The Smithfield Town Council met in regular session on Tuesday, September 16, 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
Dr. Gettys Cohen, Jr., District 1
Sloan Stevens, District 2
John Dunn, At-Large
Stephen Rabil, At-Large
Dr. David Barbour, District 4

Councilmen Absent
Travis Scott, District 3

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 Dr. David Barbour followed by a moment of silence for the community and then Pledge of Allegiance.

APPROVAL OF AGENDA:

Councilman John Dunn made a motion, seconded by Mayor Pro Tem Roger Wood, to approve the agenda, amended as follows. Unanimous:

Changes:

- Remove from Consent Agenda, item number 12; **Consideration and request for approval for SSS to Hold their homecoming parade** – this item has been cancelled due to impending rain.
- Add to Business Items number 2; **Memorandum of Understanding with Tobs Baseball Team**
- Add; **Closed Session Pursuant to NC G.S. 143-318.11 (a)(4)**

PRESENTATIONS: None

PUBLIC HEARINGS:

1. **Annexation Request (ANX-25-04) - Consideration and request for approval to hold public hearing and to adopt Ordinance No. 530-2025 for contiguous annexation of property into the Town of Smithfield's corporate limits:** E&F Properties has submitted a petition for voluntarily annexation of the 498.283 acres (Johnston County Tax ID 17K08039A and17K08032) to the Town of Smithfield.

   Mayor Andy Moore announced the public hearing. Planning Director Stephen Wensman incorporated his entire record regarding the request, and provided it to the Council in written form in the September 16, 2025 Town Council agenda packet. Staff also provided a copy of a draft of the Planning Board meeting minutes of September 4, 2025 meeting for review. The public hearing was not opened at this meeting.

   Mayor Pro Tem Roger Wood made a motion, seconded by Councilman John Dunn, that due to the response from the public, as well as at the request of the developer, that the case for annexation (ANX-25-04) be continued to the October 7, 2025 Town Council meeting. Unanimously approved.

2. **Conditional Zoning Request (CZ-25-05) - Consideration and request for review of the conditional rezoning master plan:** Rock Tower Partners LLC is requesting approval of Bellamy, a R-8 conditional rezoning master plan consisting of 1,147 units of residential: 870 detached single-family residential lots and 277-townhouse lots over 498-acres of land.

   Mayor Andy Moore announced the public hearing. Planning Director Stephen Wensman incorporated his entire record regarding the request, and provided it to the Council in written form in the September 16, 2025 Town Council agenda packet. Staff also provided a copy of a draft of the Planning Board meeting minutes of September 4, 2025 meeting for review. The public hearing was not opened at this meeting.

Mayor Pro Tem Roger Wood made a motion, seconded by Councilman John Dunn, that due to the response from the public, as well as at the request of the developer, that the case for annexation (ANX-25-04) be continued to the October 7, 2025 Town Council meeting. Unanimously approved.

Mayor Andy Moore reiterated for clarity that both public hearings for ANX-25-04, and CZ-25-05 will be continued to the meeting of October 7, 2025 at 7:00 PM.

3. **Rezoning Request (RZ-25-03) - Consideration and review of a request to rezone land adjacent to Mitchell Concrete:** Mitchell Concrete is requesting the rezoning of +/- 13 acres of land adjacent on the east and west of their existing facility from Highway Entranceway Business (B-3) and Residential-Agriculture (R-20A) to Heavy Industrial (HI).

Mayor Andy Moore announced the next case.

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

Planning Director Stephen Wensman explained that the rezoning request concerned two parcels totaling approximately 13 acres adjacent to the existing Mitchell Concrete facility. The current zoning is B3 and R-20A, and the proposed change is to heavy industrial to allow for industrial storage, specifically for curing concrete septic tanks. Wensman noted that the land is mostly open, grassy, and wooded, with minimal wetlands, and that the area is largely within the 100-year floodplain, making it unsuitable for most development but appropriate for the intended storage use.

Wensman continued, noting that the primary access to the site is not from Parrish Drive, which has had issues with gravel from the ready-mix plant, but from a separate driveway. Wensman emphasized that the comprehensive plan designates the area as conservation open space, but given the existing facility and its use, staff found the rezoning consistent with the amended growth plan and reasonable in the public interest. He also mentioned that the applicant plans to screen the storage area from the public right of way with a solid row of conifers, ensuring compatibility with surrounding commercial and industrial land uses, and recommended approval of the rezoning request.

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 September 16, 2025 agenda packet.

Wensman outlined staff's opinion of the consistency statement, below:

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:

- **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.*

- **Consistency with the Unified Development Code –** *The site will be developed in accordance with the Heavy Industrial standards.*

- **Compatibility with Surrounding Land Uses -** *The property considered for rezoning will be compatible with surrounding land uses. Portions of the land to be rezoned are already used for industrial storage and the area to be rezoned will result in a larger Heavy Industrial zoning district.*

Wensman asked if there were any questions from the Board.

Councilman David Barbour asked if the proposed request would interfere with plans for the multi-use path on that side of the road. Wensman stated no, noting they are a distance away. He stated explained that the driveway associated with the rezoning project crosses the planned multi-use path in two places, and that at these intersections, a more robust construction detail will be used to accommodate the crossings.

Councilman David Barbour expressed concern that gravel from the driveway could spill onto the new multi-use path, potentially creating hazards for both bicyclists and pedestrians. He emphasized the importance of considering the overall impact on the path's intended use and asked whether measures could be taken to prevent gravel and debris from encroaching onto the path.

Wensman noted that the driveways will remain gravel and that the use by Mitchell Concrete is low volume, so significant changes are not planned. Wensman also clarified that most of the dust and debris issues come from the nearby ready-mix plant, which has much higher traffic, and that the current plans already account for the necessary adjustments where the path and driveways intersect. He also stated that this was a regular rezoning case, not a conditional zoning case and the town cannot require the applicant to pave the driveway as a condition of approval. He stated that the most he can do is discuss the possibility with the applicant and ask if they are willing to pave the apron, but there is no authority to mandate such a change for an existing drive.

There was some discussion about the ownership of Parrish Drive, paving the path, and potential traffic from the neighboring grocery store.

Wensman explained that the primary change is in ownership and a modest expansion of the area, rather than a significant change in land use. Wensman added that the applicant is acquiring more land than originally intended as part of the transaction, and while not all of it may be used immediately, it could be utilized in the future. He concluded that, unless a new driveway is proposed, existing driveways typically remain unchanged under this type of rezoning, or it is left "as is".

Mayor Andy Moore asked if there were any persons wishing to speak on the matter in the audience.

Jamie Mitchell explained that Mitchell Concrete needs additional higher ground to store and cure septic tanks due to increased inventory requirements and past flood damage. He stated that the business's operations and driveway use will remain unchanged, and the expansion is necessary to adapt to industry standards and protect inventory.

Mayor Pro Tem Roger Wood made a motion, seconded by Councilman Stephen Rabil to close the public hearing. Unanimous

Councilman Sloan Stevens made a motion, seconded by Mayor Pro Tem Roger Wood to approve the rezoning request. Unanimously approved.

CITIZEN'S COMMENTS:

- Rick Buckner highlighted the planning board's unanimous recommendation to deny a large proposed development due to concerns about traffic, land use compatibility, and impacts on rural infrastructure, noting strong opposition from both the board and the community.
- Stewart Lee, echoing Buckner's comments regarding the new large scale development proposal, expressed environmental concerns about the affected land, emphasizing its agricultural and wetland features and the importance of conducting a comprehensive environmental impact assessment before proceeding.

CONSENT AGENDA:

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

<u>Consent Agenda Items:</u>

1. **Approval of Minutes:**
   a. 8/5/2025 Regular Session
2. **Consideration and request for approval for the purchase of a work truck for the Public Works department:** The Town Council is requested to authorize the purchase of (1) 2026 Ford Super Duty XL Regular Cab four-wheel-drive truck through North Carolina State Contract #25-10A for the Street Division to replace a 2003 Ford 4X4 currently used for snowplow operations.
3. **Consideration and request for approval to hire a contractor for grass cutting services for the Public Utilities Department:** Staff is asking Council to approve the proposed contractor to perform the mowing service for the amount of $15,300.00, in accordance with services listed in the submitted proposal. The funds to pay for these services were budgeted as part of the approved FY2025-2026 budget.
4. **Consideration and request for approval of Grant Project Ordinance No. GP-04-2025 for the West Smithfield Sanitary Sewer Improvements Project:** The Town Council is requested to approve the Grant Project Ordinance No. GP-04-2025 to comply with NC G.S. 159-13.2 giving authority to Town Management to expend grant funds to execute the West Smithfield Sanitary Sewer Improvements Project.

Ordinance No. GP-05-2025

Grant Project Ordinance for the Wastewater Asset Inventory and Assessment Project
(Project E-AIA-W-21-0231)

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD, NORTH CAROLINA that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

SECTION 1: This ordinance is to establish a budget for a project to be funded by the State of North Carolina Department of Environmental Quality Division of Water Infrastructure. The project authorized is to perform asset inventory and assessment work in accordance with the agreed upon scope of work to meet the Town's sewer infrastructure needs.

SECTION 2: The officers of the Town are hereby directed to proceed with the grant project within the terms of the budget contained herein.

SECTION 3: The following amounts are appropriated for the project and authorized for expenditures:

AIA Wastewater Study	$	150,000

SECTION 4: The following revenues are anticipated to be available to complete the project:

State of NC Department of Environmental Quality		
Division of Water Infrastructure	$	127,500
Transfer from Water and Sewer Fund		22,500
Total revenues	$	150,000

SECTION 5: The Town intends to complete the project in accordance with North Carolina General Statute 159G. The Town and project is eligible under State law and the project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

SECTION 6: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency, grant agreements, and federal regulations. The Town's accounting and fiscal records shall be maintained during the completion of the project, and these records shall be retained and made available for a period of at least three (3) years following completion of the project.

SECTION 7: Funds may be advanced from the General Fund for the purpose of making payments as due. Disbursement requests should be made to the grantor agency in an orderly and timely manner.

SECTION 8: The Finance Officer is hereby directed to report the financial status of the project to the governing board the appropriations and the total grant revenues received or claimed.

SECTION 9: The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this board.

SECTION 10: Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to Town Council.

SECTION 11: This grant project ordinance is effective as of May 20, 2021, and expires when all the NCDEQ funds have been obligated and expended by the Town.

____
M. Andy Moore, Mayor

ATTEST:

____
Elaine Andrews, Town Clerk

5. **Consideration and request for approval for the Church of Jesus Christ of LDS to hold a Community Carnival on September 27, 2025:** The Church of Jesus Christ of Latter-Day Saints has requested to hold a free community carnival at 303 Canterbury Rd. on September 27, 2025 from 11:00 am to 1:00 pm. There will be carnival games and free food available. Over 100 people are expected to attend. A DJ will play music from 11:00 am to 1:00 pm.

6. **Consideration and request for approval for Bulldog Harley Davidson to hold a Ride into Fall event on October 4, 2025:** Bulldog Harley-Davidson is requesting to hold a Ride into Fall Event at 1043 Outlet Center Drive on October 4, 2025. This event will run from 11:00 am to 4:00 pm. A food truck will be on-site to serve food and a live music will be provided from 12:00 pm to 3:00 pm.

7. **Consideration and request for approval for Bulldog Harley Davidson to hold Bikers, Brews and BBQ on October 11, 2025:** Bulldog Harley-Davidson is requesting to hold Bikers, Brews and BBQ at 1043 Outlet Center Drive on October 11, 2025. This event will run from 11:00 am to 4:00 pm. A food truck will be on-site to serve food.

8. **Consideration and request for approval for Bulldog Harley Davidson to hold a Parts and Gear Event on October 18, 2025:** Bulldog Harley-Davidson is requesting to hold a Parts and Gear Event at 1043 Outlet Center Drive on October 18, 2025. This event will run from

11:00 am to 4:00 pm. A food truck will be on-site to serve food and a live band will perform from 12:00 pm to 3:00 pm

9. **Consideration and request for approval for Bulldog Harley Davidson to hold a TourPak and Treat event on October 25, 2025:** Bulldog Harley-Davidson is requesting to hold a TourPak and treat event at 1043 Outlet Center Drive on October 25, 2025. The event will run from 11:00 am – 4:00 pm. A food truck will be on-site to sell food and a live band will perform from 12:00 pm to 3:00 pm.

10. **Consideration and request for approval for Bulldog Harley Davidson to hold an End of Season Bike Night event on October 30, 2025:** Bulldog Harley-Davidson is requesting to hold End of the Season Bike Night at 1043 Outlet Center Drive on October 30th, 2025. This event will run from 5:00 pm to 8:00 pm. A food truck will be on-site to sell food and a live band will perform from 5:00 pm to 8:00 pm.

11. **Consideration and request for approval for T-Mobile cell tower lease renewal:** The T-Mobile cell tower lease contract is set to expire on July 27, 2026. They have reached out for an amendment of contract to renew the terms.

12. ~~**Consideration and request for approval for SSS to Hold their homecoming parade:** Smithfield Selma High School is requesting to hold a homecoming parade on September 16, 2025 from 4:00 pm to 4:30 pm. The applicant has requested to close a portion of Durwood Stephenson Parkway. Smithfield Police Department will provide a police presence.~~

13. **Consideration and request for approval for DSDC to hold an Oktoberfest & Harvest Market on October 11, 2025:** DSDC is requesting to hold an Oktoberfest & Harvest Market on October 11, 2025 from 12:00 PM to 5:00 PM at the 100 Block of S. Third Street. A DJ will provide music from 12:00 PM to 4:00 PM. Food vendors will be onsite. Beer and wine will be sold. Ten trash cans have been requested for the event.

BUSINESS ITEMS:

1. **Consideration and request for approval for Board Appointments:** The Town Council is requested to consider applications received for appointment to various Town of Smithfield Advisory Boards and Commissions.

Mayor M. Andy Moore discussed Board appointment with the Town Council. Mayor Moore clarified that there would be no alternate positions filled at tonight's meeting, and that all appointments made would be for regular memberships. There were no objections from the Council. Appointments were made for the Historic Preservation Commission, Recreation Advisory Committee, the Planning Board, and the Appearance Commission. Mayor Andy Moore thanked all applicants for their willingness to serve the Town.

Historic Preservation Commission:

Councilman David Barbour made a motion, seconded by Mayor Pro Tem Roger Wood to appoint Emma Creech for a first term, and Elizabeth Temple for a second term on the Historic Preservation Commission. Unanimously approved.

Recreation Advisory Committee:

Mayor Pro Tem Roger Wood made a motion, seconded by Councilman Stephen Rabil to appoint Marcela Buccafusco for her first term on the Recreation Advisory Committee. Unanimously approved.

Planning Board:

Mayor Andy Moore opted to select Planning Board members by ballot process. He informed the Board that there were three regular member positions available, and that eight total applicants had applied. During the mayor's review, he noted that an applicant was omitted in clerical error. He asked the applicant, Christina Arena, whether she would like to be considered for one of the three available Planning Board positions. She agreed to be considered. Mayor Moore asked the Board to write her name in as a potential candidate for selection. He also made mention that a prior candidate, David Byrd had dropped out of consideration due to other obligations. The mayor also cited that citizens can serve on at least two boards for the Town.

Mayor Moore asked the Council to select their top three candidates by ballot. Ballot totals were handed down to the Clerk for tally. The result of the count of ballots showed the top three votes went to Jaime Beasley (5 votes), Nariman Jaminia (4 votes) and Luke Stancil (5 votes).

Councilman John Dunn made a motion, seconded by Mayor Pro Tem Roger Wood to approve the appointments of Jaime Beasley, Nariman Jaminia and Luke Stancil all to their first terms on the Planning Board. Unanimously approved.

Appearance Commission:

Mayor Moore also used the ballot process to select new Appearance Commission members. There were three candidates and only two vacant positions at this time. Due to the aforementioned ballot clerical error, Mayor Andy Moore asked Christina Arena, (who applied to be seated on the Planning Board, Recreation Advisory Committee as well as the Appearance Commission), to clarify her preference. Ms. Arena stated her preference was to be considered for either the Planning Board or the Appearance Commission.

Mayor Andy Moore reviewed the ballot choices for the Appearance Commission with the Board. The candidates for selection were Richard Buckner, Luke Stancil, and Christina Arena. Mayor Moore asked the Board to select their top two candidates by ballot. Ballots were handed to the clerk for tally. The result of the ballot count showed the top two candidates were Luke Stancil (3 votes) and Christina Arena (6 votes).

> *Mayor Pro Tem Roger Wood made a motion, seconded by Councilman Gettys Cohen to appoint Luke Stancil and Christina Arena to their first terms on the Appearance Commission. Unanimously approved.*

The mayor thanked all candidates for their interest and applying to Town Boards, and encouraged those who were not appointed to continue their engagement with the Town.

2. **Memorandum of Understanding with Tobs Baseball Team:** The Town Staff is recommending entering into a Memorandum of Understanding (MOU) with the Tobs Baseball franchise to move one step closer toward bringing the franchise to Smithfield and constructing a baseball stadium for this purpose.

Town Manager Mike Scott introduced the agenda item regarding the memorandum of understanding with the Wilson Tobs Baseball franchise, explaining that staff had been working with the organization to bring the team to Smithfield as a means of promoting economic development and enhancing quality of life for residents. He described the memorandum as a non-binding agreement that would allow the town to move forward with contract discussions, secure funding, and begin planning for a new baseball stadium. Manager Scott recommended approval of the memorandum to continue advancing the project.

Councilman Sloan Stevens expressed enthusiasm for the potential economic impact of bringing the Tobs baseball team to Smithfield, noting that an economic analysis predicts the project could generate $8-9 million annually for the town and surrounding areas. He emphasized the significance of the opportunity for both Smithfield and Johnston County, and encouraged broad support to help secure funding and ensure the project's success.

Mayor Pro Tem Roger Wood noted that the Tobs baseball team has a long history and a dedicated fan base in Wilson, and suggested that relocating the team to Smithfield could attract some of those fans as well. He emphasized the community's desire for more activities and expressed excitement about the positive impact the team could have on Smithfield, encouraging continued efforts to move the project forward.

Town Manager Mike Scott noted that the Tobs organization offers far more than just baseball games, hosting over 130 events annually, including training sessions for youth and college students. He noted that the venue would serve as a significant community event space, providing a wide range of activities beyond baseball.

Mayor Andy Moore expressed strong support for bringing the Tobs to Smithfield, highlighting the project's potential as a major tourism draw and economic benefit for the town and its hotels. He emphasized the positive discussions with the Tobs organization, the importance of financial responsibility, and the non-binding nature of the current agreement.

> *Mayor Pro Tem Roger Wood made a motion, seconded by Councilman John Dunn to approve the Memorandum of Understanding between the Town of Smithfield and W.T.B.C., LLC (Tobs). Unanimously approved.*

Councilmember's Comments

During the Councilmember comments, Councilman David Barbour announced the upcoming drone event on October 4, 2025 from 10 AM to 12 PM at Johnston Park. He stated the event would be featuring local emergency services, and the County. He also mentioned efforts to include additional drone activities.

Mayor Andy Moore reported the arrival of a new street sweeper in time for the fall season, reminded attendees about the October 3 concert at the amphitheater, and expressed appreciation to current board members and new appointees for their service.

Town Manager's Report

Town Manager Mike Scott mentioned that the public works department is ready to go out for requests for proposals for the new street resurfacing project that was approved at the last meeting. He anticipated that those proposals will go out next week.

Councilman David Barbour inquired whether the upcoming street resurfacing project would address the dip on Johnston and Third Street, noting frequent complaints from residents. Town

Manager Mike Scott confirmed that the dip will be included in the project's scope and addressed during the repaving.

Closed Session Pursuant to NC G.S. 143-318.11 (a)(4)

Mayor Pro Tem Roger Wood made a motion, seconded by Councilman David Barbour to go into closed session pursuant to NC G.S. 143-318.11 (a)(4) at approximately 8:01 PM. Unanimously approved.

Councilman David Barbour made a motion, seconded by Mayor Pro Tem Roger Wood to come out of closed session at approximately 8:44 PM. Unanimously approved.

Adjourn

Councilman David Barbour made a motion, seconded by Councilman John Dunn to adjourn the meeting at approximately 8:46 PM. Unanimously approved.

M. Andy Moore

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews

Elaine Andrews, Town Clerk