

Due to the absence of the Town Clerk for this session, these minutes were transcribed from recording and video.

The Smithfield Town Council met in regular session on Tuesday, April 1, 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  
Marlon Lee, District 1  
Sloan Stevens, District 2  
Travis Scott, District 3  
Dr. David Barbour, District 4  
John Dunn, At-Large  
Stephen Rabil, At-Large

Councilmen Absent

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  
Stephen Wensman, Planning Director

Also Present

Robert Spence, Jr., Town Attorney

Administrative Staff Absent

Elaine Andrews, Town Clerk

**CALL TO ORDER**

Mayor Moore called the meeting to order at 7pm.

**INVOCATION**

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

**APPROVAL OF AGENDA:**

Mayor Pro Tem Roger Wood made a motion, seconded by Councilman John Dunn, to approve the agenda as amended below. Unanimously approved.

Amendment:

- Add closed session, pursuant to N.C. GS 143-318 (a)(6)

**PRESENTATIONS:**

**1. Introduction of the Miss Smithfield Pageant Queens**

Mayor Andy Moore introduced Miss Carly Ramsey, a Miss Smithfield Pageant Queen to make her presentation to the Board. Miss Carly Ramsey presented her community service initiative "Pop" (Pet Overpopulation Prevention), highlighting the critical animal welfare challenges in Johnston County. She shared devastating euthanasia statistics, revealing that in 2023, 43% of dogs and 82% of cats taken into county animal services were put down. Drawing from personal experience, Ramsey described her family's hands-on approach to animal rescue, including rescuing puppies, returning lost dogs, and fostering kittens. She actively participates in the Trap-Neuter-Release program and aims to collaborate with Johnston County Animal Services and local nonprofits like Best Friends Animal Society to address these issues. Her comprehensive strategy includes expanding shelter capabilities, creating adoption programs, providing spay and neuter services, and promoting responsible pet ownership. Ultimately, Ramsey's mission is to transform the current grim animal welfare landscape into a more compassionate and proactive community approach to animal care. She asked that the Board share her vision for her initiatives.

Mayor Moore asked if we wanted additional information, where would we find such. Ramsey stated the Best Friends animal society's website had this information. The mayor asked that the Town's public information officer share the information to get the word out on social media. He added that this was a great platform, and that he looked forward to working with Ramsey during her reign.

**2. 2025 Ham & Yam Festival Tee Shirt & Poster Design Award**

Downtown Smithfield Development Coordinator, Heidi Gilmond presented the winners of the Ham & Yam Festival Tee shirt poster and design contest to the Board. Gilmond stated the winning design would appear on the Ham and Yam tee shirt, and on swag for this festival year which would be going on sale very soon. She announced as follows:

- First Place Winner – Addison Backley, who received a prize of \$300 and a Ham and Yam tee shirt
- Second Place Winner – Hattie Casper, who received a prize of \$200 and a Ham and Yam tee shirt

Gilmond noted that there was also a third-place prize winner who could not be in attendance of the meeting, but that person won \$100. The winners took pictures with the mayor, and were given a round of applause.



Councilman Travis Scott asked that the winning participant's pictures be displayed in the Town Hall for their efforts.

**3. Proclamation: Declaring April 18, 2025 as Electric Lineman Day in the Town of Smithfield**

Mayor Andy Moore read a proclamation declaring April 18, 2025 as Electric Lineman Day in the Town of Smithfield. He presented a copy of the proclamation to the Town's electric department staff, and thanked the department for all the work they do. The proclamation was received with applause, and staff captured a photo.

Manager Scott acknowledged the new Electric Superintendent for the department as the new point of contact.

**PROCLAMATION  
RECOGNIZING APRIL 18, 2025  
AS ELECTRICAL LINEMEN APPRECIATION DAY  
IN THE TOWN OF SMITHFIELD, NORTH CAROLINA**

**Whereas**, the Town of Smithfield honors the profession of linemen, as this profession is a selfless service, steeped in personal, family and professional tradition; and

**Whereas**, electrical linemen are often first responders during storms and other catastrophic events, working to repair broken lines to make the scene safe for the citizens of the Town of Smithfield; as well as, other public safety workers; and

**Whereas**, electrical linemen work on the Town of Smithfield power lines 24 hours a day, 365 days a year, to keep the electricity flowing; and

**Whereas**, due to the danger of their work with thousands of volts of electricity high atop power lines, these linemen put their lives at risk every day for the citizens of the Town of Smithfield with little recognition from the community regarding the danger of their work; and

**Whereas**, the U.S. Senate in April of 2013 first recognized the efforts of electrical linemen in keeping the power on and protecting public safety, and has designated by resolution the annual celebration of a National Linemen Appreciation Day.

**Now, Therefore, I, M. Andy Moore**, Mayor of the Town of Smithfield along with the members of the Town Council, do hereby proclaim April 18, 2025 as

**Electrical Linemen Appreciation Day**

and we call upon the citizens of the Town of Smithfield to recognize and appreciate the hard work, innovation and dedication that these public servants make every day to our health, safety, comfort, and quality of life.

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M. Andy Moore, Mayor

**4. Second and Fourth Street Stormwater Study Concepts**

Planning Director Stephen Wensman addressed the Board, introducing Perry Ross to speak regarding the study.

Perry Ross, Engineer presented a detailed study of the Spring Branch Canal, focusing on stormwater management and flood mitigation for Second and Fourth Street culverts. He explained the drainage area covers about 708 acres, primarily upstream of the railroad, flowing through downtown before reaching the Neuse River. The study analyzed different storm events, from two-year to 100-year storms, using detailed hydraulic modeling. For the Second Street culvert, Ross recommended three potential improvement options: adding a secondary 54-inch pipe, replacing the existing pipe with a concrete box culvert, or using an arch-type metal structure. All options showed significant flood reduction, with water level drops ranging from 5.2 to 5.9 feet during two and ten-year storm events. The Fourth Street culvert presented more complex challenges due to its tight urban location between developed properties. Initial modeling showed that simply enlarging the culvert would not significantly improve flooding. Ross explored several bypass options and property acquisition scenarios, ultimately concluding that meaningful flood mitigation would require acquiring adjacent properties and potentially realigning the channel. The study's key recommendation was to proceed with Second Street improvements first, as they offer the most immediate flood mitigation benefits. For Fourth Street, further action depends on the town's ability to acquire properties and create more space for channel modifications. Ross emphasized that the most effective solutions would require strategic property acquisition and channel redesign.



## 2<sup>nd</sup> Street Crossing Alternatives

1. Add Additional 54" CMP Culvert
2. Replace Existing Culvert with 10' x 6' Concrete Box Culvert
3. Replace Existing Culvert with 12' x 6' Structural Plate Arch Culvert



Ross stated next steps would be preparing construction drawings and engineering plans for the second street improvements, then move on to permitting. He stated there was a potential grant for a funding source for the project. He stated the current allocated budget of 1.4 million will hopefully cover the Second Street improvements, but it would not cover any property acquisition. Ross said there were other funding opportunities for the Town to pursue as the project moved forward.

Planning Director Stephen Wensman incorporated a PowerPoint presentation into the record, giving detail and design options to the Council in written form in the April 1, 2025 agenda packet.

Ross asked the Board if there were any questions.

Councilman Travis Scott asked referring to the slide 23 of the three different culverts for Second Street, the Engineer's choice being the metal culvert-- would not the concrete structure be more long term as it fills up with silt or dirt.

Perry Ross explained that structural plate culvert options have the same structural lifespan as concrete culverts, with both rated between 75 and 100 years. He noted the options include bottomless or full metal invert designs to manage sediment. The cost estimates for concrete box culverts and structural metal culverts were very similar. During the engineering design phase, they would consult contractors and vendors, with potential deciding factors including material lead times and the town's maintenance preferences. If the town feels more comfortable maintaining concrete box culverts, that would be an acceptable choice. Ultimately, the budgetary costs for both options are nearly identical, providing flexibility in the final selection.

Councilman David Barbour asked whether the flooding in the Spring Branch Canal is primarily caused by water flowing downstream towards the Neuse River, or if it is being caused by water backing up from the Neuse River flooding into the town. Ross replied the flooding occurs in two stages: first, water flows from the upstream drainage area through Spring Branch, which takes about 12 hours after a storm's peak. The Neuse River flooding, which peaks around 40-45 hours after a storm, is substantial but not shown in this model. The study focuses on moving water from upstream to downstream and into the Neuse River before the river peaks, because once the Neuse River peaks, there's little that can be done to mitigate flooding.

Mayor Moore raised concerns about the necessity of the proposed stormwater improvements, questioning whether the town is currently experiencing significant flooding issues. He noted that recent major rain events have not resulted in flooding, potentially due to previous mitigation efforts. The mayor sought clarification on whether the proposed project would be worthwhile if flooding only occurs when the Neuse River backs up, and if nothing can be done once the river peaks. His primary concern was ensuring that the proposed expenditure would provide meaningful flood mitigation for the town.

Ross stated According to the model, flooding occurs independently of the Neuse River, particularly during higher frequency storm events. The study observed flooding that reaches building foundations and, in some cases, rises close to the finished floor elevation near Fourth Street.

Mayor Moore asked when was that data taken. Ross stated it was from their model, based on anecdotal data they received from Planning Director, Stephen Wensman, and from FEMA. He added that it was historical data. Mayor Moore stated if the town has another storm like Hurricane Matthew, none of the three designs will work. Ross agreed.

Councilman David Barbour inquired about potential methods to restrict water from flowing back upstream from the Neuse River. He observed that the current system allows water to move in both downstream and upstream directions during flood events, and sought clarification on whether engineering solutions could prevent or limit this backflow, particularly during significant flooding scenarios. Perry Ross explained that flap gates are a common solution for preventing backflow. These gates can be manually or automatically operated, typically kept open during a storm event to allow water to flush out. After the storm peaks and before the Neuse River rises, the flap gates would be closed to prevent water from flowing back up the canal, as long as the river remains below Second Street. Councilman Barbour asked if there was any data showing what the impact of flap gates would do, negative or positive. Ross stated the purpose of the proposed models was to focus on making sure there was hydraulic capacity through Spring Branch to get those floods out, but it's easy to add a flap gate to the model to show that it would limit the flood elevation to the top of the road. So, any backwater two, three days after a flood event would be limited to whatever that crust elevation point.

Mayor Moore asked if there were any further questions. Attorney Bob Spence asked if the concrete would have any issues of compaction underneath it. Ross stated they should not because they are structurally load-bearing to put the loads on the sides. He further stated this is where the metal might come into play as far as how much rock is present there. Worst case, you can make the bottom culvert bottomless, and just use the rock as your foundation. He stated they haven't seen issues with either, but that NC D.O.T is actually moving more and more towards the aluminum and structural plate culverts. They are cheaper, lighter and technically more efficient



because their arc shape, so you get more flow down low.

Mayor Moore mentioned that there was no action needed for the item tonight, but he thanked the Engineer for the presentation. Mayor Moore said it was great information and something the Town wanted to continue to look at, and when the budget is discussed, this information can be considered for possibilities.

## PUBLIC HEARINGS: NONE

## CITIZEN'S COMMENTS:

Mayor Moore asked if there was anyone present who wished to speak during Citizen's Comments.

Sonny Howard of Smithfield, spoke before the Board. He stated his comments were directed at the Utilities Director, Ted Credle and for Town Manager Scott. Howard raised two main concerns. First, he complained about low water pressure on two recent occasions when trying to take a shower, noting that the county informed him about planned water work but the timing was inconvenient. He suggested the town should better communicate such service interruptions to citizens. Second, he criticized the town's phone system as inefficient and complicated. He described the current phone menu as overly complex, with multiple options that make it difficult to reach the desired department. Specifically, he highlighted issues with reaching non-emergency police services and expressed frustration with the multiple menu layers. He concluded by emphasizing that Smithfield is "better than this" and that the current phone system does not reflect well on the town. He noted that employees in the building are also unhappy with the system and urged the council to address these communication challenges.

## CONSENT AGENDA:

*Mayor Pro Tem Roger Wood made a motion, seconded by Councilman Roger Wood to approve the following items as listed on the Consent Agenda. Unanimously approved.*

### 1. **Approval of Minutes**

February 4, 2025 – Regular Session  
February 4, 2025 – Closed Session (Under Separate Cover)  
February 18, 2025 – Regular Session  
February 18, 2025 – Closed Session (Under Separate Cover)

2. **Special Event – Rolling Laconia:** Bulldog Harley Davidson is requesting to hold an event at 1043 Outlet Center Drive on April 5, 2025 from 11:00 am until 4:00 pm. This request includes the use of amplified sound and a food truck.  
(Planning Director – Stephen Wensman)

3. **Special Event – Bike Night:** Bulldog Harley Davidson is requesting to hold an event at 1043 Outlet Center Drive on April 10, 2025 from 5:00 pm until 8:00 pm. This request includes the use of amplified sound and a food truck.

4. **Special Event – Harbor Sexual Assault Walk & Awareness Event:** Harbor is requesting to hold a walk around the courthouse and speaking event on April 16, 2025 from 12:30 pm until 1:30 pm. This request includes the use of amplified sound

5. **Special Event – Hop into Bulldog's:** Bulldog Harley Davidson is requesting to hold an event at 1043 Outlet Center Drive on April 19, 2025 from 11:00 am until 4:00 pm. This request includes the use of amplified sound and a food truck.

6. **Special Event – Spring Carnival:** Inners Shows, Inc. is requesting to hold a carnival at 1025 Outlet Center Drive from April 25, 2025 until May 11, 2025 pm. This request includes the use of amplified sound and the sale of food and merchandise

7. **Special Event – Hawgs and Dawgs:** Bulldog Harley Davidson is requesting to hold an event at 1043 Outlet Center Drive on April 26, 2025 from 11:00 am until 4:00 pm. This request includes the use of amplified sound and a food truck.

8. **Consideration and request for approval to promote a Sanitation Worker to the position of Sanitation Equipment Operator**

9. **Consideration and request for approval to promote a Water Plant Operator I to a Water Plant Operator II**

10. **Consideration and request for approval to promote a Water Plant Operator I to a Water Plant Operator II**

11. **Consideration and request for approval adopt an amendment to the Budget Ordinance**

12. **Consideration and request for approval to adopt Resolution No. 770 (09-2025) establishing Capital Reserve Funds for the Highway 210 Soccer Complex and the Purchase of a New Fire Engine**

13. **Consideration and request for approval to adopt Resolution No. 771 (10-2025) appointing Christopher Lopez to the Downtown Smithfield Development Corporation Board of Directors**

14. **New Hire Report**

## BUSINESS ITEMS:



## 1. Consideration of an extension of vested rights to the developer of the Whitley Townes project

Planning Director Stephen Wensman addressed the Board stating the developer of the Whitley Townes project is requesting an extension to the vested rights. He stated Whitley Townes is a townhome development that is proposed for the north side of West Market Street approximately 1,056 feet west of its intersection with Wilson's Mills Road and west of the former Heilig-Meyers store. The Town Council approved a B-3 conditional zoning for the project on October 5, 2021, the preliminary plat on 6/7/22 and staff approved the construction plans on 4/17/23.

Wensman stated that the vested rights expired two years after the approval of the construction plans, and the developer/owner of the Whitley Townes development is requesting an extension to December 31, 2025. The Council can extend them for a period up to 5 years. Since approval, the Town Council approved an ordinance ZA-24-03 that eliminated multi-family as a land use (special use with conditional zoning) in the B-3 zoning district. The intent of the ordinance was to preserve B-3 zoned land for non-residential commercial uses. Wensman further stated that since the approval of the Townhouse development, the owner of the adjacent old Heilig Meiers/K-mart site has submitted plans (currently under review) for the reuse of the existing buildings and the addition of a commercial shopping center in the parking lot in front of the existing buildings. The area is slowly transforming back into an active commercial center. The purpose of the vested right ordinance is to preserve the rights of developers and to recognize the large financial investment that they have made to secure the rights to develop property. The expiration of those rights after 2 years recognizes that a town's priorities, interests and plans can change over time and the expiration allows the town an opportunity to re-evaluate the project based on changes that may have occurred.

Wensman stated that in the case of the Whitley Townes project, the Town Council has made the determination that it did not want to see multi-family development in the B-3 with the adoption of Ordinance ZA-24-03. Additionally, the town has seen tremendous housing growth in West Smithfield, including many townhomes, and the adjacent property is being redeveloped for commercial uses. Retaining the commercial use of the site will strengthen the development of the area into a commercial center. Townhouses may provide a customer base for adjacent commercial. Staff recommend the council consider the changes that have occurred since the approval of the development and decide whether to extend the vested rights as requested by the owner. He asked if there were any questions from the Board.

Councilman Travis Scott inquired about the options available to the developer if the council does not approve the vested rights extension. Planning Director Stephen Wensman explained that without the extension, the developer would either need to start the project before the vested rights expire or the project would be effectively terminated. When Councilman Scott asked about alternative procedures following the B3 zoning change, Wensman confirmed the developer could potentially request rezoning to another district, but this would still require council approval. Councilman Travis Scott also asked about potential financial burdens, such as sewer allocation payments. Ethan Avery, a civil engineer and representative for the developer confirmed that all necessary permits had been obtained, and the sewer application was approved by DEQ. Councilman David Barbour sought clarification about sewer allocation fees, with the implication that these had likely been paid prior to the current zoning changes.

Councilman John Dunn asked for clarity as to the developer's options regarding the zoning at this point. Wensman stated it depends on whether the Council values B3 over residential property zoning. If the Council is interested in residential use on that site, Wensman stated he recommend the Board approve the vested rights, and if they want commercial, the likely decision would be to deny a future request for a rezoning.

Mayor Andy Moore emphasized that things have changed. If the project were to come back for reconsideration, the council would have the opportunity to make adjustments based on recent developments in the area. He noted that the town has recently approved over 100 townhomes less than a quarter mile from this site. The mayor pointed out that if the project returns as a conditional rezoning, the council could potentially modify various aspects, such as the connection to the nearby shopping center, given the changes in the surrounding area's development. He stressed that he was not speaking against the project, but wanted to ensure the council understood their options. Moore highlighted that the vested rights process exists to allow for reevaluation as both development and town priorities change over time. He suggested that future considerations could include modifications based on the current landscape of the area.

Attorney Bob Spence stated that the Board needs to understand that the failure to extend the vested rights could be contested.

Councilman David Barbour reiterated the council's recent stance against multi-family housing in B3 zoning districts. He recalled that the council has already denied other developers seeking to build multi-family projects in B3 areas since passing the ordinance. Barbour emphasized his long-standing position against residential development in areas designated for retail, arguing that the town needs retail spaces along main corridors and that residential developments should be located in other areas. He supported the vested rights review process, noting it allows the council to reevaluate projects based on current circumstances rather than conditions that existed when the project was originally approved.

Councilman Travis Scott offered a devil's advocate perspective, acknowledging that while the Whitley Towns project was originally approved and he has reservations about similar developments, he cautioned against overemphasizing potential future development of the Heilig Myers and K Mart property. He noted that the council has been promised many things about this property in the past, and historically, none of those promises have actually materialized. Councilman Scott wanted the council to consider this history of unfulfilled promises when evaluating the current vested rights extension request.

Mayor Moore stated that this was a fair point, but noted that they were working on the project now so it is



moving forward. He asked if there were any more questions or comments on this issue.

*Mayor Pro Tem Roger Wood made a motion, seconded by Councilman David Barbour to deny the consideration for extension of vested rights request to the Whitley Townes project. Unanimously approved.*

Councilman Travis Scott asked the Planning Director what options are left to the developer with the Board's denial of this request. Wensman stated the developer has thru the end of their two-year period until April 17<sup>th</sup>, which leaves 16 days.

## 2. FY 2025-2026 Budget Discussions

Mayor Andy Moore asked the Board if there was any desire to meet in the upcoming week to hold budget discussions. It was the consensus of the Board to not meet given the Government In-Touch meeting already scheduled for Thursday night. It was discussed that there perhaps be dates discussed after the closed session hearing if the Board so opts.

### COUNCILMEMBER COMMENTS:

Councilman Travis Scott congratulated town employees on their recent promotions, as noted in the consent agenda. He thanked them for their hard work, dedication, and efforts in serving the town, expressing appreciation for the contributions of municipal employees.

Councilman David Barbour echoed the concerns raised earlier about the town's phone system. He shared a personal experience of residents having difficulty reaching the non-emergency police number, emphasizing that this is problematic. Barbour agreed that the phone system needs to be fixed, noting that when people can't get through, they end up texting or calling him or the police chief directly. He stressed that this inefficient communication reflects poorly on the town and that Smithfield should have a more functional phone system.

The mayor suggested that Town Manager Mike Scott might be able to provide more information about the phone system issues during his report. He expressed hope that the problems would be resolved soon, indicating that progress has been made, though he was not fully aware of the extent of the issues raised by the citizen earlier in the meeting.

Mayor Andy Moore reminded everyone of the Wine Walk coming up on Friday night.

### TOWN MANAGER'S REPORT:

Town Manager Mike Scott reminded everyone about the upcoming government touch meeting on Thursday, April 3, at Fire Station Number Two at 6 PM, encouraging public participation and input on the budget and other community matters. Regarding the phone system, Manager Scott stated that the system is operational and working. He acknowledged the need to review the auto attendant issue raised earlier, noting that the system now includes Parks and Recreation, which is a recent addition. He mentioned that he has been receiving calls and messages since the system became operational and plans to listen to the recording to understand the citizen's concerns about the phone menu's complexity. Manager Scott also briefly mentioned that the Public Works Director is working on obtaining bids for Outlet Center Drive repairs, with a potential construction recommendation to be presented at the April 15 town council meeting.

### CLOSED SESSION: Pursuant to N.C. GS 143-318 (a)(6)

Mayor Pro Tem made a motion, seconded by Councilman Steve Rabil, to go into closed session pursuant to N.C. GS 143-318 (a)(6) at approximately 8:19pm.

David Barbour made a motion, seconded by Councilman John Dunn, to reconvene into open session at approximately 8:51pm.

### ADJOURN:

David Barbour made a motion, seconded by John Dunn, to adjourn the meeting. The meeting adjourned at approximately 8:58 pm.

ATTEST:

  
Elaine Andrews, Town Clerk



  
M. Andy Moore, Mayor