

The Smithfield Town Council met in regular session on Tuesday, January 7, 2025 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

Roger Wood, Mayor Pro-Tem
Sloan Stevens, District 2
Travis Scott, District 3
John Dunn, At-Large

Councilmen Absent

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

Administrative Staff Present

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

Also Present

Robert Spence, Jr., Town Attorney

Administrative Staff Absent

Andrew Harris, Finance Director

CALL TO ORDER

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

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, seconded by John Dunn, to approve the agenda, amended as follows:

- *Add to the consent agenda the closed session pursuant to NCGS 143-318 11 (a)(5)*
- *Add to the consent agenda the consideration to promote a sanitation worker to sanitation equipment operator. Unanimously approved.*

PRESENTATIONS: None

CITIZENS COMMENTS:

Bret Renfrow of Smithfield addressed the Board regarding the recent Johnston County property tax evaluations. He stated the issue was recently debated by residents at the Johnston County Commissioner's meetings. Mr. Renfrow stated that he is a resident who pays both town and county taxes. He asked that the Board consider remaining as revenue neutral as possible with the Town's tax rate as they adopt the upcoming fiscal year budget, so as not to financially impede the citizens' ability to live daily independent lives.

Mayor Pro Tem Roger Wood made a motion, seconded by Councilman Travis Scott to approve the consent agenda as amended. Unanimously approved.

CONSENT AGENDA ITEMS:

- 1. Special Event: Discover Construction Day** - Johnston County Building Industry Association would like to close the 300 block of Bridge Street for Discover Construction Day on April 2, 2025.
- 2. Special Event: LifeSpring Church Easter at the River** - The Council is being asked to allow LifeSpring Church to hold Easter at the River on April 19, 2025.
- 3. Consideration and request for approval to adopt Resolution No.763 (01-2025) setting the date for the public hearing on January 21, 2025 to consider the contiguous Annexation petition ANX-24-02** – An annexation petition was submitted by Smithfield Growth, LLC to annex 85.85 acres into the Town of Smithfield.

TOWN OF SMITHFIELD
RESOLUTION No. 763 (01-2025)
FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION
PURSUANT TO G.S. 160A-31

WHEREAS, a petition requesting annexation of the area described herein has been received; and
WHEREAS, the Town Council has by Resolution No. 763 (01-2025) directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

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

Section 1: A public hearing on the question of annexation of the area described herein will be held in the Council Chambers of the Town Hall located at 350 East Market Street, Smithfield North Carolina at 7:00 pm on January 21, 2025.

Section 2: The area proposed for annexation is described as follows:

Beginning at an existing right of way monument, said monument being located in the southern right of way of M. Durwood Stephens Parkway (Public right of way width varies); Thence along said M. Durwood Stephens Parkway southern right of way the following courses and distances: 1) S 89°34'03" E 377.15 feet to an existing right of way monument, said monument having NAD 83 (2011) Coordinates of N: 648,650.44 and E: 2,204,096.63; 2) with a curve to the right, having a radius of 1,850.00 feet, an arc length of 1,517.35 feet and a chord bearing and distance of, S 65°30'42" E 1,475.17 feet to an existing right of way monument, said monument having NAD 83 (2011) Coordinates of N: 648,038.97 and E: 2,205,439.11; 3) with a curve to the right, having a radius of 1,850.00 feet, an arc length of 1,408.41 feet and a chord bearing and distance of, S 20°19'49" E 1,374.64 feet to an existing right of way monument; 4) S 03°02'35" W 338.37 feet to an existing 1" iron pipe, said iron pipe being located in said M. Durwood Stephens Parkway and being the northeast corner of Wal-Mart Real Estate Business Trust, Id No: 14057012D (Deed Book 1751, Page 775); Thence leaving said M. Durwood Stephens Parkway and along the northern line of said Wal-Mart Real Estate Business Trust, N 89°09'23" W 1,023.53 feet to an existing ½" iron pipe, said iron pipe being the northwest corner of said Wal-Mart Real Estate Business Trust and being a point in the eastern line of Tanisha C. Medina, Id No: 14074002D (Deed Book 6015, Page 691); Thence leaving said Wal-Mart Real Estate Business Trust and along the eastern of said Tanisha Medina, N 00°41'34" E 63.92 feet to an existing ½" iron in concrete, said iron being the northeast corner of said Tanisha Medina; Thence leaving and along said Tanisha Medina and along the northern line of Vu Nguyen, Id No: 14074002E (Deed Book 3072, Page 971) and Booker Dairy Homeowners Association, Id No: 14074002M (Deed Book 3274, Page 19), N 89°40'00" W 764.38 feet to an existing axle, said axle being in the northern line of said Booker Dairy Homeowners Association and being the southeast corner of Jose Benitez and Jenny Benitez, Id No: 14057016 (Deed Book 5304, Page 733); Thence leaving said Booker Dairy Homeowners Association and along the eastern line of said Benitez, N 01°29'10" E 239.09 feet to an existing 1" iron pipe, said iron pipe being the northeast corner of said Benitez and being the southeast corner of Thomas E. Sullivan and Shirley P. Sullivan, Tanya S. Mustgrave and Shannon S. Haywood, Id No: 14057016A (Deed Book 5424, Page 469); Thence leaving said Benitez and along said Sullivan, Mustgrave and Haywood (Id No: 14057016A) eastern line, N 00°53'22" E 236.70 feet to an existing 1" iron pipe, said iron pipe being the northeast corner of said Sullivan, Mustgrave and Haywood (Id No: 14057016A); Thence along said Sullivan, Mustgrave and Haywood northern line and along Thomas E. Sullivan Shirley P. Sullivan, Tanya S. Mustgrave and Shannon S. Haywood, Id No: 14057015 (Deed Book 5424, Page 472), N 89°40'12" W 468.72 feet to an existing 1" iron pipe, said iron pipe being the northwest corner of said Sullivan, Mustgrave and Haywood (Id No: 14057015) and being located in the eastern right of way of Booker Dairy Road (Public right of way width varies); Thence leaving said Sullivan, Mustgrave and Haywood (Id No: 14057015) and along said Booker Dairy Road eastern right of way the following courses and distances: 1) N 00°01'45" W 731.46 feet to an existing right of way monument; 2) S 89°58'21" E 19.66 feet to an existing right of way monument; 3) N 00°10'53" W 216.42 feet to an existing 1" iron pipe, said iron pipe being located in said Booker Dairy Road eastern right of way and being the southwest corner of Elizabeth Cortes Jaurez and Juan Manuel Perez, Id No: 14057013 (Deed Book 6409, Page 895); Thence leaving said Booker Dairy Road and along the southern line of said Juarez and Perez, S 89°44'14" E 127.14 feet to an existing 1" iron rod, said iron rod being the southeast corner of said Juarez and Perez and being the southwest corner of Margie B. Olsen, Id No: 14057012 (Deed Book 4866, Page 272 and Deed Book 929, Page 45); Thence leaving said Juarez and Perez and along the southern, eastern and northern lines of said Olsen the following courses and distances: 1) S 89°43'49" E 347.00 feet to an existing 36" Pine tree; 2) N 01°01'26" E 558.60 feet to an existing 1" iron pipe; 3) N 89°21'39" W 229.03 feet to an existing 1" iron pipe; 4) S 50°50'06" W 329.90 feet to an existing 1" iron pipe, said iron pipe being located in said Booker Dairy Road eastern right of way; Thence leaving said Olsen and along said Booker Dairy Road eastern right of way, N 00°06'50" W 332.71 feet to an existing right of way monument; Thence leaving said Booker Dairy Road, N 45°35'05" E 69.07 feet to the Point of Beginning, Containing 85.85± Acres.

Section 3: Notice of the public hearing shall be published once in the Johnstonian News, a newspaper having general circulation in the Town of Smithfield, at least ten (10) days prior to the date of the public hearing.

Adopted this the 7th day of January, 2025

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk

4. Board Appointment DSDC – Resolution No. 764 (02-2025) Supporting Appointment - The DSDC is requesting the Town Council to appoint Clyenzer Taylor to its Board of Directors.

**TOWN OF SMITHFIELD
RESOLUTION NO. 764 (02-2025)
Supporting an Appointment to the Downtown Smithfield
Development Corporation's Board of Directors**

WHEREAS, The Smithfield Town Council has received a request from the Downtown Smithfield Development Corporation's Board of Directors to appoint a member to its Board; and

WHEREAS, pursuant to Article VII of the Downtown Smithfield Development Corporation's By-Laws, the Town Council must approve any appointments/ reappointments to the Board of Directors by Resolution; and

WHEREAS, the Downtown Smithfield Development Corporation Board of Directors have recommended the new appointment of Clyenzer Taylor; and

WHEREAS, the Town Council is asked to consider this appointment and make a determination.

NOW THEREFORE, BE IT RESOLVED, the Town Council does hereby approve the appointment of Clyenzer Taylor to the Downtown Smithfield Development Corporation's Board of Directors.

Adopted this the 7th day of January, 2025

M. Andy Moore, Mayor _____

Attest:

Elaine Andrews, Town Clerk

5. Consideration to promote an Electric Crew Leader to the Electric Superintendent position

6. 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> |
|-------------------------------|-------------------|----------------------|
| Planner I | Planning | 10-10-4900-5100-0200 |
| Police Officers (3 positions) | Police | 10-20-5100-5100-0200 |
| Firefighter I | Fire | 10-20-5300-5100-0200 |
| Asst. Aquatics Supervisor | P&R – Aquatics | 10-60-6220-5100-0200 |
| Water Plant Operator | PU – Water Plant | 30-71-7200-5100-0200 |
| Utility Line Mechanic | PU – Water/Sewer | 30-71-7220-5100-0200 |
| Electric Superintendent | PU – Electric | 31-72-7230-5100-0200 |

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> |
|----------------------|-------------------|----------------------|--------------------------------|
| Police Officer (MPO) | Police | 10-20-5100-5100-0200 | \$ 29.59/hr. (\$66,163.24/yr.) |
| Police Officer (2) | Police | 10-20-5100-5100-0200 | \$ 26.84/hr. (\$60,014.24/yr.) |
| Part-Time Pool Staff | SRAC | 10-60-6220-5100-0200 | \$ 10.00/hr. |

- 7. Approval of Minutes:**
- a. 11-19-24 – Regular Session**
 - b. 12-3-24 – Regular Session**

PUBLIC HEARINGS: None

BUSINESS ITEMS:

- 1. Consideration to Adopt a Resolution for Acceptance of Galilee Branch Drive for Town Maintenance - Resolution No. 765 (03-2025)** - Galilee Branch Drive is approximately 1,010 lineal feet long and is part of the Elk Creek Phase 2 development.

Planning Director Stephen Wensman addressed the Board requesting approval for a resolution to accept public maintenance of a street in phase 2 of the Elk Creek development. He stated this street has undergone multiple inspections by both the Planning department and Public Works as they addressed various issues during construction. Wensman confirmed that all issues have been resolved and the construction for Phase 2 is essentially complete. Phase 1 of the development is still under construction and will likely be presented for approval later in the year. Wensman offered to answer any questions from the council.

Councilman Travis Scott asked if this street met adequate standards so as not to later be a burden on the Town's citizens.

Wensman stated yes and added that phase one had the same standards to ensure that both phases of the development adhere to the same street standards required by the town.

Mayor Andy Moore asked if there were any further questions from the Board. There were none.

Mayor Pro Tem Roger Wood made a motion, seconded by Councilman John Dunn to adopt resolution 765 (03-2025) to accept Galilee Branch Drive for Town maintenance. Unanimously approved.

Town of Smithfield Resolution No. 765 (03-2025)

A Resolution to Accept Galilee Branch Drive for Town Street Maintenance

WHEREAS, the Town of Smithfield recognizes the importance of maintaining safe and accessible streets for the benefit of its residents; and

WHEREAS, Galilee Branch Drive, located within the jurisdictional limits of the Town of Smithfield, has been constructed to meet the required standards for public roadways as set forth by the Town; and

WHEREAS, the Town has conducted an evaluation of Galilee Branch Drive and determined that it is in the public interest to assume maintenance responsibilities for the roadway; and

WHEREAS, the acceptance of Galilee Branch Drive into the Town's street maintenance inventory will add approximately 1,010 linear feet of roadway, increasing the Town's responsibilities and costs for regular upkeep and repairs while also generating additional revenue through the state's Powell Bill Fund; and

WHEREAS, the Town Council has determined that the benefits of maintaining Galilee Branch Drive as a public street outweigh the associated costs;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Smithfield as follows:

- 1. **Acceptance of Galilee Branch Drive:** The Town of Smithfield hereby accepts Galilee Branch Drive, totaling approximately 1,010 linear feet, into its network of streets to be maintained by the Town.
- 2. **Maintenance Obligation:** The Town of Smithfield assumes responsibility for the ongoing maintenance, repair, and general upkeep of Galilee Branch Drive in accordance with its policies and standards for public streets.
- 3. **Effective Date:** This resolution shall take effect immediately upon its adoption.

Adopted this 7th day of January, 2025, by the Town Council of the Town of Smithfield.

M. Andy Moore, Mayor

ATTEST:

Elaine S. Andrews, Town Clerk

2. **Consideration to Contract a Company for Storm Drainage Replacement** – Public Works is requesting to cut, remove and replace a 15-inch storm drainpipe at the corner of Caswell and North 4th Street with a 36-inch storm drainpipe approximately 510 ft. in length to tie into the drainpipe on Bridge Street to improve future flooding.

Public Works Director Lawrence Davis addressed the Board stating the town's Public Works department is proposing a storm drainage replacement project at the corner of Caswell and North Fourth Street. Davis stated they plan to replace an existing 15-inch storm drainpipe with a larger 36-inch pipe, extending approximately 510 feet to connect with the drainpipe on Bridge Street. This upgrade is necessary to address flooding issues in the area, which has affected a church and nearby houses. The project aims to prevent future flooding problems. The town has consulted with three different companies, each offering varying prices and strategies for pipe replacement. Davis stated the end goal was to replace the existing pipe with the 36-inch pipe to prevent flooding in the area.

Mayor Andy Moore noted that there was quite a large difference in the bid prices presented.

Davis stated this may be due to the way each contractor estimated their costs for the job, but that the project request is the same—to cut, remove and replace the pipe. Davis cited the company whose estimate was cheaper had previously done good work for the Town. He stated that company replaced pipe on East and West streets in Town with no further issues since replacement.

Councilman Travis Scott asked if this would be a long-term fix, or a small fix only addressing one issue. Davis stated this would be a long-term solution, noting that he had been to the site with Town Engineer, Bill Drezlier to make sure that the fix was viable.

Mayor Andy Moore asked if the Engineer has reviewed the estimates. Davis stated he had not but did let him know that the larger pipe was recommended and necessary.

Mayor Pro Tem Roger Wood asked about the time frame for starting the project. Davis stated he would like to get the approval of the Board first and agreed that he could start the project within thirty days of approval.

Mayor Pro Tem Wood noted the varying date ranges on the estimates submitted. He asked whether the bid for the date of May 29th was still valid as a final cost estimate. Davis stated that he has talked to the

contractor and the price still stands. He further stated that he was directed to get three bids, which did take some time.

Councilman Sloan Stevens asked if the funds came out of the contingency fund. Town Manager Mike Scott stated no. The Town had received a grant from the state that it was able to go back and petition the state to realign enough funds to do this project.

Mayor Andy Moore asked if there were any more questions from the Board. There were none.

Councilman Travis Scott made a motion, seconded by Mayor Pro Tem Roger Wood to approve the request. Unanimously approved.

3. Consideration for Award of Contract for Constructing Sewer Improvements – In 2021, the Town received a grant from the US Department of Commerce to assist in making improvements to the main sanitary sewer outfall in West Smithfield. The Town has obtained all permits and has approved plans. The Town advertised a qualified contractor to perform construction services. Proposals were received, and the low bidder has been submitted for Council approval.

Public Works Director Ted Credle addressed the Board to request approval of submitted low bidder to provide construction services to build West Smithfield sewer improvements. He recapped the project, stating that the town applied for a grant to improve the sanitary sewer system in West Smithfield to accommodate growth in that area. Credle further stated that the Town was notified in May of 2022 that it did receive a grant of \$2.7 million, however, the grant was not 100% funded. The town had to come up with a percentage match. He stated the town ultimately reserved the required matching funds in its capital improvement projects, which set the final project budget of 3,795,800. Credle stated that staff is asking that the council approved the low bidder and also authorize the town manager to execute a construction contract for the price not to exceed the bid of \$3,669,462 and to commit to the EDA in letter format that the town will cover whatever difference in the budget there is through capital funds in the coming year. He asked if there were any questions from the Board.

Councilman John Dunn asked for clarification of the match of funds by the Town, and whether the Town would be on the hook for roughly a million dollars. Credle stated the match was 75/25, which was a million and a half dollars.

Councilman Travis Scott asked how the contingency would look in the account, since the Town was now halfway through, how would it look after this project was complete. Credle stated that they were holding back for an 800 linear foot section of aerial crossing behind the heavier warehouses, for which the soil conditions were unknown in the swamp. Other contingencies were for if there were any delays due to improving the pump station, or if there are issues with the generator or the pumps. He stated with the contingency; it is never intended to use it as it is meant as a safety blanket.

Councilman Stevens asked if the lines were being replaced and if the property owners have been adequately notified. Credle stated the lines were going to be fully replaced. He added that staff would go around and knock on doors to ensure that citizens were aware of work being done. Town Attorney Bob Spence noted that the town had an easement and that property owners were notified via letter to kindly remove items in the easement, such as barns or a tractor. Spence stated that the letter was receptive by all by one person who wanted a better explanation, which was given. He stated as the date for the project gets nearer as determined by coordinating with the contractor, that they will notify citizens again. Spence let the Board know that they may expect calls in the beginning stages of the project as property owners may note that manhole covers are not flush, or grass was disturbed. Public Utilities Director Ted Credle added that these issues will be addressed, and fence or grass that is removed it will be replaced by the Town as best they can.

Mayor Moore asked if there were any other questions from the Council. There were none. Mayor Moore asked that the Public Utilities Director keep in communication with the Board often regarding the project as it progresses.

Councilman John Dunn made a motion, seconded by Mayor Pro Tem Roger Wood to authorize the Town Manager to execute the contract for sewer improvements. Unanimously approved.

COUNCILMEMBERS' COMMENTS:

There were no Councilmember comments.

TOWN MANAGER'S REPORT:

Town Manager Mike Scott asked Police Chief Pete Hedrick to give a summary of the status of body cameras for the Town's Police force.

Police Chief Pete Hedrick reported that their body camera system is now fully operational, with every officer, including reserve officers, equipped with a camera. While they're still adjusting to the mounting arrangements, the cameras are being actively used. An additional benefit of the system is its ability to track officers' locations 24/7, a capability they've never had before. The implementation has come in under the grant budget. The new body cameras also function as phones, providing officers with a

secondary means of communication should their radio systems fail. Chief Hedrick expressed satisfaction with the system's implementation. He asked the Board if there were any questions.

Mayor Moore noted this was good and asked if the officers embraced the new technology. Hedrick stated it is new technology that staff was getting used to its functionality--remembering to activate it and remembering to turn it off. He stated that the officers did embrace it as a means of protecting them and helping improve their cases.

Councilman Steve Rabil asked if equipment went home with the officers. Hedrick stated the officers did take the phones home with them.

Mayor Andy Moore made mention of the DSDC meeting on Thursday for public input for improvements in the Downtown area. He asked Downtown Development Director Heidi Gilmond to address the council regarding the upcoming meeting. Gilmond stated they were looking at a five-year plan for development in our downtown area. She stated they were inviting anyone who would like to come and give constructive feedback on what they would like to see happening in downtown. Staff would compile that input to put together a strategic transformation plan.

Closed Session: Pursuant to NCGS 143-318.11 (a)(5)

Councilman John Dunn made a motion, seconded by Mayor Pro Tem Roger Wood to go into closed session at 7:31 pm. Unanimously approved.

Reconvene in open session

The Council reconvened in open session at approximately 8:01 pm.

Adjourn

Councilman Travis Scott made a motion, seconded by Councilman John Dunn to adjourn the meeting at 8:10 pm. Unanimously approved.

ATTEST:


Elaine Andrews, Town Clerk




M. Andy Moore, Mayor