The Smithfield Town Council met in regular session on Tuesday, August 19, 2025 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:
Dr. Gettys Cohen, Jr., District 1
Sloan Stevens, District 2
Travis Scott, District 3
Dr. David Barbour, District 4
John Dunn, At-Large
Stephen Rabil, At-Large

<u>Councilmen Absent</u> Roger Wood, Mayor Pro-Tem Administrative Staff Present
Michael Scott, Town Manager
Kimberly Pickett, Assistant Town Manager
Elaine Andrews, Town Clerk
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

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:

Councilman David Barbour made a motion, seconded by Councilman John Dunn to approve the agenda as amended. Unanimously approved, amended as follows:

- Add to the Consent Agenda: Item 8 Consideration and request for an additional Smithfield Selma High School Resource Officer
- Add Closed Session pursuant to NC G.S 143-318.11 (a)(4)

Business Items:

Consideration and request for approval to complete appointing process and appoint
a new council member to District 1: The District 1 Seat is vacant and must be filled by the
process approved by the Town Council. The Council will follow the process outlined in the staff
report.

Town Manager Mike Scott Outlined the process for the Board to fill the vacant District One Town Council seat as follows:

- There are three candidates for the open seat.
- The order in which the candidates speak was chosen randomly.
- Each candidate will have five minutes to talk to the Council about why they should be chosen.
- Council members will each ask one question, and the candidate will have two minutes to answer each.
- While one candidate is speaking, the others will wait in another room.
- After all candidates have spoken and answered questions, Council members will vote by ballot.
- If there's a tie, the mayor will break it.
- The candidate with the fewest votes is dropped, and a second vote is held if needed.
- Once a winner is chosen, the Council will make it official with a public vote, and the new member will be sworn in and take their seat.

Three candidates—Felicia Baxter, Nariman Jarmina, and Dr. Gettys Cohen—introduced themselves and answered questions from the Town Council as part of the process to fill the District One Councilmember seat.

Felicia Baxter highlighted her background in human resources, workforce development, and community service. She emphasized her commitment to listening to the community, fostering collaboration, and empowering residents. In response to Council questions, she discussed priorities such as addressing flooding, supporting small business growth, promoting unity across party lines, and working as a team to serve all districts. She also stressed the importance of building relationships with other council members and learning from their experiences.

Mr. Nariman Jaminia described himself as a recent addition to Smithfield, a first-time father, and someone invested in the town's growth and livability. He focused on improving connectivity and amenities in District One, such as sidewalks and walking trails, and making the town more accessible for families. In his answers, he supported non-partisan elections, emphasized the need for open discussion and community input, and advocated for following through on previously approved projects. He also expressed a desire to collaborate with other council members to ensure all districts are represented and aligned.

Dr. Gettys Cohen introduced himself as a long-time resident of Smithfield, retired healthcare provider, and community advocate. He spoke about his dedication to public service, continuing the legacy of Councilman Lee, and ensuring fairness and transparency in government. Dr. Cohen's answers focused on improving safety (such as streetlights and police presence), supporting non-partisan elections to encourage participation, and being a listening ear for citizens' concerns. He emphasized the importance of teamwork, sensitivity to residents' needs, and working together for the betterment of all neighborhoods.

Voting Process:

District One Candidates were: Felicia Baxter, Dr. Gettys Cohen, Jr. and Nariman Jaminia; each candidate gave a five-minute introduction, and received questions from each Board member for a two-minute response in the above name order, which was previously selected.

Councilmembers present were: Sloan Stevens, Travis Scott, Dr. David Barbour, John Dunn and Stephen Rabil. In the event of a tie vote, the Mayor would break the tie.

First Vote: Sloan Stevens, Travis Scott, John Dunn, Stephen Rabil voted for Dr. Gettys Cohen, with Dr. David Barbour voting for Felicia Baxter.

Second Vote: Sloan Stevens, Travis Scott, Dr. David Barbour, John Dunn and Stephen Rabil all voted for Dr. Gettys Cohen.

Record of Decision:

Councilman Travis Scott made a motion, seconded by Councilman Stephen Rabil to appoint Dr. Gettys Cohen to the District One Town Council seat. Unanimously approved.

With the unanimous vote, Dr. Gettys Cohen was sworn in by the Clerk, and joined the Board on the dais for the remainder of the meeting.

Presentations: None

Citizens Comments: None

Consent Agenda Items:

Councilman David Barbour made a motion, seconded by Councilman Sloan Stevens, to approve the following items as listed on the amended Consent Agenda:

1. Approval of Minutes

7/1/25 - Regular Session

2. Consideration and request for approval of Resolution No. 782 (21-2025) for the Police Department's GHSP Traffic Grant: It is respectfully requested that the Town Council approve Resolution No. 782 (21-2025), to allow the Police Department to apply for an officer to act as a traffic officer. This item was discussed and approved at the August 5, 2025 Town Council meeting.

TOWN OF SMITHFIELD
RESOLUTION #782 (21-2025)
IN SUPPORT OF THE POLICE DEPARTMENT
NC GHSP GRANT APPLICATION
North Carolina Governor's Highway Safety Program
LOCAL GOVERNMENTAL RESOLUTION

WHEREAS, the Smithfield Police Department (herein called the "Agency") has completed an application contract for traffic safety funding; and that The Town of Smithfield (herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract;

NOW THEREFORE BE IT RESOLVED by the Town of Smithfield in an open meeting assembled in the Town of Smithfield, North Carolina, this, the 19th Day of August, 2025, as follows:

- 1. That the project referenced above is in the best interest of the Town Smithfield and the general public; and
- That James Grady, Police Captain, is authorized to file, on behalf of the Town of Smithfield, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$151,802.00 to be made to the Town of Smithfield to assist in defraying the cost of the project described in the contract application; and
- That the Town of Smithfield has formally appropriated the cash contribution of \$26,788.00 as required by the project contract; and

- 4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
- That certified copies of this resolution be included as part of the contract referenced above; and
- 6. That this resolution shall take effect immediately upon its adoption.

Done and ordered in open meeting this the 19th day of August 2025 by:

	M. Andy Moore, Mayor Town of Smithfield
ATTEST:	
Elaine Andrews, Town Clerk	

- 3. Consideration and request for approval to declare Police K-9 Karuz as no longer needed for public service, and allow him to retire to his handler for future care due to age: The Police Department is requesting Police K-9 Karuz be declared as no longer needed for public service, and allowed to retire and be released to his handler for the purchase price of \$1.00.
- 4. Consideration and request for approval to adopt Resolution No. 783 (22-2025) fixing the public hearing date for annexation ANX-25-03: Heath Street #215 has submitted a petition for voluntarily contiguous annexation of 19 acres (Johnston County Tax ID 15078009K) into the Town of Smithfield. The Town Council is asked to adopt Resolution No. 783 (22-2025) setting the date for public hearing for September 2, 2025 to consider the annexation petition.

TOWN OF SMITHFIELD

RESOULUTION NO. 783 (22-2025) STATING THE INTENT TO ANNEX PROPERTY OWNED BY THE TOWN OF SMITHFIELD WHICH IS CONTIGOUS TO THE EXISTING MUNICIPAL BOUNDARIES

BE IT RESOLVED by the Town Council of the Town of Smithfield, a North Carolina municipal corporation that:

Section 1. It is the intent of the Town Council pursuant to NCGS 160A-31(g) to annex the property described in Section 2, which is owned by the Town of Smithfield.

Beginning at the northeast comer of the 10.09 acre tract on PB 98, pg. 100, conveyed by the Town to Heath Street# 215 in Book 6710, pg. 142, and located on Poplar Creek in the line of E&F Properties, Inc. Deed Book 4377, pg. 880, thence from said point of beginning along Poplar Creek S 57 degrees 15 minutes 50 seconds E 74.48 feet, N 16 degrees 11 minutes 01 seconds E 65.17 feet, N 66 degrees 52 minutes 35 seconds E 100.77 feet, South 63 degrees 19 minutes 18 seconds East 85.93 feet, S 28 degrees 22 minutes 55 seconds E 44.92 feet, S 65 degrees 56 minutes 37 seconds W 59.90 feet, S 70 degrees 24 minutes 44 seconds E 267.37 feet, S 57 degrees 30 minutes 26 seconds E 161.89 feet, S 1 degree 48 minutes 9 seconds E 52.5 feet, S 44 degrees 03 minutes 19 seconds E 148.81 feet, N 36 degrees 40 minutes 56 seconds E 94.73 feet, S 70 degrees 48 minutes 36 seconds E 112.05 feet, S 12 degrees 05 minutes 46 seconds W 939.44 feet to the existing Smithfield City limits line (See Deed Book 1386, pg. 246), thence with the Smithfield line through the property of Heath Street #215 N 65 degrees 00 minutes 40 seconds W 775.74 feet to the line of the Heath Street property described in Deed Book 6710, pg. 142, thence with the line of said tract N 1 degree 40 minutes 26 seconds E 1090.37 feet to the point and place of beginning. Containing 18.10 acres and drawn pursuant to an annexation plat by Jerry Ball Land Surveying dated February 20, 2025, and titled "Annexation Plat for the Town of Smithfield."

Section 3. The property described in Section 2 is contiguous to the current municipal boundaries.

Section 4. A public hearing on the question of annexation of the property will be heard at the Town Hall at the next regular meeting on Tuesday September 2, 2025.

Section 5. 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 (10) days prior to the date of the public hearing.

	M. Andy Moore, Mayor
Attest:	

5. Consideration and request for approval to adopt Resolution No. 784 (23-2025) directing the Town Clerk to certify the sufficiency of the annexation petition ANX-25-04: The Town of Smithfield received a petition from E&F Properties Inc. for a voluntary contiguous annexation of 498.283 acres into the Town of Smithfield, located on Wilson Mills Road and Lee-Youngblood Road, north and east of Poplar Creek.

TOWN OF SMITHFIELD RESOLUTION NO. 784 (23-2025) DIRECTING THE CLERK TO INVESTIGATE A CONTIGUOUS ANNEXATION PETITION RECEIVED UNDER NC G.S. 160A-31

WHEREAS, a petition requesting annexation of an area described in said petition was received on August 19, 2025 by the Smithfield Town Council; and

WHEREAS, NC G.S. 160A-31(c) provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Smithfield deems it advisable to proceed in response to this request for annexation:

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

The Town Clerk is hereby directed to investigate the sufficiency of the attached petition and to certify as soon as possible to the Town Council the result of her investigation

Adopted this the 19th day of August, 2025

	M. Andy Moore, Mayor
ATTEST:	
Elaine Andrews, Town Clerk	

- 6. Consideration and request for approval for the purchase of Ford Ranger trucks: The Town Council approved funding to purchase 4 new ranger style work trucks, two for Public Works, one for Planning and one for the Utilities Department. Staff obtained quotes from an "approved vendor" on the NC Sheriff's Association (already approved through the State bid process) and has submitted the appropriate vehicle for approval.
- Consideration and request for approval for a new road name: Staff requests the Town Council
 to approve *Polecat Branch Road* as the name of the new road connecting US-70 Business East to
 Mallard Road.

TOWN OF SMITHFIELD
RESOLUTION TO APPROVE THE NAME "POLECAT BRANCH ROAD" FOR THE NEW ROAD
CONNECTING US-70 BUSINESS EAST TO MALLARD ROAD

Resolution No. 785 (24- 2025)

WHEREAS, in conjunction with the new Market Street Bridge and I-95 interchange project, the North Carolina Department of Transportation (NCDOT) removed the direct access to Mallard Road from the I-95 ramp and constructed a new roadway that connects US-70 Business East to Mallard Road, just east of the Johnston County School District Office; and

WHEREAS, this newly constructed roadway requires an official name to facilitate public safety,

emergency response, navigation, and addressing; and

WHEREAS, the street name "Polecat Branch Road," was chosen in recognition of Polecat Branch Creek, which runs parallel to the new roadway and reflects the historic and geographic character of the area; and

WHEREAS, Article 10, Section 10.110.6 of the Town of Smithfield's Unified Development Ordinance requires that street names be subject to the approval of the Town Council, and that upon Council's approval, the name will be submitted for review and approval by Johnston County; and

WHEREAS, the proposed name has been reviewed for compliance with Johnston County's road-naming guidelines and is consistent with the Town's naming policies;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Smithfield, North Carolina, that:

- 1. The newly constructed roadway connecting US-70 Business East to Mallard Road shall be officially named **Polecat Branch Road**.
- 2. Town staff are authorized to take all necessary steps to notify Johnston County for review and approval of the road name.

Adopted this the 19 th day of August, 2025	
ATTEST:	M. Andy Moore, Mayor
ne Andrews, Town Clerk	

Consideration and request for an additional Smithfield Selma High School Resource
 Officer: The police department is asking the Town Council to approve an additional School Resource
 Officer (SRO) position for Smithfield Selma High School. The addition of the second officer will create
 a safer environment for the students and staff at Smithfield Selma High School.
 (Police Chief – Pete Hedrick) See attached information

PUBLIC HEARINGS:

1. Consideration and request for approval to zoning map amendment (RZ-25-01): Clarius Partners, LLC is requesting a zoning map amendment to rezone a 75.61 acre parcel, located on US Highway 70 Business, at the north edge of the Town's extra-territorial jurisdiction and with the Johnston County Tax ID 17J07032, from R-20A (Residential-Agriculture) and B-3 (Highway-Entranceway Commercial) to LI (Light Industrial).

Mayor Andy Moore stated this was a re-opening of the public hearing for the Clarius Partners, LLC zoning map amendment request, continued from a prior Council meeting on 7/15/2025.

Councilman David Barbour made a motion, seconded by Councilman John Dunn to open the Public Hearing. Unanimously approved.

Planning Director Stephen Wensman presented a brief version of the request for a zoning map amendment (RZ 25-01) from Clarius Partners LLC to rezone approximately 75.61 acres on US Highway 70 Business from R-20A and B3 to Light Industrial. He explained that the proposed development would be a light industrial warehouse facility with four buildings, stormwater ponds, and a 100-foot undisturbed buffer from adjacent residential areas (increased from the original 30–35 feet). The main entrance would have a stoplight, and the developer had made changes in response to neighborhood concerns, including moving a stormwater pond and increasing the buffer.

Wensman provided an illustration of the petitioner's request in his staff report and presentations, which were incorporated in his entire record provided to the Town Council in written form as part of their August 19, 2025 agenda packet.

Wensman detailed Staff's opinion of the Consistency Statement for the request:

CONSISTENCY STATEMENT (Staff Opinion):

With approval of the rezoning, the Planning Board/Town Council is required to adopt a statement describing whether the action is consistent with adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public interest. Planning Staff considers the action to be consistent and reasonable:

o Consistency with the Comprehensive Growth Management Plan -The development is inconsistent with the town's comprehensive plan and the rezoning will result in an amendment to the Town's plan.

- o **Consistency with the Unified Development Code** The site will be developed in accordance with the Light Industrial standards and WS-IV-PA standards.
- O Compatibility with Surrounding Land Uses The property considered for rezoning will be compatible with surrounding land uses, in particular, there is a LI District less than 1,000 feet to the south.

Wensman further stated that Staff recommend the motion to approve zoning map amendment, RZ-25-01, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan<u>as hereby amended by the rezoning</u>, and other adopted plans, and that the amendment is reasonable and in the public interest."

Public Comments:

- Mark Cooper (Barber Farm HOA): Expressed appreciation for the developer's willingness to increase the buffer but requested that hours of operation be limited to reduce nighttime truck noise.
- Mr. Barbour (adjacent property owner): Raised concerns about water runoff and potential flooding of nearby homes, especially during heavy rain events.
- Rodney Mitchell (neighbor): Opposed the rezoning, citing the loss of farmland, impact on farmers, and the irreversible nature of converting agricultural land to industrial use.
- Rick Buckner (Smithfield resident): Supported job creation but was concerned about increased truck traffic and congestion on Market Street and other intersections.
- Craig Dannegger (Clarius Partners, developer): Outlined the benefits of the project, including job creation (estimated 56–560 jobs), infrastructure improvements, economic growth, and increased tax revenue. He emphasized the developer's commitment to transparency, the expanded buffer, and responsiveness to community feedback.

Council and staff discussion: Council members and staff asked questions about traffic flow, stormwater management, and the developer's commitment to the 100-foot buffer and noise mitigation. The developer and their civil engineer (Nicholas Aaron) explained the stormwater management plan and confirmed the buffer would remain undisturbed.

Planning Director Wensman and Council acknowledged the developer's efforts to address community concerns, while also noting that, as a rezoning, the Council could not impose conditions on the project. The public hearing concluded with appreciation for the developer's engagement and the community's input.

Councilman Travis Scott asked about available water and sewer capacity for the project. Wensman stated the County has adequate water and sewer.

Councilman Stephen Rabil made a motion seconded by Councilman John Dunn to close the public hearing. Unanimously approved.

Councilman Travis Scott made a motion, seconded by Councilman John Dunn to approve the rezoning request. Unanimously approved.

Mayor Andy Moore thanked the citizens, and those who appeared to speak regarding the case as well as the developers for the project. He reminded them, however, that the Town Board could not, by law, place any restrictions on a rezoning. Such matters are left to the good faith of the developer. He addressed the developer stating he looks forward with hope that this would be a great project.

2. Consideration and request for approval of conditional zoning amendment (CZ-25-04): Smithfield Growth, LLC is requesting an amendment to the PUD Conditional Zoning master plan to allow two detached single-family flag lots associated with the development of the property with the Johnston County Tax ID 14057011Y adjacent and on the East side of Booker Dairy Road, about 550' south of Eden Drive.

Councilman David Barbour made a motion, seconded by Councilman John Dunn to open the Public Hearing. Unanimously approved.

Planning Director Stephen Wensman presented a request for a conditional zoning amendment (CZ 25-04) from Smithfield Growth LLC. The amendment pertained to the Local 70 mixed-use planned unit development (PUD), specifically to allow two "flag lots" on Boss Court to have a reduced minimum street frontage of 25 feet, instead of the previously approved 42 feet. This adjustment was needed because, during the subdivision process, it was discovered that the two lots could not meet the original frontage requirement due to the street's design.

The change would make these lots more consistent with adjacent lots and avoid creating unusually large, non-conforming lots. The Planning Director noted that the request would not increase the overall density and was consistent with the town's growth management plan and Unified Development Ordinance (UDO).

Wensman stated staff's approval of the consistency statement:

CONSISTENCY STATEMENT (Staff Opinion):

With the approval of the rezoning, the Town Council is required to adopt a statement describing whether the action is consistent with the adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public interest. Planning Staff considers the action to be consistent and reasonable:

- Consistency with the Comprehensive Growth Management Plan The development is consistent with the comprehensive plan.
- Consistency with the Unified Development Code The property will be developed in conformance with the UDO conditional zoning provisions that allows flexibility in development standards on a site-by-site basis based on design considerations.
- Compatibility with Surrounding Land Uses The proposed flag-lots will be more in conformance with surrounding lots if the amendment is approved than if not.

Both staff and the Planning Board recommended approval, with one condition:

 That the two lots on Bosque Court be allowed a 25' minimum lot width and the remainder of the project be developed in accordance with the approval of the earlier CZ-24-02 rezoning.

Councilman Travis Scott asked why the design could not be made into a large cul-de-sac. Wensman noted that the conditional zoning would make for a safer lot, and a better conforming development.

The developer, Corey Mabus of Carolina Commercial Contractors, clarified that the request did not increase density, maintained the original number of lots, and preserved planned green space and landscaping. He also provided an update on project progress and addressed concerns about site maintenance.

Councilman David Barbour made a motion, seconded by Councilman Sloan Stevens to close the public hearing. Unanimously approved.

Upon discussion to specify the lot numbers, the following motion was made:

Councilman David Barbour made a motion, seconded by Councilman John Dunn to approve the zoning map amendment CZ 25-04, with the condition that the two lots on Boss Court (lots 142 and 146) be allowed a minimum lot width of 25 feet, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest. The motion was unanimously approved.

Councilman Travis Scott asked the developer Corey Mabus for a project update.

Mabus reported that site work is actively underway at the Local 70 development, with about 60–70% of the stormwater pond completed. Progress has been slowed by heavy rain, but efforts are being made to control mud and maintain compliance with regulations. They have cleaners to address mud tracked into the road from the project. The wet well has been installed, and most sewer services for phase one are in place. The team aims to seek final plat approval for the first phase between the first and second quarter of the next year.

COUNCILMEMBER COMMENTS:

- Mayor Andy Moore, again welcomed Dr. Gettys Cohen, Jr. to the Town Council. Councilman Cohen thanked the Mayor and Board for their welcome and support.
- Councilman Travis Scott shared that a citizen donated a historical fire department badge, possibly from 1942, to the town. He presented it to the Fire Chief and requested research into its history.
- Councilman David Barbour announced the upcoming drone fly-in event, scheduled for the first Saturday in October, and encouraged participation.
- Councilman Travis Scott also raised a concern about traffic congestion at the intersection of North and Buffalo during rush hour, suggesting the Police Chief look into the possibility of making it a three-way stop to improve traffic flow.
- Mayor Andy Moore reminded citizens that we are in hurricane season urging citizens and staff to be aware, take precautions and assert due diligence when it comes to keeping the Town's drain lines clear of debris.
 Councilman Barbour echoed the mayor's advice, particularly noting Wilsons Mills Road having overflowed during a recent rain event— and it being a DOT maintained Road.

TOWN MANAGER'S REPORT:

Town Manager Mike Scott provided the following updates:

- Street painting is underway on South Third and Outlet Center Drive, with completion expected soon.
- A map and list of streets for the next resurfacing project have been prepared and will be shared with the council after review.

- The town is prepared for hurricane season and is monitoring Hurricane Aaron, though no major impacts are expected at this time.
- The River Rat Regatta, scheduled for Saturday, will likely be canceled due to high river levels, with the possibility of rescheduling being considered.
- On the same day, a youth football event with 23 teams will take place at the high school and Community Park, and the public is encouraged to attend.

Mayor Andy Moore extended gratitude to the Town's Public Information Officer, Brian Eaves for his diligence in keeping the public informed with social media. Mayor Moore stated he has received good feedback for having positive news on the Town's page.

Councilman Travis Scott acknowledged the effort staff put into organizing the River Rat Regatta and noted community disappointment over its likely cancellation. He suggested that participants preserve their boats and possibly display them at the Ham & Yam Festival to maintain community interest and engagement with the event.

CLOSED SESSION PURSUANT TO N.C. GS 143-318.11 (a)(4)

Councilman David Barbour made a motion, seconded by Councilman John Dunn, to go into closed session at approximately 9:10 pm. Unanimous.

Councilman David Barbour made a motion, seconded by Councilman John Dunn, to reconvene into open session at approximately 10:42pm. Unanimous.

ADJOURN:

Councilman David Barbour made a motion, seconded by Councilman Sloan Stevens, to adjourn the meeting. The meeting adjourned at approximately 10:47 pm. Unanimous.

M. Anely Moore, Mayor

ATTECT:

Elaine Andrews, Town Clerk