

The Smithfield Town Council met in regular session on Tuesday, October 1, 2024 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

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

Councilmen Absent

Roger Wood, Mayor Pro-Tem
Travis Scott, District 3

Administrative Staff Present

Michael Scott, Town Manager
Ted Credle, Public Utilities Director
Jeremey Daughtry, Fire Chief
Lawrence Davis, Public Works Director
Andrew Harris, Finance Director
Pete Hedrick, Chief of Police
Gary Johnson, Parks & Rec Director
Shannan Parrish, HR Director/Town Clerk
Stephen Wensman, Planning Director

Also Present

Robert Spence, Jr., Town Attorney

Administrative Staff Absent

CALL TO ORDER

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

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 as submitted. Unanimously approved.

PRESENTATIONS:

1. Proclamation – Recognizing October 6-12, 2024 as Fire Prevention Week in the Town of Smithfield

Mayor Moore read the following proclamation into the record and presented it to Fire Chief Jeremey Daughtry.

PROCLAMATION
Recognizing October 6-12, 2024
As Fire Prevention Week
In the Town of Smithfield

WHEREAS, the Town of Smithfield is committed to ensuring the safety and security of all those living in and visiting our community; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, the National Fire Protection Association (NFPA) has designated the week of October 6th through 12th, 2024, as Fire Prevention Week with this year's theme being, "Smoke alarms: Make them work for you.TM," which aims to educate everyone about the simple but important actions they can take to keep themselves and those around them safe from fire; and

WHEREAS, a critical part of fire safety is ensuring that homes are equipped with working smoke alarms, practicing escape plans, and identifying potential fire hazards; and

WHEREAS, the dedicated members of the Smithfield Fire Department are committed to reducing the occurrence of home fires and related injuries through prevention and education efforts, and respond quickly and professionally to emergencies within our community; and

WHEREAS, residents are encouraged to take proactive steps such as installing and maintaining smoke detectors, practicing fire drills, and understanding the dangers of fire to help reduce the risk of fires in their homes and businesses; and

WHEREAS, Fire Prevention Week provides an opportunity to recognize the importance of fire safety practices, and to honor the courageous work of our firefighters and first responders who protect our lives and property from fire and other hazards.

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield, do hereby proclaim the week of October 6th through 12th, 2024, as Fire Prevention Week in Smithfield, North Carolina. I urge all residents to actively participate in fire prevention activities at home, work, and school, and to honor the dedicated service of the brave firefighters and public safety personnel who work tirelessly to keep our community safe.

2. Proclamation – Recognizing October 6-12, 2024 as Public Power Week in the Town of Smithfield

Mayor Moore read the following proclamation into the record and presented it to Public Utilities Director Ted Credle.

PROCLAMATION
Recognizing Public Power Week
October 6-12, 2024
In the Town of Smithfield

WHEREAS, public power is a crucial component in cities and towns across North Carolina, contributing to the overall health of communities by providing reliable electricity, excellent local service, and prompt restoration; and

WHEREAS, North Carolina's more than 70 public power cities and towns are among more than 2,000 across the country; and

WHEREAS, many of North Carolina's public power cities and towns have been electric providers for more than 100 years, assisting their communities through boom times as well as pandemics and economic downturns; and

WHEREAS, public power meets the electric needs of 49 million Americans, who make up almost 15 percent of electricity consumers; and

WHEREAS, North Carolina's public power utilities are valuable community assets that contribute to the well-being of the community and provide economic development opportunities; and

WHEREAS, North Carolina's public power utilities are dependable institutions that provide excellent service and a commitment to community; and

WHEREAS, the Town of Smithfield recognizes Public Power Week and commends the public power cities and towns across our state for their outstanding contributions to our communities.

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield, along with the Town Council, do hereby proclaim October 6-12, 2024 as Public Power Week in the Town of Smithfield and commends its observation to all citizens.

3. Proclamation – Recognizing November 1, 2024 as Family Literacy Day in the Town of Smithfield

Mayor Moore read the following proclamation into the record.

PROCLAMATION
Recognizing November 1, 2024
As National Family Literacy Day in the Town of Smithfield

WHEREAS, National Family Literacy Day, established by the 103rd Congress in 1994, and now marking its 30th anniversary on November 1, 2024, highlights the importance of reading and learning for the entire family and emphasizes the impact that parents have on their child 's learning; and

WHEREAS, this day is celebrated across America each year, and focuses on special activities and events that showcase the importance of family literacy programs that empower families and build a nation of readers; and

WHEREAS, literacy programs across the United States will observe National Family Literacy Day by holding read-a-thons, book drives, workshops, and family activities at schools, libraries, and community centers to encourage literacy; and

WHEREAS, as many as one in six adults struggle with reading and writing, and by learning to read, individuals can gain self-respect and confidence and strive toward goals that otherwise would not be achievable; and

WHEREAS, the National Society of the Daughters of the American Revolution is a nonprofit, nonpolitical volunteer women's service organization dedicated to promoting patriotism, preserving American history, and securing America' s future through better education for children and adults; and

WHEREAS, education being one of the cornerstones of the National Society of the Daughters of the American Revolution, is committed to increasing literacy by promoting and supporting literacy programs.

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield, do hereby proclaim November 1, 2024 as National Family Literacy Day to underscore the importance of literacy, celebrate the joy of reading, encourage residents to promote literacy by reading together as a family, and to extend deep appreciation to our local librarians, educators, and literacy service providers for their tireless efforts to strengthen the literacy of our children and our community.

PUBLIC HEARING: None

CITIZEN’S COMMENTS:

- Emma Gemmel of 207 Hancock Street voiced concerns about the town council’s lack of transparency and resident engagement in planning decisions. She highlighted issues with high-density developments, reduced housing standards, property rights, and increased traffic. Despite feeling dismissed, she and others continue attending meetings, urging the council to improve communication and involve residents in the decision-making process.
- Maxine Hunter of 915 East Street raised concerns about water issues affecting her property. She noted that while recent street repairs and pipe installations had kept water off the streets, water was now pooling in her yard and under her house. Hunter explained that she hadn’t experienced these issues before recent nearby developments and questioned the cause of the water accumulation. She asked if the town could address this new flooding concern. Town Manager Michael Scott informed the Council that staff was investigating the issue.

Councilman Lee stated he had recently visited Ms. Hunter’s property and observed what appeared to be a former ditch or easement behind her house. He suggested that the ditch might have once provided drainage from a nearby church down towards the back of Furlong, but may have been covered or built over due to new developments. He indicated that determining the existence and status of the easement could clarify the source of the water issue.

CONSENT AGENDA:

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

1. Special Event: Bike Night – Approval was granted to allow Bulldog Harley Davidson to hold an event at 1045 Outlet Center Drive on October 10, 2024 from 5:00 pm until 8:00 pm. Amplified sound and food trucks were approved for this event.
2. Special Event: Full Throttle Bike Show – Approval was granted to allow Bulldog Harley Davidson to hold an event at 1045 Outlet Center Drive on October 26, 2024 from 11:00 am until 3:00 pm. Amplified sound and food trucks were approved for this event.

3. New Hire Report

Recently Hired	Department	Budget Line	Rate of Pay
Human Resources Director	General Government	10-20-5100-5100-0200 30-71-7220-5100-0200 31-72-7230-5100-0200	\$ 41.83/hr. (\$87,006.40/yr.)
Part-Time Firefighter (5)	Fire Department	10-20-5300-5100-0210	
Part-Time Athletic Staff (2)	Parks and Recreation	10-60-6200-5100-0210	\$10.00/hr.
Part-Time SRAC Staff	P&R – Aquatics	10-60-6220-5100-0210	\$12.00/hr.

Current Vacancies	Department	Budget Line
Asst. Aquatics Supervisor	P&R – Aquatics	10-60-6220-5100-0200
Equipment Operator	PU – Streets	10-30-5600-5100-0200
Facility Maintenance Specialist	PW – Appearance	10-60-5500-5100-0200
Sanitation Equipment Operator	PW – Sanitation	10-40-5800-5100-0200
Town Clerk	General Government	10-10-4000-5100-0200 30-71-7220-5100-0200 31-72-7230-5100-0200
Police Officers (8 positions)	Police	10-20-5100-5100-0200
Water Plant Operator	PU – Water Plant	30-71-7200-5100-0200

BUSINESS ITEMS:

1. **Special Event: The Downtown Smithfield Development Corporation and Smithfield Parks and Recreation is requesting to move the annual tree lighting event to Friday, November 29, 2024. This also requires adoption of Ordinance No. 522-2024 for NCDOT Street Closures**

Heidie Gilmond, Director of the Downtown Smithfield Development Corporation (DSDC), proposed moving the annual Christmas tree lighting to Friday, November 29, the day after Thanksgiving, to expand the event into a two-day festival supporting local businesses. The event would feature activities starting at noon, including live performances, children’s activities, and vendor booths on South Third Street. She highlighted the goal of aligning the tree lighting with "Black Friday" and "Small Business Saturday" to attract holiday shoppers to downtown Smithfield.

Council members discussed logistical and attendance concerns. Councilman Barbour raised the potential impact of the holiday weekend on attendance, noting that many families travel for Thanksgiving, while Councilman Stevens suggested the new timing might encourage some residents to stay local. Councilman Barbour also inquired about coordination with local schools, which have previously provided performers. Mrs. Gilmond confirmed outreach efforts with schools and churches to secure participants for the Friday event.

The council discussed the need for an annual approval of street closures for events associated with the lighting, including the Martin Luther King Jr. parade, with Town Manager Michael Scott clarifying that any date changes due to weather would require additional council approval.

Councilman Dunn made a motion, seconded by Councilman Stevens, to approve the request to hold the annual Smithfield Christmas Tree Lighting & Vendor Market on November 29 and 30 ,2024 and adopt Ordinance No. 522. Unanimously approved.

ORDINANCE No. 522-2024
AN ORDINANCE DECLARING ROAD CLOSURES FOR THE ANNUAL CHRISTMAS TREE LIGHTING, THE ANNUAL CHRISTMAS PARADE AND THE ANNUAL MARTIN LUTHER KING, JR. PARADE

WHEREAS, the Town Council of the Town of Smithfield acknowledges a long tradition of providing an annual Christmas Parade and annual Tree Lighting Ceremony for the pleasure of its citizens; and

WHEREAS, the Town Council of the Town of Smithfield acknowledges a new tradition of providing an annual Martin Luther King, Jr. Parade for the pleasure of its citizens; and

WHEREAS, the Town Council of the Town of Smithfield acknowledges its citizens realize a financial benefit from holding these annual events; and

WHEREAS, the Town Council of the Town of Smithfield acknowledges each event requires approximately two hours to install signing and traffic control to be provided by the Smithfield Police Department, and also requires approximately two hours for removing signs, traffic control and litter.

WHEREAS, any ordinances or parts of ordinances in conflict with this ordinance are hereby repealed, and this ordinance shall be in full force and effect as an ordinance of the Town of Smithfield from the date of its adoption by the Town Council of the Town of Smithfield.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Smithfield pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the days and times set forth below on the following described portion of a State Highway System route:

Annual Tree Lighting Ceremony

Date: The Friday following Thanksgiving
Time: 6:00 pm to 8:00 pm
Route Description: North 3rd Street between Market Street and Bridge Street
Market Street (US70) from 2nd Street to 4th Street.

Annual Christmas Parade

Date: Second Thursday of every December
Time: 5:00 pm to 9:00 pm
Route Description: Market Street (US70) from South 6th Street to South 2nd Street

Annual Martin Luther King, Jr. Parade

Date: Third Saturday of every February
Time: 2:00 pm to 4:00 pm
Route Description: Market Street (US70) from South 6th Street to South 2nd Street

2. ZA-23-06 Town of Smithfield: Planning Staff is 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.

Planning Director Stephen Wensman provided an update on Article 10 of the Town's ordinances, addressing performance standards and engineering specifications. He summarized changes, including moving street design specifications from the Unified Development Ordinance (UDO) to the engineering manual and clarifying code references. Notable changes included revising landscaping and buffer standards, implementing a new permit process for forestry projects to ensure riparian buffer compliance, and consolidating dumpster regulations.

Mr. Wensman highlighted the need to eliminate outdated sections, such as the unused Entry Corridor Overlay and Row House Overlay Districts, as they are no longer relevant or effective. He also introduced cluster mailbox standards, emphasizing placement on private property and adequate pedestrian access. Other proposed changes included updating lighting standards, adjusting off-street parking triggers, revising terminology per the Transportation Plan, and increasing the minimum lot size for septic lots to one acre, based on recommendations from Environmental Health due to soil quality concerns. Mr. Wensman invited the council to review the proposed updates and consider their impact on future development standards.

Councilman Barbour sought clarification on septic requirements, asking if Johnson County had a minimum lot size requirement for septic installation. Mr. Wensman clarified that the Town required a minimum lot size of 20,000 square feet and noted that Johnson County's soils presented challenges, likely due to proximity to the Neuse River.

Mr. Wensman continued outlining proposed updates to the UDO, including adding easement requirements for stormwater and trails, addressing fire code updates for temporary turnarounds, and revising requirements

for private and PUD streets. He suggested an increase in the minimum lot size for septic lots from 20,000 square feet to one acre, based on feedback from Environmental Health. He also discussed clarifying setbacks for double-fronted lots and removing the council resolution requirement for accepting public dedications once a final plat is approved.

Councilman Stevens asked for clarification on lighting requirements, specifically in regard to site plans, which Mr. Wensman confirmed were no longer reviewed by the Planning Board or Town Council. Councilman Stevens also inquired about double-fronted lots. Mr. Wensman explained that these apply primarily to single-family residences with streets in front and back.

Councilman Barbour then raised questions regarding street lighting requirements for new subdivisions, which Mr. Wensman explained were not currently mandated by the UDO, though any lighting installed would have to meet town standards.

Councilman Barbour suggested that the Unified Development Ordinance (UDO) include minimum lighting requirements for developments, as it currently lacked clear specifications for spacing, type, and coverage of street lighting. He expressed concerns about responsibility for lighting maintenance if Duke Energy or other entities modify or relocate poles, potentially creating dark areas in town, and questioned how non-conforming lighting would be addressed post-development. He recommended setting standards for lighting spacing and bulb type in collaboration with lighting experts to ensure adequate visibility and safety.

Councilman Stevens noted that Smithfield residents could request additional lighting through the town if a nearby pole existed. Councilman Barbour highlighted challenges specific to residents serviced by Duke Energy, stating they often rely on the town to handle these issues.

Mayor Moore asked for clarification on several points, including requirements for tree removal and lighting permits. Mr. Wensman responded that tree permits would apply only to large-scale logging or construction operations and not to individual homeowners removing trees in their yards. He also raised questions about the proposed one-acre minimum lot size for septic installations and requested further consultation with Environmental Health. Mr. Wensman clarified that residential landscaping lighting would not require permits, and he offered to follow up on the lighting standards and septic lot size requirements based on additional discussions with relevant experts.

Mayor Moore expressed concern about the town's minimum lot area requirement for septic systems, questioning if enough soil tests were conducted in Smithfield. He suggested that the Council hold off on approving the ordinance change until they could obtain additional information.

Mayor Moore raised concerns about restaurants potentially expanding their seating capacity after opening without additional parking, which could lead to parking issues. He requested further research on the matter to ensure the parking requirements align with actual seating capacity, including outdoor seating.

Councilman Stevens inquired about the multifamily and restaurant parking standards, seeking clarification on where parking requirements might be unclear. He discussed potential issues related to parking adjustments in the downtown area, especially when space constraints might prevent adherence to parking standards.

Mr. Wensman explained the revised parking requirements, noting that parking would now be tied to seating capacity rather than floor area. He addressed Mayor Moore's concerns, explaining that while new construction and significant renovations could enforce parking compliance, certain situations, like internal restaurant renovations, might not prompt a parking review. Mr. Wensman agreed to further research restaurant seating and parking alignment. Additionally, he clarified that parking requirements could be waived in the downtown area and acknowledged the need for additional research on septic requirements and lighting standards.

Councilman Barbour advocated for the UDO to include specific lighting standards, especially to ensure minimum lighting coverage across developments. He expressed concern about ongoing lighting consistency if lighting structures were modified or removed after development.

Councilman Barbour made a motion, seconded by Councilman Rabil, to table discussion of this amendment until the November 12, 2024 Town Council meeting to ensure adequate time for additional input. Unanimously approved.

Councilmembers Comments:

- Councilman Barbour announced the fourth annual Drone Fly In Day on October 12, 2024 from 11 a.m. to 2 p.m. at Gertrude Johnson Park. He invited attendees to visit Oktoberfest in downtown Smithfield afterward.
- Councilman Lee thanked Town staff for their quick response to an early-morning accident on Martin Luther King Drive involving an intoxicated driver. The cleanup and immediate police action helped to manage a potentially dangerous situation. He also noted that this was the first year without the Annie D. Jones Child enrichment fund, which previously helped cover activity costs for youth participation in Parks and Recreation. He expressed concern for ensuring that children needing financial assistance are still supported, even offering to help cover costs if necessary. Finally, Councilman Lee requested an update from the police chief on the status of body cameras for the department, highlighting the importance of readiness following a recent high-profile incident in a nearby town.
- Councilman Steven stated he would still like to see the Council allocate more funds towards the street resurfacing project. He raised concerns about potholes and road conditions, noting that it was a common complaint he received. He suggested reaching out to Amazon to explore technological solutions to reroute

trucks and alleviate traffic on local roads, such as Second Street.

Councilman Lee added that flooding under an overpass often exacerbated truck traffic issues, with Amazon trucks diverting into residential areas like Belmont. He proposed redirecting trucks onto JCC Road to reduce congestion and protect neighborhood streets. He also commended town staff for their quick response and cleanup efforts after a recent accident.

- Mayor Andy Moore expressed gratitude to town staff for their storm preparation efforts, including cleaning drains and preparing emergency services. He extended thoughts and prayers to those affected by recent storms and suggested offering town resources. Mayor Moore also agreed with paving needs and proposed creating a comprehensive plan to address town-wide drainage issues, specifically clogged ditches and driveway culverts. He requested the town manager initiate plans for cleaning and repairing these areas, utilizing in-house or outsourced resources as needed.

Town Manager's Report:

Town Manager Michael Scott reminded everyone that, in addition to the drone fly-in and Oktoberfest on Saturday, October 12, the Chris Hagan Band would be performing at the amphitheater on Friday night, October 11. Regarding the body cameras, he explained that the town was waiting on the federal government to release grant funds. All required paperwork had been completed and accepted, and once approved, the police chief would be ready to proceed with the purchase and implementation of body cameras.

Adjourn

Councilman Barbour made a motion, seconded by Councilman Stevens, to adjourn the meeting until. The meeting adjourned at approximately 8:24 pm.




M. Andy Moore, Mayor

ATTEST:

Shannan Parrish, Town Clerk