

The Smithfield Town Council met in regular session on Tuesday, November 14, 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
Dr. David Barbour, District 4
Roger Wood, At-Large
Stephen Rabil, At-Large

Councilmen Absent

Administrative Staff Present

Michael Scott, Town Manager
Ted Credle, Public Utilities Director
Lawrence Davis, Public Works Director
Andrew Harris, Asst. Finance Director
Pete Hedrick, Chief of Police
Gary Johnson, Parks & Rec Director
Tim Kerigan, Human Resources
Eric McDowell, IT Director
Greg Siler, Finance Director
Stephen Wensman, Planning Director

Also Present

Robert Spence, Jr., Town Attorney

Administrative Staff Absent

Shannan Parrish, Town Clerk

CALL TO ORDER

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

Remove from the Consent agenda:

- 17 b. Board Appointments - Tyree Minor has submitted an application for consideration to be appointed to Recreation Advisory Commission for a first term*

Move from the Consent Agenda to the Business Items:

- 7. Consideration and request for approval to allow the Town Attorney to record deeds restricting development of Town lots associated with the Spring Branch Community Restoration Project. This item will become Business Item 1.*
- 9. Consideration and request for approval to adopt Resolution No. 738 (21-2023) authorizing the disposition of certain surplus property and the auctioning of that property by the electronic service of GovDeals.com. This item will become Business Item 2.*
- 10. Consideration and request for approval to award a contract to Survey and Mapping, LLC. In the amount of \$296,284.50 for Stormwater Infrastructure Mapping. This item will become business item 3.*

Unanimously approved.

PRESENTATIONS:

- 1. Acceptance of the 2023 NC One Water award for the Water Distribution System of the Year (small utility)**
Utility Line Mechanic Jerry McDonald accepted the award from Public Utilities Director Ted Credle.
- 2. Acceptance of the 2023 NC One Water award for Wastewater Distribution System of the Year (small utility)**
Utility Line Mechanic Jerry McDonald accepted the award from Public Utilities Director Ted Credle.

PUBLIC HEARINGS: None

CITIZEN'S COMMENTS:

- Alice Vick lodged a complaint about the Police Department regarding an incident in which she was involved.
- Betty Greene expressed concerns about the lack of water pressure in the Bella Square subdivision. She requested the Town further investigate this matter and develop a plan to increase the water pressure in

West Smithfield and the subdivision in which she resided.

- Ed Hoy also expressed concerns about the lack of water pressure in the Bella Square subdivision. He stated this wasn't just a Bella Square issue, but an issue for all of West Smithfield.

Councilman Scott asked Public Utilities Director to speak about the issue. Mr. Credle stated he would further investigate if water pressure could be increased.

CONSENT AGENDA:

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

Councilman Barbour, Councilman Wood, Mayor Pro-Tem Dunn, Councilman Lee, Councilman Stevens and Councilman Rabil voted in favor of the motion. Councilman Scott voted against the motion. Motion passed 6 to 1.

1. The following minutes were approved:
 - October 3, 2023 – Regular Meeting
2. Special Event – JugsGiving: Approval was granted to allow the owners of the Little Brown Jug to hold a Thanksgiving Party at 101 West Market Street on November 22, 2023 from 8:00 pm until 2:00 am. Amplified sound from 8:00 pm to 11:00 pm was also approved. This event was approved as an annual event.
3. Approval was granted to promote a Customer Service Representative to the position of Senior Customer Service Representative.
4. Approval was granted to promote a Fire Lieutenant to the rank of Fire Captain.
5. Approval was granted to promote a Fire Engineer to the rank of Fire Lieutenant.
6. Approval was granted to promote a Firefighter II to the rank of Fire Engineer.
7. Approval was granted to approve the Amended NCEMPA agreement and adopt Ordinance No. 520-2023

Ordinance No. 520-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD, NORTH CAROLINA, DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE TOWN OF SMITHFIELD TO APPROVE AND AUTHORIZE THE EXECUTION AND DELIVERY OF THE AMENDED AND RESTATED FULL REQUIREMENTS POWER SALES AGREEMENT BETWEEN THE TOWN OF SMITHFIELD AND NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY

WHEREAS, the Town of Smithfield (the "Municipality") and North Carolina Eastern Municipal Power Agency ("Power Agency") entered into a Full Requirements Power Sales Agreement (the "FRPSA"), dated as of the twenty-fourth day of September, 2015, pursuant to which Power Agency sells and each Member purchases its Full Requirements Bulk Power Supply requirements (as that term is defined in the FRPSA); and

WHEREAS, the Board of Directors of Power Agency, by motion properly made and approved at its meeting on May 25, 2023, approved and authorized the execution and delivery of Tenth Amended and Restated Full Requirements Power Purchase Agreement (the "FRPPA") between the Power Agency and Duke Energy Progress, LLC (including successors and permitted assigns, "DEP"), pursuant to which Power Agency has agreed to purchase from DEP and DEP has agreed to sell to Power Agency Power Agency's full requirements capacity and energy to serve the load of the electric power customers of Power Agency's members, the electric needs of which the members have undertaken the obligation to meet, and contingent upon a recommendation by the Rate Committee and approval by the Board of Commissioners of Power Agency; and

WHEREAS, by motions properly made and approved at meetings on June 7, 2023 and June 8, 2023, the Rate Committee and the Board of Commissioners, respectively, recommended that staff execute and approve the FRPPA in the name and on behalf of the Power Agency; and

WHEREAS, on September 22, 2023, the Board of Directors of Power Agency adopted Resolution BRR-10-23, which, among other things, (i) ratified the approval and execution of the FRPPA by the Chief Executive Officer in the name and on behalf of Power Agency and (ii) authorized Power Agency to execute and deliver to each Member an Amended and Restated Full Requirements Power Sales Agreement (the "Amended and Restated FRPSA") to give effect to the transactions contemplated by the FRPPA; and

WHEREAS, Power Agency has caused to be furnished to the Municipality each of the following: (i) the FRPPA, (ii) Resolution BDR-10-23, and (iii) an executed Amended and Restated FRPSA, dated as of September 22, 2023; and

WHEREAS, the Town Council of the Municipality (the "Governing Body") has taken into consideration the benefits which might be achieved by approving, executing and delivering the Amended and Restated FRPSA.

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

1. After due consideration to the contents of each of the preambles set forth above and to each of the documents referred to in such preambles, the Governing Body hereby finds and determines that it is in the best interests of the Municipality to enter into the Amended and Restated FRPSA.
 2. The Governing Body hereby authorizes and directs that the Amended and Restated FRPSA be executed for and on behalf of the Municipality by the Mayor and Clerk, sealed with the seal of the Municipality and delivered to the Power Agency in the forms and substance of the Amended and Restated FRPSA presented at this meeting.
 3. The Governing Body hereby directs the Clerk to furnish or cause to be furnished to Power Agency a certified copy of this ordinance together with the executed Amended and Restated FRPSA.
 4. The Governing Body hereby directs the Clerk to file with the minutes of this meeting (i) the FRPPA, (ii) Resolution BDR-10-23, and (iii) the proposed Amended and Restated FRPSA as presented and available at this meeting.
 5. This Ordinance shall become effective upon its adoption. ADOPTED this 14th day of November, 2023
8. Approval was granted to amend the contract with Garris Grading and Paving for the annual street resurfacing project.
 9. Bid was awarded to Wayne Roofing & Sheet Metal Company in the amount of \$20,500.00 for an elastomeric roof coating & roof repairs to the American Legion Hut (Neuse Little Theater).
 10. Bid was awarded to Blueprint Construction in the amount of \$36,429.06 for structural repairs to American Legion Hut (Neuse Little Theater).
 11. Bid was awarded to Vision NC in the amount of \$27,607.00 to continue assessing the Town's sanitary sewer infrastructure.
 12. Approval was granted to amend the Downtown Smithfield Development Corporation Bylaws.
 13. Board Appointments
 - a. Sonny Howard was reappointed to serve a second term on the Recreation Advisory Commission.

14. New Hire Report

Recently Hired	Department	Budget Line	Rate of Pay
Assistant Finance Director	Finance	10-10-4200-5100-0200	\$33.65/hr. (\$69,992.00/yr.)
	PU – Electric	31-72-7230-5100-0200	(1/3)
	PU – Water/Sewer	30-71-7220-5100-0200	(1/3)
Equipment Operator	PW – Streets (Transfer)	10-30-5600-5100-0200	\$21.99/hr. (\$45,739.20/yr.)
Equipment Operator	PW – Streets (Transfer)	10-30-5600-5100-0200	\$17.46/hr. (\$36,316.80/yr.)
Equipment Operator	PW – Streets	10-30-5600-5100-0200	\$18.07/hr. (\$37,585.60/yr.)
Equipment Operator	PW – Streets	10-30-5600-5100-0200	\$18.07/hr. (\$37,585.60/yr.)
Facility Maintenance Specialist	P&R – Recreation	10-60-6200-5100-0200	\$17.21/hr. (\$35,796.80/yr.)
Police Officer I	Police	10-20-5100-5100-0200	\$22.26/hr. (\$49,773.36/yr.)
Police Officer I	Police	10-20-5100-5100-0200	\$22.26/hr. (\$49,773.36/yr.)
Police Records Specialist	Police (was Admin Asst)	10-20-5100-5100-0200	\$18.58/hr. (\$38,646.40/yr.)
P/T SRAC Staff - General	P&R – Aquatics	10-60-6220-5100-0210	\$10.00/hr.
Public Safety Aide	Police	10-20-5100-5100-0200	\$18.08/hr. (\$37,606.40/yr.)
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200	\$17.37/hr. (\$36,129.60/yr.)

Current Vacancies	Department	Budget Line
Firefighter (Part-time)	Fire	10-20-5300-5100-0200
Police Officer	Police	10-20-5100-5100-0200
Sanitation Equipment Operator	PW – Sanitation	10-40-5800-5100-0200

BUSINESS ITEMS:

1. **Consideration and request for approval to allow the Town Attorney to record deeds restricting development of Town lots associated with the Spring Branch Community Restoration Project**

Planning Director Stephen Wensman addressed the Council on a request to allow the Town Attorney to record deeds restricting development of Town lots associated with the Spring Branch Community Restoration Project. He explained the Town accepted grants from the NC Land and Water Fund (NCLWF) in October 2023 for the Spring Branch Restoration Project and Spring Branch Resiliency Project. A requirement of the NCLWF grants was that the subject properties be deed restricted from future development. The deed restrictions also included

a 50-foot buffer that could not be maintained. The State will not allow the Town to claim the grant funding until the deed restrictions were approved and recorded.

Mayor Moore expressed concerns about the area being unmaintained since it was in a residential area. He suggested contacting the State to determine if there was any way that stipulation could be negotiated.

No action was taken by the Council.

2. Consideration and request for approval to adopt Resolution No. 738 (21-2023) authorizing the disposition of certain surplus property and the auctioning of that property by the electronic service of GovDeals.com

Mayor Moore had requested this item be moved from the consent agenda to the business items because there were concerns about the conditions of some of the property that were proposed to be declared surplus.

No action was taken by the Council.

3. Consideration and request for approval to award a contract to Survey and Mapping, LLC. In the amount of \$296,284.50 for Stormwater Infrastructure Mapping

Planning Director Stephen Wensman explained this item was a result of the stormwater grant received by the Town earlier in the year. The stormwater program required the Town to map 15% of its infrastructure each year until all mapping was complete. Staff proposed entering into a contract with Survey and Mapping, LLC to for this project.

Councilman Scott questioned if the Town would receive a copy of the mapped infrastructure from the contractor. Mr. Wensman responded there would be a database for all the infrastructure.

Councilman Scott further questioned who would be responsible for overseeing the contract. Mr. Wensman responded that he and the Town Engineer would oversee the contract.

Councilman Scott made a motion, seconded by Councilman Wood, to award a contract to Survey and Mapping, LLC. in the amount of \$296,284.50 for Stormwater Infrastructure Mapping. Unanimously approved.

4. Consideration and request for approval to adopt amendments to the Amazon incentive grant

Town Manager Michael Scott addressed the Council on a request by Amazon to extend their incentive agreement with the Town for tax grants. On September 24, 2021, the Town Council entered into an agreement with Amazon to create a tax grant process for a seven-year period beginning in calendar year 2023 which included a minimum of a \$100,000,000 investment by Amazon and the creation of a minimum of 500 new permanent full-time jobs. The requested amendments include a change in timeline beginning in calendar year 2025 instead of 2023. Johnston County recently approved these amendments to their contract with Amazon.

Johnston County Economic Development Director Chris Johnson explained that Amazon was requesting to back push its time line. In order to receive the tax incentives, they must meet their obligations of the \$100,000,000 in financial contributions and the employment of 500 people. Mr. Johnson stated the County recently approved these amendments and it was his recommendation that the Town Council mirror the actions of the County.

Councilman Wood stated that Amazon had not received any funding from the Town or the County because they have not met their obligations. Mr. Johnson responded in the affirmative. He further stated that the incentives received by Amazon would be a percentage of the taxes paid by Amazon only.

Amazon Economic Development Policy Manager Mike Limburg explained the initial jobs requirement was to be completed by December 31, 2023. As a result of macro-economic conditions and supply chain issues, it caused Amazon to rebalance its facility network and was now ready to move forward with this facility. He stated the company did not anticipate needing the full length of the extension.

Councilman Scott questioned if the building was complete. Mr. Limburg responded the building was complete and all of the material handling equipment inside had been installed. They were going through a final punch-list and final testing phase.

Councilman Stevens stated the Town entered into this contract in 2021 and questioned why Smithfield should be penalized for the economic downturn. Mayor Moore responded that prior to Amazon's investment, that piece of property was outside the Town limits and the Town collected \$39.46 in Fire District Tax only. Last year, the Town collected \$336,528 in tax revenue all of which it kept because Amazon had not met its jobs obligation. The Town further stands to collect \$501,893 in tax revenue before any tax incentives are paid to Amazon.

Councilman Scott questioned if the tax incentives would be transferred to another company if Amazon chose to sell the property. Mayor Moore responded that under the contract, these tax incentives would only be granted to Amazon.

Councilman Barbour stated that because of the delayed operations, the Town had actually benefited.

Councilman Scott made a motion, seconded by Councilman Barbour, to approve the amendments

to the contract with Amazon. Councilman Scott, Councilman Barbour, Mayor Pro-Tem Dunn, Councilman Lee, Councilman Rabil and Councilman Wood voted in favor of the motion. Councilman Stevens voted against the motion. Motion carried 6 to 1.

5. Discussion concerning uses for additional funding received from Johnston County for the Fire Department

Fire Chief Jeremy Daughtry addressed the Council on request to hire three additional firefighter with funding received from Johnston County. Chief Daughtry explained the Johnston County Commissioners approved the Fire Funding Supplement to create a positive impact on fire protection services in Johnston County. The Town will receive \$214,000 annually and will be received in twelve equal payments which began in July of this year.

Chief Daughtry stated careful consideration was placed on the use of these funds to provide a positive impact to the customers of Smithfield while ensuring this supplement would be recurring for years to come and could be used as such. With the additional funding, three additional firefighters could be hired. The reoccurring annual cost to hire three firefighters would be \$185,267.61 and an additional cost of \$16,500 for gear and uniforms. If approved by the Council, these firefighters would begin by January of 2024.

Mayor Pro-Tem Dunn clarified that as long as the tax base continued to grow in the rural districts, the contributions from the County would only increase. It was unlikely it would ever decrease. Chief Daughtry responded in the affirmative.

Councilman Barbour stated the Town was fortunate to still have some volunteer firefighters. He questioned the number of firefighters on any given shift. Chief Daughtry responded the fire department was comprised of full-time employees, part-time employee and volunteers. It was dependent on the time of day how many fire personnel would be on a scene as most volunteers had full-time jobs. The average number of personnel on scene was nine to ten depending on the incident.

Councilman Barbour inquired about the number of volunteers. Chief Daughtry responded there were approximately ten volunteer firefighters. Chief Daughtry stated he and his staff had identified ways in which to engage middle and high school students about careers in the fire service.

Councilman Scott expressed his appreciation to the Funding Committee for all their efforts.

Councilman Scott made a motion, seconded by Councilman Rabil, to approve the hiring of three additional fire service personnel utilizing the funds from the Fire Funding Supplement. Unanimously approved.

6. Consideration and request for approval to offer retention incentives for Police Department personnel and hiring incentives to recruit new Police Officers

Chief of Police Pete Hedrick addressed the Council on a request to offer retention incentives for Police Department personnel and for hiring incentives to recruit new Police Officers. He explained there was a major shortage in new law enforcement personnel each year. Because of that shortage, competition for police officers was at an all-time high. He stated he needed stability in the department and this could be achieved with incentives. Chief Hendrick's proposal included a \$5,000 hiring incentive for anyone with BLET training, \$7,500 retention incentive for law enforcement over a year of employment, \$5,000 retention incentive for law enforcement less than a year of employment and not off Field Training (FTO), \$2,000 retention incentive for part-time officer, animal control officer, civilian positions and currently enrolled in BLET, and \$5,000 retention incentive for the supervisory civilian position. The total cost to implement the incentives could be funded through lapsed salaries.

Mayor Pro-Tem Dunn asked how much under budget was the current salary line. Chief Hedrick responded it was approximately \$254,000 a few months ago.

Councilman Wood questioned how the incentives would be implemented. Chief Hedrick indicated that incentive would not be made in a lump sum payment.

Councilman Stevens questioned how many officers had the department lost over the past few years. Chief Hedrick responded that in the past fifteen months, they have lost 12 officers; some to retirement, but most to other agencies.

Councilman Stevens further inquired about the unused funds in the Police Department's salary line. Town Manager Michael Scott responded that any surplus funds would go into the general fund's fund balance.

Mayor Moore asked Chief Hedrick to explain how the incentives would be paid to the employees. Chief Hedrick responded the design was to pay half as soon as the funds were available and the other half at the end of the year.

Mayor Moore further inquired as to what would happen if an employee received half the incentive and then decided to resign. Chief Hedrick responded the department could implement a contract similar to what the state uses and also pay the employee monthly instead of half now and half at the end of the year.

Mayor Moore asked if this would be a reoccurring expense. Chief Hedrick replied that it would not be a reoccurring expense.

Councilman Barbour stated this was a great idea for this year, but next year something would also have to be done. He stated this felt a lot like putting a band aid on the problem. He further stated that while this seemed to be an effective short-term solution, it was not a long-term solution. Chief Hedrick responded that with new

leadership and competitive salaries, he felt it would reenergize the department and officers would want to have a long-term career in Smithfield.

Councilman Wood stated leadership played an important role in employee retention. Employees often left for an increased salary, but others left because of leadership. Chief Hedrick responded the officers needed to feel supported and these incentives would do just that.

Councilman Scott questioned the timeline for implementing the program. Chief Hedrick responded that after speaking with the Town Manager there are adequate funds to implement the program. He intended to work with the Finance Director to develop a plan to ensure that safeguards were in place and that we're being good stewards of town funds. He would like to see it implemented by the New Year.

Councilman Stevens suggested the funds be paid to the employees bi-weekly over the pay periods instead of in a lump sum check.

Councilman Scott stated there was some previous discussion on retiree health insurance benefits for employees that were hired after June 30, 2007. He suggested further discussing that option in a workshop.

Councilman Scott made a motion, seconded by Mayor Pro-Tem Dunn to approve the Police Department incentive program and authorize the Town Manager, the Chief of Police and the Chief's administration to figure out the details.

Before the vote, Mayor Moore asked if the Council was in agreement that the funds would not be paid to the employee in two lump sums. The Council was in agreement that the funds should be issued bi-weekly or quarterly.

Also, there was discussion concerning if the funds would be paid to the employees in the calendar year or the fiscal year. The Town Manager explained that it was the intent to pay the funds to the employees during the remaining 7 months of the fiscal year, but if the Council chose to pay the funds over the course of the calendar year, then remaining funds from this fiscal year could be budgeted for next fiscal year.

Councilman Scott Councilman Scott made a motion, seconded by Mayor Pro-Tem Dunn to approve the Police Department incentive program and authorize the Town Manager, the Chief of Police and the Chief's administration to figure out the details. Unanimously approved.

7. Consideration and request for approval to accept the System Development Fees Analysis

Public Utilities Director Ted Credle addressed the Council on acceptance of the System Development Fees Analysis. He explained the purpose of the presentation was to present the findings of Envirolink as they have reviewed and updated the economic analysis, which was the basis for the town system development phase. In 2018, the Town instituted the current system development fees in response to House Bill 436. House Bill 436, effectively eliminated so called impact fees, but allowed municipalities to create the system development fee. The purpose of that fee was to pay for system upgrades, improvements and expansions that utilities make to accommodate growth and development. These one-time fees are paid by the developer so that new growth pays for such improvements and not the existing customer. House Bill 436 section 209 C stipulated that the analysis of those the economic analysis used as the basis for those fees be reviewed. The fees are updated at least every five years. The process of review is to initially present the report findings to the Council. Then we will post the report and the analysis on the Town website for a period of no less than 45 days to invite public comment. After that period, the Town will hold a public meeting to discuss any input of the public may have. Staff recommends this occur during the January Council meeting. At the January meeting. The Council may set the fees at any level up to the maximum level as recommended by the analysis. He noted that the total increase of the fee was roughly double the existing fee. Also, we will include the statement "to include the county sewer capacity fee if adopted". Regardless of where the council decides to set this fee in 45 days or more. Staff strongly encourages the statement concerning the county charge be added to cover the costs of that capacity purchase. Mr. Credle stated he did not need any action by the Town Council, he simply needed to present the results of the analysis.

Councilman Scott questioned if the 5/8" water meter size could be eliminated because he was concerned that developers would use that size because it was less expensive. He also worried that size would cause pressure issues.

Mayor Pro-Tem Dunn questioned how these proposed fees related to similar County fees. Mr. Credle responded the County charges more because their capital improvement plan is larger than the Town's.

No action was taken by the Council.

8. Community Development Block Grant Update

Note: From 9:13 pm to 9:26 pm, Councilman Lee was not present at the meeting, and his absence was unexcused.

Town Manger Michael Scott provided the Council with an update on the Community Development Block Grant Program. He explained the program began in 2019 and \$750,000 was awarded to the Town for housing rehabilitation for owner occupied homes. People who participated in the program did not have to pay for any rehab work, but a mortgage was added for a period of 7-to-10-years dependent on the value of repairs. These mortgages would be forgiven in entirety after 7 or 10 years as long as they lived in the home. A target area was identified and home owners were contacted about the program. Initially, 22 applications were received and 11 homeowners chose to participate in the program. Ultimately, 9 houses were rehabbed or reconstructed. Seven of those houses have been completed and the remaining two are in the process of being completely

rebuilt. The Town Manager outlined the construction projects for each of the nine homes.

The Town Manager explained the adversities the administrator of the grant (hired by the Town) faced: supply chain issues, contractor issues, and lack of contractors. Also, the Town partnered with Johnston, Harnett, Lee Community Action to inspect the homes and complete the list of items that needed to be fixed in every home. Unfortunately, the employee assigned to assisting the Town resigned and the administrator was forced to take on additional responsibilities to get everything approved and completed. All files have been reviewed by CDBG and the Rural Economic Development Division multiple times. Staff was now seeing new homes being built on empty lots near these rehabilitated homes. This program helped improve the neighborhoods.

No action was taken by the Council.

9. Consideration and request for approval to enter into an agreement with NCDOT for the CMAQ/CRP funding of the West Market Street trail project

Planning Director Stephen Wensman addressed the Council on a request to enter into an agreement with NCDOT for funding of the West Market Street trail project. Mr. Wensman explained staff worked with James Salmons of the Upper Coastal Plain Rural Planning Organization to apply for Congestion Mitigation & Air Quality (CMAQ) and Carbon Reduction Program (CRP) funds to construct a multi-purposed trail along West Market Street from the Neuse River Bridge to Wilson's Mills Road. The Town was awarded the funding for the project in the amount of \$1,875,520 with a local match of \$468,880, totaling \$2,344,400 for the project. The Agreement with NCDOT stipulated the terms for acceptance of the funds.

Town Manager Michael Scott explained this was a large grant and would require an outside firm to manage it and the project especially as it related to negotiating the purchase price for rights-of-way and acquiring those rights-of-way.

Councilman Scott inquired as to what funds the Town would use for the grant match. Mayor Moore responded that staff was requesting to use the restricted Parks and Recreation Funds from the sale of Bingham Park. The Town Manager stated that restricted Park-in-Lieu fees would also be used for the grant match.

Councilman Barbour advocated for pedestrian friendly paths that connected West Smithfield to the rest of Smithfield. With this grant, the Town was making progress towards this connectivity.

Councilman Barbour made a motion, seconded by Councilman Rabil, to approve the agreement with NCDOT for the CMAQ/CRP funding of the West Market Street trail project. Councilman Barbour, Councilman Rabil, Mayor Pro-Tem Dunn, Councilman Stevens and Councilman Wood voted in favor of the motion. Councilman Lee and Councilman Scott voted against the motion. Motion passed 5 to 2.

Councilmembers Comments: None

Town Manager's Report:

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

- The Grinch Run is scheduled for December 2nd
- Downtown Tree Lighting is scheduled for December 7th from 6:00 to 7:00
- The Christmas Parade is scheduled for December 14th at 7:00 pm.
- The Town Hall sign has malfunctioned. Electricians have evaluated the situation and staff would be working with another sign company to determine how to fix the sign.

Closed Session: Pursuant to NCGS 143-318.11 (a) (3) – To consult with the Town Attorney

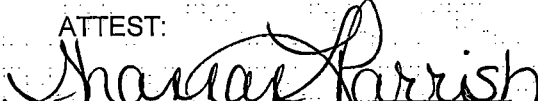
Mayor Pro-Tem Dunn made a motion, seconded by Councilman Wood, to enter into Closed Session pursuant to the aforementioned statute. Unanimously approved at approximately 9:47 pm.

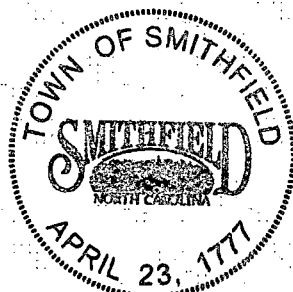
Reconvene in Open Session


Councilman Barbour made a motion, seconded by Councilman Rabil to reconvene in Open Session. Unanimously approved at approximately 10:15

Adjourn

Councilman Wood made a motion, seconded by Councilman Rabil, to adjourn the meeting. The meeting adjourned at approximately 10:16 pm.

ATTEST:

 Shannan L. Parrish, Town Clerk




 M. Andy Moore, Mayor