

The Smithfield Town Council met in regular session on Tuesday, November 12, 2024 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

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

Councilmen Absent

Sloan Stevens, District 2

Administrative Staff Present

Michael Scott, Town Manager  
Elaine Andrews, Town Clerk  
Shannan Parrish, HR Director  
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  
Chloe Allen, Planner I

Also Present

Robert Spence, Jr., Town Attorney

Administrative Staff Absent

Stephen Wensman, Planning Director

**CALL TO ORDER**

Mayor Moore called the meeting to order at 7pm.

**INVOCATION**

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

**APPROVAL OF AGENDA:**

Mayor Pro-Tem, Roger Wood made a motion to approve the agenda, seconded by Councilman Travis Scott amended as follows:

Add Business Item 3: *Discussion of the Employee Pay and Classification Study.*  
Unanimously approved.

**PRESENTATIONS:**

**1. Administering Oath of Office to New Town Clerk Elaine Andrews**

Mayor Andy Moore administered the Oath of Office to the new Town Clerk Elaine Andrews

**2. Appearance Commission Annual Report**

Appearance Commission Chairperson Kaitlyn Tarley presented the Appearance Commission's Annual Report to the Board. She stated that the JP and JB George accounts were primarily used for tree replacements in town specifically and with the donate a tree program. There were no expenditures made to either of the accounts this year, so the only change would be the interest. She stated in terms of the General Fund, the expenditures were a little over \$14,000 for this fiscal year. The projects included new bench and shade structures out at the Community College, replacement plants for the Town's way finding signs throughout Smithfield, plants for the planters in the downtown area, as well as the replacement plants at Sunset Cemetery, which were recently put in. The last main project that had expenditures was for the Bartlett tree inventory survey. She added that the last survey was conducted in the early 1980s and that a new survey would give good insight, both into the trees throughout town, recommendations for any replacements, and treatment plans.

Chairperson Kaitlyn Tarley continued saying that other projects completed without expenditures included a spring cleanup, which was done in partnership with the DOT and other organizations in the town. She stated their team went out to Smith Collins Park for a cleanup. They also had a table at the Ham and Yam festival to raise additional awareness for the Appearance Commission and what they do here in the town. She stated they also sold T shirts that were made last fiscal year to raise money for the donate a tree program. She added that the proceeds from the Ham and Yam, in addition to a few other donations received throughout the year added \$250 in donations. In total, they have a little over \$1,200 within the donate a tree program, which they intend to use to have the plaques and trees planted for those who donated. She stated that the Commission is currently working on I-95 projects and plans to continue community collaboration, focusing on downtown Smithfield development with local businesses and town organizations like the Garden Club and historical society. Their goal is to collectively create projects and a vision for the town until it becomes sustainable, after which they'll pursue projects outside town limits. Partnerships with public works and Parks and Rec are ongoing, and they've met with Activate Selma and other nearby towns. The Commission aims to continue these collaborations, with the library being a focus for the upcoming fiscal year.

Chairperson, Kaitlyn Tarley thanked the Commission's collaborative partners. Mayor Andy Moore thanked the Commission for all of their efforts and their leadership.

**PUBLIC HEARING:**

None

**CITIZEN'S COMMENTS:**

None



**CONSENT AGENDA:**

Mayor Pro-Tem, Roger Wood made a motion, seconded by Councilman Stephen Rabil, to approve the following items as listed on the Consent Agenda. Unanimous:

- 1. Consideration and request for approval to promote a Firefighter II to the rank of Fire Engineer**
- 2. Consideration and request for approval to promote the Accounts Payable Technician to the position of Payroll/Accounting Technician II**
- 3. Consideration and request for approval to allow employees to donate accumulated sick time to an employee in the Public Works – Streets Division**
- 4. Consideration and request for approval to adopt Resolution No. 755 (16-2024) for Grant Acceptance & Capital Project Ordinance for \$93,500**

**TOWN OF SMITHFIELD  
RESOLUTION NO. 755 (16-2024)**

**WHEREAS,** the Town of Smithfield has received a Directed Projects grant for the Caswell Street Storm Water Project (SRP-S-134-0186) from the 2023 Appropriations Act, Session Law 2023-134, administered through the Drinking Water Reserve and Wastewater Reserve to assist eligible units of government with meeting their stormwater infrastructure needs, and

**WHEREAS,** the North Carolina Department of Environmental Quality has offered 2023 Appropriations Act funding in the amount of \$93,500 to perform work detailed in the submitted application, and

**WHEREAS,** the Town of Smithfield intends to perform said project in accordance with the agreed scope of work.

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

That the Town of Smithfield does hereby accept the 2023 Appropriations Act Directed Projects Grant offer of \$93,500; and

That the Town of Smithfield does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to; and

That Michael L. Scott, Town Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this the 12<sup>th</sup> day of November, 2024 in Smithfield, North Carolina.

\_\_\_\_\_  
M. Andy Moore, Mayor

ATTEST:

\_\_\_\_\_  
Elaine S. Andrews, Town Clerk

- 5. Resolution No. 756 (17-2024) to execute a \$10,000,000 transfer from First Citizens Bank Central Depository to a First Citizens Trust Portfolio**

**TOWN OF SMITHFIELD RESOLUTION NO. 756  
(17-2024)**

**WHEREAS,** the Town of Smithfield, North Carolina (the "Town") has established financial accounts at First Citizens Bank for the management of public funds, ensuring fiscal responsibility and maximization of resources for the benefit of the Town and its residents; and

**WHEREAS,** the Town Council has determined that a portion of these funds should be invested through a managed portfolio to optimize returns and ensure financial growth in alignment with the Town's investment policy and objectives; and

**WHEREAS,** the Town's Finance Department has identified that the transfer of Ten Million Dollars (\$10,000,000)

from the Central Depository account to a Trust Portfolio managed by First Citizens Bank is in the best interest of the Town to enhance investment returns while maintaining safety and liquidity; and

WHEREAS, this investment is in accordance with North Carolina General Statutes 159-30 and 31, and is deemed beneficial to the long-term financial health of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD, NORTH CAROLINA, THAT:

1. The Town Manager and Finance Officer are hereby authorized and directed to execute the transfer of Ten Million Dollars (\$10,000,000) from the Town of Smithfield’s Central Depository account at First Citizens Bank to a designated Trust Portfolio account with First Citizens Bank.
2. This transfer shall be completed in accordance with all applicable laws, regulations, and guidelines to ensure proper handling and reporting of public funds.
3. The Town Manager, Finance Officer, and any other necessary Town staff are hereby authorized to take any additional actions required to complete this transfer and to monitor the investment portfolio in consultation with First Citizens Bank to maximize the Town’s return on investment while maintaining the principles of safety, liquidity, and growth.
4. This Resolution shall become effective immediately upon adoption.

M. Andy Moore, Mayor

ATTEST:

Elaine S. Andrews, Town Clerk

6. **Consideration and request for approval to award a contract to Sykes Environmental Engineering, PLLC in the amount of \$ 68,340.00 for engineering design services for increased sewer capacity of the conveyance system east of I-95**
7. **New Hire Report**

**Background**

Per Policy, upon the hiring of a new or replacement employee, the Town Manger or Department Head shall report the new/replacement hire to the Council on the Consent Agenda at the next scheduled monthly Town Council meeting.

In addition, please find the following current vacancies:

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Asst. Aquatics Supervisor	P&R – Aquatics	10-60-6220-5100-0200
Police Officers (6 positions)	Police	10-20-5100-5100-0200
Water Plant Operator	PU – Water Plant	30-71-7200-5100-0200

**Action Requested**

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 2024-2025 Budget.

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Town Clerk	General Government	10-20-5100-5100-0200 30-71-7220-5100-0200 31-72-7230-5100-0200	\$ 32.00/hr. (\$66,560.00/yr.)
Police Officer (MPO)	Police	10-20-5100-5100-0200	\$ 29.59/hr. (\$66,163.24/yr.)
Police Officer	Police	10-20-5100-5100-0200	\$ 26.84/hr. (\$60,014.24/yr.)
Police Records Specialist	Police	10-20-5100-5100-0200	\$ 18.07/hr. (\$37,586.64/yr.)
Police Records Specialist	Police	10-20-5100-5100-0200	\$ 18.93/hr. (\$39,374.40/yr.)
Streets Maintenance Worker	PW – Streets	10-30-5600-5100-0200	\$ 15.79/hr. (\$32,843.20/yr.)
Facility Maintenance Worker (2)	PW – Appearance	10-20-5300-5100-0200	\$ 17.21/hr. (\$35,796.80/yr.)



8. Budget Amendments

Attachment C

**BUDGET AMENDMENTS**  
**Oct-24**

	BEFORE	ADJUSTMENT	AFTER
<b>1. Revenue</b>			
10-00-3900-3900-0000 Fund Balance Appropriation	<u>\$562,680.00</u>	<u>\$511,992.65</u>	<u>\$1,074,642.65</u>
<b>Expenditure</b>			
10-10-4100-5300-4501 General Government - Service Contracts (Robertson Miller Mgmt)	39,310.00	5,666.68	44,976.68 P.O.
10-10-4100-5700-7400 General Government - Capital Outlay (Town Mgr Office)	50,000.00	7,585.00	57,585.00 Check these lines for bal available to encumber
10-10-4110-5300-3306 Non-Departmental - GF Salary Adjustment (Property/Liability Insur.)	300,000.00	32,871.00	332,871.00
10-10-4110-5300-5718 Non-Departmental - Approved Downtown Projects (DSDC)	0.00	10,000.00	10,000.00
10-61-4110-5300-5710 Non-Departmental - Economic Development	25,000.00	61,380.00	86,380.00
10-10-4200-5700-7400 Finance Dept. - Capital Outlay (Collection Window Chairs)	2,500.00	1,200.00	3,700.00
10-10-4300-5700-7400 IT Dept. - Capital Outlay (Phone System)	0.00	40,000.00	40,000.00
10-10-4900-5300-4502 Planning - Condemnation	0.00	31,775.00	31,775.00
10-20-5100-5700-7400 Police - Capital Outlay (Communication International)	292,500.00	12,819.96	305,319.96 P.O.
10-20-5300-5300-1700 Fire - Equipment Maintenance and Repair	44,000.00	4,091.27	48,091.27 P.O.
10-60-5500-5300-3430 General Services - Tree Trimming	15,000.00	2,150.00	17,150.00 P.O.
10-60-5500-5300-3440 General Services - Appearance Commission (Swift Creek Nursery)	15,000.00	1,005.00	16,005.00 P.O.
10-60-5500-5300-3440 General Services - Appearance Commission (Barns Recreation LLC)	16,005.00	3,417.00	19,422.00
10-30-5600-5300-7300 Streets - Sidewalk & Curb Repair (NCDOT Sidewalk Agreement)	80,000.00	158,000.00	238,000.00
10-30-5600-5700-7400 Streets - Capital Outlay (I&S Bridge Lighting)	0.00	95,000.00	95,000.00
10-40-5900-5300-3310 Stormwater - Drainage	78,715.00	3,850.00	82,565.00 P.O.
10-60-6200-5300-1700 Parks & Rec - Equip. Repair & Maint.	71,000.00	27,917.10	98,917.10 P.O.
10-60-6200-5700-7400 Parks & Rec - Capital Outlay (Barns Recreation LLC)	112,500.00	8,751.64	121,251.64 P.O.
10-60-6220-5300-3300 Aquatic Center - Supplies/Operations	35,000.00	4,490.00	39,490.00 P.O.
	<u>\$1,176,530.00</u>	<u>\$511,992.65</u>	<u>\$1,688,492.65</u>

To bring forward encumbrances from the 2023-2024 General Fund Budget to FY24-25. P.O.s were brought forward through Rollover Process.

<b>2. Revenue</b>			
30-71-3900-3900-0000 Fund Balance Appropriation	<u>\$150,000.00</u>	<u>\$223,515.17</u>	<u>\$373,515.17</u>
<b>Expenditures</b>			
30-71-7220-5300-3300 Water Dist/Sewer Coll. - Supplies/Operations	302,500.00	2,230.50	304,730.50 P.O.
30-71-7220-5300-4501 Water Dist/Sewer Coll. - Service Contracts	255,470.00	5,666.67	261,136.67 P.O.
30-71-7220-5700-7400 Water Dist/Sewer - Capital Outlay (Phone System)	105,000.00	16,700.00	121,700.00
30-71-7220-5300-5710 Water Dist/Sewer Coll. - Economic Development	<u>30,000.00</u>	<u>188,918.00</u>	<u>228,918.00</u>
	<u>\$692,970.00</u>	<u>\$223,515.17</u>	<u>\$916,485.17</u>

To bring forward encumbrances from the 2023-2024 General Fund Budget to FY24-25. P.O.s were brought forward through Rollover Process.

<b>3. Revenue</b>			
31-72-3900-3900-0000 Fund Balance Appropriation	<u>\$1,000,000.00</u>	<u>\$122,496.16</u>	<u>\$1,122,496.16</u>
<b>Expenditures</b>			
31-72-7230-5300-3300 Electric - Supplies/Operations	\$373,350.00	\$8,577.50	\$381,927.50 P.O.
31-72-7230-5300-4501 Electric - Service Contracts	\$208,970.00	\$5,666.66	\$214,636.66 P.O.

31-72-7230-5300-5710 Electric - Economic Development	0.00	108,252.00	108,252.00
31-72-7230-5700-7400 Electric - Capital Outlay (Phone System)	<u>35,000.00</u>	<u>0.00</u>	<u>35,000.00</u>
	<u>\$617,320.00</u>	<u>\$122,496.16</u>	<u>\$739,816.16</u>

To bring forward encumbrances from the 2023-2024 General Fund Budget to FY24-25. P.O.s were brought forward through Rollover Process.

Date: \_\_\_\_\_

VERIFIED: \_\_\_\_\_  
M. Andy Moore, Mayor

VERIFIED: \_\_\_\_\_  
Elaine Andrews, Town Clerk

ENCUMBRANCES FROM 2023-2024 TO 2024-2025

GENERAL FUND

	Amount Originally Requested	Amount Available
10-10-4100-5700-7400 General Government - Capital Outlay (Town Mgr Office)	\$ 15,000	\$ 7,585
10-10-4110-5300-3306 Non-Departmental - GF Salary Adjustments	32,871	32,871
10-10-4110-5300-5718 Non-Departmental - Approved Downtown Projects (DSDC)	10,000	10,000
10-61-4110-5300-5710 Non-Departmental - Economic Development	61,380	61,380
10-61-4110-5300-5712 Non-Departmental - S.H.A.R.P Reimbursements	-	-
10-10-4200-5700-7400 Finance Department - Capital Outlay (Chairs/Collection Window)	1,200	1,200
10-10-4300-5700-7400 IT Department - Capital Outlay (Phone System)	40,000	40,000
10-10-4900-5300-4502 Planning - Condemnation	31,775	31,775
10-10-4900-5700-7400 Planning - Capital Outlay	-	-
10-60-5500-5300-3440 General Services - Appearance Commission	5,048	3,417
10-30-5600-5300-7300 Streets -Sidewalk & Curb Repair (NCDOT Sidewalk Agreement)	158,000	158,000
10-30-5600-5700-7400 Streets -Capital Outlay (I95 Bridge Lighting)	95,000	95,000
10-40-5900-5300-3310 Storm Water Drainage	-	-
	<u>\$ 450,274</u>	<u>\$441,228</u>

WATER FUND

30-71-7220-5700-7400 Water Dist/Sewer - Capital Outlay (Phone System)	\$ 16,700	\$ 16,700
30-71-7220-5300-5710 Water Dist/Sewer Coll. - Economic Development	283,252	198,918
	<u>\$ 299,952</u>	<u>\$215,618</u>

Electric FUND

31-72-7230-5300-5710 Electric - Economic Development	\$ 108,252	\$ 108,252
31-72-7230-5700-7400 Electric - Capital Outlay (Phone System)	16,700	\$ -
	<u>\$ 124,952</u>	<u>\$108,252</u>

J.B. GEORGE BEAUTIFICATION FUND

40-61-4100-5300-3400 J.B. George Projects	\$ -	\$ -
40-61-4100-5300-3410 J.P. George Projects	-	-
	<u>\$ -</u>	<u>\$ -</u>

APPROVED: \_\_\_\_\_  
M Andy Moore, Mayor

VERIFIED: \_\_\_\_\_  
Elaine S. Andrews, Town Clerk



### Purchase Orders Encumbrances

G/L ACCOUNT	ACCOUNT DESCRIPTION	DEPARTMENT	VENDOR	PO#	AMOUNT
10-20-5300-5300-1700	Equip Maint & Repair	Fire Dept	Pine Enviromental Services	20242638	\$ 1,592.00
10-20-5300-5300-1700	Equip Maint & Repair	Fire Dept	Atlantic Emergency Solutions	20242639	\$ 2,499.27
10-60-5500-5300-3430	Tree Trimming	Public Works	Bobby Randy Best	20242511	\$ 2,150.00
10-60-5500-5300-3440	Appearance Commission	Public Works	Swift Creek Nursery	20242567	\$ 1,005.00
10-40-5900-5300-3310	Drainage	Stormwater	Stuckeys Backhoe Service Inc	20242602	\$ 3,850.00
10-20-5100-5700-7400	Capital Outlay	Police Dept	Communications International Inc	20242041	\$ 12,819.96
10-10-4100-5300-4501	Service Contracts	Gen Gov	Robertson Miller Management	20242418	\$ 5,666.68
10-60-6200-5700-7400	Capital Outlay	Parks and Rec	Barrs Recreation LLC	20242047	\$ 8,751.64
10-60-6200-5300-1700	Equip Maint & Repair	Parks and Rec	Green Resource LLC	20242327	\$ 6,240.00
10-60-6200-5300-1700	Equip Maint & Repair	Parks and Rec	TimeTechnologies Inc	20242564	\$ 920.00
10-60-6200-5300-1700	Equip Maint & Repair	Parks and Rec	Blade Equipment Inc	20242620	\$ 574.75
10-60-6220-5300-3300	Supplies/Operations	Parks and Rec	Advantage Sport & Fitness Inc	20242621	\$ 4,490.00
10-60-6200-5300-1700	Equip Maint & Repair	Parks and Rec	Sports Facilities Group Inc	20242622	\$ 4,482.10
10-60-6200-5300-1700	Equip Maint & Repair	Parks and Rec	Sports Facilities Group Inc	20242623	\$ 1,829.97
10-60-6200-5300-1700	Equip Maint & Repair	Parks and Rec	Rodney S Blackmon	20242624	\$ 3,651.23
10-60-6200-5300-1700	Equip Maint & Repair	Parks and Rec	Green Resource LLC	20242628	\$ 2,000.00
10-60-6200-5300-1700	Equip Maint & Repair	Parks and Rec	Jose Manuel Munoz Solis	20242631	\$ 1,800.00
10-60-6200-5300-1700	Equip Maint & Repair	Parks and Rec	US Doorways Inc	20242632	\$ 3,685.00
10-60-6200-5300-1700	Equip Maint & Repair	Parks and Rec	Sports Facilities Group Inc	20242640	\$ 2,734.05
					\$ 70,741.65
30-71-7220-5300-4501	Service Contracts	Water/Sewer	Robertson Miller Management	20242418	\$ 5,666.66
30-71-7220-5300-3300	Supplies/Operations	Water/Sewer	Core & Main LP	20242435	\$ 2,230.50
					\$ 7,897.16
31-72-7230-5300-4501	Service Contacts	Electric	Robertson Miller Management	20242418	\$ 5,666.66
31-72-7230-5300-3300	Supplies/Operations	Electric	Border States Industries	20242067	\$ 8,577.50
					\$ 14,244.16
				Total	\$ 92,882.97

**BUSINESS ITEMS:**

1. **ZA-23-06 Town of Smithfield:** Planning Staff is requesting an amendment to the Unified Development Ordinances, Article 2, 10 and Appendix A, and approval of the updated Standard Details and Specification Manual, Sections 1-5 and 9-10. The ordinance amendment will update existing performance standards, clarify vague wording, and break up large blocks of text into subsections and update definitions. The Standard Details and Specification Manual was updated in conjunction with the performance standards update.

Planner I Chloe Allen addressed the Council for this request. She stated that Planning staff requested approval of zoning text amendment 2306, which would amend Articles 10 and Appendix A to update performance standards and approve the revised Standards Details and Specifications Manual. This amendment includes previously discussed changes and addresses recent questions. Regarding lighting, developers must install street lighting according to national standards, with lights required at all intersections. Duke Energy customers can request outdoor lighting through a provided link. The amendment also addresses parking minimums for restaurants, which was a topic of consideration at the previous meeting. She stated that the current requirement is one parking space per 150 square feet of enclosed floor area, excluding outdoor seating.

A new proposal suggests one space per three seats, including outdoor seating. Various options were presented, comparing standards from different towns. Examples include Cary's approach of one per 150 square feet (including outdoor areas) or one per third of maximum fire capacity. Clayton and Durham base requirements on total seat count, while Raleigh uses square footage. The recommendation is to adopt the one space per three seats standard, inclusive of outdoor seating.

She added that following a meeting with Johnston County Environmental Health, updated standards for septic lot sizes were discussed. The county now requires a minimum lot area of 30,000 square feet for lots with septic systems and no public sewer, increasing to 40,000 square feet in watershed districts or environmentally sensitive areas. For lots served by well water, the minimum area is 40,000 square feet. These larger lot sizes accommodate the required 50-foot distance between wells and drain fields, and 25-foot distance from structures. The county determines septic drain field size based on soil texture and bedroom count. A revised text implementing these changes was proposed for adoption.

Planner I, Chloe Allen further stated the Council has updated street frontage requirements to clarify that every lot must be situated on one of three types of access: a public street, a privately owned street conforming to town standards with defined maintenance responsibilities, or a private driveway within a multi-family development providing access to all internal lots with defined maintenance responsibilities. Additionally, the utilities section has been revised to comply with state statute, specifying that all utilities must be installed according to the Standard Detail Manual under the Public Utilities director's guidance. She added it removes the section that discusses off site septic in accordance with state statute. She stated that the Planning Department is recommending approval of zoning text amendment ZA-2306 and approval of the updated Standard Details Specifications Manual.



Councilman Travis Scott asked about the lot size change for the septic tank, what was the original size.

Planner I, Chloe Allen replied currently it is 20,000 square feet if they are on septic and 25,000 square feet if they are on well water.

Councilman Travis Scott clarified whether that was with having no access to other service was a factor.

Allen answered, right, you have, if you have the ability to connect to sewer, you must connect to sewer. That's how it is now, and that's not changing.

Councilman David Barbour inquired about the lighting requirements for intersections, specifically questioning the positioning and measurable light levels. He noted that some intersections in West Smithfield, managed by Duke Energy (formerly Progress Energy), are poorly lit and difficult to see. Barbour suggested that even with existing streetlights, some intersections remain too dark. He proposed considering the installation of reflectors to improve visibility, particularly for drivers approaching these intersections. He asked if the Planner could clarify whether the light had to be on the intersection or somewhere in the vicinity of the intersection because it makes a difference.

Allen replied that the specific lighting requirements are likely defined in the American National Standard. She stated that she was not familiar with the engineering details and would defer the question to our Town Engineer Bill Dreitzler, as he might know. She stated we'd need to look it up for precise information.

Councilman Barbour inquired about specifying a measurable lighting standard for intersections in the UDO. He emphasized the importance of adequate lighting at intersections for safety, regardless of light placement. Barbour suggested exploring the possibility of including a specific lighting requirement in the UDO.

Town Manager Scott confirmed that light measurement is possible and is currently done for parking lots to control light spillage. He noted that while some residents desire more lighting, others prefer less, highlighting the need to balance community preferences.

Councilman Barbour emphasized that intersection visibility is a safety issue. He stated that while some may complain about excessive lighting, safety should be the priority. Barbour stressed the importance of being able to see clearly at intersections for public safety.

Town Manager Scott explained that the planning department reviews development plans to ensure proper placement of streetlights at intersections. This process allows the department to require developers to adjust lighting as needed, rather than allowing arbitrary placement.

Councilman Barbour suggested adding a minimum light requirement for intersections, emphasizing safety for drivers, particularly in rural areas like West Smithfield. He cited an example where Duke Energy relocated a light pole after tree removal, altering intersection lighting. Barbour stressed the importance of adequate illumination over specific light placement.

There was some discussion regarding measuring the luminance from the middle of the intersection and ensuring public safety through well-lit intersections.

Mayor Andy Moore asked Planner I, Chloe Allen about street frontage requirements to asking her to touch on the new section regarding private driveways and to give an example.

Planner I Chloe Allen explained that the increase in multifamily developments has highlighted ambiguities in street classifications. The current regulations define public streets but are unclear about privately owned streets and private driveways within multifamily developments. This lack of clarity creates a regulatory gap for private driveways, which don't fall under existing categories, making them difficult to regulate.

Mayor Andy Moore asked the Planner for a specific example of a private driveway. Allen answered currently, we don't have such a system. Recent proposals include private driveways, but the text doesn't specify how these would work or how lot access would be managed. Mayor Moore asked if we don't have one, why not just say you there cannot be a private driveway.

Councilman David Barbour stated that the Town did have one in the East River development that had to be labeled Private Driveway so that the Town would not be responsible for the maintenance of it.

Planner I Chloe Allen explained that while private driveways and private streets are defined in the town code, there were no specific regulations for private driveways in multi-family developments. This allowed developers to include private driveways but left the town without clear authority to regulate them. The proposed amendment aims to address this gap in the regulations.

Councilman Barbour is seeking clarification about privately owned streets in the ETJ - Extraterritorial Jurisdiction of Smithfield. He's questioning the town's responsibility for these roads, suggesting that if they're in the ETJ, the town shouldn't be responsible for them. He's asking if these roads are typically managed by the Department of Transportation instead.

Planner I Chloe Allen clarified that public streets, including those in the ETJ, encompass DOT roads. Privately owned streets, however, do not include DOT roads. The purpose of this definition is to ensure that there is a designated party responsible for the maintenance of these private roads, preventing them from being neglected.

Town Manager, Mike Scott stated the biggest problem that comes into play here is if we annex that area and nobody is all of a sudden responsible for that private road. This helps us to be able to say who's in charge of it, if we annex it at some point.



Councilman David Barbour made a motion, seconded by Councilman Roger Wood to approve zoning amendment ZA-23-06, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans with the addition of lumen requirements for intersections. Unanimous

Councilman David Barbour made a motion, seconded by Councilman Roger Wood to approve the Standards and Detail Specifications manual. Unanimous.

(Attached hereto and made an official part of these minutes is the approved **ZA-23-06**, which is on file in the office of the Town Clerk).

2. **Approval of the West Smithfield Multipurpose Trail Engineering Contract CMAQ Grant TIP #BN-0001 A DOT Program:** The Town of Smithfield was awarded a CMAQ Grant from NCDOT, TIP #BN-0001. The scope of work is to design, permit and construct a multi-use path along US 70 Business from Wilson's Mills Road to the Neuse River Bridge.

Town Engineer Bill Dreitzler addressed the Council regarding this request. He stated that the Town of Smithfield received a CMAQ program grant. After executing a contract with NCDOT, the town advertised for the engineering phase. Seven submittals were received. The town independently scored the submittals based on RF LOI criteria. Kinley Horn was the highest-rated firm. A contract was negotiated with Kinley Horn and submitted to DOT a man-day spreadsheet for review and concurrence.

Town Engineer Bill Dreitzler further stated that the town is ready to proceed with the engineering phase of the West Smithfield Multi-Purpose Trail project. The recommendation is to authorize the town manager to sign the contract with Kimley Horn. Key points of the contract include a lump sum portion: \$214,978.83 and right-of-way acquisition fees, for the initial acquisition of \$500 per parcel, max \$9,000. Full acquisition: \$3,000 per parcel, max \$54,000. The total contract value could reach \$277,978.83 if all maximum fees are incurred. However, the actual cost may be lower depending on the number of parcels affected. The project falls under the CMAQ program, which operates on an 80/20 cost-sharing basis. The town is responsible for 20% of the project costs. If the maximum acquisition fees are reached, the town's financial responsibility for this phase would be \$55,595.77. He asked if there were any questions from the Board.

Councilman David Barbour pointed out that he noticed that the design was on the other side of the road where the Dollar General was located.

Town Engineer Bill Dreitzler stated that it was discussed during a kickoff meeting with Kimley Horn. He stated they were all examining it closely as a team to make sure they were all on the same page with where they wanted the multiuse path to be. Councilman Barbour asked if he was correct in noting that the location had not been decided yet, Dreitzler stated that was correct.

Councilman Barbour addressed concerns with people crossing over US Hwy 70 Business, noting it was a safety hazard.

Councilman Travis Scott asked the Town Manager how the project would impact the budget now and in the future.

Town Manager Mike Scott stated that the majority of the funding comes from the grant. The town agreed to provide a 20% match, which has been allocated in the Capital Improvement Fund. The amount discussed for engineering is within the budgeted amount. As long as we stay within budget, the project should proceed without issues.

Councilman David Barbour made a motion, seconded by Mayor Pro-Tem Roger Wood to approve the contract. Unanimous.

### 3. Employee Classification and Pay Study Discussion

Councilman Travis Scott addressed the Mayor, expressing his desire to discuss the employee pay study further. He noted that the Council had been reviewing this matter for some time, including data provided on the 17th and additional meetings with the town manager. Councilman Scott emphasized the importance of taking care of the town's employees, whom he referred to as their "number one asset."

Councilman Travis Scott made a motion, seconded by Councilman Steve Rabil to approve the manager's request, which included an additional 3% increase that was reportedly within the budget.

Councilman Travis Scott indicated he was open to further discussion on the matter but wanted to get the motion on the floor first.

Councilman David Barbour wanted clarification for the motion and requested more information so that he could better understand the item for which he is voting. Councilman Travis Scott stated they could ask the manager to review the pay study options with the Board.

Town Manager Mike Scott reported on potential salary adjustments. He had distributed a document outlining a 2% salary increase already implemented for nine months of the fiscal year. The document also proposed an additional 3% increase in December, followed by implementation of the salary study in January. Scott noted that if the 3% increase were applied first, much of it would be absorbed by the subsequent salary study adjustments. He estimated that approximately 52 employees would be affected by the 3% increase, either receiving more than the salary study would provide or moving above the minimum salary level.



Town Manager Mike Scott further provided cost estimates for the proposed salary adjustments, stating that implementing the additional 3% increase on top of the salary study would cost \$27,800 for the electric fund, \$16,335 for the water and sewer fund, and \$31,044 for the general fund, if implemented on December 2. Looking ahead to next year, after accounting for the 2% increase, 3% increase, and salary study implementation, and subtracting currently budgeted salary increases, the town would need to find additional funds: \$51,582 for the electric fund, \$64,852 for the water and sewer fund, and \$243,455 for the general fund. The total additional cost would be approximately \$360,000.

There was some discussion among the Board regarding what funds would need to be available this fiscal year and budgeted for during the next budget session. It was noted that the funds are there this year, and that the total cost of the additional 3% in FY 2025 was \$75,200.

Councilman Dunn wanted to clarify with Councilman Travis Scott that the additional 3% was to alleviate pay compression. Councilman Travis Scott reported that employee pay concerns were discussed in a previous session, where it was noted that more tenured employees weren't seeing significant benefits from the initial changes. He proposed an additional 3% increase, which would bring the total to 5% when combined with the previously implemented 2%. Scott emphasized the importance of taking action on this matter during the current meeting to ensure the changes could be implemented by January. He also mentioned having discussed this issue with the manager in preparation for addressing it at this meeting. Councilman Travis Scott noted that upcoming sessions are busy and reminded the council that employees are expecting the pay increase. He mentioned that some documents were delayed due to issues with the contractor providing initial data, emphasizing the urgency of taking action. Scott clarified his motion, stating that the proposed 3% increase would be implemented in December, as recommended by the manager, to ensure it's in place before January. The cost increase would begin immediately rather than compound later. This adjustment aims to make compensation competitive for retention and recruitment. Of 51 employees listed, 41 saw no change from previous adjustments. The additional 3% is intended to address this gap.

Mayor Andy Moore asked if the 3% was going to employees not receiving anything as recommended by the pay study. Town Manager Mike Scott clarified that the proposed 3% increase would apply to employees who received no raise from the pay study after the initial 2% increase, as well as those whose raise to meet the minimum was less than 3%. He provided an example: if a 3% raise equals \$2,000 annually, but only \$800 is needed to reach the minimum salary, the employee would receive \$1,200 increase. This approach ensures eligible employees receive more than just the minimum adjustment.

Mayor Andy Moore asked if the pay classification study included the 3%. Town Manager Mike Scott answered no. Mayor Andy Moore expressed concerns that doing things outside the realms of the study may negate the study itself, which was comprised of data that showed whether employees' pay for their respective jobs were at market. He expressed that it may not seem fair to the other employees who were below market, stating they may feel that they should be brought to the minimum per the pay study, plus given the additional three percent others have received outside what the study dictated.

Councilman Travis Scott is addressing the issue of pay compression in the town's workforce. He explained that with the proposed salary adjustments, there's a concern that newer employees might end up earning the same hourly rate as more experienced, tenured employees who are doing the same job. Scott believes that implementing an additional 3% salary increase before the new pay study takes effect would help alleviate this problem. The extra increase would give tenured employees a slight edge in compensation, acknowledging their greater experience and time with the town. This approach aims to maintain fairness in the pay structure and prevent situations where long-time employees feel undervalued compared to newer hires. Scott is advocating for this measure to address potential morale issues and retain experienced staff by ensuring their pay reflects their tenure and expertise.

Councilman Barbour emphasized that the main challenge was addressing underpaid positions at the lower end of the pay scale. He noted that many employees would receive raises above 3% or 5% to meet the study's requirements. Barbour stressed the importance of focusing on job roles rather than individuals when implementing the pay study results, reminding the council that this approach was agreed upon in previous sessions, with the intent to not violate the purpose of the study.

Councilman Scott addressed Council's concerns about the pay study. He noted that the company responsible for the study was dismissed. Scott reminded the Council that a 5% pay increase was budgeted for employees, planned for this year. However, employees only received a 2% increase recently. The proposal aims to implement the full 5% increase along with the pay study recommendations. Scott clarified that this doesn't mean additional funds beyond the original plan. Instead, he's advocating for the allocation of funds to the 51 employees who haven't received any increase beyond the initial 2%.

There was further discussion among the Board regarding the Pay Study being for positions not specific to people.

Mayor Pro Tem Roger Wood stated the more we get into the weeds the less effective the study will be.

Councilman Scott asked if no action would be taken on the pay study, when would it be, reminding the Board that it was not on the agenda for tonight's meeting.

Mayor Andy Moore reminded the Board that there was already a motion and second on the floor to move forward with the pay study, and to include the additional 3% for the 50 something employee positions for which the pay study did not recommend an increase. The motion was approved with a 4 to 2 vote. Councilmen Travis Scott, Marlon Lee, John Dunn and Stephen Rabil approved the motion, while Mayor Pro-Tem Roger Wood and Councilman David Barbour were against the motion to approve.



Councilman Travis Scott wanted it to be made clear that the 3% increase did not include employees at the Police Department who just received an increase this fiscal year. Town Manager Mike Scott stated that an email was sent to Council stating that fact, with the exception of the accreditation manager and the administrative assistants, who still needed to be brought up to the minimum.

### **Council Member Comments:**

Councilman Travis Scott asked about the soccer complex on highway 210 as pertains to the easement. Town Manager Mike Scott stated that the Town does have access to the property. A developer is trying to develop a parcel on the other side of the street, and they are looking into future options that would work for everyone.

Councilman Travis Scott also stated he wanted to publicly thank all the veterans who served in the past and those who serve presently in our community and nationwide in observance of Veteran's Day. He also asked the Town Manager for updates on repairs of the Veteran's House that the Town owns.

Town Manager Mike Scott says he knows Parks and Recreation Director Gary Johnson has been working with the DAV on those repairs. He stated the cost of repairs turned out to be quite a bit more than what the DAV initially quoted. He stated before the Town invests the money, one of the points of concern to the Council was whether the property was worth it. He said that the issue will be brought back to Council, but they are not at quite at the point to do so yet, but it is slowly moving forward. Councilman Travis Scott asked if there was a grant for the project. Town Manager Mike Scott stated that he did not recall any grant funds for that project.

Councilman Travis Scott also discussed an event that happened on October 18, 2024 with the Town's law enforcement department who were involved in an altercation with a suspect at a business in Town. Councilman Travis Scott expressed concerns about an unaddressed issue involving a citizen, described as a working black man. Scott mentioned a video of the individual's mother and noted he had conducted personal research. He requested that Council and staff seek answers to the concerns raised. Councilman Scott reported that the individual was initially stopped and told to leave his car. He had previously received two tickets from the police. Scott expressed concern about a subsequent impairment charge and lack of transparency. He also raised issues with an officer's conduct, noting video evidence of the individual being struck in the face during an altercation. He further stated the officer brandished a weapon, which seemed inappropriate. There's a need for more transparency regarding what happened, as the town appears non-transparent. As an elected official serving constituents, I feel I'm not fulfilling my duty without clear information. This impacts our ability to maintain integrity and handle responsibilities like budgeting and staffing. He stated he had been contacted by media about this, which I don't fear and I value the media. Media contacts have expressed difficulty obtaining information from the town, despite having a public information officer in the police department and town hall. It's crucial that we tell the truth, regardless of the situation. The incident with this individual raises concerns, particularly about how it was handled. The person was stopped near his workplace late at night and told to leave his car. We should consider whether we could have helped him get to work instead. This situation escalated into an altercation, which could have been avoided. We need more transparency and better tools for de-escalating crises. It's concerning that a grown man felt fearful about continuing his commute on foot, as proposed by the officers. This fear led to the altercation. We should consider the personal impact of such incidents and how they affect our community members.

Councilman Travis Scott also mentioned that he attended a well-organized holiday festival downtown the past weekend. It featured a bazaar with goods, services, food, and crafts. The event was well-attended, and he thanked the downtown staff for their efforts in organizing the event.

Councilman Marlon Lee wished M. Durwood Stephenson a happy 80<sup>th</sup> birthday. He recognized Stephenson for the personal and professional support of the community and for initiatives he has taken part in for East Smithfield.

Councilman Marlon Lee also acknowledged School Board Member Mike Wooten, a class of 1981 Triple S High school graduate, and former football player for the Washington Redskins for his retirement. Councilman Lee said he attended Wooten's very last school board meeting today. He stated that Mr. Mike Wooten served on the Johnston County School Board for 16 years.

Councilman Marlon Lee also addressed concerns with transparency regarding the Town Police officer incident on October 18<sup>th</sup>. Councilman Lee reported that he spoke with Mr. Ellis's mother about his situation. He expressed concern that a 30-year-old man feels afraid to come to Smithfield in 2024, noting the historical context of racial issues in Johnston County from the 1960s-1980s. Councilman Marlon Lee emphasized that the source of this fear is related to local law enforcement, who are meant to protect and serve the community. Councilman Lee referenced the Town Council's July 9, 2020 commitment, following the George Floyd incident, that the Smithfield Police Department would work to resist racism, increase minority hiring, and maintain best practices.

Councilman Marlon Lee also stated that the Town Council unanimously adopted a motion committing to a safe environment for all. Councilman Marlon Lee, stated that as the sole African American member of the Board, he welcomed the resolution but emphasized the need for action beyond words. He stressed the importance of genuine change, vowing to be a constant reminder of the commitments made. Lee referenced a recent incident involving a young Wilson resident coming to work in Smithfield who made a mistake, highlighting ongoing concerns four years after the initial resolution. A former police officer involved in a Selma incident was nearly rehired in Smithfield, despite warnings. Councilman Lee alerted officials on January 3rd about this officer, who was rejected by Clayton but caused issues in Selma. Councilman Marlon Lee also noted concerns about delayed implementation of body cameras, which were funded on August 15th, questioning the commitment to transparency further reiterating that urgent action is needed in Smithfield to prevent harm. Lee stated that empty resolutions aren't enough. If officials can't address these issues, they should resign. Councilman Lee demands action from the police chief, former police chief, and town manager. He stated that quality hires are needed, not just quantity, with a focus on increasing minority representation. Building relationships within the community is crucial. Community policing requires more than superficial efforts. Recent police recruitment lacked diversity.



Councilman Lee emphasizes the urgency for change, even suggesting firing leadership if possible. Lee expressed personal investment in the issue, noting their perspective as a parent and family member, and highlight the difference in concerns between themselves and others present. Councilman Marlon Lee stated once more that we need action.

Mayor Pro Tem Roger Wood welcomed the new Town Clerk, Elaine Andrews to her position, and also congratulated new HR Director Shannan Parrish on her new position with the Town. He thanked them stating he appreciated all they do.

Councilman David Barbour also congratulated Mike Wooten on his retirement citing that he was also a great official who officiated at the Rose Bowl at the top of his game. He noted that the holiday bazaar was put on by the Twisted Willow and he commended them on a job well done for the planning of the event. He also commented on the importance of elections and encouraged more citizens to get involved in the process and to think about running for local, state and federal citing we need people from all backgrounds and walks of life to represent. He stated it can be rewarding. He thanked the people who ran in the past elections, stating he appreciates them regardless of party. He also appreciated the prayers for our elected leaders.

Mayor Andy Moore asked Town Manager Mike Scott what was the status of the body cameras.

Town Manager Mike Scott asked Police Chief, Pete Hedrick to address the Board with where exactly he was in the process, as funding was now available.

Police Chief Hedrick stated body camera implementation was delayed from Tuesday to Friday due to holiday scheduling. A company kickoff is set for Thursday, involving managers and staff. The system is expected to be operational within two weeks. The project faced delays waiting for federal grant funds to be released. Once funding was available, the department moved quickly, evaluating three companies and testing various cameras and systems before making a final selection.

Councilman Travis Scott asked if there was any update on the recent Police Department issue that was being discussed. Chief Hedrick replied, yes that all the information and footage it has been handed over to the district attorney. He further stated that in his personal opinion, body cameras would not have helped in this situation. There are cameras on all the police vehicles, so the whole incident was caught on police vehicle camera. Councilman Stephen Rabil asked if that included the audio. Chief Hedrick said these particular police footage did not have the audio with it because the microphone did not run, but it normally does.

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

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

- The annual Christmas tree lighting was moved to the day after Thanksgiving, Black Friday
- Lead and copper testing notices that went out to the public

#### **Closed Session: Pursuant to NCGS 143-318.11 (a)(3)**

Councilman John Dunn made a motion, seconded by Mayor Pro-Tem Roger Wood to go into closed session. Unanimously approved at approximately 8:27pm.

#### **Reconvene in Open Session:**

Mayor Pro-Tem Roger Wood made a motion, seconded by Councilman David Barbour to reconvene the meeting in open session. Unanimously approved at approximately 9:05 pm.

#### **Adjourn**

Mayor Pro-Tem Roger Wood made a motion, seconded by Councilman David Barbour, to adjourn the meeting. Unanimously approved, and the meeting was adjourned at approximately 9:16 pm.

ATTEST:

  
Elaine Andrews, Town Clerk



  
M. Andy Moore, Mayor



