer stated that the Town of Smithfield Planning Department is proposing an update to the Sign Code to allow additional wall signs for commercial business. The proposed ordinance provides for additional wall signs for commercial properties and other amendments.

Mark Lane asked if the ordinance amendment would eliminate the need for the Board of Adjustment to issue sign variances?

Mark Helmer said the ordinance amendment will allow for additional sign opportunities but some land uses will always want more than what is currently allowed.

Mr. Helmer also stated that the proposed amendment does not reduce sign setback requirements due to safety concerns.

Mr. Helmer stated the proposed sign amendment makes the following changes:

- Allows for wall signs on all side of commercial buildings that have approved parking or internal drives.
- Provides additional sign area on secondary wall and secondary ground mounted signs.
- Provides a more relaxed ground mounted sign standard that will allow for sign content to be within 24 inches of the adjacent grade. Up from 12 inches.
- Allows larger ground mounted residential development sign and requires residential development signs at a minimum of two entrances when applicable.
- Updates permit requirements including eliminating late fee provision.
- Consolidates regulation for signs into distinct sections, i.e., Pole Sign area calculations have been moved to Section 10.21.1 Computation of Sign Area.

- Updates standards for all permitted signs.
- Eliminates contradicting or differing regulations for the same sign.
- Updates and clarifies temporary sign regulations.
- Moves Entry Corridor Overlay District sign regulations into the sign code.
- Updates Permitted District Signs.
- Adds highrise signs to the commercial signage tables.
- Eliminates all the footnotes to the commercial signage tables.
- Updates pole sign regulations (billboards) to ensure conformance with NCDOT regulations.
- Improves order of regulations with signs not requiring permits and exempt signs moved to the end of the ordinance.
- Consolidates all regulations for sign lighting.

Mark Helmer reviewed changes in the sign code by section.

Mark Lane asked about the height of the sign from the ground to the bottom of the sign. He said say it's 12 inches and we're going to allow 24 inches.

Mark Helmer said the height of the sign doesn't change, it's still 6ft maximum height. If the area of the text is smaller than the maximum we allow for, it easily allows them to move the bottom of the sign up and allow them to create a larger base.

Mark Lane asked if it went to 24 inches would it be feasible to require landscaping?

Mark Helmer said the proposed amendment will allow for better landscaping around the base of monument signs but required landscaping for signs in not proposed with the current revision of the sign ordinance. In the past, sign contractor's execution of landscape plans and installation have been lacking.

Doris Wallace made a motion to recommend approval of zoning text amendment, ZA-21-08, 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, seconded by Ashley Spain. Unanimously approved

OLD BUSINESS

ZA-21-06 Short Term Rental: The Town of Smithfield is requesting an amendment to Article 6 and Article 7 of the Unified Development Ordinance to allow for short term rental units and to create standards for which they must meet to be considered for approval.

Stephen Wensman said he wanted to bring this back before the board since it was tabled at the last Planning Board meeting. He requested feedback from the board.

Doris Wallace said it seems as though there is nothing, we can do about these short-term rentals.

Stephen Upton asked if there was anything we could do not ban these short-term rentals?

Stephen Wensman said they are not allowed in our zoning code but they exist. They are hard to enforce. We have a complaint-based code, if anyone does complain we can try to shut them down. They are almost statutorily protected.

Mark Lane asked why we couldn't shut them down if they are out of compliance?

Stephen Wensman said because we have a complaint-based code. We did have one come in and apply for a zoning permit as a BnB because we didn't have any Airbnb regulations. I can't prove they are a true BnB because we don't work on the weekends to make sure they are serving breakfast and living on the premises.

Stephen Upton asked if there was anyone that could do that on the weekends?

Stephen Wensman said Tommy Choe, our code enforcement officer said at one time that he would. He works off hours and is part-time so he really can't be here then.

Mark Lane feels if this passes it is opening the door to others to open short term rentals.

Debbie Howard asked how tough is it to enforce when the operators post pictures of their houses online advertising their home.

Stephen Wensman said we could enforce it but no one has asked us to. We are complaint based so until we get a complaint there's not much we can do.

Sloan Stevens asked what kind of taxes the home owners pay operating as an Airbnb?

Stephen Wensman said they have to pay the occupancy tax.

Mark Lane asked if it gets inspected by the health department?

Stephen Wensman said he doesn't know.

Stephen Wensman said if the board is split on this, he isn't going to take it to the Town Council. If later in the future this board wants to revisit this we can.

Stephen Upton asked for a motion and no one made one. He said it dies from a lack of a motion.

Adjournment

Being no further business, Ashley Spain made a motion seconded by Mark Lane to adjourn the meeting. Unanimously approved.

Respectfully Submitted,



Julie Edmonds
Administrative Support Specialist



Request for Town Council Action

**Public
Hearing: ZA-21-08**
Date: 02/01/22

Subject: Sign Ordinance Update
Department: Planning Department
Presented by: Stephen Wensman, AICP, Planning Director
Presentation: Business Item

Issue Statement

Staff is proposing an amendment to Town of Smithfield Unified Development Ordinance, Article 10, Part III Regulations for Signs.

Financial Impact

None

Action Needed

The Town Council is respectfully requested to hold a public hearing and review the zoning text amendment and to make a decision whether to approve, approve with changes, or to deny the request.

Recommendation

Staff recommends the Town Council approve ZA-21-08, updating the sign regulations in the UDO.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Proposed ordinance.
3. Consistency Statement
4. Application
5. Legal Notification of Public Hearings



Staff Report

Public
Hearing: ZA-21-08

OVERVIEW:

The Town of Smithfield Planning Department is proposing an update to the Sign Code to allow additional wall signs for commercial business. The proposed ordinance provides for additional wall signs and other amendments.

ANALYSIS:

The proposed text amendment makes the following changes:

- Updates permit requirements including eliminating late fee provision.
- Consolidates regulation for signs into distinct sections, i.e., pole sign area calculations have been moved to Section 10.21.1 Computation of Sign Area.
- Revises ground mounted sign dimensional requirements.
- Updates standards for all permitted signs.
- Eliminates contradicting or differing regulations for the same sign.
- Updates and clarifies temporary sign regulations, creating a distinct section for temporary signs.
- Moves Entry Corridor Overlay District sign regulations into the sign code.
- Updates Permitted District Signs:
 - Requires development signs at residential subdivisions (10.21.1.1) as requested by the Planning Department.
 - Allows wall signs on walls fronting on street, public parking area, common parking area in a planned shopping center or a public access walkway at 1 sq. ft. per linear foot of frontage, or 5% of the wall. Eliminates lesser signage for secondary walls.
 - Adds Highrise signs to the commercial signage tables
 - Eliminates all the footnotes to the commercial signage tables.
 - Updates Pole Signs regulations to be in conformance with NCDOT regulations.
- Improves order of regulations with signs not requiring permits and exempt signs moved to the end of the ordinance.
- Consolidates all regulations for sign lighting.

CONSISTENCY STATEMENT (STAFF OPINION):

Staff finds the zoning text amendment as proposed consistency with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

RECOMMENDATION:

Staff recommends the Town Council approve ZA-21-08, updating the sign regulations in the UDO.

RECOMMENDED MOTION:

“move to approve zoning text amendment, ZA-21-08, 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”

DRAFT ORDINANCE # ZA-21-08
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ARTICLE 10, PART III, REGULATIONS FOR SIGNS

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 apply revised sign regulations to Article 10, Part III, Regulations for Signs.

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

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

[Revise Article 10, Part III. Provides for additional wall signs on commercial properties and requires residential development identification signs and other changes.]

PART 1

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

ARTICLE 10, PART III. REGULATIONS FOR SIGNS.

SECTION 10.19 INTENT.

The intent of this section is, 1) to establish sign standards and restrictions that allow for the legitimate identification of residential, commercial, industrial, and other activities, 2) to provide for the safety of vehicular traffic by limiting visual interference, 3) to facilitate police and fire protection, 4) to protect the general public from injury caused by distracting and improperly placed signs, and 5) to protect property values while at the same time promoting the economic welfare of the Town of Smithfield by encouraging visually appealing and non-distracting forms of information transfer. For definitions relating to this Section refer to Appendix A.

SECTION 10.20 APPLICABILITY. ~~GENERAL PROVISIONS.~~

10.20.1. Administration.

The Planning Department of the Town of Smithfield shall be responsible for the administration and enforcement of this Section. The Administrator shall administer and enforce the terms and conditions of this Section and all other provisions of laws relating to signs. The duties shall include not only the issuance of permits as required in Section 10.20.2, but also enforcement of the provisions of this Section.

10.20.2. Permit Requirements.

10.20.2.1. General Requirements. Except as otherwise provided by this ordinance in Section 10.21 and 10.22, it shall be unlawful to erect, post, hang, paint, repair, replace, change, or maintain any sign without first obtaining a sign permit. Application for the permit shall be made in writing on forms furnished by the Administrator and signed by the applicant or authorized agent. Failure to secure a permit shall constitute a violation of this Section.

10.20.2.2. Sign Maintenance. no permit shall be required for the maintenance requirements of Section 10.29 (Maintenance) hereinafter.

10.20.2.3. Plans, Specifications, and Other Data Required. The application shall be accompanied by complete information as required on forms provided by the Administrator and shall include, without being limited to, a site plan and elevation drawings of the proposed sign, a drawing of the building facade indicating the proposed location of the sign, height, dimensions and square footage of the proposed sign and any other data as the Administrator may determine is necessary for review of the application. The Administrator shall not issue a sign permit unless the plans, specifications, and intended use of such sign conform in all respects to the applicable provisions of this Article.

10.20.2.4. Building Permit. A building permit must be obtained from the Johnston County Building Inspections Department.

10.20.2.5. Fees. A sign permit fee shall be paid upon the application for a sign permit and prior to commencement of any sign construction on the lot where the sign will be located. The fee to the Town of Smithfield for each sign permit applied for in accordance with this Article in an amount determined by the Town of Smithfield Schedule of Fees ~~and based on the size of the sign.~~ This permit fee does not include building electrical permit fees, which shall be additional. ~~A sign permit fee shall not be charged for replacing a nonconforming sign with a conforming sign or for bringing a nonconforming sign into conformance with this Article if such action is undertaken voluntarily within one year of the effective date of this Section.~~

~~**10.20.2.4.2. When Fees Payable.** Sign permit fees shall be paid upon the application for a sign permit and prior to commencement of any sign construction on the lot where the sign will be located.~~

~~**10.20.2.4.3. Late Fee.** Work performed without a permit shall be subject to a late fee as set forth in the Town of Smithfield Schedule of Fees.~~

10.20.2.6. Revocation of Permits for Non-Use.

10.20.2.6.1. Commencement of Work. If actual work for the permitted sign on the site is not commenced within 60 days from the date of such sign permit or if substantial work for the permitted sign is suspended for a period of 60 consecutive days after issuance of the sign permit, the permit shall automatically become null and void. However, for new construction, the sign permit shall not become null and void until 60 days after the Zoning Compliance Release has been issued.

10.20.2.6.2. Extensions of Time. The provisions of subsection 10.20.2.6.1 above shall not apply when delays are not a result of willful acts or neglect of the persons obtaining the permit. In that event, the Administrator may grant an extension of time within which operations must be started or resumed. All requests for such extensions and approval thereof shall be in writing.

10.20.2.7. Forfeiture of Fees. When any permit has been revoked under the terms of this Section, the permit fees shall not be refunded. If a sign permit is denied, however, the permit fee will be refunded.

10.20.2.8. Licenses. No person shall engage in the business of erecting or maintaining signs in the Town of Smithfield unless said person has been issued a sign contractor's license which has not expired at the time said work is done. This requirement shall be interpreted to exclude those persons who construct and erect a principal use identification sign when that sign is used at that person's place of business, provided all construction and installation is properly permitted and inspected for compliance with the applicable building codes of the Town of Smithfield and other parts of this Section.

SECTION 10.21 SIGN COMPUTATIONS.

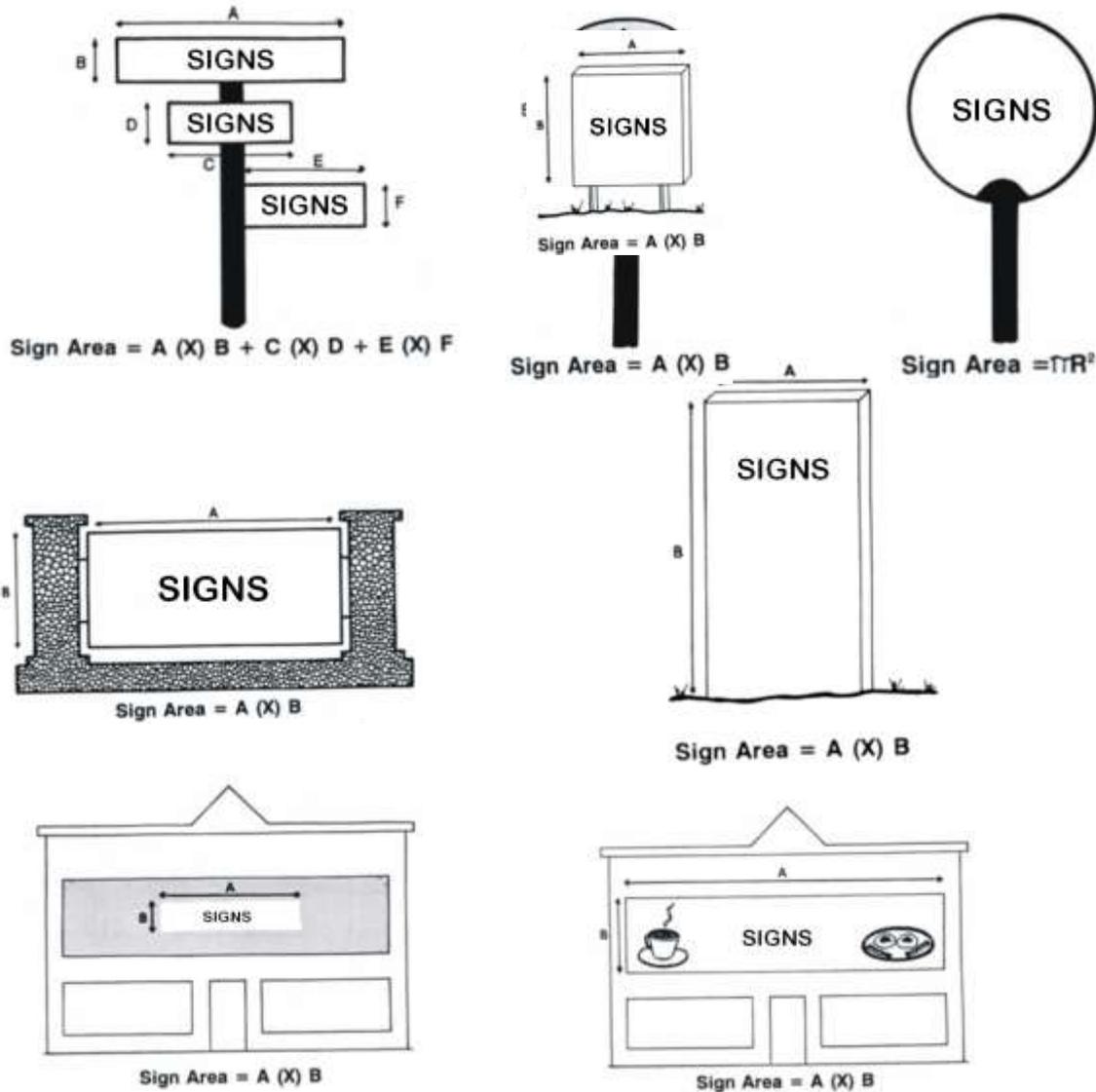
10.21.1 Computation of Sign Area.

The surface area of a sign is computed as including the entire area within a parallelogram, triangle, circle, semi-circle, or other regular geometric figure, including all of the elements of the display, but not including blank masking (a plain strip, bearing no advertising matter around the edge of a sign), frames, display of identification or licensing officially required by any governmental body, or structural elements outside the sign surface. In the case of signs mounted back-to-back, only one side of the sign is to be included in the area. Otherwise, the surface area of each sign is to be separately computed. In the case of cylindrical signs, signs in the shape of cubes, or other signs, which are substantially three-dimensional with respect to their display surfaces, the entire display surface or surfaces, is included in computations of area.

In the case of embellishments (display portions of signs extending outside the general display area), surface area extending outside the general display area is to be computed as part of the total surface area of the sign. Where three dimensional figures are used as or on signs, the area

shall be the total of all sides made an integral part of the projected figure used in conveying the intended message. If a sign is attached to an entrance wall or fence, only that portion of that wall or fence on which the sign face or letters are placed shall be calculated in the sign area.

In the case of a multi-faced pole sign, the area of the sign shall be considered to include all faces visible from one direction.



10.21.2. Monument or Ground Mounted Sign Dimensional Requirements.

The base of such sign structure shall be on the ground or a maximum of 24 inches above the adjacent grade.
The width of the top of the sign structure shall be no greater than 120 percent of the width of the base.



SECTION 10.22 GENERAL PROVISIONS SPECIFICATIONS FOR SIGNS REQUIRING A PERMIT.

The following are general specifications applicable to the various signs permitted. Additional specifications regarding size, number, location, and permitted types of signs are set forth in the individual zoning districts.

10.22.1. Standards Applicable to All Specifications for all Permitted Signs.

Unless specifically exempted by other sections of the Article, all signs will be required to have proper permits prior to construction or installation. Whether the sign is new, part of new construction, or an existing sign, the following information will be required as part of the permit application.

10.22.1.1. Location: Unless specifically provided otherwise elsewhere in this section, all permitted signs shall adhere to the following provisions:

10.22.1.1.1. All signs regulated by this ordinance shall be on-premises signs located on private property.

10.22.1.1.2. Permitted signs shall always be located outside of the street right-of-way and required sight triangles.

10.22.1.1.3. All permitted signs must be placed no closer than 10' from property line, except within the B-1 District where it can be located zero (0) ft. from the front property line/right-of-way

10.22.1.1.4. Permitted signage shall be located behind sidewalk areas except where encroachments are permitted as outlined in 10.22.1.2 below.

10.22.1.1.5. No new freestanding sign shall be placed within 20 feet of an existing freestanding sign on an adjoining lot.

10.22.1.1.6. All signs must maintain a 10 foot setback from the public right-of-way except within the B-1 zoning district or if otherwise specified herein.

10.22.1.2. Sign Encroachments. No portion of any sign shall encroach into or over a public right-of-way except awning signs, projecting/suspended signs and marquee signs within the B-1 District and may project over the sidewalk to within 3-feet of the curbline provided that such signs shall maintain a minimum clearance of 9 feet above the sidewalk.

10.22.1.3. Discontinued Signs. Upon the discontinuance of a business or occupancy of an establishment for a consecutive period of one hundred eighty (180) days, the UDO Administrator shall require the removal of any nonconforming sign(s) advertising or identifying the establishment. The UDO Administrator shall give thirty (30) days' notice to

the property owner to remove the sign(s). Failure to remove the sign(s) within the thirty-day period shall constitute a violation of this Article and shall be remedied in accordance with the provisions of Section 1.8

~~A detailed description of any new sign for which a permit is requested. This will include, but not necessarily be limited to, a detailed drawing of the sign showing size, height, and site location relative to property lines and street right-of-way.~~

~~**10.22.1.2.** Existing signs must meet the requirements of Article 10, Part III, if, for any reason, the sign is to be changed or altered. Normal copy changes and routine maintenance matters are exceptions to this requirement.~~

~~**10.22.1.3.** Prior to issuance of a sign permit, all fees in accordance with the associated fee schedule shall be paid.~~

~~**10.22.1.4.** Upon notification of completion by the permit holder, the UDO Administrator shall inspect the sign to verify conformance with applicable codes.~~

10.22.2. Wall Signs.

10.22.2.1. No wall sign shall project more than 18 inches from the building wall. Further, no wall sign or its supporting structure shall cover any window or part of a window, nor shall it extend on the roofline, parapet, or mansard roof.

10.22.2.2. Canopy and awning signs may be substituted for part or all of the allowable wall signage per premises. ~~Signs may be painted or printed onto a canopy or awning. Copy area of the sign is limited to the drip flap. Logos may be placed on the awning itself. In no instance shall a canopy or awning sign extend into a street right-of-way.~~

10.22.2.3. No wall sign shall be attached to any cupola, tower, or other architectural feature that is above the roofline.

~~**10.22.2.4.** Sign area may not exceed 200 square feet on any building wall.~~

10.22.3. Projecting Signs.

10.22.3.1. All Projecting Signs.

10.22.3.1.1. A projecting sign will not project more than four (4) feet from a building wall

10.22.3.1.2. A projecting sign will not extend vertically above the roofline or parapet of a building.

10.22.3.1.3. The sign shall be a minimum of nine (9) feet from the bottom of the sign above the finished grade.

~~**10.22.3.2. Projecting Signs for Major Site Plans.** Projecting signs may be permitted for individual tenants of a major site plan without altering detached sign provisions. Such sign shall be permitted provided:~~

~~**10.22.3.2.1.** Subject to the same provisions of 10.22.3.1.1 through 10.22.3.1.3, above.~~

~~**10.22.3.2.2.** The sign shall not project more than four (4) feet, but in no case shall be closer than 3 feet to pavement of adjoining street(s).~~

~~**10.22.3.1.4.** The maximum area for the projecting signs for Major Site Plans shall be calculated as though it was a wall sign. The maximum area of a projecting sign shall be seventy-five (75) feet and there shall be no more than one projecting sign per business entrance.~~

~~**10.22.3.2.4.** No more than one projecting sign per business entrance.~~

~~10.22.4. Signs for Identification of Manufactured Home Parks.~~

~~Permanent identification sign(s) shall be required for every manufactured home park. The size of the signs shall be as follows: Not more than two signs with a total maximum area of 48 square feet and a total minimum area of 12 square feet. Signs must be located on the park property within 50 feet of the entrance and at least 10 feet off the front property line. Signs must be located a minimum of five feet from any side property lines. Only indirect non-flashing lighting may be used for illumination, and the sign must be constructed in such a manner as to prevent a direct view of the light source from any public road right-of-way.~~

10.22.4. Temporary Use Signs.

A zoning permit for a temporary use may also authorize one temporary sign, not to exceed 40 32 square feet in sign surface area, associated with the temporary use. ~~Such temporary sign shall conform to the requirements of Article 10, Part III.~~

10.22.5. Electronic Messaging Signs. Electronic message boards and kinetic sign lighted display areas shall not exceed thirty (32) square feet.

10.22.6. Signs in the Entry Corridor Overlay District. Signs within the Entry Corridor Overlay District shall comply with all sign regulations in Article 10 Part III except as modified in Article 10, Part IX Overlay Districts.

10.22.7. Wireless Communication Facility Signage. Refer to Article 10, Part VIII for requirements regarding wireless communication facilities.

SECTION 10.23 SIGN ILLUMINATION AND SIGNS CONTAINING LIGHTS.

10.23.1. Unless otherwise prohibited by this chapter, signs may be illuminated if such illumination is in accordance with this section.

10.23.2. ~~No sign within 150 feet of a Residential-Agricultural (R-20) or Residential (R-9, R-7, R-6, R-6MF, R-6MH) Zoning District may be illuminated between the hours of 12:00 midnight and 6:00 a.m., unless the impact of such lighting beyond the boundaries of the lot where it is located is entirely inconsequential.~~ Illuminated signs shall comply with the maximum light levels of Part IV, Lighting Ordinance, Section 10.34.3.1.

10.23.3. Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way or residential premises.

10.23.4. ~~Electronic message boards and kinetic sign lighted display areas shall not exceed thirty (30) square feet.~~

10.23.4. Subject to Subsection 10.28.7, no sign may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity, except signs indicating the time, date, or weather conditions.

10.23.5. Subsections 10.23.1 and 10.22.4 do not apply to temporary signs or decorations erected or installed in connection with observance of holidays.

SECTION 10.24 PERMITTED DISTRICT SIGNS. (Note: Refer to Appendix A, Definitions for graphic examples of signs.)

10.24.1 Residential Development Identification Signs (R-6, R-8, R-10, R-20A, R-MH, PUD and Residential Conditional Zoning)

~~**10.23.1.1.** Residential districts contain developments that may require signage. Such developments include, but are not limited to: Single-Family Subdivisions, Multi-Family Developments, Manufactured Home Parks, Permitted Nonresidential Uses, and Recreational Facilities. At any entrance to a subdivision or multi-family development, there may be not more than two (2) signs located at the entrance to a development comprised of two (2) or more lots. A single side of any such sign may not exceed sixteen (16) square feet in area, nor may the surface area of all such signs exceed thirty-two (32) square feet in area.~~

10.24.1.1 Required Signs. Residential development identification signs shall be required at a minimum of two entrances as applicable for all residential subdivision, multi-family development or manufactured home parks. Residential development identification signs shall be of a monument or wall sign design and shall not exceed 4 feet in total overall height and twenty-four (24) square feet in area per sign side. No more than two such signs

shall be permitted at any entrance. Residential development identification signs shall not impede site distances and shall be no closure than 10 feet to a property or right-of-way line. All residential development identification signs and associated structure shall be in a designated sign easement and maintained by the development owner or owner's association.

10.24.1.2. Home Occupation Signs. Additionally, ~~home~~ Home occupations with a valid zoning permit ~~may install~~ are permitted one sign with an area of no greater than four (4) square feet. Home occupation signage shall be permanently fixed to the residence within which the home occupation resides.

10.24.1.3. Non-residential Uses in Residential Districts. ~~For residentially zoned permitted nonresidential uses:~~ Non-residential uses with a valid zoning permit may have one (1) freestanding sign or one (1) wall sign per zoning lot of no more than 32 square feet in area, with a maximum height of six (6) ~~eight (8)~~ feet if ground mounted or no higher than the roof line if wall mounted.

10.24.2. Single Tenant Business District Signs When Site Plan is Not Required (O/I, B-1, B-2, and B-3 and Business Conditional Zoning).

Permitted Sign Type(s)	Specific Applicability	Maximum Area	Maximum Height	Maximum Number
BUILDING MOUNTED				
Wall	Front facades <u>Frontage on street, public parking area, common parking area in a planned shopping center or a public access walkway.</u>	1 sq. ft. for each linear foot of wall frontage <u>or</u> 5% of wall whichever is greater	N/A	N/A <u>4</u>
Wall	Secondary to primary signage	1/2 sq. ft. for each linear foot of building facing side street,	N/A	2
Small Wall Signage	Home occupation (O/I only)	4 sq. ft.	5 ft	1
Window	Businesses	25% of first floor total building front facade window and/or door area	N/A	N/A
Projecting	Businesses (excluding home occupations)	12 sq. ft. (total of 24 sq. ft.)	8 ft	1
Canopy or Awning	Businesses (excluding home occupations)	Copy area of the sign is limited to the drip flap. Logos may be placed on the awning itself.	---	1

Permitted Sign Type(s)	Specific Applicability	Maximum Area	Maximum Height	Maximum Number
FREESTANDING				
Monument or Ground Mounted	Nonresidential	Primary street: 75 sq. ft. Secondary street: 40 <u>75</u> sq. ft.	6 ft	4 <u>2</u>
<u>High-Rise</u>	<u>B-3 District within 660' of Interstate 95 (See Section (10.25))</u>	<u>400 per side</u>	<u>50 ft min.- 100 ft max.</u>	<u>1</u>
Pole	(Refer to Section 10.23.6 and 10.23.8)	300 sq. ft.		
Temporary ⁶		8 sq. ft.	6 ft	4

¹Combined square footage of all signs shall not exceed 200 square feet. Only one side of a double frontage sign shall be used to calculate the sign's square footage.

²Wall signs may project a maximum of 12" from the wall to which it is mounted.

³Sign may not protrude above soffit, parapet, eave line, or third story of the building to which it is attached.

⁴Minimum 9 feet above ground; no portion of the sign may extend within 3 feet of street pavement.

⁵~~Sign must be placed no closer than 10' from property line, except within the B-1 District where it can be located zero (0) ft. from the front property line/right-of-way. One ground mounted or monument sign or pole sign is permitted provided the area of said sign and wall signage on the front of building, combined, shall not exceed square footage as defined above for the front facade only. In the event of a double-sided sign, only one side shall be used to figure the square footage. For property adjacent to I-95, refer to Sections 10.23.6 10. to 10.23.8.14.. If located on public right-of-way, approval of the Town of Smithfield or NCDOT is required, as appropriate.~~

⁶The temporary sign may be displayed up to fifteen (15) days prior to and fifteen (15) days following the specific event with which the sign is associated. Miscellaneous temporary use signs not tied or connected to a specific event may be displayed for up to sixty (60) calendar days without a zoning permit. Display for longer than 60 days will require issuance of a zoning permit.

10.24.3. Industrial District Signs (LI and HI).

Permitted Sign Type(s)	Specific Applicability	Maximum Area	Maximum Height	Maximum Number
BUILDING MOUNTED				
Wall	<u>Front facades Frontage on street, public parking area, common parking area in a planned shopping center or a public access walkway.</u>	4-5 <u>1</u> sq. ft. for each linear foot of wall frontage or 5% of wall whichever is greater	N/A	<u>N/A</u> 4
Wall	Secondary to primary signage	1 sq. ft. for each linear foot of building facing side street	N/A	<u>N/A</u>
Window	Businesses	25% of first floor total building front facade window and/or door area	N/A	<u>N/A</u>
Projecting	Businesses (excluding home occupations)	12 sq. ft. (total of 24 sq. ft.)	8 ft	1

Permitted Sign Type(s)	Specific Applicability	Maximum Area	Maximum Height	Maximum Number
Canopy or Awning	Businesses (excluding home occupations)	Copy area of the sign is limited to the drip flap. Logos may be placed on the awning itself.	---	1
FREESTANDING				
Monument or Ground Mounted	Nonresidential	100 sq. ft.	6 ft	1
Pole	For signs in the HI district, (refer to Section 10.25.2 and 10.23.7)	300 sq. ft.	(See Section 10.23.7)	
Temporary ⁶		8 sq. ft.	6 ft	4

¹Combined square footage of all signs shall not exceed 200 square feet. Only one side of a double frontage sign shall be used to calculate the sign's square footage.

²Wall signs may project a maximum of 12" from the wall to which it is mounted.

³Sign may not protrude above soffit, parapet, eave line, or third story of the building to which it is attached.

⁴Minimum 9 feet above ground; no portion of the sign may extend within 3 feet of street pavement.

⁵Sign must be placed no closer than 10' from property line. One ground mounted or monument sign or pole sign is permitted provided the area of said sign and wall signage on the front of building, combined, shall not exceed square footage as defined above for the front facade only. In the event of a double-sided sign, only one side shall be used to figure the square footage. For property adjacent to I-95, refer to Sections 10.23.6 10. to 10.23.8.14.

⁶The temporary sign may be displayed up to fifteen (15) days prior to and fifteen (15) days following the specific event with which the sign is associated. Miscellaneous temporary use signs not tied or connected to a specific event may be displayed for up to sixty (60) calendar days without a zoning permit. Display for longer than 60 days will require issuance of a zoning permit.

10.24.4. Multi-tenant Business District Signs Commercial Major Site Plans and Developments (O/I, B-1, B-2, and B-3)

Number of Outlets	Specific Applicability	Maximum Area	Maximum Height	Maximum Number
FREESTANDING				
Up to six outlets	Businesses	125 sq. ft.	15 ft	1 per street frontage
7-14 outlets	Businesses	150 sq. ft.	15 ft	1 per street frontage
15 or more outlets	Businesses	200 sq. ft.	15 ft	1 per street frontage
Temporary ⁴		8 sq. ft.	8 ft	4
OUT PARCELS				
		75 sq. ft.	6 ft	1 per out parcel

	Monument or ground mounted sign			
--	---------------------------------	--	--	--

~~¹The temporary sign may be displayed up to fifteen (15) days prior to and fifteen (15) days following the specific event with which the sign is associated. Miscellaneous temporary use signs not tied or connected to a specific event may be displayed for up to sixty (60) calendar days without a zoning permit. Display for longer than 60 days will require issuance of a zoning permit.~~

~~²Sign must be placed no closer than 10' from property line. One ground mounted or monument sign is permitted provided the area of said sign and wall signage on the front of building, combined, shall not exceed square footage as defined above for the front facade only. In the event of a double-sided sign, only one side shall be used to figure the square footage. For property adjacent to I-95, refer to Sections 10.23.6 10. to 10.23.8.14.~~

Permitted Sign Type(s)	Specific Applicability	Maximum Area	Maximum Height	Maximum Number
BUILDING MOUNTED				
Wall	Front facades	1 sq. ft. for each linear foot of wall frontage <u>or</u> 5% of wall whichever is greater	N/A	N/A
Wall	Secondary to primary signage	1/2 sq. ft. for each linear foot of building facing side street and/or interior area of a planned building group	N/A	N/A
Window	Businesses	25% of first floor total building front facade window and/or door area	N/A	N/A
Projecting	Businesses (excluding home occupations)	12 sq. ft. (total of 24 sq. ft.)	8 ft	1
Canopy or Awning	Businesses (excluding home occupations)	Copy area of the sign is limited to the drip flap. Logos may be placed on the awning itself.	---	1

~~¹Combined square footage of all signs shall not exceed 400 square feet. Only one side of a double frontage sign shall be used to calculate the sign's square footage.~~

~~²Wall signs may project a maximum of 12" from the wall to which it is mounted.~~

~~³Sign may not protrude above soffit, parapet, eave line, or third story of the building to which it is attached.~~

~~⁴Minimum 9 feet above ground; no portion of the sign may extend within 3 feet of street pavement.~~

10.25 SUPPLEMENTAL SIGN STANDARDS FOR THE O/I, B-1, B-2, B-3, AND PUD DISTRICTS.

~~Sign standards for specific business operations are in addition to the general standards outlined in this Article and recognize the different types of traffic, use and need of signs for the assistance of the traveling public and the prosperity of business owners and employees through the attraction, retention, and furtherance of commerce throughout the town. Establishments in the six listed zoning districts may avail themselves of the maximum signage allowable under Section 10.23 and additionally may supplement such maximum via the standards of this subsection.~~

~~10.25.1. Sandwich Board Sign.~~

~~Limited to one sign per business, except restaurants and prepared food service establishments may have two (2) sandwich board signs. Signs shall be limited to a maximum height of four (4) feet and a maximum length of three (3) feet. Folding and double-faced signs shall be considered one (1) sign. Sandwich board signs shall not be located on any public right-of-way, except that where the edge of the right-of-way is the face of the building and where such building abuts a public sidewalk, such signage may be allowed as a right-of-way encroachment. Sign placement shall not impede movement on the sidewalk. Restaurants and prepared food service establishments may have two (2) sandwich board signs. Such signs are exempt from permit requirements.~~

10.25.1 High-Rise Business Identification Signs (Single Tenant).

High-rise business identification signs may be permitted as a use by right for single tenant developments when located in the B-3 (Highway Entrance Business) zoning district and located within 660 feet of Interstate 95. A zoning permit may be granted providing the following minimum standards are met.

10.25.1.1 High-rise signs shall only advertise activities conducted on the property upon which it is located.

10.25.1.2 Maximum sign height shall not exceed a total height of 100 feet and shall be a minimum total height of at least 50 feet.

10.25.1.3 Maximum sign area shall not exceed 400 square feet of sign area per side.

10.25.1.4 No part of a high-rise sign shall be closer than 10 feet to a property line.

10.25.1.5 High-rise signs shall be free standing, ground mounted and of mono-pole design.

10.25.1.6 Only one high-rise identification sign may be permitted per property and is in addition to all other allowable signs.

10.25.2 POLE SIGNS (OUTDOOR ADVERTISING)

10.25.2.1 General Provisions for Pole Signs.

Following the effective date of this Ordinance, pole signs shall not be erected, or maintained in any zoning district except in compliance with the provisions set forth in this Section and with N.C. Gen. Stat. § 136-130, Article 11, Outdoor Advertising Act.

10.25.2.1.1 Computation of Sign Area. The area of the sign shall be considered to be that of the smallest rectilinear figure (but which shall have a continuous perimeter of not more than eight straight lines) which encompasses all lettering, wording, frame, design,

or symbols, together with any background on which the sign is located and any illuminated part of the sign, if such background or such illuminated part of the sign is designed as an integral part of and related to the sign. Any cutouts or extensions shall be included in the area of a sign but supports and bracing which are not intended as part of the sign shall be excluded. In the case of a multi-faced sign, the area of the sign shall be considered to include all faces visible from one direction. Where three dimensional figures are used as or on signs, the area shall be the total of all sides made an integral part of the projected figure used in conveying the intended message.

10.25.2.1.2. Encroachment into the Right-of-Way. No part of any pole sign shall be located on or extended into a public right-of-way.

10.25.2.1.3. Illumination. Sign illumination shall be in accordance with Section 10.23. Illuminated signs shall be subject to the following conditions: a) Any light used for the illumination shall be shielded so that the beams or rays of light will not shine directly into surrounding areas or on the public roadway; and b) Neither direct nor reflected light from any light source shall create a traffic hazard or distraction to operators of motor vehicles on public thoroughfares.

10.25.2.1.4 Visibility. No sign or structure shall be erected or maintained to impede safe and adequate visibility from vehicles or for pedestrians.

10.25.2.1.5 Extensions. No extension(s) shall be allowed beyond those dimensions for the sign area as initially permitted.

10.25.2.1.6 Stacking. Stacking of pole signs is not permitted.

10.25.2.2 Pole Sign, LED (Light Emitting Diodes). ~~Pole signs utilizing~~ The use of LED or other similar technologies on pole signs shall be a permitted use by right in all zoning districts when adjacent to I-95. A zoning permit may be granted provided the following minimum standards are met.

10.25.2.2.1. The property on which the sign is to be located must be adjacent to I-95.

10.25.2.2.2 The sign cannot be located within six hundred sixty (660) feet of the edge of the right-of-way of I-95.

10.25.2.2.3 The sign shall comply with all regulations of the North Carolina Department of Transportation and with the North Carolina General Statutes.

10.25.2.2.4. No two (2) such LED pole signs shall be placed less than two thousand five hundred (2,500) feet apart; however, an LED pole sign may be allowed within five hundred (500) feet of a non-LED pole sign. Distance shall be measured from center point to center point, as specified in North Carolina Administrative Code T19A:023.0200.

10.25.2.2.5. The sign shall be of monopole design and placed on the site so as to be viewed only from the corridor in which it is permitted.

10.25.2.2.6. Pole signs may not change content more than one (1) time within a thirty second period and the change must occur within a two (2) second period. All LED pole signs must be equipped to automatically turn off in case of malfunction.

10.25.2.2.7. No pole sign can project over any public right-of-way.

10.25.2.3. Pole Signs in the HI District on Property Adjacent to I-95.

Following the effective date of this Ordinance, pole signs shall not be erected, or maintained in any zoning district except in compliance with the provisions set forth in this Section. The following sign regulations shall be applicable within the HI district on properties adjacent to the I-95 corridor wherein pole signs are allowed. Any sign not specifically allowed is prohibited.

In the HI zoning district, pole signs are allowed subject to the restrictions set forth herein.

10.25.2.3.1. Size. No pole sign shall exceed 300 square feet per directional flow of traffic (300 square feet total per sign structure). A maximum of two faces per sign structure is allowed, positioned either back to back or V-shaped, such that only two faces are allowed per side. Both sides of a double-faced or V-shaped sign shall be of equal size. In no case shall there be more than two faces per directional flow of traffic.

10.25.2.3.2 Location. ~~No pole sign shall be closer than five hundred (500) feet to the I-95 right-of-way.~~ The property on which the sign is to be located must be adjacent to I-95.

10.25.2.3.3. Height. No pole sign located beyond 660 feet of the right-of-way of the I-95 corridor shall exceed 100 feet. Within 660 feet of the I-95 corridor and in the area between the I-95 and the CSX rights-of-way, the maximum sign height shall be 25 feet.

10.25.2.3.4 Spacing.

10.25.2.3.4.1 The minimum distance between any two sign structures shall be 1,000 linear feet on either side of the same street.

10.25.2.3.4.2 No pole sign shall be located within a 200-foot radius of a school, place of worship, public park, national park, and/or forestland(s) or bridge.

10.25.2.3.4.3 Except for pole signs permitted in Section 10.23.8, no pole sign shall be located within 75 feet of any intersection.

10.25.2.3.4.4 Except for pole signs permitted in Section 10.23.8, no pole sign shall be located within a 100-foot radius of residentially zoned property.

10.25.2.3.4.5. No pole sign shall be located within 50 feet of any building or on-premises sign.

10.25.2.3.4.5 Setback. Minimum setbacks from public right-of-way: distances shall be as follows:

10.25.2.3.4.5.1 For sign area of 0 to 75 square feet per face - 10 feet.

10.25.2.3.4.5.2 For sign area of 76 to 150 300 square feet per face - 20 feet. For all sign sizes, the minimum setback distances from all other property lines shall be ten feet.

10.25.2.3.5.3. Pole Signs Per Parcel. There may not be more than two pole sign per parcel.

10.25.3. Pole Signs on Non-Industrial Commercial Property Adjacent to the I-95 Corridor.

10.25.3.1. Size. No pole sign shall exceed 300 square feet per directional flow of traffic (300 square feet total per sign structure). A maximum of two faces per sign structure is allowed, positioned either back to back or v-shaped, such that only two faces are allowed per side. Both sides of a double-faced or v-shaped sign shall be of equal size. In no case shall there be more than two faces per directional flow of traffic.

10.25.3.2. Pole Signs, Non-LED. Pole signs shall be a permitted use by right in all zoning districts when located on property adjacent to I-95. A zoning permit may be granted provided the following minimum standards are met.

10.25.3.2.1 The property on which the sign is to be located must be adjacent to I-95.

10.25.3.2.2. The sign cannot be located within six hundred sixty (660) feet of the edge of the right-of-way of I-95.

10.25.3.2.3. The sign shall comply with all regulations of the North Carolina Department of Transportation and with the North Carolina General Statutes.

10.25.3.2.4. No two (2) such structures shall be placed less than two thousand five hundred (2,500) feet apart. Distance shall be measured ~~as specified in North Carolina Administrative Code T19A:023.0200.~~ from center point to center point.

10.25.3.2.5. The sign shall be of monopole design and placed on the site so as to be viewed only from the corridor in which it is permitted. Sign height may not exceed one hundred (100) feet. The bottom of the sign must be at least fifty (50) feet above the base of the pole on which the sign is mounted.

10.25.4. Pole Sign, LED (Light Emitting Diodes). Pole signs utilizing LED or other similar technologies shall be a permitted use by right in all zoning districts when adjacent to I-95. A zoning permit may be granted provided the following minimum standards are met.

10.25.4.1. The property on which the sign is to be located must be adjacent to I-95.

10.25.4.2. The sign cannot be located within six hundred sixty (660) feet of the edge of the right-of-way of I-95.

10.25.4.3. The sign shall comply with all regulations of the North Carolina Department of Transportation and with the North Carolina General Statutes.

10.25.4.4. No two (2) such LED pole signs shall be placed less than two thousand five hundred (2,500) feet apart; however, an LED pole sign may be allowed within five hundred (500) feet of a non-LED pole sign. Distance shall be measured from center point to center point, ~~as specified in North Carolina Administrative Code T19A:023.0200.~~

10.25.4.5. The sign shall be of monopole design and placed on the site so as to be viewed only from the corridor in which it is permitted.

10.25.4.6. Pole signs may not change content more than one (1) time within a thirty second period and the change must occur within a two (2) second period. All LED pole signs must be equipped to automatically turn off in case of malfunction.

10.25.4.7. No pole sign can project over any public right-of-way.

SECTION 10.26 TEMPORARY SIGNS

10.26.1. Temporary Signs on Residential Lots.

Any ground/freestanding sign containing any lawful message on a residential lot may be erected subject to the following:

10.26.1.1. Maximum Number. One (1) sign per 100 feet or fraction thereof, of lot frontage of all adjacent public streets with a maximum of 3 signs per lot.

10.26.1.2. Size: Each sign shall not exceed 4 square feet in area, and 3 feet in height.

10.26.1.3. Maximum Duration: A temporary sign may be displayed up to 15 days prior to and 15 days following a specific event with which the sign is associated. Miscellaneous temporary use signs not tied to or connected to a specific event may be displayed for up to 60 calendar days without a sign permit.

10.26.1.4. Location. Temporary signs are not permitted in the public right-of-way. No off-premises commercial signage permitted.

Certain temporary signs in residential districts shall be in accordance with Section 10.24.1 shall be exempt from permit requirements. A banner, pennant, poster, or display constructed of paper, cloth, canvas, plastic sheet, cardboard, wall board, plywood, or other like materials, and that appears to be intended or determined by the UDO Administrator to be displayed for a limited period of time. See Sections 10.24.1 to 10.24.4 which include temporary signs requiring a permit.

10.26.2. Temporary Event Sign in O/I, B-1, B-2, B-3, PUD, LI, and HI Districts. One temporary sign may be displayed up to fifteen (15) days prior to and fifteen (15) days following the specific event with which the sign is associated, and no more than 60 calendar days per year. Such signs shall not exceed 32 square feet in area, six (6) feet in height and shall be located on the premise, set back 10' or more from any property line (Except in the B-1 District, such signs can be located at the property line).

10.26.3. Off Premise Temporary Event Signs are permitted in Commercial Districts associated with Town sponsored events. Such signs may be displayed up to fifteen (15) days prior to and fifteen (15) days following the specific event with which the sign is associated. Such signs shall not exceed 32 square feet in area, six (6) feet in height and located on public or private property, but not within the public right-of-way.

SECTION 10.27 SIGNS NOT REQUIRING A PERMIT

10.27.1. Commercial Sandwich Board Sign.

Limited to one sign per business, except restaurants and prepared food service establishments may have two (2) sandwich board signs. Signs shall be limited to a maximum height of four (4) feet and a maximum length of three (3) feet. Folding and double-faced signs shall be considered one (1) sign. Sandwich board signs shall not be located on any public right-of-way, except that where the edge of the right-of-way is the face of the building and where such building abuts a public sidewalk, such signage may be allowed as a right-of-way encroachment. Sign placement shall not impede movement on the sidewalk. ~~Restaurants and prepared food service establishments may have two (2) sandwich board signs.~~

10.27.2 Construction Signs.

An on-site temporary sign identifying the names of the individuals and/or firms connected with the construction of an active project. Fence wraps displaying signage when affixed to perimeter fencing at a construction site are exempt until the certificate of occupancy is issued for the final portion of any construction at that site or 24 months from the time the fence wrap was installed, whichever is shorter. If construction is not completed at the end of 24 months from the time the fence wrap was installed, the Town may regulate the signage but shall continue to allow fence wrapping materials to be affixed to the perimeter fencing. No fence wrap affixed pursuant to this subsection may display any advertising other than advertising sponsored by a person directly involved in the construction project and for which monetary compensation for the advertisement is not paid or required.

10.27.3. Miscellaneous Exemptions.

10.27.3.1. Handicapped parking space signs: signs associated with the operation of equipment or other functional elements such as menu boards, automatic teller machines, gas pumps, vending machines, scoreboards, and similar incidental signs; signs visible only from the premises, markers which are non-commercial in nature.

10.27.3.2. Memorial signs, plaques or grave markers.

10.27.3.3. On-premises directional and instruction signs not exceeding four (4) square feet in area apiece.

10.27.3.4. Signs located within the interior of a business or operation.

10.27.3.5. Public interest signs (i.e., historical markers).

10.27.3.6. Identification signs not exceeding three (3) square feet in area (one only per premises).

10.27.3.7. Address and name signs. Signs or plates on residential structures giving the name and/or address of the occupant.

10.27.3.8. Integral decorative or architectural features of buildings or works of arts, provided such features or works of art do not contain advertisements, trademarks, moving parts, or lights.

10.27.3.9. Displays, including lighting, erected in connection with the observance of holidays. Such displays shall not be considered as illuminated signs and they shall be removed within ten (10) days following the holiday.

10.27.3.10. Political signs erected in accordance with NC General Statutes §136-32 as follows:

10.27.3.10.1. During the period beginning on the 30th day before the beginning date of “one stop” early voting under NC General Statutes §163-227.2 and ending on the 10th day after the primary or election day, person may place political signs in the right-of-way of the State highway system or Town street as provided in this section. Signs must be placed in compliance with subsection 10.27.3.10.2 below and removed by the end of the period prescribed herein.

10.27.3.10.2. The permittee must obtain the permission of the property owner of a residence, business or religious institution fronting the right-of-way where a sign would be erected. Signs must be placed in accordance with the following:

10.27.3.10.2.1. No sign shall be permitted in the right-of-way of a fully controlled access highway.

10.27.3.10.2.2. No sign shall be closer than three (3) feet from the edge of the pavement of the road.

10.27.3.10.2.3. No sign shall obscure motorist visibility at an intersection.

10.27.3.10.2.4. No sign shall be larger than 864 square inches.

10.27.3.10.2.5. No sign shall obscure or replace another sign.

10.27.3.11. ID plaques of no more than four (4) square feet per business or tenant in non-residential zoning districts and signs of no more than two (2) square feet in area in residential zoning districts, including signs bearing only property identification numbers and names, post office box numbers of occupants of the premises, or other identification of premises so that public safety agencies can easily identify the property from a public street. In cases where the building is not located within view of the public street, the identifier shall be located on a mailbox or other suitable device visible from the street. Such signs shall not be illuminated. The size and location of the identifying numerals and letters (if any) must be proportional to the size of the building and the distance from the street to the building.

10.27.3.12. Ornamental signs not exceeding six (6) square feet are permitted in the B-2, B-3, L-I, and H-I zoning districts displayed on/attached to light poles located at least fifteen (15) feet from any public right-of-way.

10.27.3.13. Governmental Signs. Any sign, symbol or device erected and maintained by a federal state, county, or municipal government or any such governmental agency in the

performance of their duties such as regulatory signs, identification/directional signs, welcome signs, legal notice signs and traffic control signs.

10.27.3.14. Additional Subdivision Signage for New Developments

10.27.3.14.1. Surface Area: Such signs may be no greater than 32 square feet in area and 6 feet in height.

10.27.3.14.2. Maximum Number: One sign is permitted for each entrance to the subdivision.

10.27.3.14.3. Maximum Duration: Such signs shall be removed when 85% of the lots have been sold or within 5 years of erection, whichever is less.

SECTION 10.28 PROHIBITED SIGNS.

The following list of signs are prohibited in the town; any violation is subject to the regulations as stated in this Article.

10.28.1. No sign may be located so that it substantially interferes with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public streets or private roads.

10.28.2. Signs that revolve or are animated or that utilize movement or apparent movement to attract the attention of the public. Signs with optical illusion of movement by means of a design which presents a pattern capable of reversible perspective, giving the illusion of motion. This prohibition includes, but is not limited to, flutter flags and wind signs as defined in Appendix A.

10.28.3. No sign may be erected so that by its location, color, size, shape, nature, or message, it would tend to obstruct the view of or be confused with official traffic signs or other signs erected by governmental agencies. Signs displaying intermittent light resembling the flashing light customarily used in traffic signals, or used by police, fire, ambulance, or other emergency vehicles, nor shall any sign use the word "stop," "danger," or any other words, phrases, symbol, or character in a manner that might be construed as a public safety warning or traffic sign.

10.28.4. Signs which obstruct free ingress to or egress from a driveway or a required door, window, fire escape, or other required exit way.

10.28.5. No signs shall overhang or be erected in any public right-of-way. Traffic regulation, information, or warning signs erected by the State Department of Transportation, signs erected by the Town, or signs located in the B-1 district are exempt.

10.28.6. Any sign located in such a way as to intentionally deny an adjoining property owner visual access to an existing sign.

10.28.7. Flashing, fluttering, swinging, rotating signs (except governmental signs and signs, which give time and temperature and other commercial public information message).

10.28.8. Roof signs, or signs above the parapet of a building.

10.28.9. Electronic message boards in all Residential districts, except for permitted nonresidential uses in a Residential district.

10.28.10. Portable signs, except for “sandwich boards.”

10.28.11. All Beacons and Spotlights. Illumination system(s) shall not contain or utilize any beacon, spot, search, or stroboscopic light or reflector which is visible from any public right-of-way or adjacent property, nor shall such lights be operated outside, under any circumstances, except by authorized agencies for emergency services purposes.

10.28.12. Flood lights shall not be utilized as a part of a sign illumination system which are not hooded or shielded so that the light source is not visible from any public right-of-way or adjacent property, nor shall any sign otherwise reflect or emit a glaring light so as to impair driver vision.

10.28.13. Any sign or sign structure that is structurally unsafe as determined by the Building Inspector.

10.28.14. Signs painted on or attached to trees, fences, or fence posts, and telephone or utility poles or signs on or attached to rocks or other natural features (snipe signs).

10.28.15. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign. This prohibition does not include temporary construction site vehicles on active construction sites.

10.28.16. Pole signs which are within 660 feet of the nearest edge of the right-of-way and visible from the maintained traveled way of the Federal Aid Primary and Interstate System, all as described in the Federal Highway Beautification Assistance Act of 1979, as amended, and which are constructed or erected on or after the effective date of this Section, unless excepted by NCGS 136-129 (see Appendix C). Provided, further, pole signs located specifically as described hereinbefore which were erected prior to the effective date of this Section are not prohibited from continuing, notwithstanding their non-conformance with regulations of this Section, other than conformance with the maintenance provisions set forth in Section **10.30** hereinafter.

10.28.17. Pavement markings except those of a customary traffic-control nature, as found in the Manual of Uniform Traffic Control Devices.

10.28.18. Off premise advertising signs except as permitted under Section 10.25.2.

10.28.19. Other signs not expressly permitted by this Ordinance.

SECTION 10.28 SIGN ILLUMINATION AND SIGNS CONTAINING LIGHTS.

~~10.28.1.~~ Unless otherwise prohibited by this chapter, signs may be illuminated if such illumination is in accordance with this section.

~~10.28.2.~~ No sign within 150 feet of a Residential-Agricultural (R-20) or Residential (R-9, R-7, R-6, R-6MF, R-6MH) Zoning District may be illuminated between the hours of 12:00 midnight and 6:00 a.m., unless the impact of such lighting beyond the boundaries of the lot where it is located is entirely inconsequential.

~~10.28.3.~~ Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way or residential premises.

~~10.22.4.~~ Electronic message boards and kinetic sign lighted display areas shall not exceed thirty (30) square feet.

~~10.28.5.~~ Subject to Subsection 10.22.6, no sign may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity, except signs indicating the time, date, or weather conditions.

~~10.28.6.~~ Subsections 10.22.1 and 10.22.5 do not apply to temporary signs or decorations erected or installed in connection with observance of holidays.

SECTION 10.29 SIGN CONSTRUCTION.

All signs shall be designed, constructed and maintained in accordance with the following additional standards:

~~10.29.1.~~ All sign shall comply with applicable provisions of the town's Building code and Electrical Code as referenced in the Town of Smithfield's Code of Ordinances.

10.29.1.1 Except for permitted banners, flags, temporary signs, and window signs conforming in all respects with the requirements of this Unified Development Ordinance, all signs shall be constructed of permanent materials and shall be attached to the ground or building.

10.29.1.2. All signs allowed by this Section shall be constructed in accordance with the requirements of the North Carolina State Building Code.

SECTION 10.30 SIGN MAINTENANCE.

To ensure that signs are erected and maintained in a safe and aesthetic manner, it shall be unlawful for any sign designed to be visible from any public street or highway within the jurisdiction of the Town of Smithfield to be erected or maintained by any person, other than by a sign contractor properly licensed under Section 10.20.2 or by a designated representative of such licensed contractor, except that this requirement shall be interpreted to exclude those persons who construct and erect a principal use identification sign when said sign is used at said person's place of business and to exclude licensed general contractors erecting signs as part of a permitted construction or renovation project; provided, however, in all cases, all erection must be properly permitted and inspected for compliance with the applicable codes of the State of North Carolina and the Town of Smithfield and with other parts of this Article.

The following maintenance requirements must be observed for all signs visible from any public street or highway within the jurisdiction of this Article.

10.30.1. No sign shall have more than 20% of its surface area covered with disfigured, cracked, ripped, or peeling paint or poster paper for a period of more than 30 successive days.

10.30.2. No sign shall be allowed to stand with bent or broken sign facing, broken supports, loose appendages or struts or be allowed to stand more than 15 degrees away from the perpendicular for a period of more than 30 successive days.

10.30.3. No sign shall be allowed to have weeds, vines, landscaping, or other vegetation growing upon it and obscuring its view from the street or highway from which it is to be viewed for a period of more than 30 successive days.

10.30.4. No neon or internally illuminated sign may be allowed to stand with only partial illumination for a period of more than 30 successive days.

10.30.5. If a sign or sign structure is damaged such that more than 50% of the value is lost, with such determination made by the UDO Administrator, any repair or replacement must be done in conformance with this Section.

10.30.6 The UDO Administrator may inspect all signs for compliance with these maintenance requirements.

SECTION 10.31 STRUCTURAL AND CONSTRUCTION REQUIREMENTS.

All signs allowed by this Section shall be constructed in accordance with the requirements of the North Carolina State Building Code.

SECTION 10.31 NONCONFORMING SIGNS.

Refer to Article 9, Section 9.9 for nonconforming sign regulations.

SECTION 10.32 RECONSTRUCTION OF DAMAGED SIGNS OR SIGN STRUCTURES.

~~10.33.1.~~ Any conforming ~~or permitted nonconforming sign~~ or sign structure which has been damaged may be repaired and used as before, provided all repairs are initiated within thirty (30) days and completed within sixty (60) days of such damage. However, if the sign should be declared unsafe by the UDO Administrator, the owner of the sign or the owner of record of the real property whereon the sign is located shall immediately correct all unsafe conditions in a manner satisfactory to the UDO Administrator.

~~10.32.2.~~ For the purposes of this section, a nonconforming sign or its structure shall be considered destroyed, and therefore not repairable, if it receives damage to the extent of more than 50% of its value as listed for tax purposes by the Johnston County Tax Office.

SECTION 10.34 DISCONTINUED SIGNS.

~~Upon the discontinuance of a business or occupancy of an establishment for a consecutive period of one hundred eighty (180) days, the UDO Administrator shall require the removal of any nonconforming sign(s) advertising or identifying the establishment. The UDO Administrator shall give thirty (30) days' notice to the property owner to remove the sign(s). Failure to remove the sign(s) within the thirty-day period shall constitute a violation of this Article and shall be remedied in accordance with the provisions of Section 1.8.~~

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

Duly adopted this the _____ day of February 1, 2022.

M. Andy Moore, Mayor

ATTEST

Shannan L. Parrish, Town Clerk

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
ZA-21-08**

Whereas the Smithfield Town Council, upon acting on a zoning ordinance amendment to the *Unified Development Ordinance* and pursuant to NCGS §160A-383, is required to approve a statement describing how the action is consistent with the Town of Smithfield *Comprehensive Growth Management Plan*; and

Whereas the Smithfield Town Council, upon acting on a zoning ordinance amendment to the *Unified Development Ordinance* and pursuant to NCGS §160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE SMITHFIELD TOWN COUNCIL AS APPROPRIATE:

IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE AMENDMENT,

That the final action regarding zoning ordinance amendment ZA-21-08 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the regularly scheduled meeting of Town Council; and

It is the objective of the Town of Smithfield Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning ordinance amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the Town of Smithfield as supported by the staff report and attachments provided to the Town Council at their regularly scheduled meeting. Therefore, the ordinance amendment is reasonable and in the public interest.

IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE FAILS,

That the final action regarding zoning ordinance amendment ZA-21-08 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

It is the objective of the Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning ordinance amendment does not promote this and therefore is neither reasonable nor in the public interest.



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

Petition for Amendment to the Unified Development Ordinance

Pursuant to Article 4 of the Town of Smithfield Unified Development Ordinance, Proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. The application for any amendment shall contain a description of the proposed zoning regulation.

APPLICANT INFORMATION:

Town of Smithfield

Petitioner's Name

Address or PO Box

City, State, Zip Code

Telephone

Proposed amendment to the Town of Smithfield Unified Development Ordinance:

Amendment to the Sign Regulations

(Attach additional sheets as necessary)

This application must be accompanied by a Statement of Justification which addresses the following:

1. How the amendment proposed would serve the public interest or correct an obvious error in the existing ordinance.
2. How the amendment proposed will enhance or promote the purposes and goals of the adopted plans and policies of the governing body.

The undersigned hereby authorizes the filing of this petition and certifies that the information contained herein stands alone based on the merits of this request and is accurate to the best of their knowledge and belief.

Stephen J. Wansau
 Signature of petitioner

 12/14/21
 Date

FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Amount Paid: _____



PLANNING DEPARTMENT

Mark E. Helmer, AICP, Senior Planner

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, February 1, 2022 in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

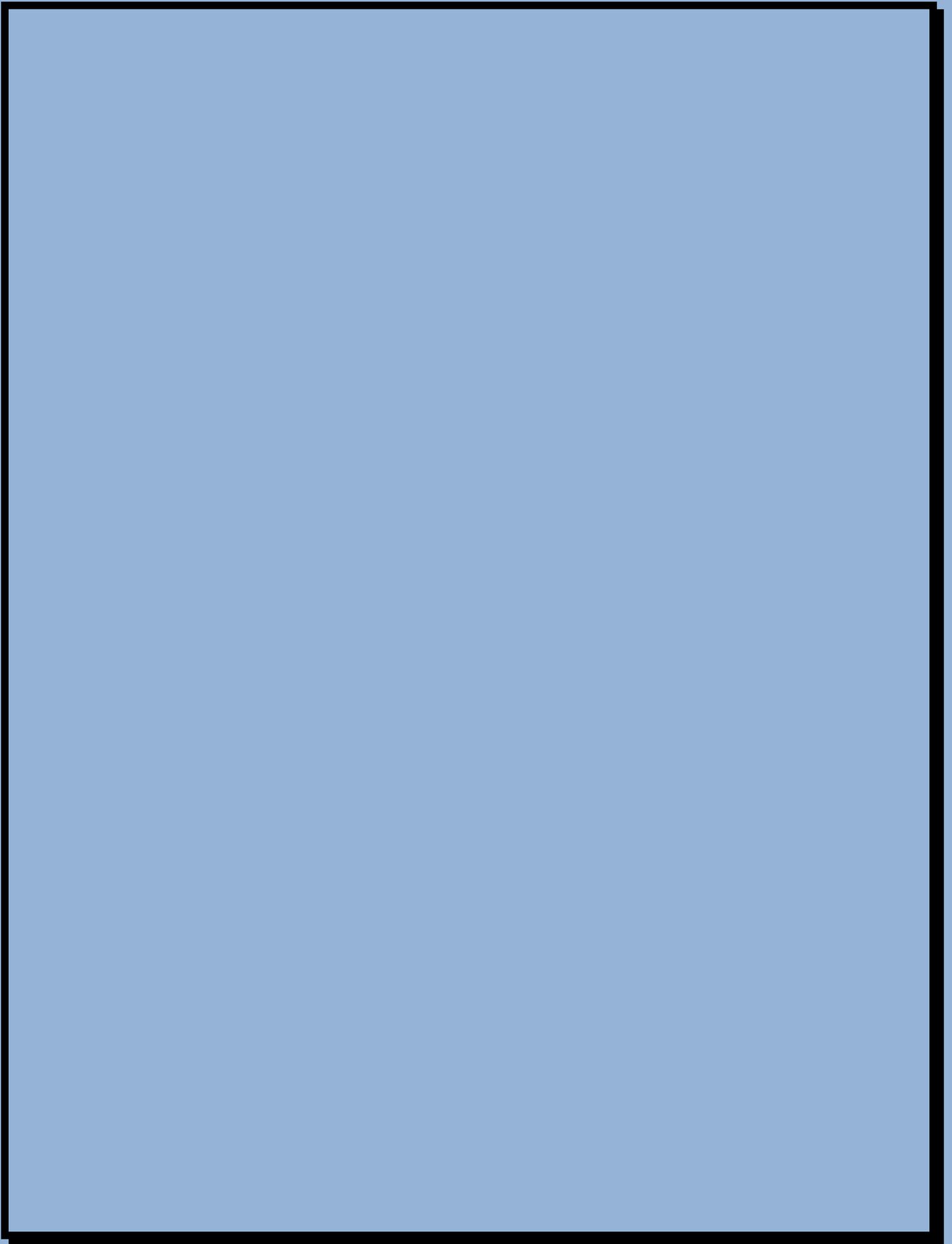
Town Plan Amendment: The Town of Smithfield is requesting an amendment to update the Transportation and Growth Management Plan in response to rapid growth in the West Smithfield area.

ZA-21-08 Regulations for Signs: The Town of Smithfield is requesting an amendment to Article 10, Part III, Regulations for Signs that will allow additional wall mounted sign opportunities for commercial properties, modifies multitenant monument sign requirements, creates residential subdivision signs requirements and modifies existing text to clarify and eliminate inconsistencies throughout the document.

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.

Run Legal ad in the Johnstonian News on January 19, 2022 and January 26, 2022.

Consent Agenda Items



The Smithfield Town Council met in regular session on Tuesday, January 4, 2022 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, John A. Dunn, Mayor Pro-Tem presided.

Councilmen Present:

Marlon Lee, District 1
David Stevens, District 2
Dr. David Barbour, District 4
Stephen Rabil, At-Large

Councilmen Absent

M. Andy Moore, Mayor
Travis Scott, District 3
Roger Wood, At-Large

Administrative Staff Present

Michael Scott, Town Manager
Michael Brown, Fire Chief
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
Michael Sliger, Public Works Supervisor
Stephen Wensman, Planning Director

Also Present

Bob Spence, Town Attorney

Administrative Staff Absent

Lawrence Davis, Public Works Director

CALL TO ORDER

Mayor Pro-Tem Dunn called the meeting to order at 7:00 pm.

INVOCATION

The invocation was given by Councilman Barbour followed by the Pledge of Allegiance.

APPROVAL OF AGENDA:

Councilman Barbour made a motion, seconded by Councilman Stevens, to approve the agenda with the following amendment:

Add to Business Items: 4. *Consideration and request for approval to hire McCormick-Taylor to prepare two grant applications for NC Land and Water Fund (LWF) funding.*

Unanimously approved.

PRESENTATIONS:

1. Acceptance of the 2021 North Carolina American Water Works Association & Water Environment Federation Award for Potable Water Distribution System of the Year

Public Utilities Director Ted Credle informed the Council the Town of Smithfield owns & operates 122 miles of pressurized water main, 4 above-ground water storage tanks, and 2 pumping stations all serving over 6,000 customers. Over the past 98 years, the NC-AWWA has awarded the best and most efficient caretakers of water systems throughout North Carolina's water industry. For the fifth consecutive year, the Town of Smithfield has won the top honor for the state of North Carolina, in their division. Mayor Pro-Tem Dunn presented the award to Public Utilities Director Ted Credle.

2. Acceptance of the 2021 North Carolina American Water Works Association & Water Environment Federation Award for Sanitary Sewer Collection System of the Year

Public Utilities Director Ted Credle informed the Council the Town of Smithfield has demonstrated that they perform quality collection system maintenance procedures through the efficient use of labor, materials, equipment, and innovative methods to keep their collection system in good working

condition to minimize health hazards and property damage that occur due to sanitary sewer over flows during both wet weather and dry weather conditions. The award honors the collection system personnel that serve their community with a high level of professionalism and diligent work in the operation and maintenance of their wastewater collection system facilities. Mayor Pro-Tem Dunn presented the award to Public Utilities Director Ted Credle.

PUBLIC HEARINGS:

1. Noncontiguous Annexation Request – Twin Creeks Phase 1A (ANX-21-02):

Consideration and request for approval to Adopt Ordinance #507 extending the corporate limits of the Town of Smithfield pursuant to NCGS 160A-58.2

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

Planning Director Stephen Wensman explained this was a request by Navaho Investments for voluntary satellite annexation of 1.61 acres into the Town of Smithfield adjacent to the Twin Creeks Phase 1 development site on Black Creek Road approximately 1,800 ft southwest of the intersection of NC Highway 210 and Black Creek Road. Mr. Wensman explained the area was part of the property annexed into the Town in 2018 with vested rights for preliminary plat of Twin Creeks Phase 1. After annexation, the developer's attorney identified an error on the deed and made a deed correction showing the 1.61 acres of land belonging to the developer's property. As a result of the deed error, the 1.61 acres was omitted from the 2018 annexation and the Twin Creeks Phase 1 preliminary plat. After annexation, the developer intends to have the 1.61 acres rezoned to R-20A and platted into 3 lots with access onto the Twin Creeks Phase 1 street and connected to the Town's utilities in Twin Creek Phase 1.

Mayor Pro-Tem Dunn asked if there were any questions from Council. There were none.

Mayor Pro-Tem Dunn 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.

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

Councilman Barbour made a motion, seconded by Councilman Stevens to approve Ordinance No. 507 extending the corporate limits of the Town of Smithfield.

ORDINANCE No. 507 TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SMITHFIELD, NORTH CAROLINA

WHEREAS, the Town Council has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held in the Council Chambers of the Smithfield Town Hall at 7:00 pm on January 4, 2022 after due notice by publication in the Johnstonian News on December 22, 2022; and

WHEREAS, the Town Council finds that the area described therein meets the standards of G.S. 160A-58.1 (b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town;

- b. No point on the proposed satellite corporate limits is closer to another municipality than to the Town;
- c. The area described is so situated that the Town will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;
- e. By virtue of an act of the General Assembly, The Town of Smithfield is exempt from exceeding ten percent (10%) of the area within the primary corporate limits of the Town, and

WHEREAS, the Town Council further finds that the petition has been signed by all the owners of the real property in the area who are required by law to sign; and

WHEREAS, the Town Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Smithfield, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the Town of Smithfield, as of January 4, 2022

Lying and being situated in Johnston County, North Carolina and being more particularly described as follows:

Being that certain Parcel in Smithfield Township, Johnston County, North Carolina and lying to the south of Black Creek Road / S.R. 1162, to the west of property owned by Derek E. Thompson (Deed Book 4881, Page 505), and being more particularly described as follows:

BEGINNING at an existing P. K. Nail (control comer) in the center of Black Creek Road / S.R. 1162 (a 60' Public Right of Way), thence leaving the above-mentioned road in a southerly direction South 11 ° 29' 47" East 214.95 to a large poplar; thence South 40° 28' 08" West 167.89 feet to a point; thence North 66° 43' 24" West 242.34 feet to a point;

thence North 25° 19' 35" West 86.25 feet to an existing railroad spike in the center of Black Creek Road/ S.R. 1 162 (a 60' Public Right of Way); thence along the center of the above-mentioned road the following two (2) calls, North 63 ° 51' 59" East 265.01 feet to an existing P. K. Nail; thence North 61 ° 21' 38" East 99.95 feet to the POINT OF BEGINNING and containing 1.61 total acres more or less.

See Map Book 66, Page 114, Johnston County Registry from which this legal description was taken.

Section 2. Upon and after January 4, 2022, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Smithfield and shall be entitled to the same privileges and benefits as other parts of the Town of Smithfield. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Smithfield shall cause to be recorded in the office of the Register of Deeds of Johnston County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy this ordinance. Such a map shall also be delivered to the Town Board of Elections, as required by G.S. 163-288.1.

Section 4. Notice of adoption of this ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the Town of Smithfield.

2. **Rezoning Request – Twin Creeks Phase 1A (RZ-21-04):** The applicant was requesting to rezone one parcel of land totaling 1.61 acres from the Johnston County AR (Agricultural Residential) zoning district to the Town of Smithfield R-20A (Residential-Agricultural) zoning district. The property considered for approval is located on the south side of Black Creek Road approximately 1,650 feet of south west of its intersection with NC Hwy 210 and further identified as Johnston County Tax ID# 15I09052A

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

Planning Director Stephen Wensman explained a portion of the subject property, 21.26 acres, was annexed into the Town on December 5, 2018, and subsequently rezoned to R20-A. In 2021, the developer discovered that there was a mistake with the legal description on the title documents which has resulted in an additional 1.61 acres of land associated with the property (Johnston County ID #15I09011B). The original annexation and rezoning by the Town did not include this 1.61 acres of land. The developer would now like to rezone the additional 1.61 acres of land to R20-A. The intent of the rezoning is to add the 1.61 acres to the proposed Twin Creeks development which is currently zoned R20-A and is pending construction. The developer plans on developing the area into additional residential lots.

The Planning Department and the Planning Board recommend approval of the rezoning from AR to R20-A Residential/Agriculture with a consistency statement declaring the request to be consistent with the Town of Smithfield Plans and Policies 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 January 4, 2022 agenda packet.

Mayor Pro-Tem Dunn asked if there were any questions from Council.

Councilman Barbour questioned if it was necessary to rezone this property since it was just annexed into the Town. Mr. Wensman responded it was necessary to have the property properly zoned for its intended use.

Mayor Pro-Tem Dunn 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.

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

Councilman Barbour made a motion, seconded by Councilman Rabil, to approve zoning map amendment, RZ-21-04 finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest. Unanimously approved.

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

- 3. Preliminary Plat Approval – Twin Creek Phase 1A (S-21-06):** The applicant was preliminary subdivision approval for the creation of three lots from a 2.01-acre tract of land. The property considered for approval is located on the south side of Black Creek Road approximately 1,650 feet of south west of its intersection with NC Hwy 210 and further identified as Johnston County Tax ID# 15I09052A

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

Planning Director Stephen Wensman testified a portion of the subject property 21.39 acres, was annexed into the Town on December 5, 2018, with the preliminary plat of Phase 1, and then subsequently rezoned to R20-A. In 2021, the developer discovered that there was a mistake with the legal description on the title documents which has resulted in an additional 1.61 acres of land associated with the property (Johnston County ID #15I09011B). The original annexation and rezoning by the Town did not include this 1.61 acres of land. With a petition for annexation, and rezoning to R-20A, the developer is requesting preliminary plat approval to create 3 new lots. Staff finds the preliminary plat consistent with the approved master plan.

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

STAFF'S OPINION ON THE FINDINGS OF FACT

1. The plat is consistent with the adopted plans and policies of the town; *The plan is consistent with the adopted plans and policies of the town.*
2. The plat complies with all applicable requirements of this ordinance; *The plan complies with all applicable requirements of this ordinance.*
3. There exists adequate infrastructure (transportation and utilities) to support the plat as proposed. *There is adequate infrastructure*
4. The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses. *The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses.*

Planning Staff recommends the Town Council approve the preliminary plat of Marin Woods, S-21-06, with the following conditions based on finding of fact for preliminary subdivisions:

1. That the driveway aprons be constructed in accordance with the Town's Standard Specifications and Details.
2. That the final plat of Twin Creeks Phase 1A be made after the recording of the Twin Creeks Phase 1 final plat.
3. That the 3 lots be incorporated into the Twin Creeks HOA.
4. That the developer pays the fee-in-lieu of park dedication prior to final plat
5. That all utility fees be paid prior to final plat.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the January 4, 2022 agenda packet.

Mayor Pro-Tem Dunn asked if there were any questions or comments from the Council. There were none.

Mayor Pro-Tem Dunn asked the applicant if they agreed with the testimony provided by Mr. Wensman and if they had additional testimony to offer. The applicant testified he agrees with the testimony provided by Mr. Wensman.

Mayor Pro-Tem Dunn asked if there was in attendance that was duly sworn in who wished to testify on the matter. There was no one in attendance who wished to testify on the matter.

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

Councilman Barbour made a motion, seconded by Councilman Rabil, to approve preliminary plat, S-21-06, with 5 conditions of approval, based on the 4 finding of fact for preliminary subdivision. Unanimously approved.

Approved Conditions:

1. That the driveway aprons be constructed in accordance with the Town's Standard Specifications and Details.
2. That the final plat of Twin Creeks Phase 1A be made after the recording of the Twin Creeks Phase 1 final plat.
3. That the 3 lots be incorporated into the Twin Creeks HOA.
4. That the developer pays the fee-in-lieu of park dedication prior to final plat
5. That all utility fees be paid prior to final plat.

4. **Rezoning Request – Kimicka Woodin (RZ-21-05):** The applicant was requesting to rezoning one parcel of land totaling .93 acres from the R-20A (Residential-Agricultural) zoning district to the R-10 (Residential) zoning district. The property considered for rezoning is located on the north side of Laurel Drive approximately 136 feet east of its intersection with Laurelwood Drive. The property is further identified as Johnston County Tax ID# 15078014A.

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

Planning Director Stephen Wensman explained the applicant was requesting to rezone 310 Laurel Drive from R-20A to R-10 in order to run a small child care center out of her home. Mr. Wensman explained the subject parcel and all but one of the residential lots on the north side of Laurel Drive between Laurelwood Drive and Laurel Circle are zoned R-20A. The lots on the south side of Laurel Drive and elsewhere in the neighborhood are zoned R-10. The applicant wants to run a small child care center out of her home and found out that the use is not allowed in the R-20A Zoning District, but would be allowed in the R-10 District.

Mr. Wensman further explained the R-10 District is currently located across Laurel Drive, so the rezoning would not be a spot zone. The R-20A District would continue to surround the 310 Laurel Drive to the west, north, and east boundary of the property. The property is connected to Town water and sewer facilities. The property exceeds the R-10 dimensional requirements and is larger than the properties adjacent to it. The existing home is located in the center of the property making a lot split impossible without removal of the existing home. The parcel to the west is vacant. The parcel to the east is a cemetery. Child Care Centers are subject to the supplemental standards found in Section 7.4.1 of the UDO which address outdoor play area, parking and drop-off areas. The property is well suited for the accessory use.

The Planning Department and the Planning Board recommend approval of the rezoning from AR to R20-A Residential/Agriculture with a consistency statement declaring the request to be consistent with the Town of Smithfield Plans and Policies 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 January 4, 2022 agenda packet.

Mayor Pro-Tem Dunn asked if there were any questions from Council. There were none.

Mayor Pro-Tem Dunn 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.

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

Councilman Barbour made a motion, seconded by Councilman Rabil, to approve zoning map amendment, RZ-21-05 finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest. Unanimously approved.

CITIZEN'S COMMENTS:

- Smithfield resident, Angelique Legette, addressed the Council on a recent incident with an off-duty Police Captain that appeared on the local new channels. She appealed to the Council for transparency in this matter. She stated it was important to reassure citizens that any investigation would be impartial and unbiased.

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:
 - December 7, 2021 – Regular Meeting
2. Approval was granted to promote an employee from Journeyman Lineman to Electric Line Crew Leader due to a recent retirement
3. Approval was granted to promote a Police Officer I to the rank of Police Officer II.
4. Approval was granted to allow employees to donate sick time to an employee in the Public Utilities Water/Sewer Department
5. Approval was granted to enter into an agreement with Stantec Consulting Services, Inc. in the amount of \$24,000 for surveying services
6. Approval was granted to enter into a contract with McAdams Company to perform and develop the comprehensive parks, recreation and open space master plan
7. Approval was granted to appoint Mary Reece and reappoint Jeremy Pearce and Tim Depp to the Downtown Smithfield Development Corporation.
8. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
P/T Firefighters (5 positions)	Fire	10-20-5300-5100-0210	\$17.60/hr.
P/T Athletics Staff	P&R-Recreation	10-60-6200-5100-0210	\$10.00/hr.

Current Vacancies

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Electric Line Technician (2 positions)	PU – Electric	31-72-7230-5100-0200
Fire Marshal	Fire	10-60-6220-5100-0200
IT Support Specialist	General Government	10-10-4100-5100-0200

	PU – Water/Sewer (1/3)	30-71-7220-5100-0200
	PU – Electric (1/3)	31-72-7230-5100-0200
Police Officer I – Patrol (6 positions)	Police	10-20-5100-5100-0200
Police Officer – Administration	Police	10-20-5100-5100-0200
P/T Collections Assistant	PU – Electric/CS	31-72-7230-5100-0200
Payroll/Accounting Technician II	Finance	10-10-4200-5100-0200
PU – Water/Sewer (1/3)		30-71-7220-5100-0200
PU – Electric (1/3)		31-72-7230-5100-0200
Pump Station Mechanic	PU – Water Sewer	30-71-7220-5100-0200
Sanitation Equipment Operator	PW - Sanitation	10-40-5800-5100-0200
Sanitation Worker	PW - Sanitation	10-40-5800-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200
Water Plant Operator	PU – Water Plant	30-71-7200-5100-0200

Business Items:

1. Consideration and request for approval to sell property located at 801 Second Avenue by using the upset bid process and adoption of Resolution No. 692 (01-2022)

Town Manager Michael Scott addressed the Council on selling property located at 801 Second Avenue by using the upset bid process. The Town Manager explained the Town was being asked to sell the empty lot. The Town acquired the lot several years ago following what appears to be a condemnation. The house that originally was located on the property has been removed and the lot is currently empty and requires normal maintenance from town staff such as mowing. Under NC G.S. 160A-268, 269, & 270, the Town can sell real property through the method of sealed bids, upset bids, or public auction. The lot currently provides no service to the Town of Smithfield and appears it would be better used if owned by a private citizen. Staff is recommending the Council approval an upset bid process to sell the lot.

The upset bid process begins with an initial offer from an interested buyer that must be approved by the Town Council. Notice of the upset bid process is advertised in the local paper. Once all sealed bids are opened, if a higher bid is submitted, the process of advertising and accepting higher bids is repeated until the highest overall bid is received. Once the highest bidder is identified, staff will bring that back to the Council for approval. The Council also has the right to reject any offer.

Mayor Pro-Tem Dunn questioned the tax value of the property. The Town Manager replied that since it was owned by the Town, no tax value was assigned.

Councilman Barbour questioned if there were any future uses of this property by the Town. The Town Manager replied there was nothing in the Town’s comprehensive plan or parks plan where that lot could be used. The lot was too small and didn’t provide adequate parking.

Councilman Barbour made a motion, seconded by Councilman Rabil, to approve the sale of property located at 801 Second Avenue by using the Upset Bid Process and adoption of Resolution No. 692 (01-2022). Unanimously approved.

Town of Smithfield
Resolution No. 692 (01-2022)
Authorizing Upset Bid Process
Negotiated Offer and Upset Bid (G.S. 160A-269)

WHEREAS, the Town of Smithfield owns certain property, an empty lot located at 801 2nd Avenue, Smithfield NC; and

WHEREAS, North Carolina General Statute § 160A-269 permits the city to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the Town has received an offer to purchase the property described above, in the amount of \$5,000, submitted by Lashion Darden of Wilmington; and

WHEREAS, Lashion Darden will pay the required five percent (5%) deposit on her offer prior to publication;

THEREFORE, THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD RESOLVES THAT:

1. The Town Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.
2. The Town Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the city clerk within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the town clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
4. If a qualifying higher bid is received, the town clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Town Council.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The town will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The town will return the deposit of the final high bidder at closing.
7. The terms of the final sale are that
 - the Town Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and
 - the buyer must pay with cash at the time of closing.
8. The city reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate town officials are authorized to execute the instruments necessary to convey the property Lashion Darden.

2. Consideration and request for approval to award a bid to Geological Resources, Inc. in the amount of \$ 15,562.00 for the removal of gas tanks and pumps at Fire Station One

Fire Chief Michael Brown addressed the Council on a request to award a bid to Geological Resources, Inc. for the removal of gas tanks and pumps at Fire Station One. Chief Brown explained he was going

to present this item to the Council during the upcoming budget sessions since it was not budgeted in this fiscal year. NC Department of Environmental Quality recently inspected the tanks and issued two violations citing the tanks needed to be pressure tested at an estimated cost of \$350.00 per tank. The tanks could be locked out for use by the state until test is performed. The Town has one month to comply. The removal of the tanks would be the best option since the concrete pad above the area is cracked and showing evidence of deterioration. Staff has begun the process of removing as much fuel as possible from the tanks.

Chief Brown further explained the estimate provided was not an exact quote because the company may encounter unforeseen issues.

Mayor Pro-Tem Dunn questioned what would be the protocol for emergency services vehicles to get fuel in the event of a fuel shortage. Chief Brown responded it was his understanding that some gas stations around Town held some fuel in reserves for the Town for emergency service vehicles. He further stated he spoke with the Selma Fire Chief and there was a facility in Selma that could provide fuel for the Fire Department.

Councilman Barbour question the amount of fuel used by the Fire Department each month. Chief Brown responded approximately 400 gallons of diesel fuel are used a month. Councilman Barbour stated an above-ground tank may be a better option. Town Manager Michael Scott responded there was an above-ground tank at Public Works. He also reminded the Council that this was an unbudgeted expense. Contingency funds would be used for this project.

Mayor Pro-Tem Dunn stated he thought it would be in the best interest of the Town to remove the fuel tanks.

Councilman Barbour stated it may be advantageous for the Town to have its own above-ground fuel tank since buying in bulk was typically cost effective. The Town Manager responded there wasn't really any savings to buying in bulk since the service stations do not charge the Town any tax on fuel.

Councilman Barbour made a motion, seconded by Councilman Rabil, to award the bid to Geological Resources in the amount of \$15,562 for the removal of fuel tanks at Fire Station One. Unanimously approved.

3. Consideration and request for approval to purchase a knuckleboom truck for the Public Works Sanitation Department

Public Works Supervisor Michael Sliger addressed the Council on a request to purchase a knuckleboom truck for the Public Works Sanitation Department. Mr. Sliger explained the cost of the truck has increased \$18,000 from what it was originally quoted.

Mayor Pro-Tem Dunn stated \$160,000 was approved for the purchase of the truck. Town Manager Michael Scott responded that in the current market, the price has increased to \$178,000. The additional funds needed for this purchase would come from the general fund contingency line.

Councilman Rabil questioned the age of the truck being replaced. Mr. Sliger responded it was a 2007 model. The oldest in the knuckleboom fleet.

Councilman Rabil asked why staff chose the Amick brand knuckleboom over the other two options. Mr. Sliger responded that the other Amick knuckleboom in the fleet is the easiest to work with and the easiest to repair when needed. There is another brand currently in the fleet that begun having issues five years after purchase. Staff felt this was the best product.

Councilman Barbour made a motion, seconded by Councilman Rabil, to approve the purchase of the knuckleboom truck for the Public Works Sanitation Department by awarding the bid to AMICK Equipment in the amount of \$177,598. Unanimously approved.

4. Consideration and request for approval to hire McCormick-Taylor to prepare two grant applications for NC Land and Water Fund (LWF) funding

Planning Director Stephen Wensman introduced Brian Roberts from McCormick-Taylor. Mr. Wensman explained staff was seeking approval to hire McCormick-Taylor to prepare two grant applications for the NC Land and Water Fund. Mr. Wensman explained in 2021, McCormick-Taylor successfully prepared the application for the NCAG's environmental grant for the Spring Branch Community Restoration Project resulting in a \$100,000 grant award. The project is scheduled for construction later this year. The grant award was just less than half the cost of the project. McCormick-Taylor is proposing to prepare an application for a grant that would cover the remaining costs of the project. The second grant application would be for a planning grant that would address all the remaining Spring Branch capital improvement projects and further develop the greenway concept connecting the Ava Ennis/Smith-Collins trails to the Buffalo Creek Greenway along the Neuse River. The study would better position the town to receive implementation grants in the future. The study would also identify potential sources of grant funding. The Ava Ennis/Smith-Collins Park trail project was recently funded by the NC State Budget Bill and construction is expected in late 2022.

Brian Roberts explained the two grant opportunities for the Town was restoration for the Spring Branch and the Planning for the Corridor Planning Study. The restoration grant would ask for the remaining funds for the Spring Branch Restoration Project which would amount to approximately \$100K. The second grant in the amount of approximately \$75,000 would be used for the Spring Branch Corridor Resiliency/Restoration/Greenway Plan.

Councilman Rabil questioned when the grants would be awarded. Mr. Roberts responded they would be awarded in the fall.

Mayor Pro-Tem Dunn questioned when the applications were due. Mr. Roberts responded they were due by February 1st.

Town Manager Michael Scott reminded the Council that contingency funds would be used for this project.

Councilman Barbour made a motion, seconded by Councilman Rabil, to approve the expenditure of \$8700 to hire McCormick-Taylor to prepare two grant applications for NC Land and Water Funding. Unanimously approved.

Councilmembers Comments:

- Councilman Barbour informed the Council he has been receiving complaints from residents about increased traffic on Whitely Drive and Britt Street. He reminded the public of the Pedestrian Planning Meeting on January 20th.
- Councilman Lee expressed his concerns about the Smithfield Police Department. He stated that while leaving Town Hall he was stopped by a patrol officer for speeding in downtown which he contends he was not speeding. There were other areas and establishments in Town that based on the demographics, were never patrolled by the Police. He stated that Smith Collins Park is used by another ethnic group for baseball games on Sundays and the Police never patrol the area. The Police begin patrolling the area around Smith Collins Park after the baseball games have concluded. He stated Chief Powell was respected in the East Smithfield community because he knows everyone, but the department was only as good as its weakest person. He questioned if the Police Department was ready for the next 5 years or the next 10 years.

Town Manager's Report:

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

- Pedestrian Planning Meeting to be held on January 20th. He encouraged everyone to attend.

- The leaf truck has been repaired and is back in service. Four Oaks had lent us a leaf trailer which assisted us greatly while our truck was down.
- The Town will be closed on Monday, January 17th in observance of Martin Luther King Jr. Day. The normal parade on Market Street has also been cancelled due to Covid-19 concerns. Due to Covid concerns the annual Martin Luther King Jr. parade has been cancelled.
- The SRAC is waving enrollment fees for new memberships through January 10th if anyone wants to further those physical fitness New Year's resolutions.
- A special Council Meeting is being scheduled for Tuesday, January 18th at 6:30 to discuss the use of the American Recue Plan Act (ARPA) funds from the federal government. The Town is scheduled to receive a total of \$4,138,286.41.

Councilman Barbour requested an update on the State grant for the CSX drainage pipe. The Town Manager responded the Town had received a state appropriation of \$950,000 to add additional piping under the CSX railway in the 1500 and 1600 blocks of South Brightleaf Boulevard. Staff met with CSX via zoom to determine the direction needed and to complete paperwork with CSX. To move forward with replacing the culverts, the Town has to receive the grant approval and contract with the State. Staff anticipated receiving the grant contract later in the week. Once the Town receives the contract and it's been fully executed, then staff can move forward with CSX to initiate the engineering and construction of upsizing the pipe size.

Councilman Barbour questioned if the Town would be responsible for the drainage pipes once the project was completed. The Town Manager responded he has not had that conversation with CSX. He stated he has expressed to CSX representative that the Town does not want to own or be responsible for the drainage pipes. He would be willing to take responsibility for the pipe for a short period to ensure that the work was done properly, but after that, CSX should assume responsibility.

Councilman Barbour questioned how the new drainage pipe on Cedar Drive performed during the recent rain event. The Town Manager responded the new repairs handled all the water and flooding was not reported.

Adjourn

Being no further business, Councilman Stevens made a motion, seconded by Councilman Rabil to adjourn the meeting. Unanimously approved. The meeting adjourned at approximately 8:16 pm.

ATTEST:

M. Andy Moore, Mayor

Shannan L. Parrish, Town Clerk



Request for Town Council Action

**Consent
Agenda
Item:** Personnel
Promotion
Date: 02/01/2022

Subject: Personnel Promotion
Department: Finance / PU – Electric/Customer Service
Presented by: Finance Director - Greg Siler
Presentation: Consent Agenda

Issue Statement

This is a request to promote a Senior Customer Service Representative (Public Utilities – Electric) to the position of Payroll/Accounting Technician II (Finance), advancing from pay grade 14 to pay grade 17. Under the Town’s Employee Handbook, promotions to a higher pay grade will be accompanied by an increase to the next pay grade minimum, or to an increase of up to 10% at the Manager’s discretion. Staff proposes an increase of slightly less than 10%, as to not exceed the pay of the previous employee in this position.

Financial Impact

None. The proposed promotion will result in an increase of \$1.88/hr. to \$25.15/hr. for the advancing employee. However, the advancing employee’s new wages will not exceed that of the exiting employee. The actual effect on the current year budget is \$1,630.

Action Needed

Approve the requested promotion.

Recommendation

Staff recommends the approval of the offer.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

**Consent
Agenda
Item: Personnel
Promotion**

In keeping with stated Town goals of attracting and retaining highly qualified employees, the Town has advertised and identified an internal candidate for the vacancy of Payroll/Accounting Technician II. The candidate is well-qualified for this position and is a highly regarded member of Town staff. Council is asked to approve this promotion.



Request for Town Council Action

**Consent
Agenda
Item:** Personnel
Promotion
Date: 02/01/2022

Subject: Personnel Promotion
Department: Fire Department
Presented by: Fire Chief - Mike Brown
Presentation: Consent Agenda

Issue Statement

This is a request to promote a Firefighter II to the position of Fire Engineer. Under the Town’s Employee Handbook, promotions to a higher pay grade will be accompanied by an increase to the next pay grade minimum, or to an increase of up to 10% at the Manager’s discretion. Staff proposes an increase of 8%. This will maintain continuity and disallow pay compression within employees of the same position.

Financial Impact

None.

The proposed promotion will result in an increase of \$18.57/hr. to \$20.06/hr. (both 42 hours/week), or a total of \$1,251.60 for the remainder of FY 2021-2022 for the employee.

This promotion would be effective 01/31/2022.

However, this promotion will result in lower pay than the employee that vacated the position. Thus, there will be an end-result budget decrease or surplus for this individual position.

Action Needed

Approval of the requested promotion.

Recommendation

Upon consultation with HR, staff recommends approval of this promotion.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

**Consent
Agenda
Item: Personnel
Promotion**

In keeping with stated Town goals of attracting and retaining highly qualified employees, the Town has interviewed a prospective employee for the position of Fire Engineer for the Fire Department. The Department has this vacancy in accordance with approved staffing levels in the current year's budget. The prospective Fire Engineer is an in-house candidate. The candidate is well-qualified for this position and is a highly regarded member of Town staff. Council is asked to approve this promotion.



Request for Town Council Action

**Consent
Agenda
Item** **Police
Promotion**
Date: 02/01/2022

Subject: Promotion
Department: Police Department
Presented by: Chief Of Police - R.K. Powell
Presentation: Consent Agenda

Issue Statement

This is a request to promote one officer from the rank of Police Officer II (POII) to Master Police Officer (MPO), moving from pay grade 17 to pay grade 18. Under the Town's Employee Handbook, all promotions to a higher pay grade will be accompanied by an increase to the next pay grade minimum salary or 5% increase, whichever is greater.

Financial Impact

Approved Budgeted Amount for FY 2020-2021: Covered by the Current Budget

This salary increase will be covered by the police department's current budget and will not require a budget amendment to the current salary line item. In this case, the required salary increase for the 2021/2022 Budget will cost will be \$792.00 which will be covered by budget.

Action Needed

The Officer has followed the attached career ladder policy previously approved by the Council found in the support documentation and has earned the promotion. The Police Chief recommends this promotion and a five percent salary increase, moving him/her to the next pay grade in the current Town salary schedule.

Recommendation

It is requested to allow this Officer to be promoted to Master Patrol Officer (MPO).

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Officer Request /Training
3. Career Ladder



Staff Report

**Consent
Agenda
Item: Police
Promotion**

This is a request to promote one officer from the rank of Police Officer II (POII) to Master Police Officer (MPO), moving from pay grade 17 to pay grade 18. Under the Town's Employee Handbook, all promotions to a higher pay grade will be accompanied by an increase to the next pay grade minimum salary or 5% increase, whichever is greater.

Smithfield Police Department

Memorandum

To: Captain J. F. Grady *JFG*

From:

Date: 01/10/2022

Subject: Master Police Officer

I, Officer J. S. Carroll would like to be considered for a promotion from Police Officer II to Master Police Officer. I believe that I have met the criteria per policy. The policy states that for a promotion to Master Police Officer, the candidate must:

A) Have served as a Police Officer II for one year

~~B)~~ Have completed training hours, including:

40 hours of Management/Supervision Training

Field Training Officer Certification and become Field Training

Officer for the Department. After completion of FTO Training, the

officer can be assigned a trainee by the Chief of Police or his

Designee

Completion of Crisis Intervention Team (CIT) Certification

C) Have received a rating of "Better than Satisfactory" or higher on the last two annual performance appraisals or a rating of "Outstanding" on the last annual performance appraisal

D) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

My qualifications are as follows:

A) Hire Date: 12/30/2019

B) Date of Last Advancement: 09/27/2021 to Community Oriented Police Officer

C) Level of Education: Bachelor of Arts

D) Complete List of Required Classes and Dates Attended:

- Crisis Intervention Team (Attended Nash Community College from 04/02/2018-04/06/2018)
- Field Training Officer (Attended Wake Tech Community College from 11/15/2021-11/18/2021)
- First Line Supervision (Attended Wilson Community College from 11/08/2021-11/12/2021)

I also received a rating of 'Outstanding' on my last annual performance appraisal dated 09/29/2021.

I hope that my trainings and accomplishments thus far will suffice for a consideration for promotion to Master Police Officer.

Thank you,

COASTAL PLAIN LAW ENFORCEMENT TRAINING CENTER
WILSON COMMUNITY COLLEGE

Certificate

awarded to

for the successful
completion of

FIRST LINE SUPERVISION

40 Hrs.

on the 12th day of November, 2021



**LAW ENFORCEMENT
TRAINING CENTER**

Darlene W. Hall

Darlene Hall
DIRECTOR OF LAW ENFORCEMENT TRAINING

Robert Holsten

Robert Holsten
VICE PRESIDENT FOR ACADEMIC AFFAIRS



COASTAL PLAIN LAW ENFORCEMENT TRAINING CENTER
WILSON COMMUNITY COLLEGE

Certificate

awarded to

for successful completion of

POLICE LAW INSTITUTE

(72.00 Hours)

On this 10th day of December 2021



**LAW ENFORCEMENT
TRAINING CENTER**

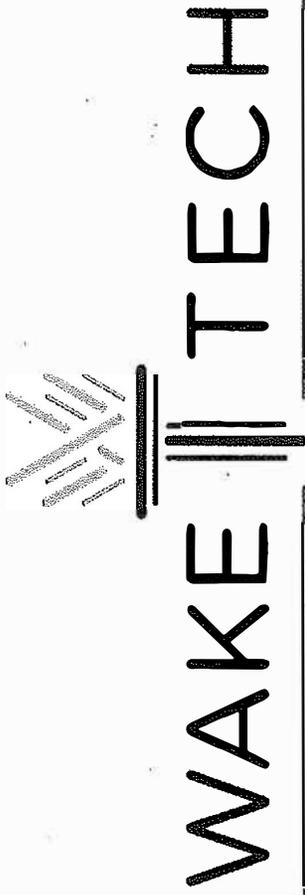
Darlene W. Hall

Darlene Hall
DIRECTOR OF LAW ENFORCEMENT TRAINING

Robert Holsten

Robert Holsten
VICE PRESIDENT FOR ACADEMIC AFFAIRS





COMMUNITY COLLEGE
PUBLIC SAFETY EDUCATION CAMPUS



This Certifies That

Has Successfully Completed

Field Training Officer (F.T.O.)

November 15 - 18, 2021

(32 Hours)

Dr. Jamie Wicker

Provost, Public Safety Education



Amber Israel-Berryman

Instructor: Amber Israel-Berryman

ID # 100112984



Chapter 500
Personnel Policy 504: Promotions & Career Development
Effective Date: January 1, 2014 Revised Date: June 15, 2020
Approved by: Chief Robert K. Powell

R.K. Powell

I. POLICY STATEMENT

It shall be the policy of the Department to select the most qualified candidates to fulfill the duties and responsibilities of each position within the agency. All aspects of this policy are in keeping with the Department's goals as an equal opportunity employer.

II. COMMENTARY

The purpose of this directive is to establish guidelines for the administration of the Department's promotion process.

A career ladder program will provide for the advancement of police officers who demonstrate increasing levels of knowledge, skills, and abilities. Advancement and promotional processes will be administered fairly and impartially, using testing and evaluation mechanisms that evaluate past performance as well as future potential through the use of job-related criteria.

III. PROCEDURES

A. Administration

1. The Smithfield Police Department is responsible for the administration of the promotion process. When deemed necessary, assistance may be utilized from other entities within or outside of Town government.
2. The Chief of Police has the authority and responsibility for administering the Department's promotion process. All promotional materials will be maintained and secured in the Chief's office.
3. Responsibilities of the Chief of Police include:
 - a) Maintaining authority over all phases of the process
 - b) Determining the skills, knowledge, and abilities required for each position
 - c) Initiating promotional processes on an as-needed basis
 - d) Selecting a candidate for promotion at the completion of the process

4. The Chief of Police may delegate selected duties to other Departmental employees to facilitate the promotional process.

5. When it is deemed in the best interest of the Department, the Chief of Police may waive any of the prescribes qualifications or eligibility requirements, except those established by the North Carolina Criminal Justice Education and Training Standards Commission or other legal authority.

B. Vacancy Announcements

1. Prior to the commencement of any promotional process, the Department will post written notices announcing the following information:

- a) Description of the position to be filled;
- b) Description of eligibility requirements;
- c) Closing date

2. Personnel eligible to participate in the promotional process will submit a letter of intent through the chain of command to the Chief of Police. The candidate's supervisor and each person in the chain of command will indicate approval or disapproval of the candidate's suitability to participate in the process. Disapprovals must be justified in writing and forwarded to the Chief of Police.

3. Once the application period for the given position has been officially closed, all eligible applicants who meet the minimum requirements for the position will be considered for the Department's promotional process. The Chief of Police or designee will ensure the eligibility of the applicants prior to the beginning of the promotion process.

4. When deemed necessary, the Chief of Police has the authority to order a written test for any promotional process. Written tests given will be standardized, validated, and approved by the Town Human Resources Department.

5. An officer who is not recommended for promotion by his/her supervisor will receive a written recommendation for improvement and a follow-up date for review by the supervisor. The officer has the right to appeal through the appropriate chain of command to the Chief of Police.

C. Promotional Procedures

1. Chief of Police or designee will conduct a review of applicable Human Resources and Departmental personnel records in order to evaluate the promotional potential of the candidates. This review serves to verify law enforcement credentials, certifications, and work performance history of the applicants to ensure that the minimum qualifications have been met for each applicant. Candidates are not ranked at this point of the process; however, candidates who do not meet all the preferred qualifications for the position may be eliminated at this stage of the process. Candidates are ranked according to their promotional potential only at the completion of the assessment center phase of the promotion process.

2. The promotional process will consist of an assessment designed to measure each candidate's ability to perform the specific job; The assessment will evaluate each candidate's performance in handling job-related problems and situations through specially-developed simulation exercises; Promotional assessments may include, but are not limited to, written projects, oral presentations, oral interviews, conflict role plays, and counseling role plays.
3. Prior to each promotional process, promotional procedures will be reviewed to determine current applicability. A description of the selection process will be provided to each candidate.
4. The Chief of Police will evaluate the Department's promotional process as needed. The process will be evaluated for validity and effectiveness. All components of the promotion process will be job related and non-discriminatory. Tests used in the process will be purchased from a commercial vendor that have completed validity studies for job relatedness and non-discriminatory practices.
5. For general promotional purposes, lateral entry from other agencies for supervisory positions will not be commonly practiced. However, prior experience at another law enforcement agency may be used toward meeting the requirements for a higher level position after initial entry requirements (including probationary period) are met. Prior experience with another agency will be assessed and a lateral-entry candidate's eligibility for hire above the classification of entry level officer will be evaluated by the Chief of Police on a case-by-case basis. (Exception to this is the position of Chief of Police and any other senior management positions as determined by the Town Manager).
6. Newly hired and newly promoted personnel will serve a probationary period of six months as required by the Town of Smithfield *Personnel Policy*. An evaluation of performance will be conducted after the completion of six months for newly promoted personnel. Newly hired personnel will be evaluated in accordance with Departmental standards.

D. Minimum Qualifications for Promotion

1. Sergeant

To be eligible for promotion to the position of Sergeant, candidates must:

- a) Have served as a Master Police Officer for two years;
- b) Have completed a total of 172 training hours;
- c) Within 12 months of promotion to Sergeant, an officer must complete First Line Supervision;
- d) Have been awarded the Intermediate Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission;
- e) Have received a rating of "Better than Satisfactory" or higher on the last two annual performance appraisals or a rating of "Outstanding" on the last annual performance appraisal;
- f) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

2. Lieutenant

To be eligible for promotion to the position of Lieutenant, candidates must:

- a) Have served as a Sergeant for two years;
- b) Within 12 months of promotion to Lieutenant, an officer must complete a Law Enforcement management program such as AOMP, FBI National Academy, etc;
- c) Have been awarded the Intermediate Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission;
- d) Have received a rating of "Better than Satisfactory" or higher on the last two annual performance appraisals or a rating of "Outstanding" on the last annual performance appraisal;
- e) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

3. Captain

To be eligible for promotion to the position of Captain, candidates must:

- a) Have served as a Lieutenant with the Smithfield Police Department for two years;
- b) Have completed a Law Enforcement management program such as AOMP, FBI National Academy, etc;
- c) Have been awarded the Advanced Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission;
- d) Have received a rating of "Better than Satisfactory" or higher on the last two annual performance appraisals or a rating of "Outstanding" on the last annual performance appraisal;
- e) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

7. Newly hired and newly promoted personnel will serve a probationary period of six months as required by the Town of Smithfield *Personnel Policy*. An evaluation of performance will be conducted after the completion of six months for newly promoted personnel. Newly hired personnel will be evaluated in accordance with Departmental standards.

E. Review and Appeal

1. Within (5) working days of the conclusion of a promotional process, candidates may review their performance results in each element of the promotional process to include:

- a) Review of the answer key to any written exams administered, unless prohibited by the leaseholder of the test
- b) Review of the written results of scored elements of the selection process
- c) Review of reports/materials used in the selection process

However, in accordance with NCGS 160A-168(C1), testing or examination materials may be withheld from disclosure to the employee or other persons if the material was used solely to determine qualifications for promotion and in the opinion of the agency the disclosure of such material would compromise the objectivity or the fairness of the testing or examination process.

2. Candidates may contest any results filed by requesting a meeting with the Chief of Police or designee administering the process. The Chief of Police or designee will conduct a review of the report(s) and discuss findings with all staff in the supervisory chain of command.

3. The Chief of Police or designee will inform the contesting employee of the final decision at the completion of the review.

4. If an employee feels that fair treatment has not been received during any portion of the promotional process, he/she is urged to use the Department's grievance procedures contained in Policy 507.

F. Career Ladder

1. The career ladder program will include the following classifications.

- a) Police Officer I
- b) Police Officer II
- c) Master Police Officer

2. Each level in the career ladder will have certain minimum requirements necessary to qualify for advancement or promotion to the next level. Upon fulfilling the requirements necessary for advancement to Police Officer II and Master Police Officer the officer will submit a memorandum to the Chief of Police containing the following information:

- a) Hire date
- b) Date of last advancement, if applicable
- c) Level of education
- d) Complete list of required classes and dates attended
- e) Date awarded applicable law enforcement certificate(s)

3. This memorandum must be endorsed by the officer's Team Commander and the appropriate Division Commander. The Division Commander will forward the memorandum to the Chief of Police after having verified the information contained therein.

4. An officer who is not recommended for advancement will receive a written recommendation for improvement and a follow-up date for review by the supervisor. The officer has the right to appeal through the appropriate chain of command to the Chief of Police.

5. After consideration of all factors deemed relevant by the Chief of Police, the officer will be notified of the advancement decision within 30 days following receipt of the memorandum by the Chief of Police.

G. Minimum Qualifications for Advancement

1. Police Officer I

Entry-level candidates must:

- a) Meet the basic requirements established by the North Carolina Criminal Justice Education and Training Standards Commission
- b) Meet minimal requirements for employment with the Town of Smithfield as set forth in the Town of Smithfield Personnel Policy
- c) Appear before a Department review board made up of officers selected by the Chief of Police
- d) Pass an extensive background investigation and successfully complete a psychological evaluation, physical examination, drug test, and CVSA examination

All finalists will be interviewed by the Chief of Police. Officers are required to successfully complete the department's Field Training Program and required Solo Patrol Assignment within the first year of Probationary employment.

2. Police Officer II

To be considered for advancement to Police Officer II, candidates must:

- a) Have completed the following as a Police Officer I:
 - * Successfully completed one year probation and probationary requirements in as required in Police Officer I
 - * Receive Radar Certification
 - * Receive Standardized Field Sobriety Testing Certification
 - * Receive Intoximeter Certification
- b) Have been awarded the Basic Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission
- c) Have received a rating of "Satisfactory" or higher on the last annual performance appraisal
- d) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

3. Master Police Officer

To be considered for advancement to Master Police Officer, candidates must:

- a) Have served as a Police Officer II for one year
- b) Have completed training hours, including:
 - 40 hours of Management/Supervision Training
 - Field Training Officer Certification and become Field Training Officer for the Department. After completion of FTO Training, the officer can be assigned a trainee by the Chief of Police or his Designee
 - Completion of Crisis Intervention Team (CIT) Certification.

c) Have received a rating of "Better than Satisfactory" or higher on the last two annual performance appraisals or a rating of "Outstanding" on the last annual performance appraisal

d) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.



Request for Town Council Action

Consent Agenda Item: Date:	Patrol Vehicle Purchase 02/01/2022
---	---

Subject: Purchase (4) Patrol Vehicles
Department: Police Department
Presented by: Chief of Police - R.K. Powell
Presentation: Consent Agenda

Issue Statement

The Police Department was approved to purchase five patrol vehicles in the current budget, but no Dodge chargers are available . The Police Department is requesting to proceed with the purchase of Four Dodge Durangos. The police department solicited quotes from: Deacon Jones, Performance Automotive and Ilderton.

Financial Impact

The request will be covered by the current budget.

Action Needed

It is requested the council approve the low quote from Ilderton and approve the purchase of (4) Four Dodge Durango's . The recommended quote is within the budgeted amount for this purchase. The department is requesting to purchase these four vehicles but there is no guarantee, we will get these vehicles.

Recommendation

The police department be allowed to purchase the Four (4) Durangos from the low quote at Ilderton in High Point.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Vehicle Bids



ILLBERTON

701-712 South Main Street
High Point, NC 27260
(336) 841-6100



1/15/2022

Buyer: SMITHFIELD PD	Cell:
BRADY	
Phone: 919-934-2071	Phone:
E-Mail: jbrady@smithfieldpd.org	Fax:

		TRADE	
VEHICLE: DODGE DURANGO PURSUIT	Make:		
Year: 2022	Model:		
Color: WHITE	Year:		
Engine: 5.7L HEMI V-8 MDS VVT	Color:		
Drive: AWD 8-SPEED AUTO 8HP70	VIN:		
Mileage:	Stock #:		
	ACV:		

MSRP

Sale Price NCSA CONTRACT PRICING 22-08-0913 **\$33,198.00**

WDEE75 #141

Options included		
SPECIAL SERVICE PACKAGE 22Z		SHIFTER IN THE COLUMN
PARKVIEW REAR CAMERA, U CONNECT		4 KEY FOBS
VINYL FLOOR		
18" ALUMINUM WHEELS W/WHEEL COVERS	\$349	
VINYL REAR SEAT	\$120	
Options Total		\$469.00

Sub Total **\$33,667.00**

UNITS	1

BALANCE DUE **\$33,667.00**

Manager Kim Tuttle Customer AUTHORIZED PERSONEL
ASST DIRECTOR OF FLEET SALES

DEACON JONES CHRYSLER DODGE JEEP
 1109 N BRIGHTLEAF BLVD
 SMITHFIELD, NC 275774247

Configuration Preview

Date Printed: 2021-11-17 10:08 AM
 Estimated Ship Date:

VIN:
 VON:

Quantity: 1
 Status: BA - Pending order
 FAN 1: 00P9A Town of Smithfield NC
 FAN 2:
 Client Code:
 Bid Number: TB2076
 PO Number:

Sold to:
 DEACON JONES CHRYSLER DODGE JEEP
 (67501)
 1109 N BRIGHTLEAF BLVD
 SMITHFIELD, NC 275774247

Ship to:
 DEACON JONES CHRYSLER DODGE JEEP (67501)
 1109 N BRIGHTLEAF BLVD
 SMITHFIELD, NC 275774247

Vehicle: 2022 DURANGO PURSUIT VEHICLE AWD (WDEE75)

	Sales Code	Description	MSRP(USD)	FWP(USD)
Model:	WDEE75	DURANGO PURSUIT VEHICLE AWD	37,095	36,751
Package:	22Z	Customer Preferred Package 22Z	0	0
	EZH	5.7L V8 HEMI MDS VVT Engine	2,995	2,696
	DFD	8-Spd Auto 8HP70 Trans (Buy)	0	0
Paint/Seat/Trim:	PW7	White Knuckle Clear Coat	0	0
	APA	Monotone Paint	0	0
	*A7	Cloth Bucket Seats W/Rear Vinyl	120	108
	-X9	Black	0	0
Options:	4DH	Prepaid Holdback	0	-1,210
	4ES	Delivery Allowance Credit	0	-370
	MAF	Fleet Purchase Incentive	0	-1,140
	XCS	4 Additional Key Fobs	100	90
	5N6	Easy Order	0	0
	4FM	Fleet Option Editor	0	0
	4FT	Fleet Sales Order	0	0
	166	Zone 66-Orlando	0	0
	4EA	Sold Vehicle	0	0
Non Equipment:	4FA	Special Bid-Ineligible For Incentive	0	0
Bld Number:	TB2076	Government Incentives	0	-2,250
Discounts:	YG1	7.5 Additional Gallons of Gas	0	17
Destination Fees:			1,595	1,595
Total Price:			<u>41,905</u>	<u>36,287</u>

Order Type: Fleet
 Scheduling Priority: 1-Sold Order
 Salesperson:
 Customer Name: TOWN OF SMITHFIELD
 Customer Address: PO BOX 761
 SMITHFIELD NC 27577 USA

PSP Month/Week:
 Build Priority: 99

Instructions:

Note: This is not an invoice. The prices and equipment shown on this priced order confirmation are tentative and subject to change or correction without prior notice. No claims against the content listed or prices quoted will be accepted. Refer to the vehicle invoice for final vehicle content and pricing. Orders are accepted only when the vehicle is shipped by the factory.



Request for Town Council Action

Consent **PARKS**
Agenda **DRONE**
Item: **POLICY**
Date: 02/01/2022

Subject: Parks and Recreation Drone Policy
Department: Parks and Recreation
Presented by: Parks and Recreation Director – Gary Johnson
Presentation: Consent Agenda

Issue Statement

The Parks and Recreation Department is requesting approval and adoption of its Drone Policy for the flying on sUAS in town parks.

Financial Impact

Approved Budgeted Amount for FY 2021-2022: No Funding Required

Amount of Purchase/Bid/ Contract: No Funding Required

Action Needed

Approval and adoption of the Parks and Recreation Drone Policy

Recommendation

Approval and adoption of the Parks and Recreation Drone Policy

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Parks Drone Policy

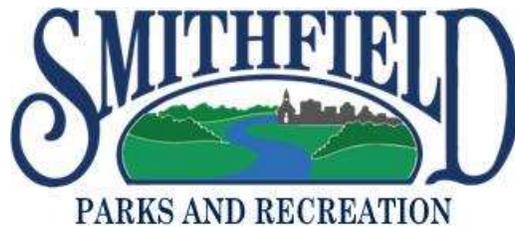


STAFF REPORT

Consent PARKS
Agenda DRONE
Item: POLICY
Date: 2/1/2022

The Parks and Recreation Department, after working with other members of Town Staff and members of the Town Council, has drafted a Drone Policy for the taking off and landing of sUAS (drones) in Town parks. The policy promotes safe flying and limits the spaces in which sUAS over 400 grams may take off and land in town parks. The policy was reviewed by the Recreation Advisory Board with no dissent.

The Parks and Recreation Department is requesting approval and adoption of the Drone Policy for the guidelines for fly sUAS in town parks.



Drone Policy

About Unmanned Aerial Systems

For this policy, unmanned aerial systems (UAS) are defined as aircraft that does not carry a human pilot and may be controlled by radio frequency via a pilot on the ground. They include such things as remote-controlled aircraft and “drones.” This policy only addresses sUASs (small unmanned aerial systems) flown for hobby or recreational purposes. UAS’s flown for business or monetary purposes require an FAA-certified part 107 pilot, and therefore controlled by specific local, state, and federal regulations and are not controlled by this policy.

Purpose

The Town of Smithfield Parks & Recreation Department (SPRD) recognizes that operating an sUAS is a popular recreational activity. SPRD evaluated properties within the park system to determine which may be conducive to sUAS craft to take off and land from for recreational activity. SPRD determined sUAS recreational flying would not be compatible use for areas classified as “nature preserves,” “nature parks,” or “wetland centers” or appropriate for cemeteries or lakes solely owned, managed, or leased by the Town of Smithfield.

SPRD has identified specific park locations for recreational sUAS craft to take off and land. Please see Table 1 for these locations and the times available for sUAS use. To launch or land an sUAS within the park system, all recreational pilots must abide by the operating regulations outlined in this policy.

Operating Regulations

Persons operating an sUAS within park system properties for recreational use shall:

- Comply with all applicable local, state, and federal laws;
- Not operate while under the influence of alcohol or other drugs;
- Not take off or land sUAS in parks outside of designated park hours;
- Not operate to harass wildlife or members of the public.

sUAS less than or equal to 400 grams (.88 pounds) may take off from or land in all SPRD properties, except those designated as “nature preserves,” “nature parks,” “wetland centers,” cemeteries, or lakes. sUAS larger than 400 grams (.88 pounds) may take off and land from the designated areas of parks listed in Table 1. sUAS larger than 7000 grams (>15 pounds) and capable of speeds of 70 miles per hour must

receive permission from SPRD in advance of taking off from or landing in any of the designated areas of parks listed in Table 1.

Table 1. Parks with Designated UAS Areas for sUAS greater than 400 grams

PARK NAME	ADDRESS	LOCATION IN PARK	DAYS AND TIMES FOR sUAS USAGE
Johnson Park	1222 West Market Street	Field / Fenced Area	Dawn to Dusk

*See Appendix for locations of designated sUAS areas within parks.

- The designated areas of the parks listed in Table 1 offer non-exclusive use to sUAS recreational pilots, meaning the fields or spaces, while available for sUAS flying, may also be used by other park patrons at the same time.
- These fields may be rented for exclusive use. In the event the field is rented, the field is not available for sUAS activity unless that is the purpose of the rental. If the field is occupied, Pilots are encouraged to contact SPRD to determine if the field is available for flying sUAS.
- Park locations where sUAS is permitted will be available on the Town of Smithfield’s website. This list may be subject to change.
- A “Drone racing event” is defined as two (2) or more sUAS participating in a speed-based competition for prizes, awards, or compensation that requires navigating around a course made up of flags or other manmade objects. A “drone racing” requires field rental and payment of rental fees for exclusive use to take off and land from the space. Flags or other objects may be placed in the field; staking objects is not allowed. Trees may not be used as obstacles to race around.
- sUASs participating in a “drone racing event” must be less than or equal to 800 grams (1.7 pounds) in total weight.
- sUASs participating in a “drone racing event” must only use propellers made of plastic.
- Additional sUAS locations may be added at the discretion of the department director.

sUAS that become entangled in the trees or land on roofs or structures of SPRD buildings and can no longer operate must be reported to SPRD within 24 hours.

Users who violate this policy may be asked to leave the park and may have privileges to take off and land their sUAS from the park system revoked. Park visitors who witness unsafe sUAS practices are encouraged to inform SPRD staff or contact Smithfield Police Department.

This policy, or any portion thereof, may be waived at the discretion of the Parks and Recreation Director.

This policy will be reviewed at minimum every four (4) years once adopted.

APPENDIX

JOHNSON PARK
122 W. MARKET ST.
SMITHFIELD, NC 27577





Request for Town Council Action

Consent Agenda Item:	Accept State Funds
Date:	02/01/2022

Subject: Accept State Grant Funds
Department: General Government
Presented by: Town Manager - Michael Scott
Presentation: Consent Agenda Item

Issue Statement

During the FY 2022 State budget process, the State Legislature awarded Directed Grants to the Town of Smithfield in the amount of \$5,475,800. The Council must formally accept these funds from the State.

Financial Impact

\$5,475,800 in revenue.

Action Needed

Approve Resolution No.693 (02-2022) accepting the State Funds designated for Smithfield.

Recommendation

Approve Resolution No.693 (02-2022)

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Resolution No 693 (02-2022)



Staff Report

**Consent
Agenda
Item:**

State
Directed
Grants

The State of North Carolina awarded the Town of Smithfield \$5,475,800 in directed grants for the following projects:

- Expansion of a multi-use path from Smith Collins Park to the JCC Pond along with a multi-use path around Smith Collins Park.
- Expansion of the Eva Ennis Splash Pad
- Rebuild and Expand the Downtown Amphitheatre
- Increase the Culvert Size under the CSX Railroad Track in the 1500 block of South Highway 301.
- Increase Capacity of Pump Station #11 and build Outfall Line East of I-95.
- Increase Capacity of Pump Station #1
- Build Force Main Sewer Line in North Smithfield

Attached is a resolution formally accepting these funds.

**TOWN OF SMITHFIELD
RESOLUTION No. 693 (02-2022)
ACCEPTING NORTH CAROLINA DIRECTED GRANT FUNDS**

WHEREAS, The State of North Carolina has appropriated Directed Grants in the amount totaling \$5,475,800 to the Town of Smithfield; and

WHEREAS, these funds are intended to assist with the speeding up the recovery from the economic and health effects from the COVID-19 pandemic and ongoing recession; and

WHEREAS, part of the American Rescue Plan provides funding aid for local governments; and

WHEREAS, these funds for municipalities may be used to respond to public health emergencies with respect to COVID-19, provide premium pay to essential workers and investment in water and sewer infrastructure; and

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

- That Town of Smithfield does hereby authorize the acceptance of these funds from the State of North Carolina.
- That the Smithfield Town Council delegates to its Town Manager, the responsibility to execute any necessary agreements required on behalf of the Council.
- That The Town of Smithfield will substantially comply with all laws, rules, and regulations, pertaining thereto.

Adopted this the 1st day of February, 2022.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

(seal)



Request for Town Council Action

**Consent
Agenda
Item** **DSDC Board
Appointments**
Date: 02/01/2022

Subject: Appointments to the Downtown Smithfield Development Corporation's Board of Directors

Department: General Government

Presented by: Town Clerk – Shannan Parrish

Presentation: Consent Agenda

Issue Statement

The DSDC is requesting the Town Council appoint Suzanne Taylor and reappoint Dr. Kathleen Coates to its Board of Directors

Financial Impact

There will be no impact to the budget.

Action Needed

Council approval of the appointments.

Recommendation

Staff recommends approval of this appointments.

Approved: Town Manager Town Attorney (not required)

Attachments:

1. Staff Report
2. Letter from DSDC Executive Director Sarah Edwards
3. Application – Dr. Kathleen Coates
4. Application – Suzanne Taylor



Staff Report

**Consent DSDC Board
Agenda: Appointments**

The Downtown Smithfield Development Corporation's Board of Directors is recommending the appointment of Suzanne Taylor to serve on the DSDC Board of Directors. They are also recommending the reappointment of Dr. Kathleen Coates to continue serving on the DSDC Board of Directors.

Pursuant to the Downtown Smithfield Development Corporation by-laws, any appointment to the Board must be approved by the Town Council.



January 18, 2022

Mrs. Shannan Parrish
Town Clerk
Town of Smithfield
PO Box 761
Smithfield, NC 27577

Re: DSDC Board Appointments

Dear Mrs. Parrish and the Smithfield Town Council,

As stated in Paragraph 8 of the Downtown Smithfield Development Corporation bylaws:

Vacancies on Board. When a vacancy shall occur on the Board of Directors, the remaining members of the Board 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.

The Board of Directors of the Downtown Smithfield Development Corporation would like to recommend the reappointment of Kate Coates and appointment of Suzanne Taylor to the Downtown Smithfield Development Corporation board. I have attached their applications for your review.

The Downtown Smithfield Development Corporation is formally requesting approval and asks that this be placed on the consent agenda for the Town Council's February meeting.

Thank you in advance for your consideration. Please feel free to contact me if you have any questions.

Sincerely,

Sarah Edwards
Executive Director



**Downtown Smithfield Development Corporation
Board of Directors Candidate Application**

Name Dr. Kathleen Coates
Business Coates Hearing Clinic, PA
Business Address 1652 E. Booker Dairy Road, Smithfield, NC 27577
Email kate@coateshearing.com Cell Phone 330-412-4405
Business Phone 919-300-5438 Home Phone N/A
Home Address 4215 NC Highway 210, Smithfield, NC 27577

Brief Biography

I am from Ohio but have lived in Smithfield for 5 years. I love being involved with downtown events, meeting new people and promoting the downtown area to support local business owners. As a business owner myself, I feel like I have gained experience in helping grow a business but also know the importance of community involvement. Smithfield means a lot to me, I plan on it being my home for many years to come so I would love to see it thrive and grow. My husband's family has lived in Smithfield for generations and I love learning the history of the town and how far it has come.

Specific Qualifications for DSDC Board of Directors

I have enjoyed serving on the board in previous years.

Committee (indicate which committee best suits your interests):

Promotions
Marketing Downtown Smithfield through events and advertising to attract customers, potential investors, new businesses, residents, and visitors.

Design & Physical Improvement
Enhancing Downtown Smithfield's physical appearance through building rehabilitation, compatible new construction, public improvements, and design management systems.

Economic Development
Strengthening Downtown Smithfield's economic base and creating new opportunities through careful analysis and appropriate mixed-use development.

List three results you would like to see the DSDC accomplish

1. More direct involvement and recognition
of board with downtown business owners
2. Bring more retail businesses downtown
3. Events to bring awareness of our downtown

Membership in other organizations

Organization	Dates	Activities/Leadership
Smithfield Running Club	2017-present	Founder, Member
Rotary	2020-present	Member
Triangle East Chamber of Commerce	2019-present	Member

Please submit application to:
Downtown Smithfield Development Corporation
200 S. Front Street
Smithfield, NC 27577



**Downtown Smithfield Development Corporation
Board of Directors Candidate Application**

Name SUZANNE TAYLOR
Business THE OAK CITY COLLECTION
Business Address 105 S. 3RD ST
Email SUZANNE@OAKCITYCOLLECTIVE.ORG Cell Phone 919-333-5252
Business Phone SAME Home Phone SAME
Home Address 418 WESTERMAN PLACE, SMITHFIELD

Brief Biography

I have lived in NC since 1987 and in
Smithfield since 2004.
Previous to "The Oak City Collection" I was
employed by the State of NC as an investigator/
Civil engineer.

Specific Qualifications for DSDC Board of Directors

I served on state board "Radiation
Quantification Board" and was a board member
of the Radiation Protection Board.

Committee (indicate which committee best suits your interests):

Promotions

Marketing Downtown Smithfield through events and advertising to attract customers, potential investors, new businesses, residents, and visitors.

Design & Physical Improvement

Enhancing Downtown Smithfield's physical appearance through building rehabilitation, compatible new construction, public improvements, and design management systems.

Economic Development

Strengthening Downtown Smithfield's economic base and creating new opportunities through careful analysis and appropriate mixed-use development.

List three results you would like to see the DSDC accomplish

1. Parking situation helped
2. Downtown beautification
3. More events to bring people downtown
4. Better advertising of downtown

Membership in other organizations

Organization	Dates	Activities/Leadership
<i>None at present</i>		

Please submit application to:
 Downtown Smithfield Development Corporation
 200 S. Front Street
 Smithfield, NC 27577



Request for Town Council Action

Consent **Advisory**
Agenda **Board**
Item: **Appointment**

Date: 02/01/2022

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

Issue Statement

The Town Council is asked to consider a new appointment to the Appearance Commission.

Financial Impact

N/A

Action Needed

The Town Council is asked to consider and approve the appointment of Kaitlyn Tarley to serve on the Appearance Commission.

Recommendation

Staff recommends approval of this appointment

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Kaitlyn Tarley – Board Application



Staff Report

Consent
Agenda
Item

Advisory
Board
Appointments

Board Reappointment

Kaitlyn Tarley has submitted an application for consideration to be appointed to a first term on the Appearance Commission.

Current Board vacancies are as follows:

- Appearance Commission – 2 positions
- Historic Properties Commission – 5 positions
- Parks and Recreation Advisory Commission – 2 positions and 2 High School representative positions

Why are you interested in serving on this Board/Commission/Committee? _____

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: _____

Signature: _____ Date: _____

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

**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 02/01/2022

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:

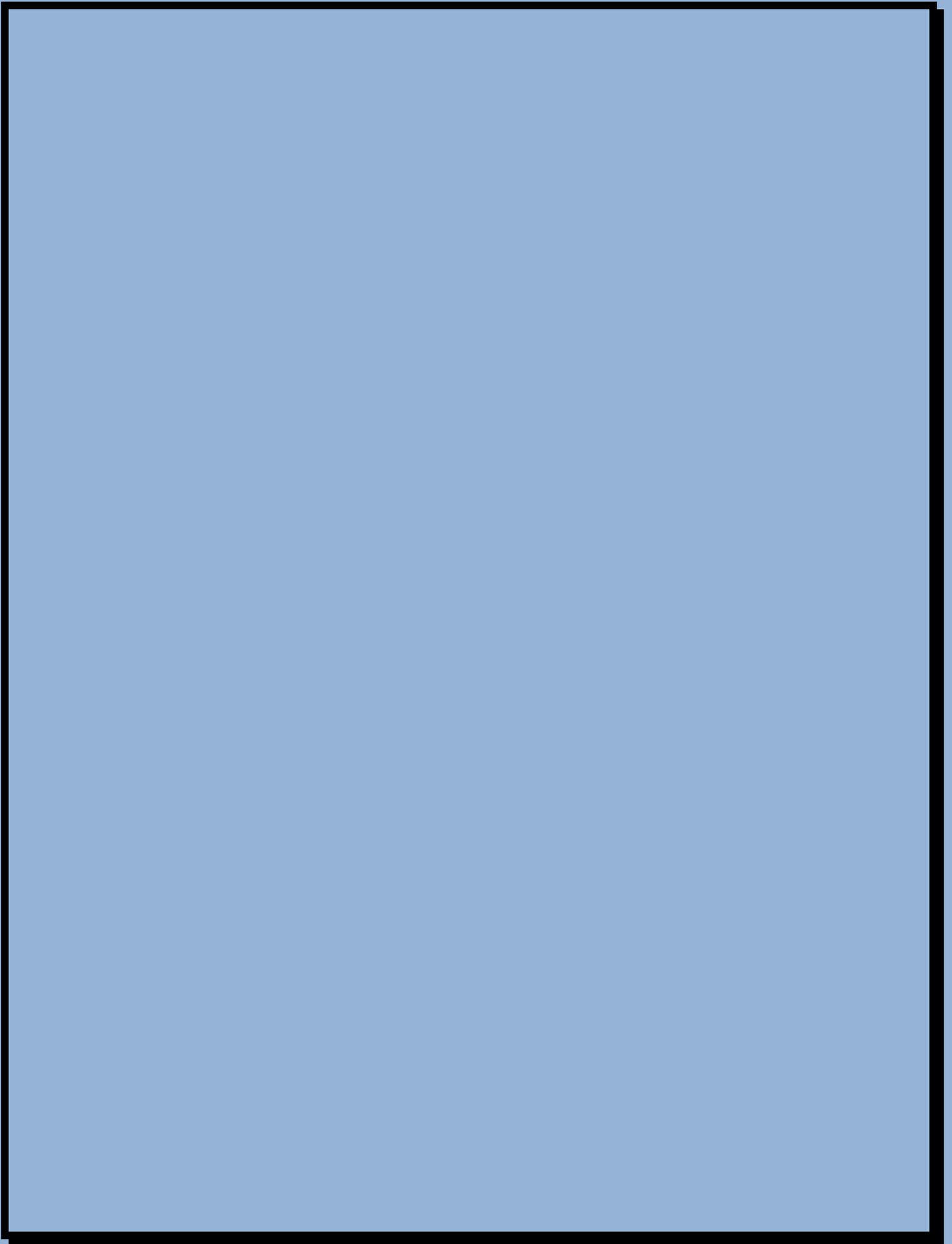
<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Electric Line Technician (2 positions)	PU – Electric	31-72-7230-5100-0200
Firefighter I (2 positions)	Fire	10-60-6220-5100-0200
Police Officer I/II – Patrol (6 positions)	Police	10-20-5100-5100-0200
P/T Collections Assistant	PU – Electric/CS	31-72-7230-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200
Water Plant Operator	PU – Water Plant	30-71-7200-5100-0200

Action Requested

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 2021-2022 Budget.

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Fire Marshall	Fire	10-60-6220-5100-0200	\$29.31/hr. (\$64,013.04/yr.)
IT Support Specialist	General Government	10-10-4100-5100-0200	\$19.80/hr. (\$41,184.00/yr.)
	PU – Water/Sewer (1/3)	30-71-7220-5100-0200	
	PU – Electric (1/3)	31-72-7230-5100-0200	
Payroll/Accounting Technician II	Finance	10-10-4200-5100-0200	\$25.15/hr. (\$52,312.00/yr.)
	PU – Water/Sewer (1/3)	30-71-7220-5100-0200	
	PU – Electric (1/3)	31-72-7230-5100-0200	
Police Officer I	Police	10-20-5100-5100-0200	\$18.97/hr. (\$42,416.92/yr.)
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200	\$15.48/hr. (\$32,198.40/yr.)
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200	\$15.48/hr. (\$32,198.40/yr.)
P/T SRAC Staff - General	P&R - Aquatics	10-60-6220-5100-0210	\$9.00/hr.
P/T Lifeguard	P&R – Aquatics	10-60-6220-5100-0210	\$8.00/hr.

Business Item





Request for Town Council Action

**Business
Agenda Item:** EDA Grant
Date: 02/01/2022

Subject: EDA Grant Application
Department: General Government/Utilities
Presented by: Town Manager - Michael Scott
Presentation: Business Item

Issue Statement

The Council previously approved a grant application with a 25% match for this project. This request increases the match amount to 29%. The Town has a continued opportunity to leverage the jobs created by the Amazon Project with local match dollars to create an additional \$3.8 million in waste-water infrastructure in West Smithfield. The grant, from the Economic Development Administration (EDA) would now require a \$1,095,880 match. This is an increase in match amount of 4%. Council previously approved a \$950,000 match for this application.

Financial Impact

\$1,095,880 expense for matching funds from the Water and Sewer Fund with a return of \$3.8 million in infrastructure

Action Needed

Approve Grant Match Amount and designate funding source.

Recommendation

Approve grant amount using ARPA Funds as the total match.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Email from EDA



Staff Report

**Business EDA
Item: Grant**

POTENTIAL EDA GRANT APPLICATION

Background:

The American Recovery Act (ARA) appropriated \$3.3 billion to the Economic Development Administration (EDA), US Department of Commerce. EDA has developed and has issued a Notice of Funding Opportunity (NOFO) for these funds which currently must be obligated by next summer with the majority of funds being used toward public infrastructure projects. An email from EDA has been received moving Smithfield's application to the due diligence phase of the award.

Potential Identified Town of Smithfield EDA Project:

West Smithfield Sanitary Sewer Improvements

\$0.4 M	Survey, model & design
\$0.2 M	Wet well upsize
\$0.6 M	Improvements along US-70 and boring under US-70
\$2.6 M	Sewer line improvements along outfall

\$3.8 M Total project

The project essentially replaces the entire run of gravity sewer from the manhole along US-70 to lift station #3 and upgrades the lift station to handle increased flow from the west Smithfield area served by the transmission main that includes the Amazon development, the entire Opportunity Zone it is located in, as well as, residential development. EDA provided an email moving the Town's application to the final due diligence period in the grant process. In doing so, the required match amount was increased by \$145,880. Local funding must be committed, as one of the requirements of the due diligence period. Local match dollars are available in the water and sewer capital project fund due to the County's recent committed funds for the Durwood Stephenson water line completion. Funds are also now allowable under the American Rescue Plan Act (ARPA) Funds, if the Council commits to receiving the funds as the revenue loss allowance that is permitted under the Treasury's Final Rule.

Michael Scott

From: Mertins, Lee (Federal) <LMertins@eda.gov>
Sent: Friday, January 14, 2022 1:39 AM
To: Michael Scott
Cc: Sherman, Hillary (Federal); Shannan Parrish
Subject: EDA Application Status - Town of Smithfield, NC
Attachments: Revised 30 day Public Notice form.pdf; Eminent Domain form MT.pdf

January 13, 2022

In reply refer to:
EDA Control No. 118355

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

Dear Mr. Scott:

The Economic Development Administration (EDA) is pleased to inform you that your application has been selected for further consideration. Please note that this notification of further consideration is intended to inform you of EDA's competitive preliminary selection of your project, **but does not guarantee final approval or legally bind EDA to make an award.**

Subject to the appropriation and availability of funds, the proposed project, estimated to cost \$3,795,880 will be considered for \$2,700,000 in EDA funding under the Economic Adjustment program, authorized under section 209 of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. Section 3121 *et seq.*).

By acceptance of this letter, you agree to provide all additional information requested below, and any other additional information that may be requested subsequently. You also acknowledge that final approval and the timing of such an approval are subject to EDA's acceptance of the information and the availability of funding.

Additional Information: Provide the following information to Hillary Sherman by February 14, 2022:

1. Certificate of Eminent Domain and Attorney Verification on property to be improved. A suggested certification format is enclosed;
2. Revised SF 424 reflecting an EDA request of \$2,700,000, matching contributions of \$1,095,880 and total project of \$3,795,880;
3. Revised match commitments totaling to \$1,095,880;
4. Proof of renewal of SAM registration (expires 1/15/2022);
5. Copy of most recently completed audit or financial statements;
6. Clarification of grant administration expense;
7. Clarify title of signatory on ED 900B;
8. Public Notice – NEPA: To comply with the public participation requirements of the National Environmental Policy Act of 1969, as amended (NEPA), EDA requires applicants to provide notice to the local public regarding the project

and the availability of NEPA documents. Please note that due to proposed impacts to streams/wetlands, a 30-day public notice is required. The notice must include a statement that floodplain impacts are proposed. Enclosed is a template for public notification. Provide proof of public notification including dates of publication and the notice. Contact Keith Dyché, EDA Regional Environmental Officer at 404-730-3029 if assistance is needed prior to publication;

9. Copy of your request for comments from the State Historic Preservation Officer (SHPO). Please initiate this process promptly to avoid delays. Provide SHPO with information regarding the EDA project and the proposed beneficiary property and facilities so that SHPO may confirm the appropriate area of potential effect. Please consult the SHPO website for information on contents of the submittal. Do not insert a deadline for comments; the regulations set a specified time limit from the date received. Provide EDA with a copy of SHPO's response immediately upon receipt (whether before or after the deadline listed in this letter);
10. Copy of your request for comments from the Tribal Historic Preservation Officer (THPO) of the Catawba Indian Nation. Please initiate this process promptly to avoid delays. Provide the THPO with information regarding the EDA project and the proposed beneficiary facilities so that THPO may confirm the appropriate area of potential effect. Do not insert a deadline for comments; the regulations set a specified time limit from the date received. Provide EDA with a copy of THPO's response immediately upon receipt (whether before or after the deadline listed in this letter);
11. Copy of your submittal to the State Historic Preservation Office (SHPO) with all attachments. EDA will use this information to consult with federally recognized tribes who require government to government communication. Please provide this information via email to kdych@eda.gov and ctallman@eda.gov as soon as possible so that EDA may initiate this required consultation; please do not wait until all the items listed in this further consideration letter have been compiled;
12. Copy of your request for comments from the US Fish and Wildlife Service (FWS) on the proposed EDA project and the beneficiary's project. Your request for comments should clearly state that EDA is considering providing federal funding assistance and comments are requested per Section 7(a)(2) of the Endangered Species Act. Do not insert a deadline for comments; the regulations set a specified time limit from the date received. Provide EDA with a copy of FWS's response immediately upon receipt (whether before or after the deadline listed in this letter);
13. Signed Applicant Certification Clause;
14. Contact information on the person who will be responsible for GPRA over a nine-year period, and mechanism to track private beneficiary jobs and investment data and standard additional information as listed in the application that has not been previously submitted; and
15. Any additional material as requested.

The information requested above will supplement your application and enable EDA to proceed with processing your application. Failure to meet this deadline, or the submission of incorrect or incomplete information, will jeopardize approval of your application. If you cannot meet this deadline, please advise Hillary Sherman, Economic Development Representative, as soon as possible.

EDA will assess the information provided upon receipt. EDA's assessment of this information may determine one of the following:

1. No additional information is necessary;
 2. Additional information is required, because the submission is incomplete, inaccurate, or otherwise unacceptable to EDA, and the applicant(s) must revise the submission before EDA will consider processing the application further;
- or

3. EDA will discontinue considering the application for funding, because the information submitted does not present a project that complies with applicable law(s) or EDA's regulations or policies.

Your organization must comply with EDA's regulations (see 13 C.F.R. chapter III https://www.eda.gov/pdf/EDAs_regs-13_CFR_Chapter_III.pdf), as well as the Federal Funding Opportunity announcement *FY 2021 American Rescue Plan Act Economic Adjustment Assistance Notice of Funding Opportunity*, which was updated effective July 22, 2021 (see <https://www.eda.gov/funding-opportunities/>)

Final approval of an award is conditioned upon EDA's assessment of the additional information requested, project feasibility, funding priorities, and the availability of funds for obligation.

EDA's mission is to lead the Federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. EDA assists states, units of government, and community nonprofit organizations in economically-distressed areas by supporting regional economic development efforts that emphasize innovation and entrepreneurship as the essential elements of regional and national competitiveness in the worldwide economy. If you have questions regarding the requested information or status of your application, please do not hesitate to contact Ms. Sherman at hsherman@eda.gov

Sincerely,
H. Philip Paradise, Jr.
Regional Director, Atlanta Regional Office

Enclosure: Certificate of Eminent Domain
NEPA Public Notice Template – 30 day

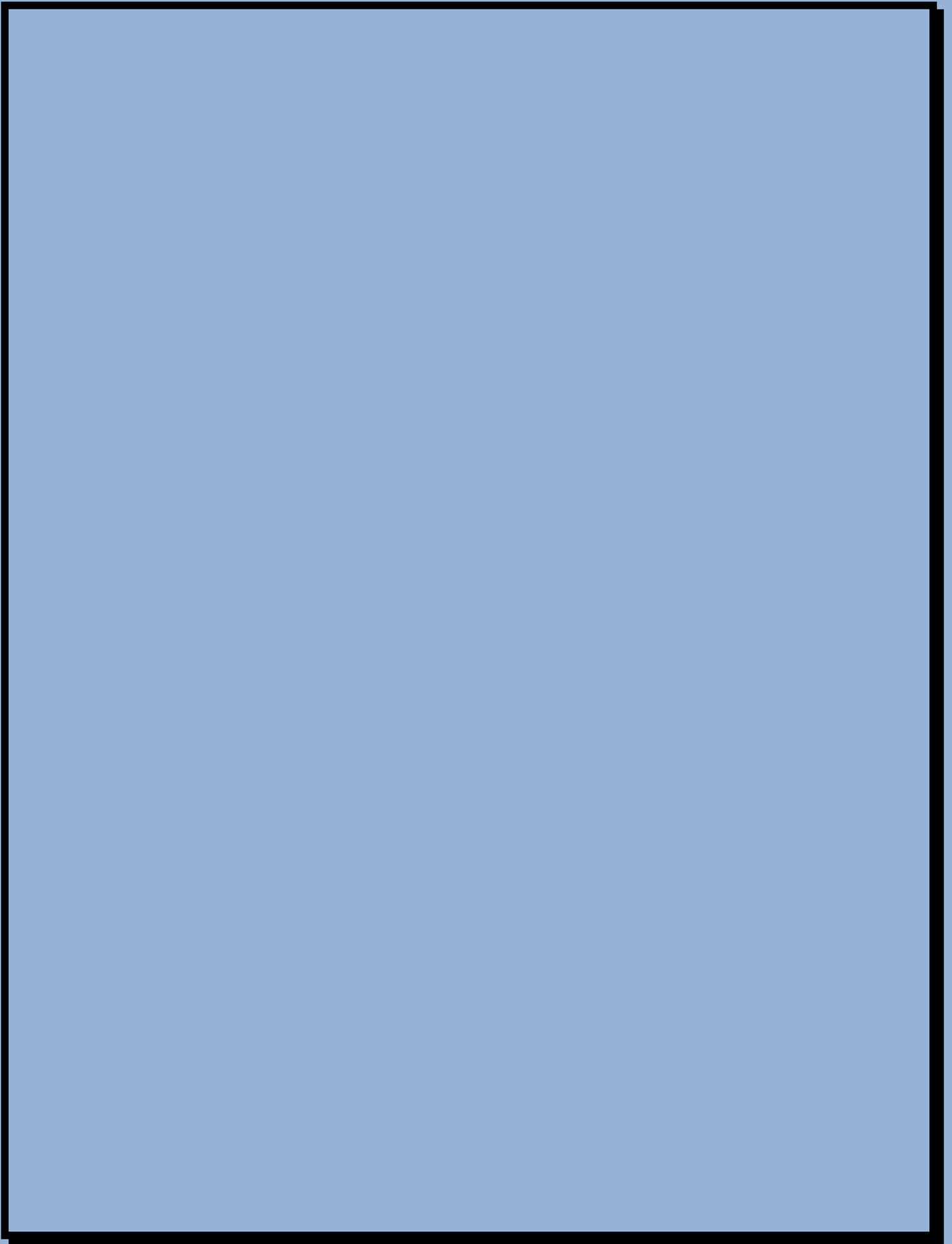
cc: Hillary Sherman, EDA



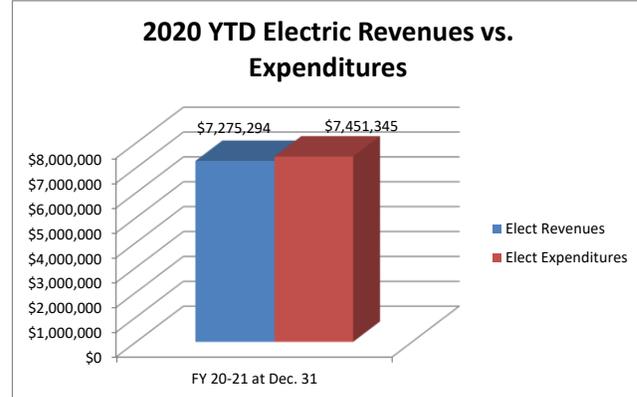
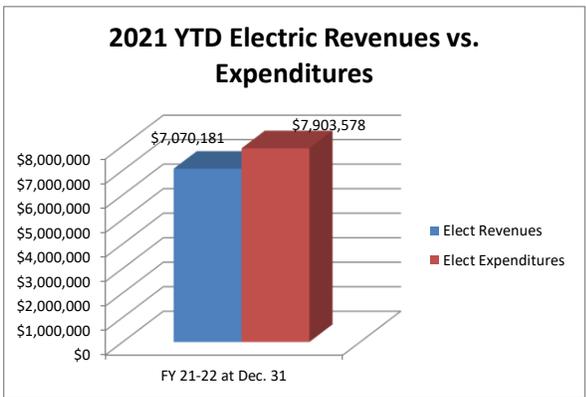
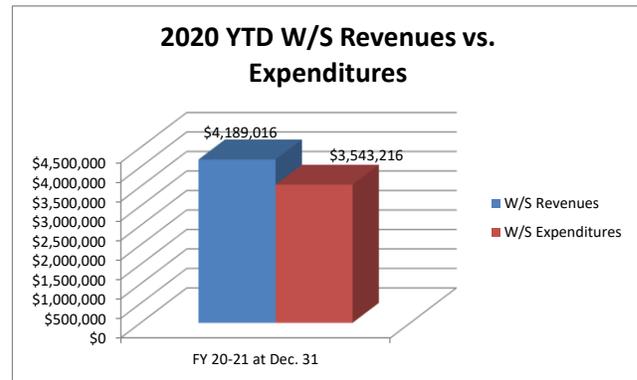
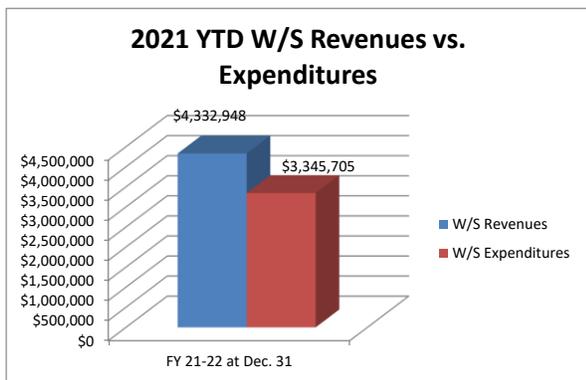
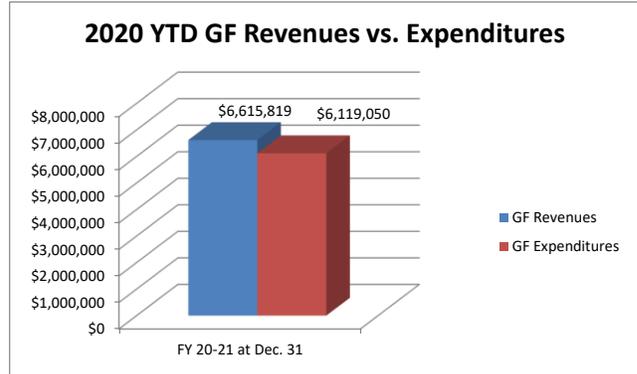
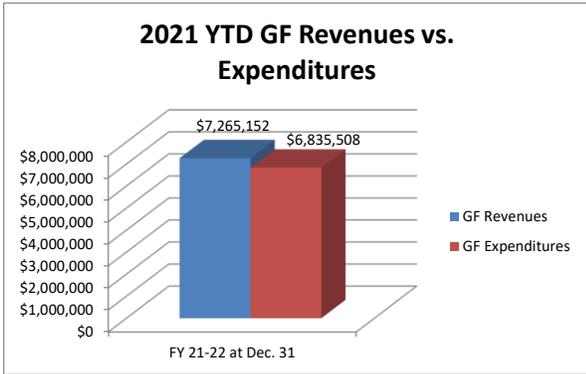
STAY CONNECTED WITH EDA!



Financial Report



Town of Smithfield Revenues vs. Expenditures



TOWN OF SMITHFIELD
MAJOR FUNDS FINANCIAL SUMMARY REPORT
December 31, 2021
Gauge: 6/12 or 50 Percent

50.00%

GENERAL FUND						
	Frequency	Actual to Date	Budget	Actual to Date	YTD %	
Revenues		FY '20-21	FY '21-22	FY '21-22	Collected	
Current & Prior Year Property Taxes	Monthly	\$ 2,845,218	\$ 6,468,800	\$ 3,222,981	49.82%	
Motor Vehicle Taxes	Monthly	350,532	590,000	421,652	71.47%	
Utility Franchise Taxes	Quarterly	478,305	975,000	476,600	48.88%	
Local Option Sales Taxes	Monthly	969,371	2,710,000	1,117,258	41.23%	
Aquatic and Other Recreation	Monthly	64,702	396,500	321,496	81.08%	
Sanitation (Includes Penalties)	Monthly	590,647	1,467,264	649,859	44.29%	
Grants		465,819	239,050	145,789	60.99%	
All Other Revenues		851,225	1,350,549	909,517	67.34%	
Loan Proceeds			-		#DIV/0!	
Transfers (Electric and Fire Dist.)		-	388,190	-	0.00%	
Fund Balance Appropriated		-	1,443,772	-	0.00%	
Total		\$ 6,615,819	\$ 16,029,125	\$ 7,265,152	45.32%	

	Actual to Date	Budget	Actual to Date	YTD %
Expenditures	FY '20-21	FY '21-22	FY '21-22	Collected
General Gov.-Governing Body	\$ 216,712	\$ 540,555	\$ 238,992	44.21%
Non Departmental	389,783	916,245	446,677	48.75%
Debt Service	664,807	884,114	610,562	69.06%
Finance	48,119	153,973	62,256	40.43%
Planning	138,934	370,810	142,714	38.49%
Police	1,697,476	4,534,747	1,870,233	41.24%
Fire	933,065	2,278,585	970,382	42.59%
EMS	5,124	-	-	#DIV/0!
General Services/Public Works	289,255	666,613	271,994	40.80%
Streets	207,288	849,242	192,640	22.68%
Motor Pool/Garage	44,223	153,738	51,862	33.73%
Powell Bill	27,607	547,312	307,074	56.11%
Sanitation	706,938	1,507,540	705,802	46.82%
Stormwater	-	106,911	3,995	3.74%
Parks and Rec	314,929	1,136,905	447,147	39.33%
SRAC	425,672	1,049,437	485,998	46.31%
Sarah Yard Center	9,118	58,874	27,180	46.17%
Contingency	-	273,524	-	0.00%
Appropriations/Contributions		-	-	0.00%
Total	\$ 6,119,050	\$ 16,029,125	\$ 6,835,508	42.64%

YTD Fund Balance Increase (Decrease)

- -

50.00%

WATER AND SEWER FUND

Revenues	Actual to Date	Budget	Actual to Date	YTD %
	FY '20-21	FY '21-22	FY '21-22	Collected
Water Charges	\$ 1,283,152	\$ 2,872,930	\$ 1,261,625	43.91%
Water Sales (Wholesale)	663,393	\$ 1,720,000	881,072	51.23%
Sewer Charges	2,112,076	4,600,000	2,092,700	45.49%
Penalties	26,544	52,000	26,051	50.10%
Tap Fees	16,710	23,000	7,585	32.98%
Other Revenues	87,141	123,000	63,915	51.96%
Grants	-	-	-	#DIV/0!
Loan Proceeds	-	-	-	#DIV/0!
Fund Balance Appropriated	-	257,730	-	0.00%
Total	\$ 4,189,016	\$ 9,648,660	\$ 4,332,948	44.91%

Expenditures	Actual to Date	Budget	Actual to Date	YTD %
	FY '20-21	FY '21-22	FY '21-22	Collected
Water Plant (Less Transfers)	\$ 945,545	\$ 1,933,175	\$ 941,506	48.70%
Water Distribution/Sewer Coll (Less Transfers)	2,292,105	5,382,963	2,098,633	38.99%
Transfer to General Fund	-	-	-	#DIV/0!
Transfer to W/S Capital Proj. Fund	-	1,472,500	-	0.00%
Debt Service	305,566	611,163	305,566	50.00%
Contingency	-	248,859	-	0.00%
Total	\$ 3,543,216	\$ 9,648,660	\$ 3,345,705	34.68%

ELECTRIC FUND

Revenues	Actual to Date	Budget	Actual to Date	YTD %
	FY '20-21	FY '21-22	FY '21-22	Collected
Electric Sales	\$ 7,120,012	\$ 16,300,000	\$ 6,934,171	42.54%
Penalties	42,972	100,000	37,001	37.00%
All Other Revenues	112,310	180,000	99,009	55.01%
Grants	-	-	-	
Loan Proceeds	-	-	-	
Fund Balance Appropriated	-	489,174	-	
Total	\$ 7,275,294	\$ 17,069,174	\$ 7,070,181	41.42%

Expenditures	Actual to Date	Budget	Actual to Date	YTD %
	FY '20-21	FY '21-22	FY '21-22	Collected
Administration/Operations	\$ 1,200,159	\$ 3,297,909	\$ 1,278,493	38.77%
Purchased Power - Non Demand	1,940,980	12,565,000	2,159,862	17.19%
Purchased Power - Demand	3,389,533	-	3,383,273	#DIV/0!
Purchased Power - Debt	578,088	-	578,088	#DIV/0!
Debt Service	342,585	342,586	342,585	100.00%
Capital Outlay	-	30,000	161,277	537.59%
Contingency	-	283,679	-	0.00%
Transfers to Electric Capital Proj Fund	-	550,000	-	0.00%
Transfer to Electric Capital Reserve	-	-	-	
Transfers to General Fund	-	-	-	#DIV/0!
Total	\$ 7,451,345	\$ 17,069,174	\$ 7,903,578	46.30%

CASH AND INVESTMENTS FOR SEPTEMBER

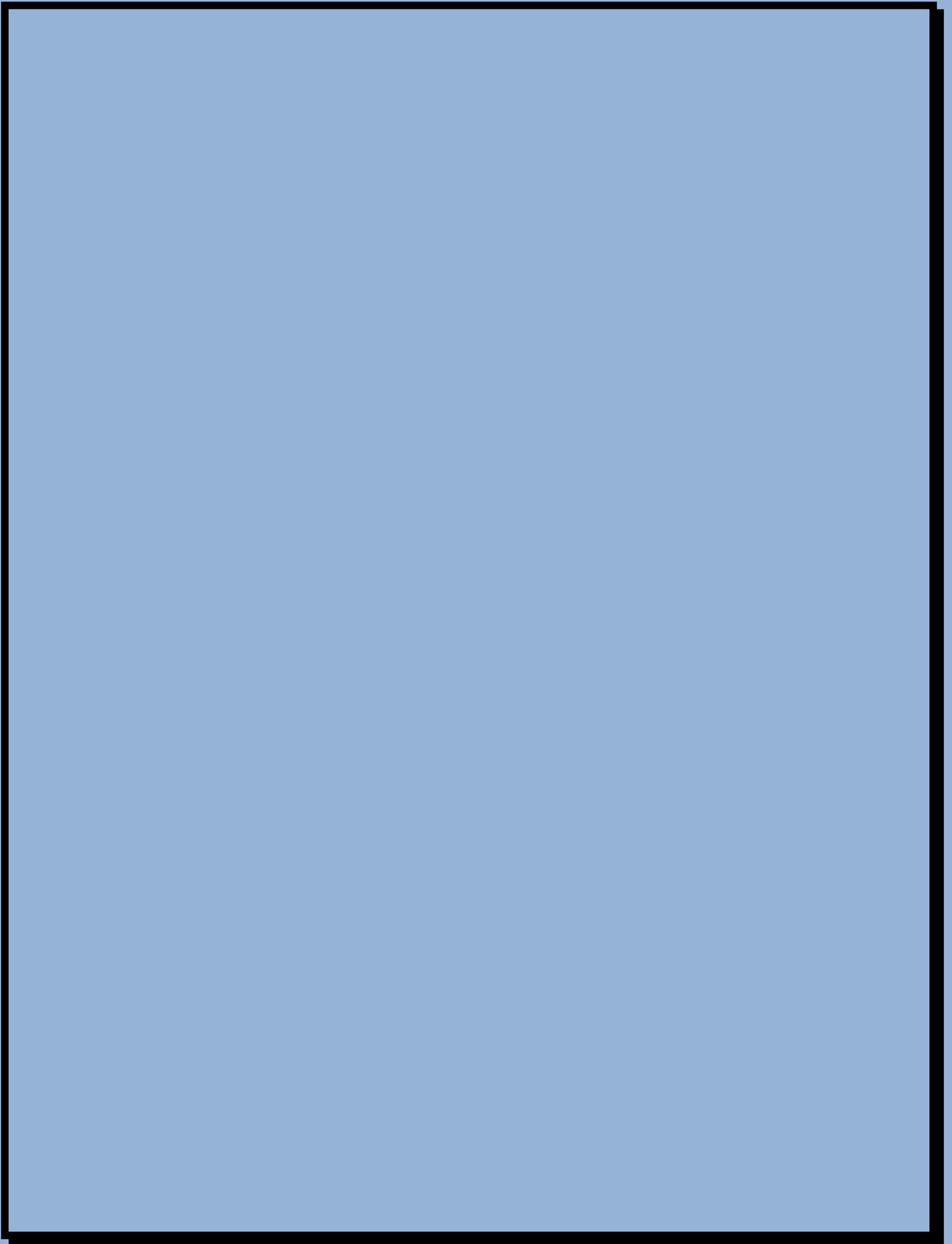
General Fund (Includes P. Bill)	14,727,906		
Water and Sewer Fund	8,833,215		
Electric Fund*	10,673,896		
ARP Fund (20)	1,899,629		
JB George Endowment (40)	132,054		
Water Plant Expansion (43)	4,202,039		
Booker Dairy Road Fund (44)	457,896		
Capital Project Fund: Wtr/Sewer (45)	1,037,963		
Capital Project Fund: General (46)	256,313		
Capital Project Fund: Electric (47)	620,821		
FEMA Acquisitions and Elevations (48)	550		
CDBG Neighborhood Revitalization (49)	(95,386)	1st CITIZENS	35,707,057 0.2% (Earn
Firemen Relief Fund (50)	93,395	NCCMT	2,385,930 0.010%
Fire District Fund (51)	230,193	KS BANK	3,693,372 0.25%
General Capital Reserve Fund (72)	6,010	UNITED COMM	1,290,135 0.20%
Total	\$ 43,076,494		\$ 43,076,494

*Plug

Account Balances Confirmed By Finance Director on:

1/20/2022

Department Reports





Staff Report

**Monthly
Staff Economic
Report: Development
Update**

Smithfield Economic Development Activities DEC21/JAN22

1. **Product Development/New Company Recruitment** – Stephen Wensman, Tim and Rocky met with Chris Johnson to review economic development matters.
 - Amazon – construction is progressing. Planning and Fire Departments are maintaining regular contact.
 - Chris contacted us regarding Project Green. A parcel adjacent to the Amazon facility has been proposed. Although the project would not be a big water and sewer user, Chris had questions about the size and location of the lines that would provide services to the property. After the exact location of the site was clarified, Ted Credle provided Chris with the needed information.
 - Brogdan-Walpat Distribution Center Project – a proposed 250,000 sq ft. distribution center to be constructed on the Lee property, which raised questions as to sewer availability. Stephen met with JoCo Utilities on 18DEC21 to discuss line capacities and subsequent to that meeting was told that the sewer lines could accommodate the proposed facility. He has advised the developers that adequate sewer capacity is available to serve the building.
2. **Business Retention and Expansion (BRE)**- Tim and Rocky are scheduling BRE meetings. Upcoming targets are:
 - Carolina Packers
 - Jerry Williams Lumber
 - Penn Compression
 - Beverage Destruction Industries
3. **Product Development** - NRP Ventures, LLC Woodleaf Project – a section of the proposed development was to be dedicated to commercial-office space, with a potential emphasis on medical. On a previous BRE visit with Johnston Health a need for medical office space was discussed. We agree to facilitate meetings with the developers and the leadership of Johnston County Health, and the meeting is in the process of being scheduled.



FINANCE DEPARTMENTAL REPORT FOR DECEMBER, 2021

SUMMARY OF ACTIVITIES FOR MAJOR FUNDS (10,30,31):

Daily Collections/Property Taxes/Other.....	\$ 2,754,729
Franchise Tax.....	255,561
Sales & Use Tax.....	286,015
Powel Bill.....	<u>204,736</u>
Total Revenue	\$3,501,041

Expenditures: General, Water, and Electric.....\$2,903,371

FINANCE:

- Compiled and submitted monthly retirement report on 12/31/2021
- Issued 64 purchase orders
- Processed 938 vendor invoices for payment and issued 439 accounts payable checks
- Prepared and processed 2 regular payrolls and remitted federal and state payroll taxes on 12/10 and 12/23/2021
- Sent 0 past due notices for delinquent privilege license
- Issued 0 peddler license
- Sent 0 notices for grass cutting
- Collected \$840 in grass cutting invoices. Total collected to date is \$9,496
- Processed 7 NSF Checks/Fraudulent Cards (Utility and SRAC)
- Debt Setoff - Bad Debt Collection calendar year-to-date total \$30,762.64 (EMS: \$6,128.14; SRAC: \$2,892.17; Utility: \$21,522.33; and Other: \$220)
- Penn Credit - Bad Debt Collection calendar year-to-date total \$10,294
- Invoiced 0 grave opening for a total of \$0.
- Invoiced Johnston Community College for Police Security
- Earned \$1,500.77 in interest from FCB and paid 0 in fees on the central depository account
- Paid \$9,565 in credit/debit/Tyler card fees, but earned \$7,817 (31-72-3550-3520-0002) in convenience fees (Reporting month charged/earned, not month paid)

FINANCE DIRECTOR

- Attended Department Head Meetings on Dec 6 and 21, 2021
- Attended Council meeting on December 7, 2021
- Reconciled November's bank statement for Central Depository Account
- Attended Tyler's A/P Automation Demo on 12/17/2021
- Attended Prudential website walk thru
- Spot checked December's payroll as Assistant Finance Director perform payroll function solo for first time



Planning Department Development Report

Friday, January 21, 2022

Project Name: Franklin Towns
Request: Preliminary Sub'd for 134 townhouses on 15.9 acers
Location: Wilson's Mills Road
Tax ID#: 15083049E **PIN#:** 169406-29-7604
Project Status: In First Review

Notes:

Subdivision 2022-01	
Submittal Date:	1/7/2022
Planning Board Review:	2/4/2022
Board of Adjustment Review:	
Town Council Hearing Date:	3/1/2022
Approval Date:	

Project Name: Wood & Warrick
Request: B-3 and R-20A to LI
Location: West US 70 Business Highway
Tax ID#: **PIN#:**
Project Status: First Review Complete

Notes: Withdrawn

Map Amendment 2021-06	
Submittal Date:	12/3/2021
Planning Board Review:	1/6/2022
Board of Adjustment Review:	
Town Council Hearing Date:	2/1/2022
Approval Date:	

Project Name: Regulations for Signs
Request: Revise sign ordinances allowing additional sign opportunities
Location:
Tax ID#: **PIN#:**
Project Status: First Review Complete

Notes: PB Reccomended approval

Text Amendment 2021-08	
Submittal Date:	12/3/2021
Planning Board Review:	1/6/2022
Board of Adjustment Review:	
Town Council Hearing Date:	2/1/2022
Approval Date:	

Project Name: Town Plan Update
Request: Revise West Smithfield plan in response to rapid growth
Location:
Tax ID#: **PIN#:**
Project Status: First Review Complete

Notes: PB split vote due to perceived need for first class mail notification

Text Amendment 2021-09	
Submittal Date:	12/3/2021
Planning Board Review:	1/6/2022
Board of Adjustment Review:	
Town Council Hearing Date:	2/1/2022
Approval Date:	

Project Name: **Galilee Point**
 Request: 10 lot septic tank subdivision
 Location
 Tax ID#: 15I09034K PIN#: 167400-60-4450
 Project Status **Second Review Complete**

Notes: Withdrawn

Subdivision 2021-08	
Submittal Date:	11/5/2021
Planning Board Review:	12/2/2021
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Advancetech**
 Request: 98,280 sq ft manufacturing facility / warehouse
 Location 3900 West US 70 Business Highway
 Tax ID#: 17J08001D PIN#: 168618-20-5729
 Project Status **Second Review Complete**

Notes: submitted for staff review and approval

Site Plan 2021-19	
Submittal Date:	10/4/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Harvest Run**
 Request: R8-CZ to allow for 69 townhouses and 96 single family
 Location NC 210 Highway
 Tax ID#: 15077009 PIN#: 168400-84-6775
 Project Status **Approved**

Notes:

Conditional Zoning 2021-10	
Submittal Date:	10/1/2021
Planning Board Review:	11/4/2021
Board of Adjustment Review:	
Town Council Hearing Date:	12/7/2021
Approval Date:	

Project Name: **Franklin Towns**
 Request: R8-CZ to allow for 134 townhouses on 15.9 acers
 Location Wilson's Mills Road
 Tax ID#: 15083049E PIN#: 169406-29-7604
 Project Status **Approved**

Notes:

Conditional Zoning 2021-11	
Submittal Date:	10/1/2021
Planning Board Review:	11/4/2021
Board of Adjustment Review:	
Town Council Hearing Date:	12/7/2021
Approval Date:	

Project Name: **The Insurance Shoppe**
 Request: 4,900 sq ft free standing office
 Location 131 Kellie Drive
 Tax ID#: 14075021S PIN#: 260405-09-8296
 Project Status **Approved**
 Notes: submitted for staff review and approval

Site Plan 2021-18	
Submittal Date:	10/1/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **ALA Johnston Charter School**
 Request: Site plan approval
 Location West US 70 Highway
 Tax ID#: 17J08004 PIN#: 168505-19-8748
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2021-18	
Submittal Date:	9/17/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **JNX Corporate Hangers**
 Request: Parking and stormwater improvements
 Location 3146 Swift Creek Road
 Tax ID#: 15079017D PIN#: 168500-12-1015
 Project Status **First Review Complete**
 Notes: submitted for staff review and approval

Site Plan 2021-17	
Submittal Date:	9/17/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Britt Street Triplexes**
 Request: 6 lot division
 Location Britt Street
 Tax ID#: 15L11006 PIN#: 169409-06-1658
 Project Status **Approved**
 Notes:

Subdivision 2021-04	
Submittal Date:	9/3/2021
Planning Board Review:	10/7/2021
Board of Adjustment Review:	
Town Council Hearing Date:	11/2/2021
Approval Date:	

Project Name: **Smithfied PD expansion**
 Request: Addition to existing facility
 Location 110 South Fifth Street
 Tax ID#: 15025048 PIN#: 169419-50-2949
 Project Status **Third Review Complete**
 Notes: Approval Eminent

Conditional Zoning 2021-05	
Submittal Date:	9/3/2021
Planning Board Review:	10/7/2021
Board of Adjustment Review:	
Town Council Hearing Date:	11/9/2021
Approval Date:	

Project Name: **Spring Branch Commons Phs 2**
 Request: 6 lot division
 Location East Johnston Street
 Tax ID#: 15026058A PIN#: 169419-50-6383
 Project Status **Third Review Complete**
 Notes: submitted for staff review and approval

Subdivision 2021-05	
Submittal Date:	9/3/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Britt Street Triplexes**
 Request: 6 attached townhouse style units fronting on Britt Street
 Location Britt Street
 Tax ID#: 15L11006 PIN#: 169409-06-1658
 Project Status **Approved**
 Notes:

Conditional Zoning 2021-08	
Submittal Date:	9/3/2021
Planning Board Review:	10/7/2021
Board of Adjustment Review:	
Town Council Hearing Date:	11/2/2021
Approval Date:	

Project Name: **Spring Branch Commons Phs 2**
 Request: 6 rear loading style single family dwellings
 Location East Johnston Street
 Tax ID#: 15026058A PIN#: 169419-50-6383
 Project Status **Approved**
 Notes:

Conditional Zoning 2021-09	
Submittal Date:	9/3/2021
Planning Board Review:	10/7/2021
Board of Adjustment Review:	
Town Council Hearing Date:	11/2/2021
Approval Date:	

Project Name: **Whitley Townes**
 Request: 70 lot Townhouse Subdivision
 Location West Market Street
 Tax ID#: 15084001 PIN#: 169409-06-6525
 Project Status **Approved**

Notes:

Conditional Zoning 2021-07	
Submittal Date:	8/6/2021
Planning Board Review:	9/2/2021
Board of Adjustment Review:	
Town Council Hearing Date:	10/5/2021
Approval Date:	

Project Name: **Marin Woods Subdivision**
 Request: 143 units on 31.56 Ac.
 Location NC210 Highway
 Tax ID#: 15077008 PIN#: 168400-74-4498
 Project Status **Second Review Complete**

Notes: Public hearing conducted on 9/7/2021. On TC agenda for 10/5/21

Subdivision 2021	
Submittal Date:	7/2/2021
Planning Board Review:	8/5/2021
Board of Adjustment Review:	
Town Council Hearing Date:	9/7/2021
Approval Date:	

Project Name: **Marin Woods Subdivision**
 Request: R-20A to R-8 CZ
 Location NC 210 Highway
 Tax ID#: 15077008 PIN#: 168400-74-4498
 Project Status **Approved**

Notes: 20 foot townhouse lots proposed

Conditional Zoning 2021-06	
Submittal Date:	7/2/2021
Planning Board Review:	8/5/2021
Board of Adjustment Review:	
Town Council Hearing Date:	9/7/2021
Approval Date:	

Project Name: **Ample Storage Expansion**
 Request: 32K additional building area on 1.84 acres
 Location 787 West Market Street
 Tax ID#: 15078199K PIN#: 169413-04-3402
 Project Status **Approved**

Notes:

Site Plan 2021-16	
Submittal Date:	6/23/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Smithfield's Chichen N Bar-B-Q**
 Request: New Restaurant at the Applebees location
 Location 1240 North Brightleaf Boulevard
 Tax ID#: 14074013H PIN#: 260414-44-4401
 Project Status **Approved**
 Notes: Under Construction / staff approved

Site Plan 2021-14	
Submittal Date:	5/26/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	7/20/2021

Project Name: **Airport Industrial Park lot 6**
 Request: Contractors Office with NO outdoor storage
 Location 228 Airport Industri Drive
 Tax ID#: 15J08017J PIN#: 168509-05-3202
 Project Status **Approved**
 Notes: under construction / staff approved

Site Plan 2021-10	
Submittal Date:	4/23/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	5/21/2021

Project Name: **Project XD**
 Request: 629,215 square foot warehouse
 Location 2110 US70 East Highway
 Tax ID#: 15078011 PIN#: 168500-63-4559
 Project Status **In third Review**
 Notes: Under Construction / Not yet permitted

Site Plan 2021-07	
Submittal Date:	4/21/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **WSBP Infrastructure**
 Request: Utility Extension
 Location 2110 US70 East Highway
 Tax ID#: 15078011 PIN#: 168500-63-4559
 Project Status **In third Review**
 Notes: Under Construction / Not yet permitted

Site Plan 2021-08	
Submittal Date:	4/21/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **JNX Fuel Farm**
 Request: All new fueling station with above ground tanks
 Location 3149 Swift Creek Road
 Tax ID#: 15079017D PIN#: 168500-12-1015
 Project Status **Approved**
 Notes: construction not yet begun / staff approved

Site Plan 2021-12	
Submittal Date:	4/14/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	5/11/2021

Project Name: **Airport Industrial Park lot 13**
 Request: Contractors Office with outdoor storage
 Location 55 Airport Industri Drive
 Tax ID#: 15J08017P PIN#: 168500-04-5363
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2021-05	
Submittal Date:	4/6/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	5/5/2021

Project Name: **Spring Branch Commons**
 Request: CZ to allow for 9 single family dwellings on 1.21 acres
 Location 600 East Johnston Street
 Tax ID#: 15026060 PIN#: 169419-50-6175
 Project Status **Approved**
 Notes: Conditional zoning approved. Preliminary sub'd plans comply

Conditional Zoning 2021-02	
Submittal Date:	3/5/2021
Planning Board Review:	4/1/2021
Board of Adjustment Review:	
Town Council Hearing Date:	5/4/2021
Approval Date:	5/4/2021

Project Name: **Twin Oaks Subdivision**
 Request: 20 lot subdivision
 Location Will Drive
 Tax ID#: 15J11008M PIN#: 160300-46-0287
 Project Status **Approved**
 Notes: NCDOT approval not yet secured

Subdivision 2020-02	
Submittal Date:	6/5/2020
Planning Board Review:	7/9/2020
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	8/4/2020

Project Name: **Smithfield Living Facility**
 Request: 83 Unit Assisted Living Facility
 Location Kellie Drive
 Tax ID#: 14075022D PIN#: 260405-09-8645
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2020-07	
Submittal Date:	6/5/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	9/10/2020

Project Name: **JCC Engineering Building**
 Request: 46,365 square foot educational facility
 Location 245 College Road
 Tax ID#: 15K10199F PIN#: 159308-87-5887
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2020-06	
Submittal Date:	5/19/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	8/24/2020

Project Name: **Tru Hotel**
 Request: 4 Story Hotel
 Location 167 South Equity Drive
 Tax ID#: 15008046c PIN#: 260417-10-4438
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2020-04	
Submittal Date:	4/29/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/1/2020

Project Name: **Johnston County Detention Center**
 Request: Site Plan Approval
 Location 1071 Yelverton Grov Road
 Tax ID#: 15L11011 PIN#: 260300-67-6920
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2020-02	
Submittal Date:	2/7/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	7/14/2020

Project Name: **East River Phase II**
Request: 32 lot division / Construction Plan Review
Location Buffalo Road
Tax ID#: 14075013 PIN#: 169520-80-3415
Project Status **Approved**

Notes: Built out

Subdivision 2018-01	
Submittal Date:	1/29/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	4/20/2020

Project Name: **Johnston Animal Hospital**
Request: Free Standing Facility
Location 826 North Brightleaf Boulevard
Tax ID#: 15005038 PIN#: 260413-02-5950
Project Status **Approved**

Notes: Under Construction

Site Plan 2020-01	
Submittal Date:	1/7/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/24/2020

Project Name: **Johnston Regional Airport FBO**
Request: FBO Hanger Addition
Location 3149 Swift Creek Road
Tax ID#: 15079017D PIN#: 168500-12-1015
Project Status **Approved**

Notes: Construction Complete / CO issued

Site Plan 2019-04	
Submittal Date:	5/22/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	8/22/2019

Project Name: **Twin Creeks Phs 1**
Request: 28 Lot Subdivision
Location Gailee Road
Tax ID#: 15109011B PIN#: 167300-56-5565
Project Status

Notes: Under Construction

Subdivision 2019-01	
Submittal Date:	4/5/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Kamdon Ranch**
Request: 110 Lot Division
Location Swift Creek Road
Tax ID#: 15I08020 PIN#: 167400-55-9495
Project Status **Approved**
Notes: Phs 1 near build out

Subdivision 2019-02	
Submittal Date:	4/5/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/27/2019

Project Name: **Tires and Wheels**
Request: Auto Repair
Location 2134 South Brightleaf Boulevard
Tax ID#: 15A61047D PIN#: 168320-91-1779
Project Status **Approved**
Notes: Still under construction, No C/O issued, site lacks dumpster screening

Site Plan 2017-09	
Submittal Date:	8/8/2017
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	3/8/2018



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 December 2021

				Permit Fees	Permits Issued
Zoning	Land Use			\$200.00	2
Site Plan	Major Site Plan			\$400.00	4
Site Plan	Minor Site Plan			\$300.00	9
Zoning	Sign			\$150.00	3
Report Period				\$1,050.00	18
Fiscal YTD Total:				\$8,125.00	123
SP21-000114	Site Plan	Major Site Plan	Smithfield PD Expansion	108 South Fifth Street	
SP21-000112	Site Plan	Major Site Plan	Ample Storage Phase 2	787 West Market Street	
SP21-000108	Site Plan	Minor Site Plan	Storage Building	4079 West US 70 Highway	
Z21-000155	Zoning	Sign	Coldwell Banker Advantage	1360 N Brightleaf Blvd	
SP21-000092	Site Plan	Major Site Plan	The Insurance Shoppe	121 Kellie Drive	
SP21-000106	Site Plan	Minor Site Plan	Single Family Dwelling	1152 Country Club Road	
SP21-000107	Site Plan	Minor Site Plan	24' x 24' accessory structure	404 OAK Street	
Z21-000154	Zoning	Land Use	Johnston County Republican Party	250 Venture Drive	
SP21-000109	Site Plan	Minor Site Plan	Roof Mounted Solar Panels	1003 WILSON'S MILLS Rd	
SP21-000110	Site Plan	Minor Site Plan	Single Family Dwelling	1360 Barbour Road	
SP21-000111	Site Plan	Minor Site Plan	Single Family Dwelling	712 Martin Luther King Dr	
SP21-000113	Site Plan	Major Site Plan	Johnston CD	3770 US 70 BUS Highway W	
SP21-000115	Site Plan	Minor Site Plan	Class A Manufactured Home	13 Yelverton Grove Road	
Z21-000156	Zoning	Sign	Neuse River Condominium Wall sign	101 East Market Street	
SP21-000116	Site Plan	Minor Site Plan	Single Family Dwelling	1238 Packing Plant Road	
SP21-000117	Site Plan	Minor Site Plan	Single Family Dwelling	1130 Whitley Farms Road	
Z21-000157	Zoning	Sign	Twin Creeks sub'd sign	2501 Galilee Road	
Z21-000158	Zoning	Land Use	Pegasso Food LLC	728 N Brightleaf Blvd	



**TOWN OF SMITHFIELD
POLICE DEPARTMENT
MONTHLY REPORT
MONTH ENDING December 31, 2021**

I. STATISTICAL SECTION

Month Ending Dec. 31, 2020	Dec 2021	Dec 2020	Total 2021	Total 2020	YTD Difference
Calls For Service	1928	1572	22743	18398	4345
Incident Reports Completed	137	122	1612	1434	178
Cases Closed	98	81	1200	1013	187
Accident Reports	101	82	901	745	156
Arrest Reports	93	62	1092	898	194
Burglaries Reported	1	16	72	74	-2
Drug Charges	24	13	296	301	-5
DWI Charges	6	3	83	64	19
Citations Issued	266	161	3711	1618	2093
Speeding	110	58	1412	458	954
No Operator License	64	27	862	308	554
Registration Violations	26	17	47	168	-121

II. PERSONNEL UPDATE

The police department currently has 6 vacant positions at this time. The agency has one officer that has been on light duty since December 8, 2021.

III. MISCELLANEOUS

The police department also partnered with the FOP for shop with a COP at Wal mart and were able assist 7 families with 34 children for Christmas(thanks to Lt. O’Branovich and Officer Carroll). These children were selected by the principals from the schools in Smithfield. The police department assisted with the Tree Lighting Ceremony, Grinch Run, Santa Ride and the Christmas Parade.

REPORTED UCR OFFENSES FOR THE MONTH OF DECEMBER 2021

PART I CRIMES	December	December	+/-	Percent	Year-To-Date		+/-	Percent
	2020	2021		Changed	2020	2021		Changed
MURDER	0	0	0	N.C.	0	1	1	N.C.
RAPE	0	1	1	N.C.	1	3	2	200%
ROBBERY	3	0	-3	-100%	16	9	-7	-44%
Commercial	0	0	0	N.C.	3	3	0	0%
Individual	3	0	-3	-100%	13	6	-7	-54%
ASSAULT	1	7	6	600%	47	51	4	9%
* VIOLENT *	4	8	4	100%	64	64	0	0%
BURGLARY	16	0	-16	-100%	72	66	-6	-8%
Residential	7	0	-7	-100%	37	34	-3	-8%
Non-Resident.	9	0	-9	-100%	35	32	-3	-9%
LARCENY	29	30	1	3%	391	380	-11	-3%
AUTO THEFT	0	3	3	N.C.	17	45	28	165%
ARSON	0	0	0	N.C.	5	2	-3	-60%
* PROPERTY *	45	33	-12	-27%	485	493	8	2%
PART I TOTAL:	49	41	-8	-16%	549	557	8	1%
PART II CRIMES								
Drug	14	30	16	114%	231	303	72	31%
Assault Simple	8	6	-2	-25%	79	104	25	32%
Forgery/Counterfeit	3	1	-2	-67%	31	25	-6	-19%
Fraud	10	10	0	0%	74	73	-1	-1%
Embezzlement	0	1	1	N.C.	9	10	1	11%
Stolen Property	0	0	0	N.C.	6	14	8	133%
Vandalism	13	6	-7	-54%	72	66	-6	-8%
Weapons	1	1	0	0%	10	16	6	60%
Prostitution	0	0	0	N.C.	0	0	0	N.C.
All Other Sex Offens	0	2	2	N.C.	6	13	7	117%
Gambling	0	0	0	N.C.	0	0	0	N.C.
Offn Agnst Faml/Chld	0	1	1	N.C.	8	4	-4	-50%
D. W. I.	4	5	1	25%	66	83	17	26%
Liquor Law Violation	0	0	0	N.C.	8	11	3	38%
Disorderly Conduct	0	1	1	N.C.	1	7	6	600%
Obscenity	0	0	0	N.C.	0	0	0	N.C.
Kidnap	0	0	0	N.C.	0	1	1	N.C.
Human Trafficking	0	0	0	N.C.	0	0	0	N.C.
All Other Offenses	13	30	17	131%	240	231	-9	-4%
PART II TOTAL:	66	94	28	42%	841	961	120	14%
GRAND TOTAL:	115	135	20	17%	1390	1518	128	9%

N.C. = Not Calculable



**Town of Smithfield
Fire Department
December 2021**

I. Statistical Section

Dec

Confirmed Structure Fires	6
EMS Responses	137
Misc./Other Calls	31
Mutual Aid Calls	11
TOTAL EMERGENCY RESPONSES	215

Dec YTD

Fire Inspections/Compliance Inspections	4	121
Public Fire Education Programs	0	11
# Of Children Educated	0	461
# Of Adults Educated	0	43
Plans Review Construction/Renovation Projects	0	75
Fire Related Injuries & Deaths		
# Of Civilian Deaths	0	2
# Of Civilian Injuries	0	0

II. Major Revenues

Dec YTD

Inspections	\$150.00	\$2,825.00
Fire Recovery USA	\$0.00	\$5,312.00

Major Expenses for the Month:

III. Personnel Update:

IV. Narrative of monthly departmental activities:

- Dec. 1 – Finished the Rescue Ops. Course
- Dec. 2 – DOT Interagency Team Meeting
- Dec. 2 – Christmas Tree Lighting
- Dec. 7 – LEPC Meeting
- Dec. 9 – Christmas Parade
- Performed 9 Pre-Incident Fire Plans during the month of December

V. Upcoming Plans

**Town of Smithfield
Public Works Department
December 31, 2021**



143 Total Work Orders completed by the Public Works Department

7 Burials, at \$700.00 each = \$4,900.00

0 Cremation Burial, \$400.00 each = \$0

\$2,000.00 Sunset Cemetery Lot Sales

\$0 Riverside Extension Cemetery Lot Sales

486.58 tons of household waste collected

206.00 tons of yard waste collected

0 tons of recycling collected

0 gallons of used motor oil were recycled

0 scrap tires were recycled

Appearance Commission Nov. 2021 Monthly Report:

- Talked about painting buildings for downtown area.
- Barbara Fair with the Johnston Co. Agriculture hosted a training session on how to inspect trees for maintenance in the Downtown area.
- All 15 trees have been planted and continually being watered in the areas downtown.

Next Appearance Commission meeting will be on Jan. 18, 2022, at 5:00 pm in Town Hall.

**Town of Smithfield
Public Works Appearance Division
Cemetery, Landscapes, and Grounds Maintenance
Buildings, Facilities, and Sign Division
Monthly Report
December 31, 2021**



I. Statistical Section

- 7 Burials
- 5 Works Orders – Buildings & Facilities Division
- 18 Work Orders – Grounds Division
- 11 Work Orders – Sign Division

II. Major Revenues

Sunset Cemetery Lot Sales:	\$ <u>2,000.00</u>
Riverside Ext Cemetery Lot Sales:	\$ <u>0</u>
Grave Opening Fees:	\$ <u>4,900.00</u>
Total Revenue:	\$ <u>6,900.00</u>

III. Major Expenses for the Month:

Paid \$953.50 to Heat Transfer Solutions, Inc. to replace disconnect on HVAV Unit at Townhall and also P. D. \$1,768.00 for replacement of heat exchanger at Town Hall. Paid \$3,0200.00 to Lane’s Lawn Service to clean out and replace 12 Shrubs due to Motor Vehicle accident between. Fareway Dr. and Durwood Stephenson HWY, also P.D. and \$910.00 to clean up area and replace 5 shrubs in another area of W. Market St. because of motor vehicle accident.

IV. Personnel Update:

No one hired for the month of December

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 “Fatigue and Distractions”.

Town of Smithfield
Public Works Drainage/Street Division
Monthly Report
Dec. 31, 2021



I. Statistical Section

- a. All catch basins in problem areas were cleaned on a weekly basis
- b. 0 Work Orders – 0 Tons of Asphalt was placed in 0 utility cuts,) 0 gator areas and 0 overlay.
- c. 0 Work Order – 0 Linear Feet Drainage Pipe installed.
- d. 0 Work Orders - 0 Linear Feet of ditches were cleaned
- e. 18 Work Orders – 1,305 lbs. of Cold Patch was used for 31 Potholes.

II. Major Revenues

None for the month

III. Major Expenses for the Month:

Paid \$ 517.11 to Gregory Poole Equipment, Co. for backhoe repairs to unit #410
Paid \$ 646.69 to White's International Trucks to repair #405 dump truck.
Paid \$ 3,250.00 to Barbour Beaver Control for Beaver maintenance (Powell Bill)
Paid \$ 1,080.00 to Super Cast to replace Storm Drain for Rose & Third Street Storm Water.

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

The Public Works Department safety meeting was on "Fatigue and Distractions".

**Town of Smithfield
Public Works Department
Dec. 2021 Drainage Report**

Location: Downtown
Starting Date: 11/29/2021
Completion Date: 12/2/2021
Description: Put up Christmas Decorations in the Downtown.
Man-hours: 24.5
Equipment: 412
Materials: Zip ties and clamps used to put up Christmas Decorations

Location: 2nd St. & Mkt St., 4th St. & Mkt St., 3rd St. & Bridge St., 4th St. & Bridge St., 3rd St. & Johnston St., 3rd St. & Mkt. St..
Starting Date: 12/2/2021
Completion Date: 12/2/2021
Description: Deliver a total of 63 traffic cones for downtown Christmas lights.
Man-hours: 24
Equipment: 905
Materials: (63) traffic cones, (4) barricades

Location: Blount St, Midway & Second Ave, 823 Second Ave., Blount and Martin St., 809 Martin St., 908 South Ave., Outlet Center Drive, 751 S, Fifth St., 602 N. 7th St., 519 S. Fifth St., 522 S. Fifth St., 1203 Crescent Dr., 2nd St. & Stevens St., Sanders St. & Vermont St. Hospital Rd. & Berkshire Rd., 708 Hancock St., Futrellway & Massey St., 1008 MLK., MLK & Furlong Dr., 3rd St. & Church St., 101 E. Johnson St.
Starting Date: 12/3/2021
Completion Date: 12/29/2021
Description: Repaired 31 potholes.
Man-hours: 5.51
Equipment: 412, 401
Materials: 1,305lbs of perma patch

Location: SRAC - 600 E. Booker Dairy Rd.
Starting Date: 12/6/2021
Completion Date: 12/6/2021
Description: Deliver 90 traffic cones to be placed in front near the pool double doors next to the tennis courts on Friday, Dec. 3rd, 2021 for the Grinch Run.
Man-hours: 3.08
Equipment: 412, 905 and Equipment Trailer
Materials: 90 traffic cones

Location: Cut FEMA Lots
Starting Date: 12/6/2021
Completion Date: 12/6/2021
Description: Cut FEMA Lots at: Blount St., College Road and Martin Luther King Jr. Dr.
Man-hours: 4
Equipment: 412, 2 scags
Materials: None

Location: Various Locations in Town
 Starting Date: 12/7/2021
 Completion Date: 12/7/2021
 Description: Check all concrete cuts made by Water & Sewer Dept. until David Hinton can repair the cuts.
 Man-hours: 1
 Equipment: 412
 Materials: None

Location: Booker Dairy Rd.
 Starting Date: 12/9/2021
 Completion Date: 12/9/2021
 Description: Check utility cut and make sure cut is good after yesterdays heavy rains. Denton Contracting scheduled to make repair either Friday or Monday. Utility cut beat out. Filled cut with the extra rock beside of the street.
 Man-hours: .5
 Equipment: 401
 Materials: None

Location: Town Center Pl.
 Starting Date: 12/13/2021
 Completion Date: 12/13/2021
 Description: Weed eat curbs, around signs, and blow curb.
 Man-hours: 7
 Equipment: 401
 Materials: 2 weed eaters and one blower

Location: 12th St. in the sharp curve
 Starting Date: 12/15/2021
 Completion Date: 12/15/2021
 Description: Fill in rutted out area where truck are dropping off pavement and running up in yard of resident.
 Man-hours: 1
 Equipment: 401 and Unit # 411 Backhoe
 Materials: 1/2 bucket of screening

Location: Dr. CJ Allen Ave.
 Starting Date: 12/17/2021
 Completion Date: 12/17/2021
 Description: Town Council approved the renaming of Southern Avenue to Dr. CJ Allen Avenue.
 Man-hours: 2.5
 Equipment: 401
 Materials: (3) 30x8 Street Blades, all new letters, (1) Post Bracket and (1) T-Bracket

Location: East Smithfield Welcome Sign
 Starting Date: 12/22/2021
 Completion Date: 12/22/2021
 Description: Weed eat ditch.
 Man-hours: 1
 Equipment: 412
 Materials: 2 weed eaters

Location: Massey St.& 6th St.
Starting Date: 12/29/2021
Completion Date: 12/29/2021
Description: Faded stop sign.
Man-hours: .25
Equipment: 412
Materials: (1) 30x30 stop sign, (2) of each: bolts, washers, and nuts.

Location: Sunset Cemetery
Starting Date: 12/28/2021
Completion Date: 12/28/2021
Description: Remove Dead tree
Man-hours: 1.5
Equipment: 905
Materials: 2 Chain Saws, hand tools

Location: Riverside Ext.
Starting Date: 12/28/2021
Completion Date: 12/28/2021
Description: Cut back and Shape up Crape Myrtle Trees.
Man-hours: 2.25
Equipment: 905
Materials: 2 Hand Lopes, 1 Chain Saw

Location: Riverside Cemetery
Starting Date:
Completion Date: 12/29/2021
Description: Remove dead tree
Cut back and shape up tree on outside wall
Man-hours: 2.25
Equipment: 905
Materials: 2 Chain Saws, 1 Hand lopes, hand tools

**Barbour Beaver Control
Quarterly Report FY 2019-2020
Dec. 2021**

21 **Total number** of beavers removed within the quarter.

List the problem areas/locations the beavers were removed from:
(GPS coordinates or identify location)

- adjacent to Spring Branch
-
- adjacent to Buffalo Creek.
-
- Drainage ditch Caterpillar Logistics

Inspect the following tributaries and creeks and list the dates each were inspected:

Buffalo Creek and its tributaries:

Inspection Dates: weekly

Town of Smithfield Retention Pond on Johnston Tech Road (College Rd.):

Inspection Dates: weekly

Spring Branch Wetland Facility on S Second Street:

Inspection Dates: weekly

Drainage ditch at Caterpillar Logistics Warehouse #4

Inspection Dates: weekly

Water/Sewer Street Cut List

Date:	Address:	Size:	Emailed to PW on:	Date of Repair:
11/18/21	15 W. Waddell Dr.	4x8	12/06/21	12/10/21
11/18/21	851 Country Club Rd.	3x10	12/06/21	12/10/21
11/22/21	Corner of 11th & North St.	6x12	12/06/21	12/10/21
11/29/21	N. 10th & Hancock St.	10x11	12/06/21	12/10/21
11/29/21	1302 Booker Dairy Rd.	5x12	12/06/21	12/10/21
12/07/21	Quail Run off Country Club Rd.	3x6	12/07/21	12/10/21

Cuts repaired by Denton Contracting

**Town of Smithfield
Public Works Fleet Maintenance Division
Monthly Report
Dec. 31, 2021**



I. Statistical Section

- 6 Preventive Maintenances
- 0 North Carolina Inspections
- 42 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 "Fatigue and Distractions".

Town of Smithfield
Public Works Sanitation Division
Monthly Report
Dec. 31, 2021



I. Statistical Section

The Division collected from approximately 4,091 homes, 4 times during the month

- a. Sanitation forces completed 38 work orders
- b. Sanitation forces collected tons 486.58 of household waste
- c. Sanitation forces disposed of 103 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 1.94 tons of construction debris (C&D)
- f. Town disposed of 0 scrap tires that was collected at Convenient Site Center
- g. Recycling forces collected 3.01 tons of recyclable plastic
- h. Recycled 0 lbs. of cardboard material from the Convenient Site Center
- i. A total of 0 gals of cooking oil was collected at the Convenient Site Center
- j. Recycled 0 lbs. of plastics & glass (co-mingle) from the Convenient Site Center

II. Major Revenues

- a. Received \$43.61 from Sonoco Products for cardboard material
- b. Sold 0 lbs. of aluminum cans for \$0
- c. Sold 0 lbs. of shredder steel for \$0 to Omni Source

III. Major Expenses for the Month:

Spain Farms Nursery was paid \$3,993 for disposal of yard waste and debris. Batteries of NC and S.W.S. LLC was paid \$538.03 for lights on truck #308. Cox Repair Service LLC was paid \$500 the Towing of Truck #318 to Whites Int. Cox Repair Service LLC was paid \$500 for the towing of Truck #318 to shop. Cox Repair Service LLC was paid \$600 for the towing of Truck 303. NC Truck and Diesel Inc. was paid \$2,373.57 for transmission work on HHW TK #305. NC Truck and Diesel Inc was paid \$1,467.33 for parts and labor for dash cluster on TK #309. Piedmont Truck Center Inc was paid \$1,719.46 for repairs to HHW TK #310. Gregory Poole Equip Co was paid \$1,088.03 for repairs to the fuel sensor on TK #301. Whites Tire was paid \$881.46 for 4 replacement tires for TK #315.

IV. Personnel Update:

William Hailey was hired as a Sanitation Equipment Operator on 12/1/2021. The Public Works Department continues to utilize Mitchell Temporary Services until labor positions can be filled.

V. Narrative of monthly departmental activities:

The department worked closely with Parks & Recreation and Downtown Development providing traffic control for the Annual Tree Lighting on 12/2/2021. Provided traffic cones for the Grinch Run on 12/4/2021. Put up Christmas decorations, banners, and flags down town. Joey Price, Michael Sliger, and Lawrence Davis attended a 2-day pesticide training class. Community Service Workers worked 24 hrs.



MONTHLY REPORT FOR DECEMBER, 2021

PROGRAMS SATISTICS	DECEMBER, 2021		DECEMBER, 2020	
NUMBER OF PROGRAMS	8		7	
TOTAL ATHLETICS PARTICIPANTS	201		16	
TOTAL NON/ATHLETIC PARTICIPANTS	2891		388	
SARAH YARD COMMUNITY CENTER	156		130	
NUMBER OF GAMES PLAYED	0		4	
TOTAL NUMBER OF PLAYERS (GAMES)	0		16	
NUMBER OF PRACTICES	184		0	
TOTAL NUMBER OF PLAYER(S) PRACTICES	1656		0	
	DECEMBER, 2021	21/22 FY YTD	DECEMBER, 2020	20/21 FY YTD
PARKS RENTALS	18	223	13	127
USERS (PARKS RENTALS)	598	6941	285	2448
TOTAL UNIQUE CONTACTS	5,301	21,425	819	
	DECEMBER, 2021	21/22 FY YTD	DECEMBER, 2020	20/21 FY YTD
PARKS AND RECREATION REVENUES	\$ 4,743.00	\$ 30,132.00	\$ 1,040.00	\$ 6,728.00
PARKS AND RECREATION EXPENDITURES (OPERATIONS)	\$ 57,492.00	\$ 383,101.00	\$ 44,983.31	\$ 314,928.76
PARKS AND RECREATION EXPENDITURE (CAPITAL OUTLAY EQUIP)	\$ -	\$ 64,045.00	\$ -	\$ -
SARAH YARD COM CTR EXPENDITURES (OPERATIONS)	\$ 4,162.00	\$ 18,680.00	\$ 2,614.24	\$ 9,117.77
SARAH YARD COM CTR EXPENDITURES (CAPITAL OUTLAY EQUIP)	\$ -	\$ 8,500.00		
NOTES:	CHRISTMAS TREE LIGHTING CHRISTMAS PARADE LIGHT UP THE TOWN CHRISTMAS LIGHTS CONTEST SANTA SLEIGH (SANTA ON FIRETRUCKS) GRINCH RUN AND JINGLE BELL JOB			



MONTHLY REPORT FOR DECEMBER, 2021

PROGRAMS STATISTICS

NUMBER OF PROGRAMS	17	8
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	2633	2690

	DECEMBER, 2021	21/22 FY YTD	DECEMBER, 2020	20/21 FY YTD
SRAC MEMBER VISITS	2320	17654	1837	8098
DAY PASSES	583	6441	0	0
RENTALS (SRAC)	25	216	1	8
USERS (SRAC RENTALS)	691	9173	1201	1421
TOTAL UNIQUE CONTACTS	6,227	51,101	5,728	

FINANCIAL STATISTICS

	DECEMBER, 2021	21/22 FY YTD	DECEMBER, 2020	20/21 FY YTD
SRAC REVENUES	\$ 34,968.00	\$ 291,461.00	\$ 20,532.23	\$ 63,698.58
SRAC EXPENDITURES (OPERATIONS)	\$ 77,488.00	\$ 481,368.00	\$ 61,807.77	\$ 329,535.83
SRAC EXPENDITURES (CAPITAL OUTLAY))	\$ -	\$ 4,630.00		
SRAC MEMBERSHIPS	2370		1837	

NOTES: STARTED HIGHSCHOOL SWIM SEASON



- **Statistical Section**

- Electric CP Demand 21,420 Kw relative to November's demand of 22,650 Kw.
- Electric System Reliability for was 99.9947%, with four (4) recorded main line outages; relative to November's 99.9973%.
- Raw water treated on a daily average was 4.124 MG relative to 4.145 MG for November; with maximum demand of 4.500 MG relative to November's 4.519 MG.
- Total finished water to the system was 120.086 MG relative to November's 116.136 MG. Average daily for the month was 3.874 MG relative to November's 3.746 MG. Daily maximum was 4.412 MG (December 1st) relative to November's 4.412 MG. Daily minimum was 3.204 MG (December 13th), relative to November's 3.258 MG.

- **Miscellaneous Revenues**

- Water sales were \$220,852 relative to November's \$224,418
- Sewer sales were \$380,187 relative to November's \$386,834
- Electrical sales were \$1,258,257 relative to November's sales of \$1,170,120
- Johnston County Water purchases were \$193,880 for 82.502 MG relative to November's \$158,221 for 67.328 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$936,993 relative to November's \$931,470.
- Johnston County sewer charge was \$150,406 for 40.313 MG relative to November's \$158,268 for 42.358 MG.

- **Personnel Changes –**

- Luther Peedin retired from employment as Electric Crew Leader on December 17, 2021.



**Town of Smithfield
Electric Department
Monthly Report
December, 2021**

I. Statistical Section

- Street Lights repaired -18
- Area Lights repaired -10
- Service calls - 43
- Underground Electric Locates -142
- Poles changed out/removed or installed -5
- Underground Services Installed -1

II. Major Revenues

- N/A

III. Major Expenses for the Month:

- N/A

IV. Personnel Update:

- The Utility Dept. had a Safety meeting on Hazardous Communications.

V. Miscellaneous Activities:

- The Electrical Dept. is continuing to work on Conversion work.
- The Electrical Dept. is continuing to work on circuit audit lists.



WATER & SEWER

December 2021 Monthly Report

● DISCONNECT WATER	3
● RECONNECT WATER	8
● TEST METER	1
● TEMPORARY METER SET	0
● DISCOLORED WATER CALLS	6
● LOW PRESSURE CALLS	3
● NEW/RENEW SERVICE INSTALLS	0
● LEAK DETECTION	19
● METER CHECKS	16
● METER REPAIRS	5
● WATER MAIN/SERVICE REPAIRS	9
● STREET CUTS	2
● REPLACE EXISTING METERS	2
● INSTALL NEW METERS	0
● FIRE HYDRANTS REPAIRED	1
● FIRE HYDRANTS REPLACED	0
● SEWER REPAIRS	8
● CLEANOUTS INSTALLED	2
● INSPECTIONS	3
● CAMERA SEWER	2

- SEWER MAIN CLEANED 2321 LF
- SERVICE LATERALS CLEANED 990 LF
- SERVICE CALLS 71
- LOCATES 102

- SERVICE AND MAINTAINED ALL 18 LIFT STATIONS 2 TIMES PER WEEK
- INSPECTED ALL AERIAL SEWERS ONE TIME
- INSPECTED HIGH PRIORITY MANHOLES WEEKLY
- HELPING PUBLIC WORKS CLEANING STORM DRAIN ISSUES DURING EVERY RAIN FALL EVENT.

MAJOR EXPENSES FOR THE MONTH OF DECEMBER

- Vac truck had to be serviced and some repairs made.

PERSONNEL UPDATES



UPCOMING PROJECTS FOR THE MONTH OF JANUARY

- Dennis will be installing valves at the pumping stations.



MONTHLY WATER LOSS REPORT

December 2021

(2) - Meters with slow washer leaks

(5) 3/4" Line, 1/8" hole – 1 Day

1" Line, 1/8" hole – 1 Day

(4) 2" Line, 1/8" hole – 1 Day

6" Line, split – 6 hrs.

Street Name	Date	Chlorine	Time	Gallons	Psi	Street Name	Date	Chlorine	Time	Gallons	PSI
Stephson Drive	12/28/22	3.4	15	7965	10	North Street	12/29/22	2.5	15	17820	40
Computer Drive	12/28/22	3.2	15	31860	10	West Street	12/29/22	3	15	78030	50
Castle Drive	12/28/22	3.2	15	7965	10	Regency Drive	12/29/22	3	15	63720	60
Parkway Drive	12/28/22	3	15	63720	40	Randers Court	12/29/22	3	15	15930	40
Garner Drive	12/28/22	3.2	15	63723	40	Noble Street	12/29/22	2.6	15	15930	40
Hwy 210 LIFT ST.	12/28/22	3	15	15930	40	Fieldale Dr#1(L)	12/29/22	3	15	63720	40
Skyland Drive	12/28/22	3	15	7965	10	Fieldale Dr#2(R)	12/29/22	3	15	63720	40
Bradford Street	12/28/22	3.2	15	15930	10	Heather Court	12/29/22	2.5	15	15930	40
Kellie Drive	12/29/22	3.2	15	7965	10	Reeding Place	12/29/22	2.5	15	15930	40
Edgewater	12/29/22	3	15	7965	10	East Street	12/29/22	3	15	63720	40
Edgecombe	12/29/22	2.8	15	15930	40	Smith Street	12/29/22	3	15	63720	40
Valley Wood	12/29/22	3.2	15	63720	40	Wellons Street	12/29/22	3	15	63720	40
Creek Wood	12/29/22	3.2	15	63720	40	Kay Drive	12/29/22	2.5	15	38985	15
White Oak Drive	12/29/22	3.4	15	7965	10	Huntington Place	12/29/22	2	15	38985	15
Brookwood Drive	12/29/22	3	15	22515	5	N. Lakeside Drive	12/29/22	1.5	15	9750	15
Runnymede Place	12/29/22	3	15	31860	10	Cypress Point	12/29/22	1.5	15	34890	12
Nottingham Place	12/29/22	3.2	15	38985	10	Quail Run	12/29/22	2	15	8715	12
Heritage Drive	12/29/22	3	15	38985	10	British Court	12/29/22	2	15	8715	12
Noble Plaza #1	12/29/22	2.8	15	9750	10	Tyler Street	12/30/22	2	15	78030	60
Noble Plaza #2	12/29/22	2.6	15	9750	10	Yelverton Road	12/30/22	1.5	15	63720	40
Pinecrest Street	12/29/22	2.8	15	19500	10	Ava Gardner	12/30/22	2.5	15	63720	40
S. Sussex Drive	12/29/22	3.2	15	31860	10	Waddell Drive	12/30/22	2	15	7965	10
Elm Drive	12/29/22	3	15	9750	10	Henly Place	12/30/22	2.5	15	8715	12
	12/29/22					Birch Street	12/30/22	2	15	34890	12
Coor Farm Supply	12/29/22	2	15	7965	10	Pine Street	12/30/22	3	15	38985	15
Old Goldsboro Rd.	12/29/22	3	15	7965	10	Oak Drive	12/30/22	3	15	37695	14
Hillcrest Drive	12/29/22	2.5	15	31860	10	Cedar Drive	12/30/22	2.5	15	31860	10
Eason Street	12/29/22	3	15	38985	40	Aspen Drive	12/30/22	2	15	34890	12
Magnolia circle	12/29/22	2.5	15	78030	40	Furlonge Street	12/30/22	2.5	15	34890	12
Rainbow Drive	12/29/22	2.5	15	19500	60	Golden Corral	12/30/22	2.5	15	40290	16
Rainbow Circle	12/29/22	2	15	19500	60	Holland Drive	12/30/22	2	15	9750	15
Moonbeam Circle	12/29/22	2.5	15	19500	60	Davis Street	12/30/22	2	15	34890	12
Ray Drive	12/29/22	3	15	15930	60	Caroline Ave.	12/30/22	2.5	15	31860	10
Will Drive	12/29/22	3	15	63720	40	Johnston Street	12/30/22	2	15	38985	15
Michael Lane	12/29/22	3	15	63720	40	Ryans	12/30/22	2	90	9750	15
Ward Street	12/29/22	3	15	15930	40						

977883

1282815 2260698