

The Smithfield Town Council met in regular session on Tuesday, July 11, 2023 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

John A. Dunn, Mayor Pro-Tem  
Marlon Lee, District 1  
Sloan Stevens, District 2  
Travis Scott, District 3  
Roger Wood, At-Large  
Stephen Rabil, At-Large

Councilmen Absent

Dr. David Barbour, District 4

Administrative Staff Present

Michael Scott, Town Manager  
Jeremey Daughtry, Interim Fire Chief  
Lawrence Davis, Public Works Director  
James Grady, Interim Police Chief  
Gary Johnson, Parks & Rec Director  
Tim Kerigan, Human Resources  
Eric McDowell, IT Director  
Shannan Parrish, Town Clerk  
Greg Siler, Finance Director  
Stephen Wensman, Planning Director

Also Present

Robert Spences, Jr., Town Attorney  
Bill Dreitzler, Town Engineer

Administrative Staff Absent

Ted Credle, Public Utilities Director

**CALL TO ORDER**

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

**INVOCATION**

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

**APPROVAL OF AGENDA:**

Councilman Wood made a motion, seconded by Councilman Scott, to approve the agenda with the following amendments:

Remove from the Consent Agenda:

- Item 2. Special Event: Church Event – Lesley Barrios is requesting to hold an event at 150 South Front Street (Amphitheater) on July 16, 2023 from 9:00 am until 9:00 pm. This request includes the use of amplified sound.
- Item 9. Consideration and request for approval to allow employees to donate accumulated sick leave hours to an employee in the General Government Department
- Item 13. Consideration and request for approval to install an additional stop signs at Hood Street and South Crescent Drive

Consent Agenda Item 12: updated budget amendments as distributed at the meeting

Add to the Agenda:

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

Unanimously approved

**PRESENTATIONS:**

**1. Proclamation: Declaring July as Parks and Recreation Month in the Town of Smithfield**

Mayor Moore presented the following proclamation to Parks and Recreation Director Gary Johnson.

**PROCLAMATION  
DESIGNATING JULY AS PARKS AND  
RECREATION MONTH  
IN THE TOWN OF SMITHFIELD**

WHEREAS, Parks and Recreation is an integral part of communities throughout this country, including the Town of Smithfield; and

WHEREAS, Parks and Recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS, Parks and Recreation promotes time spent in nature, which positively impacts mental health and well-being; and

WHEREAS, Parks and Recreation encourages physical activities by providing space for popular sports,

hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

WHEREAS, Park and Recreation programming and education activities, such as out-of-school time programming, youth sports and environmental education, are critical to childhood development; and

WHEREAS, Parks and Recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, Parks and Recreation is fundamental to the environmental well-being of our state; and

WHEREAS, Parks and Recreation is essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our state and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS the Town of Smithfield recognizes the benefits derived from Parks and Recreation resources.

NOW THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield along with the members of the Town Council, do hereby proclaim the month of July as Parks and Recreation Month in the Town of Smithfield.

## **PUBLIC HEARINGS:**

1. **Unified Development Ordinance Text Amendment - Town of Smithfield (ZA-23-06):** The applicant was requesting an amendment to Unified Development Ordinances, Article 2, 10 and Appendix A. The amendment will update existing performance standards, clarify vague wording, and break up large blocks of text into subsections and update definitions.

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

Planning Director Stephen Wensman explained that for several years, staff has been working on updates to the UDO, Article 10 development performance standards. These standards work hand in hand with Town's Standard Specifications and Details Manual (Manual) to guide new development. Staff has been working on updates to the Manual with a consulting firm, KCI, which has informed this UDO update.

This update:

- Moves street design specifications from the UDO to the Manual.
- Moves performance standards in the Manual to Article 10
- Moves performance standards in Article 2 are being moved to Article 10.
- Adds definitions for terms in the Table of Uses and some needed left out of the 160D update.
- Updates performance standards to address issues, clarifies vague wording, and breaks up large blocks of text into subsections.

Mr. Wensman summarized the following changes to each section:

### **Article 2 - General Regulations**

- Moves performance standards related to lot requirements and dimensions, driveways, and dumpsters to Article 10.
- Removes Section 2.21, Site Visibility Triangle standard replacing it with a reference to the Town's Standard Detail and Specifications Manual.
- Updates Section 2.22 Sidewalks to include reference to the Manual and the Pedestrian Plan.

### **Article 10- Performance Standards - Part I. Off-Street Parking**

- 10.2 - Clarifying, updating and breaking up Off-Street Parking Requirements to be more readable.
  - Requires paved parking (no gravel parking).
  - Requires new residential driveways to be paved, except in R20A
  - aligns junk vehicle exception with administrative code.
  - Adds a standard for semi-tractor and trailer parking.
  - Updates parking lot s with More than Four Spaces requirements.
  - Clarifies and updates curbing requirements.
  - Updates wheel bumper requirements.
  - 10.2.10 – Adds UDO administrator's ability to waive lateral access if it provides no public benefit or if not feasible. Removes BOA Adjustment text. The BOA holds hearings on appeals and variances only.
  - 10.2.13.1 –BOA does not make modifications and appeals are already codified in Article 4.
- 10.3 – Update parking standards for Multi-family (from Clayton's Code) and for Restaurants. Also allows UDO Administrator to determine parking requirements when standards are unclear. Appeals by BOA.
- 10.5 Off-Street Loading Requirements updated.
  - The BOA only hears variances and appeals.

- 10.6 Driveways section updated –
  - Requires paved driveways (concrete, bituminous, etc. – no gravel), except within the R-20A.
  - Residential driveways cannot exceed 50% of the front yard area.
  - Broke up the section for readability.
  - 10.6.4 –Driveway Location(s) section updated aligned with Manual.
  - 10.6.6 – Delete's brick driveway section. Brick driveways are not permitted within the public right of way, but are permitted on private property with a standard driveway apron in the public right of way.
  - References Standard Specifications and Details Manual

#### **Article 10- Performance Standards - Part II. Landscape Requirements**

- 10.8 Applicability Standards– Clarifies applicability.
  - 10.8.4.3 Triggers compliance with “Expansion of Structure by 25%” only, deleting and 10 or more parking spaces.
- 10.9 –Tree Resource Management
  - require a zoning permit for forestry activities to ensure compliance with State and local ordinances.
  - Removes the misplaced section car dealerships. Prior to final plat, the lots do not exist.
- 10.10.2 – The planting details are to be moved from Appendix B of the UDO to the Standard Specification and Details Manual.
- 10.13.1.8 – Fixes a typo in the Streetyard requirements.
- 10.14 – Adds dimensions to Type C and D bufferyards and removes the reference to PRD (no longer exists in UDO)
- 10.15.3 – Dumpster regulations from Section 2.27 moved and updated
- 10.15.4 - Clarified Encroachment section.
- 10.15.5 – Create buffer requirements for double fronted lots.
- 10.16 – Added requirement that landscape plans identify planting bed edges, bed material, sod and seeded areas, identify irrigation if applicable, and landscape notes or planting instructions.

#### **Article 10- Performance Standards - Part IV. Lighting Ordinance**

- 10.34.3 – General Standards for Outdoor Lighting–
  - Site Plans are administrative and do not get reviewed by the Planning Board and Town Council.
  - 10.34.3.6 – Section deleted because it conflicts with requirement for cutoff fixtures.
- 10.34.4 – Updated lighting in parking lots and outdoor areas
  - PB and Town Council do not review site plans.
  - Require downcast shoebox style fixtures with LEDs
  - Updated outdoor display lighting standard.
  - Update to require recessed lighting for vehicular canopies.
- 10.34.7 – Section updated to prohibit flood lights and removes references to PB and TC review and approval because site plan approvals are administrative.

#### **Article 10- Performance Standards - Part V. Traffic Impact Study**

- 10.41.1 Struck reference to BOA as they have no involvement in Traffic Studies.

#### **Article 10- Performance Standards - Part VIX. Overlay Districts**

- 90.93 - ECO District regulations to be deleted. Article 7 requires outdoor storage to be screened with fencing and landscaping, and requires paving.
- 10.94 – Struck rowhouses Section because the same can be achieved through the conditional zoning process.

#### **Article 10- Performance Standards - Part X. Subdivision Regulations**

- 10.96 – Added applicability incorporating Section 1.3.4.3 and updating to conform with 160D.
- 10.100 – Update code references in table.
- 10.107 – Update reference from NCDENR to NCDEQ.
- 10.xxx – Add Cluster Mailbox standards.
- 10.110 Streets
  - Add references to Standard Detail and Specifications Manual and deleted engineering standards (moved to Manual).
  - Updated to current Street terminology matching the Transportation Plan.
  - Incorporated Section 2.15 Lot Requirement/Dimensions.
  - Updated lot area requirements with reference to Article 8.
  - Increased the minimum lot area for septic lots to 1 acre based on a recommendation from Johnston County.
  - Added a minimum depth for double-fronted lots.
- 10.110.1.5 – Updated easement requirements.
- 10.110.2 – Updated private street requirements to reference the Standard Detail and Specifications Manual and HOA documents to be reviewed and approved by the Town Attorney.
- 10.110.3. Updated Marginal Street Access section with updated terminology.
- 10.110.5 – Updated section on half-streets.
- 10.110.9 - 10.110.17- street standards are contained in the Town's Standard Detail and Specifications Manual referenced herein.
- 10.110.14 – Alley's section updated.
- 10.110.19 – PUD Streets updated requiring sidewalks on both sides of PUD streets.
- 10.110.20 – Updated to reference Manual.
- 10.111.2. – Updated to match Fire Code.
- 10.111.6 - Updated temporary turnaround requirements to meet Fire Code.
- 10.112 – Sidewalks.

- Updated sidewalk requirements.
- Added reference to the Manual and the Pedestrian Plan.
- 10.113.1. Water and Sewerage Systems.
  - Added On-site wastewater (septic) systems shall be located on the lot in which the system serves unless an alternative location within an easement is approved by the Town Council.
  - Constructed according to the Standard Specifications and Details Manual.
- 10.116. Effect of Plat Approval on Dedications and Acceptances
  - Acceptance of dedications by resolution has been deleted and will now be administrative with the signing of the final plat by the Manager. According to 160D-806, Effect of plat approval on dedications. The approval of a plat shall not be deemed to constitute the acceptance by the local government or public of the dedication of any street or other ground, public utility line, or other public facility shown on the plat. However, any governing board may by resolution accept any dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its planning and development regulation jurisdiction.
- 10.117 Adjustments. Deleted this section. BOA approves variances per Section 4.10.
- 10.119 Added missing exempt plat certificate.

#### Appendix A- Definitions

- Added definitions per 160D.
- Added or modified definitions to reflect land use terminology in Section 6.6.

Mayor Moore asked if there were any questions or comment from the Council.

Mayor Pro-Tem Dunn questioned why Section 2.21 was being removed. Mr. Wensman responded the section would be moved into the Engineering Standards which was not finalized.

Councilman Scott questioned the Board of Adjustment appeal process since the Council had no involvement with the process. Mr. Wensman responded the appeal process was already in the Code and it followed the state general statutes.

Mr. Wensman made the Council aware of a proposed amendment concerning minimum – maximum parking requirements due to some issues with multifamily and restaurant parking. He explained that for 1-bedroom units, there would be 1.5 parking spaces. For 2 bedroom or more units, the requirement was 2 spaces per unit plus one guest parking for 4 units. The current code had no requirements for guest parking. For restaurants, the current code stated that 1 parking space was required for every 150 square feet of enclosed space. The proposed amendment would be 1 space per every three seats including outdoor seating.

Councilman Stevens questioned lot widths as referenced in 10.110 Streets. Mr. Wensman responded that in the R-8 zoning district, the lot size was 8000 square feet and, in the R-6 zoning district, the lot size was 6000 square feet.

Mayor Pro-Tem Dunn questioned if the amount of required parking for a 2-bedroom, 4-unit complex would be 2.25 required parking spaces. Mr. Wensman stated that was correct and the intent was to require some guest parking as a part of the standards.

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

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

Kenneth Altman expressed his appreciation to the Council for discussing this matter.

Councilman Stevens made a motion, seconded by Councilman Wood, to table adoption of ZA-23-06 pending further discussions. Unanimously approved.

#### CITIZEN'S COMMENTS:

- Mike Reddick of the Johnston Central High School National Alumni Association's KIDS Summer Program expressed his appreciation to the Fire Department, Police Department and the Parks and Recreation Department for spending time with the children participating in the summer program. In honor of Interim Fire Chief Jeremy Daughtry's birthday, Mr. Reddick presented him with a card made by the children participating in the KIDS Summer Program.
- Alice Vick, a resident of Smithfield, expressed some concerns to the Council regarding the Police Department and some of its officers.
- Alisa Bizzell, a resident of Smithfield, expressed concerns about excessive speeding on Martin Luther King Jr. Drive. She explained there were many elderly people who live in the area and they were fearful because of the excessive speeding. She asked the Council to remedy the situation.

Mayor Moore responded he and Councilman Lee have personally witnessed cars speeding on that particular street. He asked Interim Police Chief James Grady to investigate the matter.

- Gary Steward, a resident of Smithfield, expressed his appreciation to the Council for approving the conversion of two tennis courts at Community Park into six pickleball courts.

**CONSENT AGENDA:**

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

1. The following minutes were approved:
  - May 4, 2023 – Budget Session
  - June 6, 2023 – Regular Meeting
2. Special Event – July Movie Night: Approval was granted to allow the Parks and Recreation Department to hold an event at 150 South Front Street (Amphitheater) on July 22, 2023 from 5:00 pm until 10:00 pm. Amplified sound was also approved
3. Special Event – Youth Jubilee: Approval was granted to allow True Vine Apostolic Ministries to hold an event at Smith Collins Park on July 22, 2023 from 9:00 am until 6:00 pm. Amplified sound was also approved.
4. Special Event – Buck Wild Bash: Approval was granted to allow Bulldog Harley Davidson to hold an event at 1043 Outlet Center Drive on July 22, 2023 from 10:00 am until 4:00 pm. Amplified sound, food truck sales and alcohol sales were also approved.
5. Special Event – Back to School Giveaway: Approval was granted to allow John Palacios with Iglesia La Hermosa Church to hold an event at 600 Durwood Stephenson Parkway on August 5, 2023 from 10:00 am until 5:00 pm. Amplified sound was also approved.
6. Special Event – 9/11 Celebration of First Responders: Approval was granted to the Rotary E Club to hold an event at 350 East Market Street on September 9, 2023 from 2:00 pm until 3:30.
7. Approval was granted to allow employees to donate accumulated sick leave hours to an employee in the Public Utilities – Water/ Sewer Department.
8. Approval of a budget amendment in the amount of \$11,300 for the Neuse Rive Amphitheater Project.
9. Approval of additional year end budget amendments

<u>GENERAL FUND</u>	<u>BEFORE</u>	<u>ADJ.</u>	<u>AFTER</u>
<b>1. Expenditures</b>			
10-40-4210-5400-9527 D/S Knuckleboom Truck	\$ 17,350	\$ 425	\$ 17,775
10-00-9990-5300-0000 General Fund Contingency	<u>26,063</u>	<u>(425)</u>	<u>25,638</u>
	<u>\$ 43,413</u>	<u>\$ -</u>	<u>\$ 43,413</u>

To fund additional loan payment on knuckleboom truck

<b>2. Expenditures</b>			
10-76-6200-5970-9101 Parks and Rec - Transfer			\$ 7,767
To SCIF Fund	\$ -	\$ 7,767	
10-00-9990-5300-0000 General Fund Contingency	<u>25,638</u>	<u>(7,767)</u>	<u>17,871</u>
	<u>\$ 25,638</u>	<u>\$ -</u>	<u>\$ 25,638</u>

To fund additional cost of Amphitheatre

<b>3. Expenditures</b>			
10-76-6200-5970-9101 Parks and Rec - Transfer			\$ 10,086
To SCIF Fund	\$ 7,767	\$ 2,319	
10-00-9990-5300-0000 General Fund Contingency	<u>17,871</u>	<u>(2,319)</u>	<u>15,552</u>
	<u>\$ 25,638</u>	<u>\$ (0)</u>	<u>\$ 25,638</u>

To fund additional cost of Splash Pad as approved at the November 1, 2022 Council Meeting

<b>4. Expenditures</b>			
10-76-6200-5970-9101 Parks and Rec - Transfer			\$ 18,177
To SCIF Fund	\$ 10,086	\$ 8,091	
10-00-9990-5300-0000 General Fund Contingency	<u>15,552</u>	<u>(8,091)</u>	<u>7,461</u>
	<u>\$ 25,638</u>	<u>\$ -</u>	<u>\$ 25,638</u>

To fund additional cost of Splash Pad

WATER FUND

**5. Expenditures**

30-71-7200-5300-3300 Water Plant - Supplies/Operations	\$ 749,950	\$ 25,400	\$ 775,350
30-00-9990-5300-0000 Water/Sewer Contingency	<u>187,791</u>	<u>(25,400)</u>	<u>162,391</u>
	<u>\$ 937,741</u>	<u>\$ -</u>	<u>\$ 937,741</u>

To fund additional chemical cost

**SCIF FUND**

**6. Revenue**

21-75-3870-3870-0000 Transfer From GF	<u>\$ -</u>	<u>\$ 2,319</u>	<u>\$ 2,319</u>
---------------------------------------	-------------	-----------------	-----------------

**Expenditure**

21-60-6200-5700-7401 Splash Pad/Parking	<u>\$ 536,330</u>	<u>\$ 2,319</u>	<u>\$ 538,649</u>
---	-------------------	-----------------	-------------------

To fund additional cost of Splash Pad as approved at the November 1, 2022 Council Meeting

**7. Revenue**

21-75-3870-3870-0000 Transfer From GF	<u>\$ 2,319</u>	<u>\$ 8,091</u>	<u>\$ 10,410</u>
---------------------------------------	-----------------	-----------------	------------------

**Expenditure**

21-60-6200-5700-7401 Splash Pad/Parking	<u>\$ 538,649</u>	<u>\$ 8,091</u>	<u>\$ 546,740</u>
---	-------------------	-----------------	-------------------

To fund additional cost of Splash Pad

**8. Revenue**

21-75-3870-3870-0000 Transfer From GF	<u>\$ 10,410</u>	<u>\$ 7,767</u>	<u>\$ 18,177</u>
---------------------------------------	------------------	-----------------	------------------

**Expenditure**

21-60-6200-5700-7400 Amphitheatre	<u>\$ 989,500</u>	<u>\$ 7,767</u>	<u>\$ 997,267</u>
--------------------------------------	-------------------	-----------------	-------------------

To fund additional cost of Amphitheatre

**9. Revenue**

21-60-3850-3850-0000 SCIF Interest	<u>\$ -</u>	<u>\$ 5,443</u>	<u>\$ 5,443</u>
------------------------------------	-------------	-----------------	-----------------

**Expenditure**

21-60-6200-5700-7401 Splash Pad/Parking	\$ 546,740	\$ 1,910	\$ 548,650
21-60-6200-5700-7400 Amphitheatre	<u>997,267</u>	<u>3,533</u>	<u>1,000,800</u>
	<u>\$ 1,544,007</u>	<u>\$ 5,443</u>	<u>\$ 1,549,450</u>

To budget for interest earned on each SCIF project

**WATER PLANT EXPANSION FUND**

**10. Expenditure**

43-71-7200-5700-4501 Engineering/Design	\$ 1,370,000	\$ 76,000	\$ 1,446,000
43-71-7200-5700-4505 Contingency	<u>572,500</u>	<u>(76,000)</u>	<u>496,500</u>
	<u>\$ 1,942,500</u>	<u>\$ -</u>	<u>\$ 1,942,500</u>

To increase engineering/design budget to cover additional cost using contingency funds

**10. Approval of an Interlocal Agreement with Johnston County for Fire Services.**

*{Attached hereto and made an official part of these minutes is the Interlocal Agreement. Which is on file in the Office of the Town Clerk}*

**11. Approval of an agreement with Piedmont Natural Gas for sewer line access.**

*{Attached hereto and made an official part of these minutes is the Agreement with Piedmont Natural Gas. Which is on file in the Office of the Town Clerk}*

**12. Approval to allow staff to submit a purchase order for the purchase of a bucket truck for the Electric Department.**

- 13. Approval of an agreement with North State Resurfacing for in the amount of \$34,300 for the conversion and renovation of two tennis courts to six permanent pickleball courts at Community Park  
*{Attached hereto and made an official part of these minutes is the Agreement North State Resurfacing. Which is on file in the Office of the Town Clerk}*

14. New Hire Report

Recently Hired	Department	Budget Line	Rate of Pay
Water Plant Operator Trainee	PU – Water Plant	30-71-7200-5100-0200	\$16.87 (35,089.60/yr.)
Records Clerk Specialist	Police	10-20-5100-5100-0200	\$16.87 (35,089.60/yr.)
P/T Athletics Assistant	P&R – Recreation	10-60-6200-5100-0210	\$10.00/hr.
P/T Life Guards	P&R – Aquatics	10-60-6220-5100-0210	\$10.00/hr.

Current Vacancies	Department	Budget Line
Police Chief	Police	10-20-5100-5100-0200
Police Officer	Police	10-20-5100-5100-0200
P/T Firefighter	Fire	10-20-5300-5100-0210
Sanitation Equipment Operator	PW – Sanitation	10-40-5800-5100-0200
Aquatics Supervisor	P&R – Aquatics	10-60-6220-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200

**BUSINESS ITEMS:**

- 1. **Consideration and request for approval to adopt Resolution No. 730 (13-2023) to begin the process to permanently close a 50-foot wide by 200-foot-long section of unimproved public right-of-way know as Rosewood Drive**

Planning Director Stephen Wensman explained a request was received by Patrick Harris to close an unimproved public right-of-way. Mr. Harris’s property was adjacent and east of the unused Rosewood Drive public right-of-way. The Town of Smithfield owns the property to the west of the public right-of-way. Mr. Wensman further explained the segment of Rosewood Drive, located to the east of South Crescent Drive, was vacant with no street or utility infrastructure within it. The right-of-way served no purpose for the Town or residents.

Town Manager Michael Scott directed Council to page 160 of the agenda packet which showed a map of the area. He explained the area was a green space and had always been a green space.

Councilman Scott made a motion, seconded by Councilman Rabil, to adopt Resolution No. 730 (13-2023) to begin the process to permanently close a 50-foot wide by 200-foot-long section of unimproved public right-of-way know as Rosewood Drive. Unanimously approved.

**TOWN OF SMITHFIELD  
 RESOLUTION 730 (13-2023)  
 DECLARING THE INTENT OF THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD TO CONSIDER  
 CLOSING THAT PORTION OF ROSEWOOD DRIVE FROM SOUTH CRESCENT DRIVE TO ITS  
 EASTERWARD TERMINATION.**

WHEREAS, G.S. 160A-299 authorizes the Town of Smithfield to close streets and public alleys; and

WHEREAS, the Town Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of Rosewood Drive from South Crescent Drive to its eastward termination;

NOW, THEREFORE, BE IT RESOLVED by the Town of Smithfield that:

- (1) A meeting will be held at 7 p. m. on the 8<sup>th</sup> day of August, 2023, in the Town Hall Council Chambers to consider a resolution closing that portion of Rosewood Drive from South Crescent Drive to its eastward termination.
- (2) The Town Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in the Johnstonian News.
- (3) The Town Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of this Resolution of Intent.
- (4) The Town Clerk is further directed to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

Upon motion duly made by Councilmember Scott, and duly seconded by Councilmember Rabil, the above resolution was duly adopted by the Town Council at the meeting held on the 11th day of July, 2023, in the Town Hall.

Upon call for a vote the following Councilmembers voted in the affirmative:  
 Councilman Scott                                      Councilman Rabil                                      Mayor Pro-Tem Dunn

Councilman Lee

Councilman Stevens

Councilman Wood

Upon call for a vote the following Councilmembers voted in the negative: None

**2. Consideration and request for approval to enter into an agreement with NCDOT for the relocation of underground utilities and construction of a water line associated with the I-95 and US 70 Business Highway Improvement Project**

Town Manager Michael Scott addressed the Council on a request to enter into an agreement with NCDOT. He explained NCDOT would begin the process to improve the intersection of I-95 and US 70 Business East. As part of the project, the Town has some responsibility to move any utilities out of the right-of-way so the road can be expanded or moved. NCDOT will pay for 75% of the cost while the Town is responsible for the remaining 25%. They would not be moving existing lines, but installing new lines. The request was to allow NCDOT to move the lines for the Town as part of their contract to improve the interchange. Also, a new 12" water line would be constructed between US-70 and Mallard Road, along the northern right-of-way of the newly constructed road. The Town Manager further explained that NCDOT will no longer allow any access off of a ramp; therefore, the current road will be replaced with a connector road from Market Street to Mallard Road. In anticipation of this project, the past three budgets have included funding for this project. There was currently \$730,000 in a Capital Project Fund for this construction project. The remaining funds needed would be budgeted in the next fiscal year. The cost of the project was estimated at \$1.14 million with the Town's portion being due at the completion of the project estimated to be the fall of 2025.

Councilman Scott questioned if the project would be completed in phases. The Town Manager responded the project would be completed as one project.

Mayor Pro-Tem Dunn questioned the number of years the Council has been saving for this project. The Town Manager responded that this would be the third fiscal year.

Mayor Pro-Tem Dunn further questioned how likely the construction costs would remain as proposed. The Town Manager responded he was confident that the completed project would be within budget.

Councilman Wood made a motion, seconded by Councilman Lee, to approve an agreement with NCDOT for the relocation of underground utilities and construction of a water line associated with the I-95 and US 70 Business Highway Improvement Project. Unanimously approved.

Mayor Moore expressed his appreciation to Johnston County Board of Commissioners Vice Chairman Patrick Harris (in attendance) for the Commissioner's financial support of the water plant expansion project. The Mayor further stated that if the Commissioners could offer any financial support for this project, the Town would greatly appreciate it.

**3. Consideration and request for approval to appoint a member of the Town Council to serve as the appointee and another member of the Town Council to serve as an alternate to the Johnston County Water/Sewer Authority Steering Committee**

Town Manager Michael Scott explained that last month the Council adopted a resolution to join the Johnston County Water/Sewer Authority Steering Committee. At that time, the Council chose to table a decision on who to appoint to the committee since the Mayor was absent from the meeting.

Mayor Moore stated by being a part of the committee the Town was not obligated to anything. It was just to begin the process of studying such an authority.

Mayor Moore stated he was appointing Councilman Scott to serve as the appointee and Councilman Stevens to serve as the alternate to the Johnston County Water/Sewer Authority Steering Committee.

**4. Discussion concerning the State Transportation Improvement Program (STIP) project list**

Planning Director Stephen Wensman he serves on the Upper Coastal Plain Rural Planning Organization (UCPRPO) which is a rural planning transportation committee for staff. Mayor Moore serves on the Elected Officials committee. Mr. Wensman stated there was a biannual process of determining priority projects for NCDOT funding. It was known as the STI P7 process list. The leader of the Rural Planning Organization asked for input as to the priorities of the Town. He lighted the below list of Smithfield projects on the STI P7 draft list. They are as follows:

- H170537 (U-3464) Widen US301 from Galilee Road to Brogden Road.
- H170543 (U-3464) Widen US301 from I-95 to Galilee Road.
- H192582 Widen NC210 from Black Creek Road to W Market Street.
- H192665 Upgrade Brogden/US 301S intersection.
- H192668 Widen Wilson's Mills Road to 3-Ln from W Market Street to M. Durwood Stephenson Parkway.
- Improvements to Market Street Downtown Smithfield

Staff was asked to determine if there were additional projects which are as follows:

- Buffalo Road widening to 3-lanes from US-70 bypass to M. Durwood Stephenson Parkway (This was an identified gateway corridor in the Town's Comprehensive Plan and there has been a lot in development interest in the area adjacent to the road).



- Brogden Road improvements from US 301 S to Wal-Pat Road (the intersections on both ends of this segment are already in the STI. The warehouse being constructed at the corner of Brogden and Walpat will add additional truck traffic to the area).

Councilman Rabil suggested the following:

- Widening of Market Street from the College to Nineth Street.

Mayor Moore stated he serves on the Upper Coastal Planning Organization and he does have to vote on these projects. He asked the Council if there were any other recommendations to please make sure they discussed their ideas with him so they could be added to the list.

### **Councilmembers Comments:**

- Councilman Lee recognized former Councilman Charles Williams who was in attendance. He agreed with Alyssa Bizzell concerning excessive speeding on Martin Luther King, Jr. Drive. He also stated his concerns about children crossing the street from Smith Collins Park to the Splash Pad. He felt that a sign was not going to slow down drivers in that area. Also, he expressed his appreciation to David Allen the former principal at Smithfield Selma High School for all this hard work at the school. Councilman Lee informed the Council that Crystal Gregory the former principal of the Innovation Academy had been named the new principal of Smithfield Selma High School.

In regards to the CDBG Housing Revitalization Project, Councilman Lee asked the Manager for an update.

The Town Manager stated he anticipated that the last construction project would be completed this week or next. There were also two total constructions that should be completed by September or October.

- Councilman Scott expressed his appreciation to everyone who participated in the Independence Day Celebration. He brought to the attention the Interlocal Agreement as approved on the Consent Agenda. This agreement will bring an additional \$214,000 in revenue to the Town through the Rural Fire District Tax which is to be ongoing revenue for the Town. He further stated a plan should be developed for the Fire Department in regards to its Capital Improvement Plan and staffing.
- Mayor Moore expressed his appreciation to Sarah Edwards and others for all of the Fourth of July Festivities. Mayor Moore stated this was an election year and he wanted to assure the staff and citizens that he would continue to conduct his job as the Mayor and continue to conduct the Council meetings in a highly efficient and orderly manner with the interest of all the citizens at the forefront. He truly believed that each member of Council believed the same.

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

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

- "Fun in the Park" is scheduled for Saturday, July 15th at Smith Collins Park from 1:00 to 4:00 pm.
- The River Rat Regatta has been scheduled for August 12th.
- The August Council Meeting has been scheduled for August 8th so those available can attend the police department's National Night Out on August 1st.
- Improvements are scheduled on the Duke Energy substation on Hospital Road for July 23rd from 1:00 am until 5:00 am. Work will be done on the substation – therefore ALL customers on the affected circuits will be without power for those 4 hours in the night. The outage will affect everyone north of Sanders Street to Kellie Drive, from the railroad to the river. Of course, this work is "weather permitting" and the rain date is July 30th during the same time window.
- Changes will be made to the way the County purifies its water for the South Smithfield Water District. This will take place on July 17th. This may create some water discoloration and/or smell. Additional information is attached to this report.

### **Closed Session: Pursuant to NCGS 143-318.11 (a) (6)**

Councilman Wood made a motion, seconded by Councilman Scott, to go into Closed Session pursuant to the aforementioned statute. Unanimously approved at approximately 8:26 pm.

### **Reconvene in Open Session**

Councilman Scott made a motion, seconded by Councilman Stevens, to reconvene the meeting in Open Session. Unanimously approved at approximately 9:09 pm

No action taken following the Closed Session.

### **Adjourn**

Councilman Stevens made a motion, seconded by Councilman Wood, to adjourn the meeting. The meeting adjourned at approximately 9:10 pm.

*M. Andy Moore*  
M. Andy Moore, Mayor

ATTEST:  
*Shannan L. Parrish*  
Shannan L. Parrish, Town Clerk

