

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

Councilmen Absent

Administrative Staff Present

Michael Scott, Town Manager
Elaine Andrews, Town Clerk
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
Andrew Harris, Finance Director

Also Present

Robert Spence, Jr., Town Attorney

Administrative Staff Absent

Ted Credle, Public Utilities Director
Kimberly Pickett, Assistant Town Manager

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 Councilman Gettys Cohen, Jr., to approve the agenda amended as follows. Unanimously approved.

• Add to Consent Agenda Item No. 14:

Consideration and request for approval for Smithfield Parks and Recreation to host the Clayton Piano Festival on Friday, October 10, 2025: This event is scheduled from 7:00 p.m. to 10:00 p.m., with amplified sound in use from 3:00 p.m. through 10:00 p.m. The request includes the closure of South Front Street, and attendance is anticipated to exceed 100 participants.

• Add Closed Session pursuant to NC G.S 143-318.11 (a)(4)

PRESENTATIONS:

1. Proclamation – Recognizing October 5-11, 2025 as Fire Prevention Week in the Town of Smithfield.

Mayor M. Andy Moore asked Fire Chief Jeremey Daughtry to step forward as he read the Proclamation, and he thanked the Smithfield Fire Department for all they do.

**PROCLAMATION
RECOGNIZING October 5-11, 2025
As Fire Prevention Week
In the Town of Smithfield**

WHEREAS, the Town of Smithfield is committed to ensuring the safety and security of all those living in and visiting our community; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, the National Fire Protection Association (NFPA) has designated the week of October 5th through 11th, 2025, as **Fire Prevention Week** with this year's theme being, "Charge into Fire Safety," which focuses on the importance of safely buying, charging and recycling lithium-ion batteries to prevent fire hazards; and

WHEREAS, a critical part of fire safety is identifying potential fire hazards and the Smithfield Fire Department encourages the public to use safe, certified products, charge lithium-ion

battery powered devices properly, and recycle lithium-ion batteries responsibly; and

WHEREAS, the dedicated members of the Smithfield Fire Department are committed to reducing the occurrence of home fires and related injuries through prevention and education efforts, and respond quickly and professionally to emergencies within our community; and

WHEREAS, residents are encouraged to take proactive steps such as installing and maintaining smoke detectors, practicing fire drills, and understanding the dangers of fire to help reduce the risk of fires in their homes and businesses; and

WHEREAS, Fire Prevention Week provides an opportunity to recognize the importance of fire safety practices, and to honor the courageous work of our firefighters and first responders who protect our lives and property from fire and other hazards.

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield, do hereby proclaim the week of October 5th through 11th, 2025, as **Fire Prevention Week** in Smithfield, North Carolina. I urge all residents to actively participate in fire prevention activities at home, work, and school, and to honor the dedicated service of the brave firefighters and public safety personnel who work tirelessly to keep our community safe.

M. Andy Moore, Mayor
Town of Smithfield, NC

2. Proclamation – Recognizing October 5-11, 2025 as Public Power Week in the Town of Smithfield.

Mayor M. Andy Moore asked Public Utilities employee, Shane Stanley to step forward for the reading of the Proclamation. He commended Town staff as the “unsung heroes,” noting that we are very fortunate in that when outages occur, they are remedied very quickly. He thanked the department for all they do for the community. Mayor Moore also referenced an article from the Smithfield Herald from the year 1913, when Smithfield went into the power business.

**PROCLAMATION RECOGNIZING PUBLIC POWER WEEK, OCT. 5-11, 2025: A
WEEK-LONG CELEBRATION OF TOWN OF SMITHFIELD’S YEAR-ROUND
SERVICE TO ITS COMMUNITY**

WHEREAS, public power is a crucial component in cities and towns across North Carolina, driving the overall health of communities by providing unmatched electric reliability, affordable and sustainable power, excellent local service, and essential jobs in communities;

WHEREAS, North Carolina’s more than 70 public power cities and towns are among more than 2,000 across the country, providing electricity with a reliability rating of 99.99 percent to nearly 1.6 million North Carolinians;

WHEREAS, many of North Carolina’s public power cities and towns have been electric providers for more than 100 years, assisting their communities through prosperous times as well as pandemics and economic downturns, maintaining life-saving electricity to homes and businesses;

WHEREAS, North Carolina public power communities are part of a mutual aid network that spans the state and country, providing invaluable support during times of hurricanes and other natural disasters while maintaining a superior safety record;

WHEREAS, North Carolina’s public power providers are essential community assets that contribute to the well-being of the community and provide irreplaceable economic development opportunities;

WHEREAS, North Carolina’s public power utilities are dependable institutions that provide excellent service, valuable energy solutions, and a commitment to community;

WHEREAS, the Town of Smithfield recognizes Public Power Week and commends the public power cities and towns across our state and nation for their outstanding contributions to our communities;

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield, along with the Town Council, do hereby proclaim October 5-11, 2025, as

PUBLIC POWER WEEK

in the Town of Smithfield and commends its observation to all citizens.

M. Andy Moore, Mayor
Town of Smithfield, NC

3. Proclamation – Recognizing November 1, 2025 as National Family Literacy Day in the Town of Smithfield

Mayor M. Andy Moore asked Dr. David Pearce, the new Johnston County Schools Superintendent to come forward for a reading of the Proclamation and to join in partnership of celebrating National Family Literacy Day. Dr. Pearce received the Proclamation from the mayor.

**Proclamation Recognizing November 1, 2025 as National Family Literacy Day
in the Town of Smithfield**

WHEREAS, National Family Literacy Day, established by the 103rd Congress in 1994, now marking its 31st anniversary on November 1, 2025, highlights the importance of reading and learning for the entire family and emphasizes the impact that parents have on their child's learning; and

WHEREAS, this day is celebrated across America each year, and focuses on special activities and events that showcase the importance of family literacy programs that empower families and build a nation of readers; and

WHEREAS, literacy programs across the United States will observe National Family Literacy Day by holding read-a-thons, book drives, workshops, and family activities at schools, libraries, and community centers to encourage literacy; and

WHEREAS, as many as one in five adults struggle with reading and writing, and by learning to read, individuals can gain self-respect and confidence and strive toward goals that otherwise would not be achievable; and

WHEREAS, we recognize and honor the countless educators, business partners, and volunteers throughout the country who are committed to advancing adult literacy. We also celebrate the determination and achievements of adults striving to improve their literacy skills, empowering themselves to thrive as parents, workers, community members, and citizens; and

WHEREAS, the Smithfield Town Council acknowledges that literacy is essential to the well-being of individuals and to the overall strength and prosperity of our Nation.

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield, do hereby proclaim November 1, 2025 as

NATIONAL FAMILY LITERACY DAY

In the Town of Smithfield, to underscore the importance of literacy, celebrate the joy of reading, encourage residents to promote literacy by reading together as a family, and to extend deep appreciation to our local librarians, educators, and literacy service providers for their tireless efforts to strengthen the literacy of our children and our community.

M. Andy Moore, Mayor

4. Presentation – Smithfield Selma High School Resource Officers Appreciation: The Smithfield Selma High School requests permission to present service awards to two Town of Smithfield Police Officers serving as Resource Officers.

Mayor M. Andy Moore introduced Dr. Ryan Ewell, Principal of Smithfield Selma High School who came forward to present the awards. Dr. Ewell recognized and thanked Dr. Pearce for his presence and support to the commitment of school safety. He presented the first award to Officer Jacob Gibbons, who is also an alumnus of Smithfield Selma High School. He complimented Officer Gibbons for his dedication and commitment to providing a safe environment for the school, and presented him the award. Dr. Ewell presented another award to Sergeant Matthew Parrish. He complimented Parrish on

his professionalism, fairness and leadership and thanked him for his service to the school. He also thanked Mayor Andy Moore and the Council for allowing him the opportunity to present the awards.

Mayor Moore thanked Ewell for the recognitions. He then introduced Johnston County District Attorney Jason Waller. D.A. Waller complimented town staff on their immediate action to a situation with a threat on the campus at Smithfield Selma High School. He stated when he read the report regarding how officer Gibbons handled the situation with high regard to the safety of all involved--noting it was "textbook," he felt his parents should be very proud. Waller stated he wrote Gibbons a letter of commendation for going above and beyond to serve the community and keeping everyone safe.

Mayor Andy Moore referenced the situation and also commended the officers for their diligent attention to the situation and their training, which helped diffuse it without incident. He thanked the officers for their actions in being able to de-escalate the situation.

Mayor Pro Tem Roger Wood also congratulated and thanked these officers, and all officers in the County for the jobs they do. He also thanked the Johnston County School Board for their funding for school resource officers, noting it is a great partnership on both ends.

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 the contiguous annexation of property into the Town of Smithfield's corporate limits: E&F Properties has submitted a petition for voluntary annexation of the 498.283 acres (Johnston County Tax ID 17K08039A and 17K08032) to the Town of Smithfield.

Mayor Pro Tem Roger Wood made a motion, seconded by Councilman David Barbour to open the Public Hearing. Unanimously approved.

Planning Director Stephen Wensman stated that on August 19, 2025, the Town Council approved a resolution directing the Town Clerk to investigate the sufficiency of the annexation petition. The Town Clerk completed the investigation, finding the annexation petition to be sufficient by standards of the statute. On September 2, 2025, the Town Council adopted a resolution setting the date for the Public Hearing to be held on September 16, 2025, which at that meeting was continued to the October 7, 2025 Town Council meeting and readvertised. Pursuant to NCGS 160A-58.2, the next step in the annexation process is the public hearing. During the Public Hearing, the Town Council shall receive public comments, and consider adopting Ordinance #529 2025 extending the Satellite Limits of the Town of Smithfield. Wensman stated the council may adopt an ordinance annexing the area described in the petition. The ordinance may be made effective immediately or on any specified date within six months from the date of passage.

Wensman stated that the Bellamy Subdivision site will be served by the Town of Smithfield public water and sewer. Duke Energy will provide electricity. The area is currently within the Wilson's Mills Fire District. The Department may have a financial obligation with Wilson's Mills Fire District with the approved annexation. Smithfield will be required to provide fire protection for the development. The Smithfield Police Department will provide police protection to the subdivision. Public Works will provide sanitation, street maintenance, stormwater maintenance, etc. for the Bellamy development. The Bellamy development will have a Homeowner's Association; therefore, there should be little impact on the Town's Code Enforcement. Wensman stated staff recommends the Town Council adopt the ordinance to extend the corporate limits of the Town of Smithfield, and asked the Board if there were any questions for staff.

Mayor Andy Moore, not seeing any questions for staff asked the audience if there were any comments.

Andy Petesch of Petesch Law at 1217 Stowage Drive, Cary NC spoke on behalf of his clients Ben Youngblood, Jr. and Ben Youngblood, III who live adjacent to the development, as well as Will Stephens who lives in the area. Petesch stated he was there to present objections for whether the development was in the interest of the general welfare of the area, and that he would present those comments later in the meeting during the case for rezoning.

Mr. Charles Brewer, stated he lives near the property off Wilsons Mills Road. He was concerned that he did not receive a letter of notification regarding the development due to his property being 32 feet from the buffer area for adjacent property owners to receive letters. He stated he was a 25-year resident of the area, and that the proposed development would be in his backyard. He was concerned about the effects on agri-business, livestock, and the disruption of the overall rural appeal he now enjoys. He also expressed concern for the town's reach in what he considers rural ETJ.

Brett Renfrow, of Eden Woods subdivision provided detailed comments on the potential impact of the proposed Bellamy development. He expressed significant concerns about public safety, increased traffic, and the strain on local infrastructure. Renfrow noted that the addition of over 1,100 new homes would greatly increase traffic density on narrow, two-lane farm roads, posing safety risks and causing congestion. He highlighted the presence of large farming operations nearby and the challenges for residents dealing with increased traffic and operational impacts.

He also discussed how the annexation and resulting growth could compromise emergency services, as fire and police resources would be stretched to respond to incidents in the new area, potentially leaving the rest of the town vulnerable. Renfrow warned that this situation could result in inadequate fire and police protection for current Smithfield residents during emergencies.

Further, Renfrow expressed doubts about the town's ability to support the development with current infrastructure, citing already strained sewer capacity and failing roads. He questioned whether the council was following the comprehensive use plan and stressed the importance of prioritizing community safety, responsible growth, and long-term impacts over rapid expansion. He urged the council to carefully consider the concerns of existing citizens and the recommendations of advisory boards before making a decision.

Mr. Renfrow also emphasized that he felt the existing sewer capacity will be depleted after the Mallard Road project, placing additional financial burden on taxpayers for renewal. He noted the Planning Board's unanimous recommendation to deny the Bellamy development, stating it doesn't align with the comprehensive use plan. Renfrow compared neighborhood densities, arguing the proposed development would introduce much higher density than is typical for Smithfield, raising concerns over quality of life and infrastructure strain. He urged the council to remember their oath and community responsibilities, cited legislative changes on extraterritorial jurisdictions (ETJs), and concluded by encouraging adherence to the town's values and plans.

Mayor Andy Moore invited other speakers to address the council.

Marvin Dodd, the Interim Chief of the Wilsons Mills Fire Department, addressed the council about the proposed Bellamy development. He expressed concerns that the increased traffic, which is estimated at about 2,400 additional vehicles would significantly impact safety and congestion in his department's jurisdiction, particularly near schools. Dodd emphasized that public safety should take precedence over developer profit and warned that the project could strain local emergency services. He urged the council as a 39-year Veteran Fireman to ensure growth remains controlled and community interests are prioritized to look out for our neighbors.

Rick Buckner of 106 Cobblestone Court, Smithfield, addressed the council to reiterate concerns about the Bellamy development. He highlighted that the town has approximately 4,000 previously approved homes that have not yet been constructed and cautioned that the long-term effects of such growth remain unclear. Buckner urged the council to avoid further decisions until the impact of prior approvals is known, referencing the Planning Board's unanimous recommendation against the development as inconsistent with Smithfield's growth plan. He encouraged the council to prioritize the interests of the community and demonstrate transparent, responsible leadership.

Mayor Andy Moore stated, that if it pleases the Council, he would like to hold the Annexation public hearing open to decide on it, as well as the upcoming conditional zoning case simultaneously. There were no objections from the Council, so the Board moved forward with the next public hearing.

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, an 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.

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

Mayor Andy Moore clarified public hearing procedures, noting that while all attendees are welcome to speak, those representing large groups, particularly if opposed, are encouraged to appoint a spokesperson to avoid repetition and ensure the meeting proceeds efficiently. He emphasized that unique perspectives are welcome, but repeated points are discouraged due to time constraints. Mayor Moore added that this in no way is implied to hinder citizen feedback. He encouraged that all are welcome to share their opinions, as he assured attendees that no decisions had been made beforehand, and stressed that both the board members and staff approach their duties with seriousness and integrity. He reiterated the commitment to fairness, transparency, and inclusivity for all present, regardless of citizen status.

Planning Director Stephen Wensman presented the case for conditional zoning by outlining the proposed 498-acre residential development with 1,147 units (single-family and townhouses), noting that the project's density of 2.4 dwellings per acre aligns with the town's comprehensive land use plan for low-density development. He highlighted features such as phased construction over 10 years, parkland dedication (primarily in the floodplain), compliance with watershed and zoning ordinances, utility planning, access points, and infrastructure. Wensman emphasized that the proposal meets both the letter and the intent of the town's plan, allows for context-sensitive townhouses, provides for future regional commercial growth, and includes a mix of lot sizes and open space amenities. The request included several deviations from standard code (such as narrower rights-of-way and reduced setbacks), but he argued these fall within the give-and-take nature of conditional zoning and are consistent with other recent local developments. He addressed stormwater requirements and the rationale for accepting a trail easement instead of large areas of parkland that might not serve active recreation needs.

Wensman added that the site's proposed landscaping and buffers, including enhanced berms near the hog farm, and parking arrangements, noting that while guest parking for townhouses is written into standards, it isn't shown on the initial plan and will be required as a condition. He detailed the range of proposed lot sizes for both single-family homes and townhouses and clarified the proposed architectural guidelines (such as varied house styles and design features). Wensman also described several requested deviations from standard zoning, such as reduced minimum lot areas, narrower lot frontages, and shorter setbacks, comparing these to typical requirements to include a right of way deviation from 60 down to 50 feet. He argued these deviations are part of the "give and take" of conditional zoning and highlighted that other aspects of the development meet or exceed town standards.

Councilman Travis Scott requested Wensman repeat the right of way width. Wensman stated 50 feet. Wensman highlighted the areas of exceeding standards for the development.

1. *Providing lots of passive and some active open space beyond typical code requirements.*
2. *Offering a range of recreational amenities (such as parks, trails, clubhouse, pool, etc.) not strictly required by code.*
3. *Supplying additional street yard and enhanced street yard landscaping where needed, above minimum standards.*
4. *Including guest parking areas for townhouses beyond what is required by code (not shown on the plan, but written into standards).*
5. *Volunteering enhanced architectural standards (such as varied designs, materials, and features) that go beyond the base requirements.*
6. *Implementing required landscape buffers—and in some cases, enhancing those buffers to provide extra screening, especially near sensitive areas like the hog farm.*

Planning Director Stephen Wensman explained that the Planning Board recommended denying the development due to concerns about compatibility with surrounding land uses, particularly the proximity to the hog farm and closure of Lee Youngblood Road affecting farm operations. Wensman then outlined staff's recommended conditions to address these concerns, such as requiring trash and recycling containers to be kept out of public view (except on trash day), making the HOA responsible for maintaining open space and amenities, including architectural standards in HOA declarations, minimum driveway widths, dedicating a public trail easement instead of large parkland, and ensuring road access for the neighboring Tralee development. He also suggested considering increased guest parking for townhouses and reverting side yard setbacks to 10 feet.

Wensman stated that staff ultimately recommended approval if these conditions were met, finding the proposal consistent with growth plans and in the public interest. He incorporated his presentation for the record, and all information regarding the conditional rezoning was presented to the Town Council in written form as part of their 10/7/2025 agenda packet.

Wensman listed the seven conditions for approval with staff's recommendation:

RECOMMENDATION:

Planning Staff recommends approval of CZ-25-05 with the following conditions:

1. *That the trash and recycling roll-off containers in the single family and townhouses units be screened from the public right-of-way or stored within a garage or the rear yards and enforced by the HOA.*
2. *The HOA declarations be submitted for review by the Town Attorney with the preliminary plat.*
3. *That an HOA be responsible for the maintenance of all private open space and recreational amenities, SCMs, parking areas, mail kiosks, etc.*
4. *That the architectural standards be included in the HOA declarations.*
5. *That the residential driveways be a minimum of 12' wide.*
6. *If not included within a public dedication of recreation area accepted by the Town, the developer will dedicate a 30' wide public trail easement for the future Johnston County Trail along Poplar Creek.*
7. *That road access be provided to the +/- 37 acres to the west in the Tralee Development.*

Councilman John Dunn requested clarity for what Wensman meant by the context sensitive map of the townhouses. Wensman clarified that, by "context sensitive," he means the higher-density housing units are located near the center of the development rather than along its outer edges. This design minimizes the impact on adjacent properties and is an unusual approach for this type of project.

Dunn also asked for clarity regarding condition number seven for road access to Tralee, and why it would be up to the Town to make that condition—and not the developers working something out. Wensman stated the developers have already agreed to that, and were present to speak to the issue, but that staff wanted to make it a condition because the current plan does not show it.

Councilman Sloan Stevens questioned why staff selected the R8 (single-family/multi-family) conditional zoning designation for this project, noting that many of the proposed development standards appear similar to, or more consistent with, the higher-density R6 district. He asked staff to clarify the reasoning behind their choice, given the overlap between the project's proposed standards and those of the R6 zone. Planning Director Stephen Wensman explained that, while some standards for the proposed development are similar to those of the higher-density R6 district, the town no longer allows rezoning to R6. Therefore, the R8 conditional zoning was selected because it permits both single-family and multifamily (townhouse) products and was the most appropriate available option for this type of development.

There was some discussion regarding the 15 listed deviations from the code, with staff and some Board members noting there were many places where the development exceeded the Town's Unified Development Ordinance requirements.

Councilman Travis Scott questioned who would be paying for the development infrastructure. Wensman state the developer. He mentioned that the developer would be putting in a pump station and putting in lines boring under Poplar Creek and connecting to the Town's existing infrastructure.

Councilman Travis Scott also asked Wensman who would pay for the sewer capacity for the project. Wensman deferred the question to the Utility's Department representative present, Shane Stanley.

Mr. Stanley stated he had spoken with the Town's Utility Director prior to this meeting, and was told that we have capacity due to an existing agreement between the county and the Town.

Town Manager Mike Scott clarified that developers are responsible for paying sewer capacity fees, which are about \$11 per gallon. These fees are paid to the town, which then remits them to the county to cover future growth. He assured the council that the town currently has ample sewer and water capacity to support this and additional developments, and that all related costs are borne by the developer—not by existing residents.

Councilman Scott stated that it is important to point out that it's not the intention of the Board for infrastructure development costs to not cost the end-user money, but should come from the developer. He added that it was his opinion that such fees should be paid per project, not per phase.

Councilman Scott also wanted to address how the farming operation near Tralee would be impacted. He stated he felt that the proposed connector road needs to be wider considering the density brought by the development.

Wensman explained that the developer cannot extend a road to the west side of the property because Poplar Creek creates both costly construction challenges and difficult environmental permitting requirements. As a result, building a direct connection is not practical. Although a short section of road (a "stub road") exists, the neighboring property is left without an accessible route ("landlocked") and is therefore asking for some form of access to be provided.

Councilman Scott asked if this meant that there may be additional traffic. Wensman replied yes.

Councilman Gettys Cohen reiterated that there should be no tax leveraged against the citizens of the Town to put in water and sewer infrastructure. Wensman stated the developer would install and connect on their dime. Councilman Sloan Stevens added whereas the developers might install, that the responsibility for the subsequent maintenance of this infrastructure would fall on the town as an asset/liability.

Councilman David Barbour highlighted that maintenance fees for utility lines are pooled together, so funds collected from new residents help support repairs across the town's existing infrastructure, including older areas. He also questioned the density of the neighboring Wilson Mills development to compare it to the proposed project's density, suggesting that the nearby community might actually have higher density and less open space than the new proposal. Barbour stated this must be factored in as well, and asked what the density might look like excluding the proposed Townhomes.

Planning Director Stephen Wensman explained that the Bellamy development is distinctive because it features a diverse mix of lot sizes distributed throughout the community. This intentional variety allows for different types of housing—from townhouses to starter homes to larger residences—enabling residents to move through various stages of homeownership within the same neighborhood. Barbour stated this is not something that the Board has not already done several times in past approval processes.

Mayor Andy Moore asked a question about the distance between the homes being five feet, and whether staff was recommending ten feet. Wensman clarified that he was not formally recommending a specific setback, but noted that if there are concerns, the council could require a 10-foot side yard setback as a condition. He shared that, based on his review of a comparable development (Marin Woods) with five-foot setbacks, the actual distances between homes often ranged from 10 to 15 feet, offering developers greater flexibility in house placement. Mayor Moore clarified that the code states 10 feet on each side, meaning 20 feet between houses in a typical R8 zoning district.

Councilman David Barbour inquired about any discussions or agreements with the neighboring farming operations. He also noted—based on what he has heard and subject to clarification—those residents appeared to be more comfortable with the development following the proposed changes. Mr. Wensman responded that the developer would address these points during his presentation.

Councilman David Barbour asked if the developers were ok with staff's recommendations. Wensman stated they were ok with recommendations 1-7.

Mayor Andy Moore mentioned that the developer's plan included a proposed downtown area, and asked that Wensman point the area out on the map. Wensman pointed the area out on the map, stating the area would be near Strickland and Swift Creek Roads and is currently being planned.

Mayor Moore asked if there were any questions from the audience, adding a request that the audience be kind and respectful during comments.

David Bergmark of Raleigh, NC, representing the applicant thanked, staff and council for their thoroughness and responsiveness throughout the process.

He made the following main points:

- Described the proposal as a master-planned community with 1,147 total housing units (primarily single-family homes, plus 277 townhomes) over nearly 500 acres.
- Explained that townhomes were carefully integrated throughout the site rather than isolated, to promote inclusivity and minimize impact on neighbors.

- Highlighted the mix of lot sizes to ensure variety and accommodate residents at different life stages.
- Noted intentional design features, such as curving streets and terminating vistas, to improve aesthetics and traffic safety.
- Detailed open space offerings: a main amenity center and multiple pocket parks situated for walkability and recreation.
- Clarified the commitment to a minimum of 125 acres of recreation or trail dedication, and flexibility depending on county acceptance and site constraints.
- Addressed compatibility concerns regarding the adjacent hog farm, emphasizing enhanced buffers (such as a six-foot berm) and maintaining significant distance between homes and the farm.
- Outlined communications with neighboring property owners about roadway access and explained that certain road design solutions would be finalized in coordination with NCDOT.
- Acknowledged site challenges with floodplains but emphasized significant areas of developable land.
- Expressed willingness to continue working with concerned parties and adjust design details as needed during subsequent phases.

Mr. Bergmark asked transportation expert Will Letchworth to come forward to speak regarding transportation concerns for the proposed development.

Will Letchworth, the traffic engineering expert of McAdams Engineering group, explained that while the Town of Smithfield does not require a traffic impact analysis (TIA), the North Carolina Department of Transportation (NCDOT) will require one as part of the development's permitting process. He described the use of national standards to project traffic generation, stating that the roadways in question (Wilson's Mills Road) have a current capacity of about 15,000 vehicles per day—well above the existing counts of 2,800 to 3,200 vehicles per day. Letchworth estimated that, once fully built, the proposed development would generate approximately 9,661 trips per day, distributed in multiple directions. He concluded that even with the new development, Wilson's Mills Road would still be operating just over half its capacity, suggesting the existing infrastructure is sufficient to accommodate the anticipated traffic. Further details and recommendations would be determined through the formal TIA and coordination with NCDOT.

Councilman Travis Scott asked Letchworth to repeat the number of daily trips for clarification. Letchworth stated 9,661 trips per day.

Councilman David Barbour asked, referencing the trips per day, where the 3,200 and 2,800 split was, logistically speaking. Letchworth stated between Durwood Stephenson Parkway and Wilsons Mills Rd. Barbour confirmed that one end was 2,800 and the other end was 3,200 vehicles per day.

Councilman Sloan Stevens questioned whether modifying the northern end of Lee Youngblood Road would cause most development traffic to be funneled south, potentially creating an access imbalance. Letchworth responded that the road would not be closed but realigned through the development, maintaining two connections to Wilson's Mills Road. He explained that specific traffic pattern outcomes would be determined by a detailed analysis, but that residents would likely choose the most efficient routes, and these factors would be fully assessed in the formal traffic study.

Councilman Sloan Stevens expressed concerns that realigning Lee Youngblood Road could lead to a disproportionate amount of development traffic being routed through the southern access point, which might create safety issues.

Will Letchworth (traffic engineer) responded that residents would choose the most efficient routes available and that the forthcoming traffic impact analysis would assess traffic distribution at both the northern and southern access points. He explained that any necessary improvements (such as turn lanes) would be recommended based on these detailed findings.

Councilman Travis Scott asked for clarification about national standards for traffic analysis, referencing the letters A through F in the materials. Mr. Letchworth explained the use of the federal Highway Capacity Manual, which classifies traffic flow from Level of Service A (free-flowing) to F (congested), with planning typically based on maintaining Level of Service D and is a generalized representation of traffic flow. Service level D translates to 15,000 approximately for a two-lane road of this width with this speed limit in this setting.

Councilman Gettys Cohen, Jr. asked if there were any other neighboring communities that have this type of proposed traffic situation that he might be able to examine for comparison. Letchworth explained that there are multiple communities in Johnston County located adjacent to major interstates and collector roads, similar to the proposed development. He noted that while he could not recall specific names, recent developments in areas like Clayton illustrate comparable circumstances. Letchworth emphasized that the project's location—immediately adjacent to an interstate and a major collector (Wilson's Mills Road)—is consistent with regional planning patterns and that such roadways are designed to accommodate collector level traffic for a substantial residential development, such as Bellamy would generate.

Councilman David Barbour stated that Wilsons Mills Road was not initially designed to be a collector-level road, as it was built many years ago. However, it has become that—which is one of the concerns that people have. Traffic engineer Letchworth responded that while concerns about the road are valid, Wilson's Mills Road currently meets the standard lane width for a collector road. He emphasized that their ongoing traffic impact analysis—required by NCDOT—will closely evaluate the design and operation of intersections, as well as ensure safe and efficient traffic flow with necessary turn lanes.

Councilman David Barbour questioned whether Wilson's Mills Road is suitable for the increased traffic from the proposed development, specifically asking about the impact on the route south into Smithfield and local neighborhoods. Traffic engineer Will Letchworth acknowledged the road's origins but pointed out that its current lane width meets collector road standards. He explained that the current traffic impact analysis, required by the NCDOT, will assess intersection operations, safety, and necessary turn lanes. Letchworth also shared preliminary estimates: about 65% of traffic from the new development is expected to travel north toward the interchange, with the remaining traffic heading south into Smithfield. He emphasized these figures are subject to NCDOT review and may change as the study continues.

David Bergmark emphasized the planned mix of single-family homes and townhomes, stating that this approach creates a financially resilient community and allows residents to stay as their housing needs change. Bergmark highlighted the site's access to multiple transportation corridors and its various recreational amenities. He addressed concerns about project density, stating it is below 2.5 units per acre and well within the town's "low density" planning standards. He clarified that while certain high-density stormwater provisions apply, the development itself remains low density, and he explained the rationale behind requests for dimensional standard adjustments. He acknowledged that the Board's concern that the dimensional standards aligned more with R-6, rather than R-8 as a valid point.

Councilman Sloan Stevens noted to the developer that he was speaking in terms of gross density. Bergmark stated although this is a fair point, the project is still well below the low-density range outlined in the Town's Comprehensive Plan's designations. He also noted that this is a big site with a lot of acreage, of which development would happen over a long period of time.

Bergmark further iterated that this step was the first of many steps within the development process, and that there are quality assurances in place for checks and balances to ensure it is the right type of development.

Councilman David Barbour asked whether the developer has experience building residential communities near animal production facilities (like hog, cattle, chicken, or turkey farms). He wanted to know how the developer has communicated the presence of such facilities to future homeowners, and what steps have been taken to protect both new residents and the livelihoods of nearby farmers to avoid conflicts between the two groups.

Bergmark clarified they had communicated about development plans with the landowners' attorney, not directly with the landowners. While the team hasn't built next to hog farms specifically, they have worked near other agricultural operations. He explained their typical approach includes requiring formal disclosures to homebuyers about adjacent farms, so buyers cannot claim later that they were not made aware. Additional strategies may involve installing berms or careful road planning to separate farm and residential traffic, and the developer plans to coordinate with DOT and others to address access and compatibility issues.

Councilman Barbour asked whether a disclosure requirement regarding adjacent agricultural uses could be included as a condition in the zoning approval. Planning Director Stephen Wensman agreed that this disclosure could be added as a condition within the zoning.

The developer agreed to conditions one through seven, including the stub to the west, as proposed. The developer expressed reservations about additional staff-proposed conditions, particularly regarding increased side setbacks. They explained that a five-foot setback aligns with industry standards for similar lot sizes, and increasing this requirement could negatively impact home design by reducing buildable area and limiting garage options.

Bergmark further explained that increasing side setbacks to 10 feet on 50-foot lots would result in only 30-foot-wide building envelopes, potentially forcing narrower homes and single-car garages, which they believe are undesirable outcomes. Therefore, they prefer to maintain the current five-foot setback. Regarding guest parking, the developer stated their intent to incorporate additional parking—primarily parallel on-street spaces and possibly off-street—at later project phases, and prefer a standard of one extra guest parking space per building rather than a higher ratio per unit.

Bergmark also noted that townhome units typically generate less traffic than single-family homes, so a large amount of additional guest parking is not warranted. They stated that while some guest parking is needed, excessive parking would increase land disturbance, impervious surface, and stormwater runoff. For these reasons, they prefer to limit guest parking to the amount actually needed.

Councilman David Barbour asked whether the proposed community would be maintenance-free for residents, where care was pre-empted by the HOA. It was stated that the townhomes would be HOA maintained, and the single-family homes would be individually maintained.

Councilman Gettys Cohen, Jr. expressed concerns regarding traffic increases with the proposal of 1100 homes. Bergmark acknowledged concerns about increased traffic and explained that while the traffic impact study will consider overall daily traffic, its primary focus will be on peak hour (commuter time) traffic, as this is most important for identifying congestion issues and needed improvements.

Mayor Pro Tem Roger Wood expressed concern that the proposed development is not meeting existing R8 zoning standards. He questioned why the developer is opting for narrower homes rather than reducing the number of homes to allow for larger lots and lower density, and conveyed his dissatisfaction with the current approach. The developer responded that the project is already on the lower end of the town's low-density range, even though the total number of units may appear high. He explained that the number of units and lot sizes were determined in order to balance planned improvements and commitments with financial feasibility. The developer then suggested increasing the side setbacks on larger lots to around 7.5 feet, asking if this would address council concerns. Mayor Pro Tem Roger Wood responded that he would need to review specific figures and remained dissatisfied with the project's alignment to R8 standards, stating that further negotiations and a possible reduction in the number of homes would be needed to reach an

acceptable solution, regardless of recommendations from planning staff or the board. Wood noted that this was solely his opinion, Bergmark stated he understood.

Mayor Andy Moore compared the proposed 50-foot lot frontage with the R8 standard of 70 feet, noting that a 70-foot lot with 10-foot side setbacks would allow more buildable space than what is currently proposed. He acknowledged that close spacing between homes can be appropriate in some locations, but expressed concern about the fire safety risks associated with homes built in close proximity.

Mayor Andy Moore emphasized the need for additional overflow parking in the proposed development, citing observations from existing communities where driveways are consistently full. He recommended that as much extra parking as possible be included, stating that this need should take precedence over traffic studies or minimum code standards.

Councilman Sloan Stevens stated he had concerns about the development in general, as well as for the neighboring farming operations that he would address later. He asked the developer if he was prepared to commit to Class A building materials. Bergmark stated not without consulting to understand the impact, but that he would get back to him upon consulting a building expert.

Councilman Stevens also expressed a concern with guest parking and increased buffering around the entire community. The developer stated they were prepared to evaluate it.

Councilman Sloan Stevens expressed that, compared to previous projects, the board's concerns and those of citizens have not been fully considered in the current proposal, which he characterized as hurried and overly focused on maximizing density. He stated understanding for the developer's profit motive but emphasized the board must address potential negative community impacts. Stevens reiterated his request for higher quality building materials and greater architectural variety, voicing dissatisfaction with proposals for vinyl siding, repetitive building designs, and blank exterior walls. Stevens further proposed that, in addition to acknowledging the presence of nearby agricultural operations, new homeowners should be required to waive the right to file nuisance complaints about such activities. He recommended that this waiver be recorded in the property deed rather than as an HOA rule, to ensure it remains enforceable even if the HOA is dissolved. Councilman Sloan Stevens further expressed concern that the proposed development seeks to justify a low-density zoning designation while actually creating a high-density neighborhood feel. He emphasized that the council has decision-making authority on these matters. Stevens noted the town's approval of over 4,000 homes in recent years and recognized that a mix of new housing has been necessary to encourage commercial growth, attract industry, and create jobs, although he acknowledged ongoing debate about the rate and location of development. He acknowledged that recent development has been accepted for the town's broader benefit, but stressed that this decision is critical and irreversible once made. He cautioned that the proposed plan gives a high-density feel under the guise of low-density zoning and is not compatible with the surrounding neighborhood. Stevens urged the council to be selective and deliberate, rather than approving developments simply because they are available. Councilman Stevens emphasized the importance of using conditional rezoning to thoroughly evaluate development proposals, but expressed concern that in this case, the process appears to be facilitating higher density rather than careful planning. He urged the council to proceed cautiously, questioned the need to grow the tax base at such a rapid rate, and advocated taking sufficient time to ensure the project aligns with the town's long-term goals, noting that the proposed development would represent a 20% increase in recently approved housing.

Councilman John Dunn asked what was the proposed sidewalk plan for the neighborhood. Bergmark stated a sidewalk on both sides. The Board corrected him in that the proposal was for sidewalks on one side. Bergmark concurred. Councilman John Dunn stated that with a 25-foot front setback, driveways may not be long enough to prevent parked vehicles from extending onto and blocking the sidewalk when one is present in front of a home. The developer explained that excessively long driveways (25-30 feet) often lead residents to park two vehicles in tandem, which can block the sidewalk. He recommended aiming for driveways closer to 20 or 25 feet to discourage sidewalk obstruction, as longer driveways may unintentionally invite this issue.

Councilman Travis Scott asked the developer if he felt on-street parking would be effective for this development in his experience, he also asked if they were proposing curb and gutter, or would the development be valley curb and gutter. The developer stated that the project will include curb and gutter, and on-street parking will be incorporated primarily in areas adjacent to open spaces—such as pocket parks or locations with stormwater control measures—where there are no residential units, allowing for dedicated parking spaces without impacting individual homes.

Councilman Sloan Stevens asked if the sidewalks would be development owned or Town owned. Bergmark stated Town owned because they would be in the public right-of-way.

Mayor Andy Moore asked if there was anyone else wishing to speak to the development at this time.

Edwin Boyette of 117 Rock Pillar Road addressed the Council, stating that the density level statements made by the developer seemed nonfactual. Boyette stated that the actual developable area of the site is significantly less than stated due to topography and floodplain constraints, making the effective housing density much higher than presented. Boyette noted that by his observations, at least 200 acres of the property could not be developed, so the actual density would be closer to the upper end of 3.85 units per acre. He cautioned that the town's approach to development may create friction with surrounding communities and warned that staff statements alluding to assuming urbanization is inevitable, "like it or not," could lead to increased political resistance from area residents. He stated the overwhelming consensus from neighbors is that they do *not* like it.

Andrew Petesch, of Petesch Law of Cary NC, representing the Youngbloods and Mr. Stephenson addressed the Council regarding his clients concerns with the development. He presented a slideshow to the Council from which he outlined a highlight of concerns:

- The rezoning application deviates significantly from the intent and standards of the UDO (Unified

Development Ordinance), lowering lot size and frontage beyond what is typical for R8—closer to R6 standards.

- The proposal is inconsistent with the comprehensive plan, which designates the area for low-density, primarily single-family residential development—yet the plan includes a substantial proportion of higher-density townhouses.
- The density figures presented by the developer do not account for undevelopable land (floodplain, topography), leading to a misleading (too low) average density calculation.
- There is a lack of clarity in the master plan narrative regarding which site-specific standards override traditional requirements, causing confusion about which rules will ultimately be enforced.
- The process appears to forego a quasi-judicial hearing that would typically accompany townhome approval in R8, eliminating an additional layer of review and public input.
- The proposed development would exceed the 24% built-upon area allowed in the watershed overlay, necessitating council consideration of stormwater management adequacy.
- The stormwater management plan is vague; he questions whether it will sufficiently protect the watershed, given projected impervious surface levels.
- The traffic impact is not compatible with the comp plan's goal of keeping rural collector roads "low traffic," and the additional volume from the development would move local roads into a moderate traffic designation.
- Adjacent land near Wilson Mills Road also serves as a segment of the Mountain-to-Sea Trail, raising safety and public welfare concerns about congestion and non-motorized use.
- The plan will adversely affect the operations and access for existing agricultural operations (notably the Youngbloods' hog farm), especially due to road realignment, increased residential traffic, and potential incompatibility between farm vehicles/trucks and residential use.
- There is a risk of conflicts and operational challenges for farm businesses because of increased development and altered traffic patterns, which may significantly compromise farm access and efficiency.
- The rezoning process is being used in a way that could undermine the intent of standard zoning categories and the goals of the comprehensive plan.

Petesich advised the council to weigh these impacts and the deviation from established planning objectives before making a decision.

Mayor Pro Tem Roger Wood asked Petesich to again illustrate, pointing to a map, where the utilization of the road may cause tractor trailers to go through neighborhoods. Petesich did so, explaining that, due to the planned realignment, access to Lee Youngblood Road from Wilson Mills Road will change. As a result, heavy vehicles, such as trucks serving the agricultural operations, would need to approach from the south. This route involves navigating several limited-visibility and sharp turns, increasing access challenges for farm operations. Petesich noted that any potential to remedy road conditions to make passage viable would impact the Youngblood's property, and not the developers—which Petesich states is inherently wrong.

Mayor Moore asked if Lee-Youngblood Road was a public or private road. Petesich stated it was a state road.

Attorney Andrew Petesich made the following key points about the development's proximity to the neighboring hog farm:

1. The Ben Youngblood JR family and his son reside on the adjacent property, which consists of homes and agricultural fields used to spread lagoon waste as fertilizer.
2. The distances between the existing hog farm and the proposed development are:
 - Lagoon to the development property line: 150 feet
 - Hog house to the property line: 125 feet
 - Hog house to back door of the nearest proposed house: 205 feet
3. During a site visit, Petesich personally noted that odor was initially undetectable but quickly became unpleasant after a few minutes, making it difficult to breathe. Odor is highly variable, worsening when winds blow from the southwest.
4. The developer proposes increasing the buffer from 15 feet to 20 feet, using a 6-foot berm and plantings to create a visual buffer; Petesich argues this may help with sightlines but will do little to mitigate odor or noise.
5. He raises concerns about persistent noise from the hogs and lagoon pumps, noting the buffer will not significantly address sound issues.
6. Petesich references North Carolina state statutes, which set much larger minimum distances between hog operations and residences/recreational areas (e.g., 1,500 feet to an occupied residence, 2,500 feet to an outdoor recreational facility, and at least 500 feet from any property boundary). The proposed development does not meet these legal standards.
7. State statutes allow neighbors to agree to closer proximity; Petesich warns that homebuyers may not fully understand or be able to tolerate the practical impacts of proximity to a hog farm.

8. The enhanced buffer is largely for visual relief and does not address fundamental incompatibilities between the development and the agricultural operation next door.
9. Petesch concludes by urging the council to deny the application, citing comprehensive plan incompatibility, lack of harmony with the surrounding area, and failure to meet setback requirements.

Councilman John Dunn pointed out that the slide referencing appropriate distance as being from a hog farmer developer's perspective, and not from a residential development perspective. Attorney Petsche clarified that, while the referenced guideline does not specifically apply to the Bellamy project, it serves as a useful benchmark for evaluating whether a 205-foot setback to the back door of a residence is appropriate.

Jamie Beasley of First Street in Smithfield—a recently appointed member to the town's planning board, addressed the Council. She emphasized transparency and the importance of voting her conscience. She noted she was not present at the September meeting when the project was previously discussed, but reminded the council that the planning board—appointed by the council—had already voted to deny the proposal. Beasley further clarified that, at the October meeting, the planning board was presented a request to amend the comprehensive growth management plan for the Bellamy subdivision from low density to medium density (9.61 units per acre), and that the current proposal under consideration is for medium density.

Charles Brewer, neighbor to the proposed development off Wilson's Mills Road made the following points:

- Stated he is directly associated with the area, believes in landowner rights, but expressed concern when property use negatively affects neighboring landowners.
- Noted that the proposed development is a large-scale project (over 1,100 homes) adjacent to agricultural land.
- Raised concerns about the increased residential density and its incompatibility with surrounding agricultural uses (RA zoning).
- Expressed disappointment over the transition from rural/agricultural to higher residential density, citing the impact on the rural character and way of life.
- Highlighted potential loss of wildlife habitat and frequent wildlife sightings in the area; emphasized his commitment to conservation as a scoutmaster.
- Cautioned about increased nuisance issues, particularly related to hunting and shooting, and the burden this may place on local law enforcement and emergency services given jurisdiction overlaps.
- Stressed that the proposed buffer is inadequate and suggested considering a more substantial buffer, such as a berm similar to Holt Lake South, to mitigate visual and noise impacts.
- Voiced concerns about noise, increased crime from denser development, and added strain on police and fire services outside the town limits.
- Worried about water runoff, drainage issues, and potential effects on well water and water quality, especially during heavy rains due to increased hardscape.
- Described past frustrations with surprise zoning changes and lack of adequate notification, emphasizing the need for broader notification (500-foot buffer) for large projects.
- Requested that the rights and perspectives of long-standing residents and agricultural landowners be respected and considered in growth decisions.

Brewer concluded by urging the council to show respect and consideration for long-term residents and families who wish to remain in the area. He requested that their interests, along with all perspectives shared during the meeting, be thoughtfully considered in future decisions.

At approximately 10:44 pm, the mayor called for a 5-minute break in session for the Town Council. The Council reconvened at approximately 10:52 pm.

Mayor Moore resumed the meeting and, noting the late hour, requested that any additional speakers limit their comments to three minutes or less to ensure the meeting could proceed efficiently.

Mark Lane, Chair of the Smithfield Planning Board, clarified that the planning board's recommendation to deny the proposal was not based solely on the proximity of a hog house to a residence. Instead, the denial was due to the project's incompatibility with the comprehensive growth plan and its lack of harmony with the surrounding area. Lane explained that the area is designated for low-density development in the comprehensive plan, but the inclusion of townhomes would result in medium density—contrary to the plan's objectives. He noted that while the comprehensive plan can be amended, its stated objectives, such as balancing growth with environmental preservation and protecting the town's rural edge, require careful evaluation. Lane concluded that the proposed development does not align with these objectives or maintain compatibility with the agricultural character of the area.

Other citizen comments regarding the project were:

- Hunter Beasley of 376 Peel Rd., Clayton, an owner of 50 acres north of the project area, expressed concern about potential loss of rural character and increasing development along Wilsons Mills Road, emphasizing a desire to preserve agricultural land for future generations.
- Wendy Oldham, Planning Director for Wilson's Mills, clarified that:

1. Tralee is in Wilson's Mill's ETJ abutting Poplar Creek
 2. Wilson's Mills was not informed about the development proposal until residents raised concerns.
 3. There are concerns about fire and emergency service access due to jurisdictional boundaries and potential connectivity issues between developments.
 4. The area in question is planned for agricultural use in the Wilson's Mills future land use plan and the proposed development would not fit with this plan.
 5. Wilson's Mills is focusing growth on commercial and industrial uses, not additional residential subdivisions.
- David Young (Swift Creek LLC) clarified that while their parcel is part of the Tralee subdivision, there is no possible access across Poplar Creek. If future access is possible via Bellamy, they would annex into Smithfield and exit Wilson's Mills jurisdiction.
 - Yancy Strickland (resident and former local farmer) raised concerns about the long-term impacts of rapid development, referencing past experiences with poorly managed growth, inadequate zoning, and the challenges of responsible redevelopment. He urged careful, thoughtful planning to avoid irreversible consequences for the community.

Mr. Bergmark, representing the developer, came back to acknowledge the concerns and requests expressed by the board and other participants. He indicated that changes may be necessary to better align the proposal with board expectations and asked for specific feedback or conditions the board would like addressed. He requested the opportunity to develop and present additional amendments based on this input.

Councilman David Barbour started a motion, but the motion was interrupted by Councilman Sloan Stevens, who wished to make a few points. Councilman Stevens expressed deep concern for the future of local farming, noting that modern farmers, like the Youngbloods, must diversify—often with operations such as hog farms—to survive. He described changes since Smithfield Foods was sold and highlighted how contract limitations could threaten the viability of local farms, especially if communication with the company is severed as a result of low-key nuisance complaints. Stevens admonished the threat of potential resident's litigation and nuisance claims that could face the hog operation, and questioned whether a setback of 200 feet between a hog farm and new homes was enough, and could ever be workable. Stevens insisted that the proposed development could be viewed as a set up for failure of the hog farm. He cautioned that the proposal failed to address the long-term risks to both farmers, (who cannot just pick up and move away), and new residents. Stevens challenged the developers to show him where such close proximities between developments and agricultural operations exist in harmony anywhere. Stevens called for careful consideration of these issues in the decision-making process.

Councilman Sloan Stevens stated given his points of view, he would like to make a motion to deny the proposal of Bellamy.

Councilman Sloan Stevens made a motion, seconded by Councilman John Dunn to close the public hearing.

Mayor Andy Moore stated for clarification, motions must be made to deal with the annexation request as well as the conditional zoning request simultaneously, with the annexation being first. He sought clarification from Attorney Bob Spence to ensure things were done correct procedurally. Attorney Bob Spence concurred.

Councilman David Barbour called for a point of order to ask whether a motion could be made to supersede a current motion on the floor, such as a motion to table. Mayor Andy Moore stated that since there is a motion on the floor, the Board needed to deal with the motion currently at hand in order.

Councilman Sloan Stevens stated the motion he would like to present:

Councilman Sloan Stevens made a motion, seconded by Councilman John Dunn to deny the annexation and deny the conditional rezoning, because it is not in the public interest due to its negative effects on income and business, and that it is not consistent with the Town's Comprehensive Growth Plan.

Mayor Andy Moore clarified whether a motion had been made to close the public hearing. Councilman Sloan Stevens apologized, stating that a vote had not been made on that particular motion.

Councilman Sloan Stevens made a new motion, seconded by Councilman John Dunn to close both the annexation and the conditional rezoning public hearings simultaneously. Unanimously approved.

Councilman Sloan Stevens stated that he would let the previous motion stand, which stated:

Councilman Sloan Stevens made a motion, seconded by Councilman John Dunn to deny the annexation and deny the conditional rezoning, because it is not in the public interest due to its negative effects on income and business, and that it is not consistent with the Town's Comprehensive Growth Plan.

There was further discussion with Mayor Pro Tem Roger Wood clarifying whether Stevens was denying the petition as presented tonight. Councilman Stevens agreed.

Attorney Bob Spence iterated that this was a denial.

Councilman David Barbour asked if the Board voted against the denial, would there be an opportunity to make a next motion to table the matter.

Mayor Andy Moore clarified that there is a motion and a second on the floor to deny the annexation and rezoning requests that must be dealt with in order. If that motion is denied, then a subsequent motion can

be made to table. However, if the motion passes, there will obviously be no need for a subsequent motion. If that motion is denied, then the Board could table the issue to another meeting.

Mayor Andy Moore asked if there was any further discussion. He then called for the vote on the current motion to deny the annexation and rezoning requests by a show of hands.

The motion to deny both the annexation petition and the conditional zoning petition carried in a 5 to 2 vote, with Councilmen Cohen, Stevens, Scott, Rabil and Mayor Pro Tem Roger Wood voting in favor of the denials, and Councilman Barbour and Dunn voting against the denial of the petitions.

The mayor announced that both issues were denied.

CONSENT AGENDA:

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

- 1. Approval of minutes:**
 - a. 8/19/2025 – Regular Session
 - b. 8/19/2025 – Closed Session (under a separate cover)
 - c. 9/2/2025 – Regular Session
 - d. 9/2/2025 – Closed Session (under a separate cover)
- 2. Consideration and request for approval to Adopt Resolution No. 789-(28-2025); Acknowledging Quitclaim Deed for the conveyance of property at 204 Britt Street to the Upset Bid winner.**

**Resolution No. 789 28-2025
Town of Smithfield Town Council
Formal Acknowledgement of Sale of Real Property at 204 Britt Street**

WHEREAS, the Town of Smithfield jointly owned certain real property located at 204 Britt Street, Smithfield, North Carolina, along with the Wilson’s Mills Volunteer Fire Department, Inc.; and

WHEREAS, on July 15, 2025, in accordance with North Carolina General Statute § 160A-269, the Town Council authorized the sale of said property by the Upset Bid process; and

WHEREAS, following the proper advertisement and conduct of the Upset Bid process, the highest responsive bid received in the amount of One Hundred Eighty Thousand Dollars (\$180,000) was presented to the Town Council for consideration; and

WHEREAS, on September 2, 2025, the Town Council approved and accepted the highest responsive bid and authorized conveyance of the property; and

WHEREAS, on September 26, 2025, the Town Attorney’s Office has conveyed the property to the high bidder; and

WHEREAS, it is the desire of the Town Council to formally acknowledge for the public record the completion and finalization of this property sale.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Smithfield that the sale of real property located at 204 Britt Street, Smithfield, North Carolina, jointly owned with the Wilson’s Mills Volunteer Fire Department, Inc., has been duly completed in accordance with applicable law and is hereby formally acknowledged and recorded in the official proceedings of the Town.

Adopted this the 7th day of October, 2025, by the Town Council of the Town of Smithfield, North Carolina.

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk

- 3. Consideration and request for approval for Recreation Advisory Committee and Appearance Commission appointments:** The Town Council is requested to consider applications received for appointment to the Recreation Advisory Committee and the Appearance Commission. Jason Evans has submitted an application for regular membership on the Recreation Advisory Committee. Finley Carroll has submitted an application to be appointed as a High School representative on the Recreation Advisory Committee. Radley Donovan has submitted an application to be appointed to the Appearance Commission.
- 4. Consideration and request for approval for a Fire Department Career Ladder Promotion:** The Smithfield Fire Department is requesting the Town Council consider approval of the promotion of one employee from the position of Firefighter I to Firefighter II through career ladder promotion.

5. **Consideration and request for approval for Police Department Promotions:** The Smithfield Police Chief is requesting the Town Council consider approval to promote three individuals through career ladder promotions.
6. **Consideration of approval of Grant Project Ordinance No. GP-05-2025 for the Wastewater AIA project:** Grant project ordinances are required to be approved by the Town Council pursuant to NC G.S. 159-32 to give the Town management authority to expend grant funds. The Finance Department respectfully requests approval of Grant Project Ordinance GP-05-2025. The total grant project is a budget of \$150,000 for project No. E-AIA-W-21-0231.

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
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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

7. **Special Event - Consideration and request for approval for Jesus Co. Ministries to hold a Church Service and Family Day on October 19, 2025:** Jesus Co. ministries request approval to use the Rotary Shelter at Smithfield Community Park. Amplified should will be used between 9:00 am and 1:00 pm. No food or goods will be sold.

8. **Special Event – Bulldog Harley-Davidson Movember Event November 1, 2025:** Bulldog Harley-Davidson is requesting to hold a Movember event from 11:00am to 4:00 pm on November 1, 2025. A food truck will be on-site to sell food, two beers per person will be given away to customers age 21 and older, and a live band will perform from 12:00pm to 3:00pm.
9. **Special Event - Bulldog Harley-Davidson Bulldog Thank You Event, November 8, 2025:** Bulldog Harley-Davidson is requesting to hold a Bulldog Thank you event to honor local Veterans from 11:00 am to 4:00 pm on November 8, 2025. A food truck will be on-site to sell food, two beers per person will be given away to customers age 21 and older. No amplified sound will be used.
10. **Special Event - Bulldog Harley-Davidson Bulldog Holiday Toy Drive, November 15, 2025:** Bulldog Harley-Davidson is requesting to hold a Bulldog Holiday Toy Drive on November 15, 2025 from 11:00 am to 4:00 pm. A food truck will be on-site to sell specialty beverages, two beers per person will be given away to customers age 21 and older. No amplified sound will be used.
11. **Special Event - Bulldog Harley-Davidson Black Friday Event, November 28, 2025:** Bulldog Harley-Davidson is requesting to hold a Bulldog Holiday Toy Drive on November 28, 2025 from 11:00 am to 4:00 pm. A food truck will be on-site to sell food, two beers per person will be given away to customers age 21 and older. No amplified sound will be used.
12. **Special Event - Bulldog Harley-Davidson Chrome Saturday Event, November 29, 2025:** Bulldog Harley-Davidson is requesting to hold a Chrome Saturday Event November 29, 2025 from 11:00 am to 4:00 pm. A food truck will be on-site to sell food, two beers per person will be given away to customers age 21 and older. No amplified sound will be used.

13. **New Hire Report**

Filled Positions

The Town Council is informed that the following positions have been successfully filled in accordance with the Adopted FY 2025–2026 Budget. This information is provided to formally acknowledge staffing updates and to maintain transparency in the hiring process.

<u>Full Time - Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Admin. Support Specialist	SRAC	10-60-5220-5100-0200	\$ 48,500.00/yr.
Construction Inspector	Public Utilities	30-71-7220-5100-0200	\$ 54,026.29/yr.
/Utility Line Locator		31-72-7230-5100-0200	
Police Officer (1 position)	Police	10-20-5100-5100-0200	\$ 60,014.24/yr.
Fire Inspector	Fire	10-20-5300-5100-0200	\$ 61,755.20/yr.
Public Works Crew Leader	PW – Streets	10-30-5600-5100-0200	\$ 50,502.40/yr.
Sanitation Worker	PW – Sanitation	10-40-5800-5100-0200	\$ 36,004.80/yr.

<u>Part Time – Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Firefighter I (2 positions)	Fire	10-20-5300-5100-0210	\$ 17.60/hr.
Parks & Rec Staff – General	P & R	10-60-6200-5100-0210	\$ 10.00/hr.
SRAC Staff – General (2 pos.)	SRAC	10-60-6220-5100-0210	\$ 12.00/hr.
SRAC Staff – Aquatics (2 pos.)	SRAC	10-60-6220-5100-0220	\$ 10.00/hr.

Current Vacancies

The Town Council is informed of the following current vacancies within the organization, which remain unfilled. These vacancies are reported to ensure transparency in staffing levels and to keep the Council apprised of ongoing recruitment efforts.

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Deputy Police Chief	Police	10-20-5100-5100-0200
Police Officer (1 position)	Police	10-20-5100-5100-0200
Police Officer (GHSP 1 position)	Police	10-20-5100-5100-0200
Police Officer (SRO 1 position)	Police	10-20-5100-5100-0200
Firefighter (1 position)	Fire	10-20-5300-5100-0200
Sanitation Equipment Operator	Sanitation	10-40-5800-5100-0200
Recreation Center Supervisor	SRAC	10-60-5220-5100-0200
Utility Line Mechanic	PU – W/S	30-71-7220-5100-0200

14. **Consideration and request for approval for Smithfield Parks and Recreation to host the Clayton Piano Festival on Friday, October 10, 2025:** This event is scheduled from 7:00 p.m. to 10:00 p.m., with amplified sound in use from 3:00 p.m. through 10:00 p.m. The request includes the closure of South Front Street, and attendance is anticipated to exceed 100 participants.

BUSINESS ITEMS:

1. **Consideration and request for approval authorizing staff to engage a design-build firm to prepare plans for the construction of a baseball stadium at Community Park.**

Mayor Andy Moore requested clarification from staff for the meaning of the town engaging a design-build firm, and whether any actual negotiations were taking place. Parks and Recreation Director, Gary Johnson stated that they are currently having discussions, but there will be a contract that comes back before the Board. The mayor confirmed that there would be no agreement on a contractor at this meeting.

Parks and Recreation Director, Gary Johnson addressed the Council stating that, in preparation for the arrival of a Coastal Plains League team, the department issued a request for qualifications (RFQ) for design-build services for a new baseball venue at Smithfield Community Park. Twelve firms submitted statements of qualifications, which were reviewed and scored by a selection committee. The top four firms—Bermuda Construction, Barry Building Group, TA Loving Company, and EC Build/Ewing Cole—were interviewed in early October. Following the interviews, the committee unanimously selected Mutter Building as the preferred design-build firm and requested council approval to enter into negotiations with them.

Councilman David Barbour made the recommendation that the Board approve.

Councilman David Barbour made a motion, seconded by Mayor Pro Tem Roger Wood to approve the request to authorize staff to proceed.

Councilman Travis Scott expressed opposition to the proposed location for the new baseball venue, citing concerns about traffic on the north side of town and questioning why the existing baseball field at JCC had not been further considered. He also noted drawbacks to using a design-build approach for the project.

Mayor Andy Moore called for the vote on the motion.

The motion carried in a 6 to one vote with Councilman Travis Scott voting no.

Councilman Travis Scott questioned if the project moves forward, where would the people occupying the Disable American Veteran's house be relocated to, and would the good soccer fields be torn out.

Manager Mike Scott stated that the town has provided the DAV chapter with temporary meeting space at the track, while the assistant town manager is working with Johnston County officials to identify further interim and permanent accommodations. He clarified that this is a Johnston County DAV chapter, not Smithfield's, and emphasized that the group was aware their previous arrangement was temporary. He stated that the town has fulfilled its responsibilities and encouraged continued county involvement in securing a long-term solution. The Manager also added that until an actual design for the stadium is received, he was not sure how much they were going to encroach on the soccer fields, but that would come back to the Board.

TOWN MANAGER'S REPORT:

There were no standalone comments given by the Manager at the summary of this meeting.

COUNCILMEMBER COMMENTS:

Councilman David Barbour stated his appreciation for the drone flying event of the past Saturday.

Mayor Pro Tem Roger Wood thanked the County in their support of the Tobs venture. He also reported attending a meeting with the new superintendent of Johnston County Schools, raising concerns about performance issues at Smithfield schools. It was noted that the superintendent has a plan in place to address these issues, and the councilmember encouraged greater parent involvement through PTA. Additional updates included improved graduation rates and the superintendent's "three E's" initiative to ensure all graduates are either enrolled, enlisted, or employed. The councilmember encouraged continued patience and support for the schools and noted the meeting was informative.

Councilman Sloan Stevens stated he has asked Manager Mike Scott to compile tax data comparing residential and commercial contributions to the tax base, emphasizing the importance of understanding these figures as the town manages growth. He expressed concern that rapid, developer-driven development could jeopardize long-term financial stability, possibly requiring tax increases to maintain services and staff salaries. Councilman Stevens advocated for a more measured approach to planning, suggesting a pause to reassess strategies for balanced growth and fiscal responsibility. He emphasized the need for better information to support informed decision-making for the town's future.

CLOSED SESSION PURSUANT TO NC G.S 143-318.11 (a)(4):

Councilman David Barbour made a motion, seconded by Councilman John Dunn, to go into closed session at approximately 11:34 pm. Unanimously approved.

Councilman David Barbour made a motion, seconded by Councilman John Dunn, to reconvene into open session at approximately 11:45 pm. Unanimously approved.

ADJOURN:

Councilman David Barbour made a motion, seconded by Councilman Stephen Rabil, to adjourn the meeting at approximately 11:46 pm. Unanimously approved.


M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk

