The Smithfield Town Council met on Tuesday, May 19, 2026 at 7:00 pm in the Council Chambers of the Smithfield Town Hall. Mayor M. Andy Moore presided.

Council Members Present:
Mayor Pro Tem Sloan Stevens
Dr. Gettys Cohen, Jr., District 1
Doris L. Wallace, District 4
Stephen Rabil, At-Large
John Dunn, At-Large
Roger Wood, At-Large

Council Members Absent:
Travis Scott, District 3

Administrative Staff Present
Kimberly Pickett, Interim Town Mgr.
Tracy Stubblefield, Finance Director
Shannan Parrish, HR Director
Pete Hedrick, Police Chief
Jeremey Daughtry, Fire Chief
Brent Reck, Planning Director
Lawrence Davis, PW Director
Ted Credle, PU Director
Gary Johnson, Parks & Rec Director
Elaine Andrews, Town Clerk

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 Mayor Pro Tem Sloan Stevens, followed by the Pledge of Allegiance.

APPROVAL OF AGENDA:

Councilman Mayor Pro Tem Sloan Stevens made a motion, seconded by Councilman John Dunn to approve the agenda, amended as follows. Unanimously approved.

Add to the Consent Agenda – Item 4:
Amendment to Contract to Audit Accounts: Council is respectfully requested to review and consider an amendment in the fee for preparation of the financial statements which was not included in the original contract.

Add:
Closed Session Pursuant to NC G.S. 143-318.11 (a)(3)

Remove from the Consent Agenda - Item 1:
Approval of minutes of April 16, 2026, Regular and Closed Session

Remove from Business – Item 1
Consideration and request for review of the Downtown Business District Feedback Survey; Interim Town Manager Kimberly Pickett requested that this item be revisited on the June 2, 2026 Town Council Agenda.

PRESENTATIONS:

1. FY 24-25 Annual Audit Results

Interim Town Manager Kim Pickett asked auditor Alan Thompson to present the Town's audit results. Alan Thompson (external auditor of Thompson, Price, Scott, Adams & Co., PA) explained the following points:

- The Town engaged his firm under an engagement letter/contract previously approved by council.
- As with all their governmental audits (~100+ in NC), they identify two standard significant risks:
  - *Management override of controls*
  - *Improper revenue recognition*
- His firm performed specific tests around these risks and were comfortable that neither was a problem.
- They reviewed significant accounting policies and estimates (depreciation, allowance for doubtful accounts, etc.) and found them reasonable.

Thompson also discussed the New Accounting Standard (GASB Statement 101):

- A major change this year: GASB Statement 101
- Requires sick leave to be recorded on the balance sheet instead of just being disclosed in the notes.
- Little to no impact on the General Fund, but it did impact governmental activities (Exhibits 1 & 2) and business-type activities (water, sewer, and electric funds).

Overall Financial Position – Very Strong

Thompson focuses on a key summary page (page 5 of the handout) showing 5-year trends:

General Fund – Fund Balance and Liquidity

- Total General Fund fund balance: $27.8 million
- In 2021 it was $15.8 million, so there's been a very strong upward trend.
- Unavailable fund balance: ~$3.0 million
- Restricted fund balance: ~$7.6 million
- Total General Fund expenditures: $17.6 million
- Fund balance available: 65% of expenditures
- Unassigned fund balance: $20.1 million
- Unassigned fund balance as a % of expenditures: 114.13%
- Thompson characterizes these as "very good" numbers.

Thompson emphasizes that for enterprise funds (electric, water & sewer), the key focus is:

- Providing service and maintaining positive cash flow, not necessarily building very large net positions.
- On that basis, he views them positively.

Findings and Compliance Issues. On *page 12*, he discusses:

There are *four* identified findings related to finance management and compliance that management must address; (LGC Response required within sixty days of meeting):

- *Late submission of financial statements in a prior period (now required to be formally presented by the auditor).*
- *A prior correction of errors in earlier financial statements*:
  - *Related to merging two different depreciation schedules*
  - *Decisions about what to capitalize (including construction in process)*
- *Reconciling records being timely*
- *Budget violations, including in capital project funds*
  - *Even though some were over a long period, they still must comply with state statutes.*

Thompson characterizes the audit outcome as:

- An "unmodified" (clean) audit opinion, which he calls "a really good report."
- The Town is "overall, fiscally in good shape."

About the findings:

- He has already had discussions with finance management, and received a draft of response.
- He believes the Town is "on the right track" to avoid a repeat of these findings next year.

Thompson reports a clean audit, very strong fund balances and cash, excellent tax collections, positive enterprise fund performance, and some manageable findings tied mainly to timing, technical accounting corrections, and budget compliance—while expressing confidence that management is addressing them.

A Copy of the Town of Smithfield's FY 2024-25 audit, and report attachments are on file in the office of the Town Clerk.

Mayor Andy Moore acknowledges that the Town was late with some audit materials, citing staff turnover but not making excuses, and says none of the auditor's comments are a surprise. He stresses that there is a plan to prevent delays going forward, notes there are four audit findings to address, and references the 60-day window for submitting responses—adding that draft responses are already prepared. He characterizes the overall result as a "fantastic audit," calling it a strong reflection of town staff and department heads, and thanks them for their work on behalf of Smithfield's citizens. Moore emphasizes the Town's strong financial position, pointing out that its unassigned fund balance is around 140%, far above the Local Government Commission's typical 8% guideline, and recalls the council's adopted policy targeting at least 25% in fund balance. He credits former Councilman Perry Harris (who was present at the council meeting) for helping establish that policy and underscores that, despite the four items to fix, the Town's finances are in very good shape.

PUBLIC HEARINGS:

1. **Zoning Amendment Request (ZA-25-05):** Town staff has been directed by the Town Council to amend the Unified Development Ordinance Article(s) 3 and 4, in matters pertaining to quorum definition as well as other minor updates. The Town Council is respectfully requested to review the amendments for recommendation of approval, approval with changes or denial.

Councilman Roger Wood made a motion, seconded by Councilman John Dunn to open the public hearing. Unanimously approved.

Planning Director Brent Reck presents Zoning Text Amendment ZA-25-05, explaining that council asked staff to update UDO Articles 3 and 4 dealing with board organization, quorum, and procedures. The changes redefine a quorum as a majority of members excluding vacant seats and require actions by majority vote with a quorum present; clarify how the chair and vice chair are elected and set the UDO Administrator or staff as secretary responsible for minutes and records; establish that if the Planning Board has not issued a recommendation within 30 calendar days on a zoning amendment, the applicant may go directly to Town Council (while the Planning Board may still ask council to delay final action); and refine Board of Adjustment voting rules, including the four-fifths vote for variances and how vacancies or disqualified members are treated. He states staff finds the amendment consistent with the Comprehensive Growth Management Plan, reasonable, and in the public interest, and recommends approval.

Mayor Andy Moore asked if the recommendation in section 4.6.4.1 was for 30 business or calendar days, with Planning Director Reck noting this was for calendar days.

Mayor Moore asked if there were any questions from the Town Council. There were none.

Mayor Moore asked if there were anyone in the audience wishing to speak on the matter. No one wished to speak on the matter.

Councilman Roger Wood made a motion, seconded by Councilman John Dunn to close the public hearing. Unanimously approved.

Councilman John Dunn made a motion, seconded by Councilman Roger Wood to approve Zoning Text Amendment ZA-25-05 finding it consistent with the Town of Smithfield's Comprehensive Growth Plan and other adopted plans, and that the request is reasonable and in the public interest. Unanimously approved.

ORDINANCE # ZA-25-05
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD UNIFIED DEVELOPMENT ORDINANCE
ARTICLE 3, SECTION 3.3, 3.4.2 AND ARTICLE 4, SECTION 4.6.4 TO REDFINE QUORM AND TOWN COUNCIL NOTICE REQUIREMENTS AND OTHER MINOR UPDATES.

WHEREAS, the Smithfield Town Council wishes to amend certain provisions in the Town of Smithfield Unified Development Ordinance by making changes to Unified Development Ordinance Article 3, Section 3.3, 3.4.2 and to amend board composition, redefine quorum, and other minor updates and Article 4, Section 4.6.4 to reflect current practice as to when Planning Board recommendations shall be received by the Town Council.

WHEREAS, it is the objective of the Smithfield Town Council to have the UDO promote regulatory efficiency and consistency and the health, safety, and general welfare of the community.

NOW, THEREFORE, be it ordained that the following Articles are amended to make the following changes set forth in the deletions (strikethroughs) and additions (double underlining) below:

PART 1

[Revise Article 3.3 Planning Board - to redefine quorum and make other minor updates]

...

3.3.3. Creation and Organization.

3.3.3.1. Composition and Vacancies. The Planning Board shall consist of seven (7) members and two (2) alternate members. Five (5) members and one (1) alternate member shall be citizens and residents of the town and shall be appointed by the Town Council. Two (2) members and one (1) alternate member shall be citizens and residents of the extraterritorial jurisdiction of the town as described pursuant to G.S. § 160D-307 and shall be appointed by the Board of County Commissioners, upon receipt of a resolution from the Town Council requesting that such appointments be made. If the Board of County Commissioners fails to make the appointments requested within ninety (90) days of receipt of the resolution, the Town Council shall make the appointments. The Town Council will ensure that proportional representation on the Planning Board shall be maintained in accordance with G.S. § 160D-307, as amended. Alternate members shall not be entitled to vote on matters before the Planning Board except when a regular Planning Board member is absent from a duly called meeting. In that situation, the alternate shall have the same privileges as the regular members and may count for quorum purposes and vote if a regular member is absent.

The terms of the members shall be for three (3) years. Vacancies, occurring for reasons other than expiration of terms shall be filled as they occur by the entity appointing them for the period of the unexpired term.

3.3.3.2. Attendance at Meetings. Faithful attendance at the meetings of the Planning Board is important for the functioning of the Board. If a member is absent from three (3) meetings within any three hundred sixty-five-day period without permission of the Board and the Member does not resign, then the Town Manager may hold an informal hearing with the Member as to whether his or her absence is excusable or whether it so damages the Board as to constitute cause for removal.

After the hearing the Manager may excuse the absences or may refer the issue to the Town Council for a hearing on whether there is cause for removal. The Manager shall give the Member ten (10) days' notice of the time and place of the hearing and the Member may present evidence as to why he or she should not be removed.

3.3.3.3. Organization, Rules, Meetings and Records. A Chair and Vice-Chair shall be nominated from among the board membership and shall be appointed by majority vote of the Board. Chair and Vice-Chair terms shall be for two (2) years. Upon completion of a two-year term, the Board shall make nominations and appoint new officers or reappoint existing officers. The UDO Administrator, or other assigned staff members, shall serve as ~~Town staff member Building Inspector and UDO Administrator shall serve~~ as Secretary and advisor to the Planning Board and shall be responsible for keeping the record of minutes of the Planning Board. The Board shall adopt rules for transaction of its business subject to review and approval by the Town Council and shall keep a record of its member attendance and of its resolutions, discussions, findings and recommendations, which record shall be a public record. Except as otherwise stated in Section 3.3.3.4.3 below, the Board shall hold at least one (1) meeting monthly, and all of its meetings shall be open to the public. ~~There shall be a quorum of four (4) members for the purpose of taking any official motion required by this ordinance.~~ There shall be a quorum consisting of a majority of Board members, excluding vacant seats, for the purpose of taking any official motion required by this ordinance.

3.3.3.4. Offices and Duties.

3.3.3.4.1. Chair. A Chair shall be elected by the voting members of the Planning Board. The Chair shall decide all matters of order and procedure, subject to these rules, unless directed otherwise by a majority of the Board in session at the time. The Chair shall appoint any committees found necessary to investigate any matters before the Board.

3.3.3.4.2. Vice-Chair. A Vice-Chair shall be elected by the Board from among its voting members in the same manner and for the same term as the Chair. He/she shall serve as acting Chair in the absence of the Chair, and at such times he shall have the same powers and duties as the Chair.

3.3.3.4.3. Secretary. The secretary, subject to the direction of the Chair and the Board, shall keep all records, shall conduct all correspondence of the Board and shall generally supervise the clerical work of the Board. The secretary shall keep the minutes of each meeting of the Board. These shall show the record of all important facts pertaining to every meeting and hearing, every resolution acted upon by the Board and all votes of members of the Board upon any resolution or other matter, indicating the names of members absent or failing to vote.

3.3.3.4.4. Member Responsibilities. A Member shall request to be excused from discussion of or voting on any matter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, or readily identifiable impact on the Member. A Member shall represent him or herself as a board member and not undermine board recommendations at any other public meetings that address planning issues.

3.3.3.5. Meetings.

3.3.3.5.1. Regular Meetings. Regular meetings of the Board shall be held in the Council Chambers of Town Hall in accordance with a schedule as established by the Planning Board.

3.3.3.5.2. Special Meetings Special meetings of the Board may be called at any time by the Chair, or in his absence, the Vice-Chair. At least twenty-four (24) hours' notice of the time and place of special meetings shall be given, by the secretary or by the Chair, to each member of the Board; provided that this requirement may be waived by a majority of all the members.

3.3.3.5.3. Cancellation of Meetings. Whenever there is no business for the Board, the Chair may dispense with a regular meeting by giving notice to all members not less than twenty-four (24) hours prior to the time set for the meeting.

3.3.3.5.4. Quorum. ~~A quorum shall consist of four (4) members of the Board for zoning changes and amendments.~~ A quorum shall consist of a majority of Commission members, excluding vacant seats. All actions of the Commission shall be taken by majority vote, a quorum being present.

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PART 2

[Revise Article 3, Section 3.42 to correct general language and make other minor updates.]

3.4.2. Creation and Organization.

3.4.2.1. The Board of Adjustment shall be governed by the terms of G.S. § 160D-302.

3.4.2.2. Membership and Vacancies. The Board of Adjustment shall consist of five (5) regular members and two (2) alternate members. Four (4) members and one (1) alternate member shall be citizens and residents of the town and shall be appointed by the Smithfield Town Council. One (1) member and one (1) alternate member shall be citizens and residents of the extraterritorial jurisdiction surrounding the Town of Smithfield, as described pursuant to G.S. § 160D-307 and shall be appointed by the Board of County Commissioners of Johnston County, upon receipt of a resolution from the Town Council requesting that such appointments be made. If the Board of County Commissioners fails to make the appointments requested within ninety (90) days of receipt of the resolution, the Town Council shall make the appointments. The Town Council will ensure that proportional representation on the Board of Adjustments shall be maintained in accordance with G.S. § 160D-307, as amended. Alternate members shall not be entitled to vote on matters before the Board of Adjustment except when a regular Board of Adjustment member is absent from a duly called meeting. In that situation, the alternate shall have the same privileges as the regular members and may count for quorum purposes and vote if a regular member is absent.

The term of office of the members of the Board shall be for three (3) years. All members shall be subject to any appointee policy in effect by the Town of Smithfield during the term of appointment. Any vacancy which may occur will be filled according to this ordinance and any appointee policy in effect at that time. Members may be paid or reimbursed as current Town of Smithfield policy allows.

3.4.2.3. Attendance at Meetings. Faithful attendance at the meetings of the Board of Adjustment is important for the functioning of the Board. If a member is absent from three (3) meetings within any three hundred sixty-five-day period without permission of the board and the Member does not resign, then the Town Manager may hold an informal hearing with the Member as to whether his or her absence is excusable or whether it so damages the Board as to constitute cause for removal. After the hearing the Manager may excuse the absences or may refer the issue to the Town Council for a hearing on whether there is cause for removal. The Manager shall give the Member ten (10) days' notice of the time and place of the hearing and the Member may present evidence as to why he or she should not be removed.

3.4.2.4. Meetings of the Board of Adjustment.

3.4.2.4.1. Regular Meetings. Regular meetings of the Board shall be held in Town Hall in accordance with a schedule as established by the Board of Adjustment; provided, however, that meetings may be held at some other convenient place in the town if directed by the Chair in advance of the meeting, and provided further that if no business needing the attention of the Board has arisen since the last meeting and no unfinished business is pending, then the Chair may notify twenty-four (24) hours in advance the other members through the secretary that the meeting for that month will not be held.

3.4.2.4.2. Special Meetings. Special meetings of the Board may be called at any time by the Chair, or in his absence, the Vice-Chair. At least twenty-four (24) hours written notice of the time and place of special meetings shall be given by the Secretary or the Chair to each member of the Board.

3.4.2.4.3. The Board shall conduct its meetings in accordance with the quasi-judicial procedures set forth in Article 4, Part III.

3.4.2.4.4. Conflicts on Quasi-Judicial Matters. A member of the Board of Adjustment or any other body exercising the functions of the Board of Adjustment shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to member's participation and that member does not recuse himself or herself, the remaining members shall, by majority vote, rule on the objection.

3.4.2.4.5. All meetings of the Board shall be open to the public and whenever feasible the agenda for each board meeting shall be made available in advance of the meeting.

3.4.2.5. Quorum and Voting.

3.4.2.5.1. The concurring vote equal to four-fifths (⅘) of the full membership of the board and not excused from voting (a quorum being present), shall be necessary to grant any variance. All other actions of the board shall be taken by majority vote of those present and not excused from voting, a quorum being present.

3.4.2.5.2. Once a member is physically present at a board meeting, any subsequent failure to vote shall be recorded as an affirmative vote unless the member has been excused in accordance with subsection 3.4.2.4.3 or has been allowed to withdraw from the meeting in accordance with Subsection 3.4.2.4.4.

3.4.2.5.3. A member may be excused from voting on a particular issue by majority vote of the remaining members present under the following circumstances:

3.4.2.5.3.1. If the matter at issue involves the member's own official conduct; or

3.4.2.5.3.2. If the participation in the matter might violate the letter or spirit of the member's code of professional responsibility.

3.4.2.5.4. A member may be allowed to withdraw from the entire remainder of a meeting by majority vote of the remaining members present for any good and sufficient reason other than the member's desire to avoid voting on matters to be considered at the meeting.

3.4.2.5.5. A roll call vote shall be taken upon the request of any member.

3.4.2.6. Board of Adjustment Officers and Duties.

3.4.2.6.1. Chair. The Chair shall be elected by majority vote of the membership of the Board from among its members. ~~His~~ The term of office shall be ~~for~~ a one (1) year term, and until ~~his~~ a successor is elected, beginning on July 1st,. The Chair shall be eligible for re-election. Subject to these rules, the Chair shall decide upon all points of order and procedure, unless directed otherwise by a majority of the Board in session at the time. The Chair shall appoint any committees found necessary to investigate any matter before the Board.

3.4.2.6.2. Vice-Chair. A Vice-Chair shall be elected by the Board from among its members in the same manner and for the same term as the Chair. He shall serve as acting Chair in the absence of the Chair, and at such times he shall have the same powers and duties as the Chair.

3.4.2.6.3. Secretary. ~~The UDO Administrator shall serve as Secretary.~~ The UDO Administrator, or other assigned staff members, shall serve as Secretary and advisor to the Board of Adjustments and shall be responsible for keeping the record of minutes of the Board of Adjustments.

PART 3

[Revised Article 4, Section 4.6.4 and 4.10.4 to amend language for Town Council notice requirements and Board of Adjustments Voting.]

4.6.4. Action by the Town Council.

Action to consider a rezoning petition, including the scheduling of a public hearing, will be at the discretion of the Town Council.

4.6.4.1. Before ~~an item is scheduled for~~ a public hearing is held before the Town Council, the Planning Board's recommendation on each proposed zoning amendment must be received by the Town Council. If no recommendation is received from the Planning Board within thirty (30) days from the date when submitted to the Planning Board, the petitioner may take the proposal to the Town Council without a recommendation from the Planning Board. However, the Planning Board may request the Town Council to delay final action on the amendment until such time as the Planning Board can present its recommendations.

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4.10.4. Board of Adjustment Action/Voting.

~~The concurring vote of four-fifths (⅘) of the full membership of Board of Adjustment and not excused from voting shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal. For the purposes of this subsection, vacant positions on the Board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the board for calculation of the requisite majority.~~

The concurring vote of four-fifths of the board shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. For the purposes of this subsection, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter under G.S. 160D-109(d) shall not be considered members of the board for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.

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PART 4

That the Unified Development Ordinance shall be page numbered and revision dated as necessary to accommodate these changes.

PART 5

That these amendments of the Unified Development Ordinance shall become effective upon adoption. Duly adopted this the 19th of May 2026.

2. **Rezoning Request (RZ-26-02):** The Town Council is respectfully requested to consider a zoning amendment to rezone a ±50.8-acre parcel, located at 2614 Buffalo Rd, Smithfield from R-20A (Residential-Agriculture) to LI (Light Industrial).

Councilman Gettys Cohen, Jr. made a motion, seconded by Councilwoman Doris Wallace to open the public hearing. Unanimously approved.

Planning Director Brent Reck presented Rezoning Case RZ-26-02 (Lincoln Barber Oldham Farm), in which Donna Barber Oldham requested rezoning of approximately 50.88 acres at 2614 Buffalo Road (from R-20A Residential Agricultural to LI Light Industrial). The site contains a house, fields, farm buildings, is partially crossed by an intermittent stream, and lies in a WS-IV-PA protected watershed near the eastern edge of the Town's ETJ, where Town utilities could be extended and satellite annexation is possible. Reck outlined typical light-industrial uses and noted a required Type C buffer around the tract, stating that with buffering and good site design, the use could be compatible with the area, referencing the nearby oil terminal industrial park in Selma. He reported the Planning Board's 4–3 vote against recommending approval, but advised that staff considers the request consistent with the Comprehensive Growth Management Plan, reasonable, and in the public interest, and therefore recommends approval. He asked the Council if there were any questions.

Councilman John Dunn asked if the area was included in a recently updated land use map, and what zoning was proposed for that area. Planner I Micah Woodard pulled up the map for the Council, and showed that the Town's future land use map guided this area towards light industrial (LI) uses for development.

Mayor Andy Moore asked if there were any more questions for staff from the Council. There were none. He then asked if there was anyone in the audience wishing to speak on the issue.

Kim Kurtz of Garner stated she owned land on Buffalo Road. She expressed concern about the potential scale of employment in the proposed light industrial park, asking how many people would work there per building and suggesting that "light industrial" could mean up to 150 employees in a single business. Staff responded that no site plan has been submitted yet and the current UDO does not regulate the number of employees per commercial development. Planning Director Reck stated at this point the Town has no site plan submitted, and the UDO does not regulate how many people the Town can have per commercial development. Mayor Andy Moore added that for now this matter is simply one of rezoning. In response to Kurtz's question about numerous houses being built on the development, Mayor Pro Tem Sloan Stevens stated petitioners would need to come back to the Council and go through the process to be granted such.

John Woolridge of 2809 Buffalo Road spoke in opposition to the rezoning, stating that his home is directly across from the subject property and that calling the change "in the public interest" ignores the interests of nearby residents. He criticized the earlier zoning commission process, claiming some members were unfamiliar with the site and yet made decisions that would affect the community "for years," and noted that the Planning Board had already voted against the rezoning. He argued the property should remain agricultural or possibly become residential, said other nearby older residents also oppose the change but could not attend, and urged the council to "do one thing right" by denying the rezoning.

Warren Stancil 2525 Buffalo Road, spoke in opposition to the rezoning, noting his home is essentially across from the property. He argued that the list of allowed light-industrial uses shown to the public highlighted only the more favorable examples and did not reflect the full range of potentially intensive uses. He cautioned that rezoning straight to LI would open the door to many uses—some by special use permit—and, if statutory criteria are met, the Town could be legally compelled to approve them. Stancil said this would be dangerous for a primarily residential gateway corridor into Smithfield, where no industrial uses currently exist, and could fundamentally change the character and intended use of the area. He questioned references to distant tank farms as justification and said it would be a shame to see industrial warehouses or a data center built there, asking council members how they would feel if such development were across the street from their own homes.

Perry Harris, (realtor for the property) stated that the Town's adopted land use plan already shows this tract as industrial and that the owner is simply asking for zoning to match that guidance. He said he has worked with Johnston County Economic Development, which is willing to fund site certification for the property, but that requires LI industrial zoning. Harris argued rezoning would increase the site's value and marketability but would not force it to be industrial forever. He noted that a neighboring landowner has agreed to provide sewer connection via an existing pump station and that the Town's utilities director has confirmed capacity. Harris said he has several active clients seeking sites, including one industrial user proposing a 600,000 sq. ft. automated distribution warehouse with about 25 jobs at a base salary of $150,000, and he also sees the tract as an ideal location for a major shopping center to bring national retailers and reduce the need for Smithfield residents to shop elsewhere. He added that NCDOT has indicated it would consider widening Buffalo Road if a significant project moves forward and that any such development would likely be accompanied by annexation, generating new revenue for the Town.

Ken Langston, 2255 Buffalo Road, reminded the council of earlier discussions when a county project was proposed on Buffalo Road and it was described as the "new grand entrance" to Smithfield. He argued that light-industrial uses allowed under the requested rezoning—including truck terminals and data centers—would not be appropriate for that gateway, which is now entirely residential. Langston said Buffalo Road frontage should remain residential or perhaps be developed as mixed-use with neighborhood-serving shops, not industrial. He also noted that there are federal, state, and county programs to help keep productive farmland in agriculture and suggested this 50-acre, long-cultivated tract is exactly the type of land those programs are meant to protect. He emphasized he did not want to hinder the owners' ability to sell, but believes industrial zoning would degrade the character and intended use of this entrance corridor.

Bently Powell, whose wife owns property near 2789 Buffalo Road spoke in opposition to the rezoning, stating that a "blanket" change to light industrial without a specific site plan would leave the Town with no meaningful control over what ultimately gets built. He noted that once the zoning is in place, any use permitted in the LI district could be constructed, so long as buffering and other basic standards are met, and council would have no further say. He said that, absent a detailed development plan for review, the property should remain as currently zoned.

Edward Barbour, neighboring property owner acknowledged neighbors' concerns but argued that, with the required evergreen buffer, travelers on Buffalo Road would mainly see trees regardless of the specific use. He contended that a small industrial complex could have less overall impact than a large residential development, noting that high-density housing would likely place greater strain on sewer, roads, and schools. He added that some potential light-industrial uses, such as government buildings, were not highlighted, and said he would personally rather see about 50 vehicles per day from an industrial use than 250–300 from a major residential subdivision.

Carl Thomas Stancil of 2704 Buffalo Rd stated that if the town is going to build more homes, it needs to build more roads.

Mayor Pro Tem Sloan Stevens noted that while many of the by-right light-industrial uses listed would likely never fit or be viable on a 50-acre tract, the real issue is finding a middle ground between preserving purely agricultural/residential character and allowing the owners to sell and develop. He stated he would rather see a well-planned light-industrial or commercial project than a high-density residential subdivision with hundreds of homes and greater impacts on services, and acknowledged that continuing farming depends on someone actually wanting to farm the land. However, he expressed concern that a straight rezoning to LI would cause council to lose leverage to "question and push back," and suggested that many neighborhood concerns could be addressed through a conditional zoning process with enforceable buffers and limits on higher-impact uses. He added that while "data center" is technically listed, he doubts such a use is realistic on this site, and said his ideal outcome would be a mixed-use, supply-chain-friendly shopping center, asking how the Town can use its tools to steer the property toward that type of development rather than the full range of LI uses.

Planning Director Brent Reck responded to Councilman Stevens that under the UDO a Type C buffer would be required if the property is rezoned to light industrial, likely taking a 30–40-foot strip around the entire perimeter of the 50-acre tract. He noted that this perimeter buffer, combined with the need for driveways and access (ingress/egress), would significantly limit what could physically fit on the site and make very large, high-intensity uses like data centers impractical there.

In discussing oversight under different zoning approaches, council members asked what control they would retain if the property were rezoned as requested versus through conditional zoning. Staff and the Town Attorney explained that a standard (district) LI rezoning would allow any by-right uses in that district to proceed without returning to council, so long as they meet all setbacks and UDO requirements. By contrast, conditional zoning could attach specific conditions (including site plan review), requiring proposed developments to come back to council for approval, thereby preserving more oversight. Staff also noted that while some high-intensity industrial uses may not be financially feasible on a 50.8-acre tract given land prices, the smaller size of this parcel still limits the range of practical LI uses compared to a very large (e.g., 3,000-acre) industrial site.

Janet Langston of 2255 Buffalo Road asked whether buffers would be required regardless of the zoning. Planning staff clarified that if the property is rezoned to Light Industrial and adjoins residential zoning, a Type C buffer is required along those residential edges. They also noted that streams on the site trigger additional 50-foot riparian buffers on both sides, so the effective developable acreage is less than the full 50 acres once all perimeter and stream buffers are accounted for.

Planning Director Brent Reck stated yes, the LI zoning would require the buffers, agreeing with Langston that total available acreage for development would not be exactly fifty feet of developable space.

In response to questions, Planner I Micah Woodard clarified that the Town's future land use map currently designates the area as light industrial—though it was shown as mixed use during earlier Planning Board deliberations—and that this industrial designation was adopted by council primarily to support site certification. Staff and Council further explained to citizens that rezoning to LI now would not permanently lock in that use; the property could be rezoned again in the future after site certification, and the future land use map being referenced is current, with only its printed date incorrect.

Mayor Andy Moore further explained that the decision before council that evening, which was only a request to rezone the property. He explained that if the property were rezoned and a development were later proposed or the land sold, specific site plans would then have to be submitted to the Town for review and approval, and all applicable ordinances and technical standards would apply at that time. He emphasized that it is not the council's role to determine where streams or ditches are—that is determined by surveyors and state regulators—so those issues should not drive the current rezoning discussion. He asked if there were any further questions or discussion. There were none.

Councilman Gettys Cohen Jr. made a motion, seconded by Councilwoman Doris Wallace to close the public hearing. Unanimously approved.

After closing the public hearing, Mayor Pro Tem Sloan Stevens said he would have preferred the rezoning request to come in as conditional zoning from the start, so the Town could remove higher-impact uses, require extra buffering, and retain site plan approval to better protect neighboring residents, while still allowing the owner to sell and develop. Staff and the Town Attorney explained that because the application before council is a standard district rezoning to LI, council cannot add conditional-zoning style limits that night; for that, the applicant would need to file a new conditional zoning application, which would then allow council to restrict uses and impose conditions. They also noted that a different desired outcome, such as mixed-use, would require a separate rezoning to a different district. With no further options available under the current request, a Councilwoman Doris Wallace called for the question to end debate.

Councilwoman Doris Wallace made a motion, seconded by Councilman Stephen Rabil to deny the rezoning request. Councilman John Dunn called for further discussion.

In follow-up discussion, Councilman John Dunn asked whether, if the petitioner returned with conditional LI zoning but simply met all normal LI standards, would council really gain any additional control. Town Attorney Bob Spence explained that conditional zoning is inherently negotiated: the applicant and Town must agree on specific conditions, and council can insist on more conditions or reject the request if they are not satisfied. Mayor Pro Tem Sloan Stevens then referenced a prior conditional rezoning he'd done in the county, where he added extra buffering, removed certain uses in case his use changed, and required site plan approval by the governing board. He said a similar conditional approach here—limiting uses and tying development to site plan approval—would keep neighbors' voices in the process and make for a different conversation than the standard LI rezoning under consideration.

Mayor Andy Moore stated that there was a motion and second on the floor to deny the request, and called the question. The motion to deny the rezoning request carried by a vote of five to one, with Mayor Pro Tem Sloan Stevens voting against the denial.

3. **Special Use Permit Request (SUP-26-01):** The Cloak & Dagger tattoo establishment is requesting a special use permit to operate at 103 N. Seventh Street, Smithfield, which is within the B-2 General Business zoning district.

Councilwoman Doris Wallace stated that having been in attendance of a Planning Board meeting and having heard this case, she wished to recuse herself.

Mayor Andy Moore explained that due to the quasi-judicial nature of the hearing, as Councilwoman Doris Wallace has already heard the facts of the case, he would entertain a motion to allow Councilwoman Wallace's recusal.

Councilman John Dunn made a motion, seconded by Councilman Stephen Rabil to allow the recusal. Unanimously approved.

All persons wishing to speak during the public hearing were duly sworn in by the Town Clerk.

Councilman John Dunn made a motion, seconded by Councilman Gettys Cohen, Jr. to open the public hearing. Unanimously approved.

Planning Director Brent Reck presented SUP-26-01 (Cloak and Dagger) for a tattoo establishment at 103 North Seventh Street within an already approved B-2 Conditional Zoning master plan that includes renovation of the existing building and a future three-story commercial flex building. He said the tattoo shop, operating mostly by appointment, should be compatible with nearby downtown retail and personal-service uses and have modest parking demand. The applicant is requesting a temporary gravel parking area until the larger project is built and underground stormwater facilities are installed, after which the lot would be paved. Under the UDO's special use provisions, council may impose conditions; staff proposed allowing gravel parking if it is properly graded and drained, secured by a performance bond, and paved within 36 months, with all other parking standards met. Staff found the required findings of fact satisfied and recommended approval of the Special Use Permit with this single condition.

Reck incorporated his presentation in the record presented to the Town Council as part of their May 19, 2026 agenda packets. He highlighted the text amendment and staff recommendations:

The draft amendment is as shown below:

	Primary Zoning Districts												
Uses	R-20A	R-10	R-8	R-6	R-MH	O/I	B-1	B-2	B-3	LI (Sect. 7.2)	HI (Sect. 7.2)	AHH	Supplemental Regulations
RETAIL SALES AND SERVICES													
Tattoo and body piercing establishments								~~S~~ P	~~S~~ P				

DRAFT CONDTION/JUSTIFICATION LANGUAGE:
Condition for Temporary Parking Surface:

1. The applicant may utilize a **temporary gravel parking area** to serve the tattoo shop upon commencement of operations, provided that:
    a) The gravel area is **properly graded, compacted, and drained** to prevent erosion or standing water.

    b) The gravel area is **clearly delineated** for customer parking and does not encroach into required street yards, buffer yards, or rights-of-way.

    c) The parking area shall be **paved with asphalt, concrete, or other Town-approved permanent surface** within **36 months*** of the issuance of the Certificate of Occupancy.

    (*Realistic time frame suggested from applicant)

    d) The applicant shall provide a **financial guarantee or performance bond**, in a form acceptable to the Town, to ensure completion of paving within the specified timeline.

    e) All other off-street parking requirements in the Town of Smithfield Unified Development Ordinance shall be met, including ingress/egress design and parking space dimensions.

JUSTIFICATION (Section 4.9.4.5 – public interest and standards) (*Staff Opinion*):

The requested temporary use of a gravel parking surface is necessary to allow the applicant to establish the tattoo shop while minimizing upfront construction costs, which supports economic development and the revitalization of the existing building. The condition ensures that parking is **safe, accessible, and properly located**, while the requirement for eventual paving **protects the public interest** by maintaining compliance with Town standards for permanent off-street parking. The use of a temporary gravel surface is **consistent with the intent of the Unified Development Ordinance** by providing immediate off-street parking without negatively impacting adjacent properties, street safety, or neighborhood character.

FINDINGS OF FACT (*Staff findings in Bold Italic*)

1. Sec. 4.9.4.5.1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare. The project will not be detrimental to or endanger the public health, safety or general welfare. ***The use is regulated by the State, and the use is commonplace in retail establishments around the Country.***

2. Sec. 4.9.4.5.2. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. ***With correct implementation of the one (1) condition; the use will have no adverse impact on the development or improvements to the surrounding properties.***

3. Sec. 4.9.4.5.3. Adequate utilities, drainage, parking, or necessary facilities have been or are being provided. The development will provide adequate utilities, drainage, parking and necessary facilities. ***With correct implementation of the one (1) condition; the site will have adequate utilities, drainage, parking and other necessary facilities.***

4. Sec. 4.9.4.5.4. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas. ***With correct implementation of the one (1) condition; the use will not create such nuisances.***

5. Sec. 4.9.4.5.5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. Proper ingress and egress will be provided. ***Adequate ingress and egress currently exist and will be maintained.***

6. Sec. 4.9.4.5.6. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property. ***The use will have no adverse impacts on the abutting or adjoining properties. All the uses are retail in nature and are supportive of each other in a downtown setting.***

7. Sec. 4.9.4.5.7. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located. ***With correct implementation of the one (1) condition; the use will be in harmony with the area.***

8. Sec. 4.9.4.5.8. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located. ***With correct implementation of the one (1) condition; the proposed use will eventually be in conformance with the UDO requirements.***

Following Reck's presentation, and statemen of staff's opinion of the findings of fact for the Special Use Permit (SUP) request, he recommended that the Council approve the SUP, subject to the stated conditions.

Mayor Andy Moore asked if there were any questions from the Council for staff. There was some discussion regarding the 36-month time frame for the gravel parking lot, with Councilman Rabil noting it was a long time. It was posed to the applicant whether they would be willing to shorten the 36-month request. Patricia Griffin, owner and applicant stated that at this point, they would like to keep the 36 months.

Mayor Andy Moore asked Ms. Griffin if she agreed to the testimony regarding the request as provided by Planning Director Brent Reck. Griffin agreed, and noted she also had a presentation for the Council.

Applicant Patricia Griffin (Grace Homemade International LLC) presented her plan for 103 North Seventh Street, explaining that the existing small building (about 2,400 sq. ft.) will be split into two suites: one for Cloak and Dagger Tattoo and one for an additional office/retail tenant to be leased immediately. She showed that the site is a 1.15-acre parcel across from the Chicken Barn, currently blighted and vacant, and outlined a two-phase project: (1) renovate the existing one-story building and add 10 on-site parking spaces accessed from North Seventh Street, and (2) construct a three-story, 42,000-sq.-ft. commercial flex building behind it, with underground stormwater facilities. Griffin displayed the planned underground stormwater chamber layout, noting it will require deep excavation under the future parking lot, and said fully paving the lot now would add about $15,000 and likely need to be torn up later to install stormwater. She emphasized that the interim gravel parking is intended only as a bridge to the full build-out, that two ADA spaces will still be paved, and that the finished project will remove decades of blight, replace boarded-up structures with an attractive, code-compliant commercial site, and bring new tenants and investment to East Market Street.

Griffin's PowerPoint presentation was added to the official records on file in the office of the Town Clerk.

Mayor Andy Moore asked if there were any questions for Ms. Griffin. Councilman John Dunn asked if the entire project would be completed within the 36-month time frame. Griffin stated that is correct.

Mayor Moore asked if anyone in the audience wished to comment during the public hearing.

Stephanie Avery, of Smithfield, said she appreciates the overall redevelopment project but is concerned about locating a tattoo parlor immediately adjacent to an existing church and childcare center, with another church one block away. She emphasized she is not opposed to tattoos themselves, but urged the council to consider whether a tattoo shop is appropriate so close to churches and childcare facilities, given the existing character of the area. Griffin noted she worked with, and has talked with the neighboring church, and they were all for this project.

During council discussion on the Cloak and Dagger SUP, Mayor Andy Moore stated that he views the two-building redevelopment as an excellent project and wants to see it succeed, but cautioned that properties can be sold and plans can change. To ensure the quality of what is ultimately built, he requested that the architectural rendering presented by the applicant be made a formal condition of the special use permit, so the building must substantially match that design. The applicant agreed that the rendering accurately reflects the intended appearance, noting that only the tattoo shop signage has not yet been finalized. Mayor Moore further asked that there be no flashing or neon-style lighting (e.g., VR or window lights) on the building and expressed concern that the proposed 36-month period for temporary gravel parking was too long, indicating he would prefer a shorter timeframe while acknowledging the applicant's construction phasing needs.

The following visual rendering of the proposed development is included in these minutes for the record:

Mayor Pro Tem Sloan Stevens asked whether the applicant would have to return to council for a continuation if the paving deadline passed without completion. Planning Director Reck explained that, if council approved a specific time limit along with a performance/guarantee bond, the Town would not need a continuation: once the deadline (e.g., 36 months) expires, the Town could call the bond and complete the paving work itself if the applicant has not done so.

Mayor Andy Moore asked Griffin if she would be willing to reduce the 36 months' time frame down any. Griffin stated that for the record, they do not want the project to go on longer than 36 months. She stated she would defer the matter to her general contractor.

The applicant's General Contractor, Robert Calhoun, was present at the meeting, and stated there was planning, engineering, permitting, etc. that will probably take a year—then construction can start.

In response to a question about timing from Mayor Andy Moore, applicant Patricia Griffin stated that Phase 1 (renovation of the existing small building and initial parking) would begin by late June or early July, with a goal of having tenants in the building and Phase 1 completed by October. She explained that 6–9 months after October would be spent on site engineering, additional planning, and securing financing for Phase 2, after which demolition of the old structure and construction of the new three-story building would begin—essentially breaking ground 6–9 months after completion of Phase 1. Planning Director Brent Reck confirmed that the prior conditional zoning applies to the entire parcel (both the existing and future building) as one project. A council member then remarked that 36 months for temporary gravel parking seemed long, noting that, at that point in the discussion, the only proposed condition on the SUP was the 36-month paving deadline.

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

When asked by Mayor Pro Tem Sloan Stevens, the applicant stated she agreed with the provision to keep architectural standards as presented by the rendering she presented to the Council, and to not have any flashing signage on the building.

Mayor Andy Moore reiterated that the Special Use Permit goes with the property, noting the Town has been burnt several times in years past when approval decisions were made, and the property was subsequently sold to another party (and the development was not what the Town thought it might be). Griffin stated she wanted the development to be family oriented, and for the two proposed sights on the property to be developed in similar fashion.

Councilman Sloan Stevens suggested that the 36 months for town-approved paving provision be shortened to 24 months, and brought back before the council for an update on the project at that time—to see if more time may be necessary. Attorney Bob Spence stated this could be made as part of the conditions. Griffin stated they could do that.

> *Mayor Pro Tem Sloan Stevens made a motion, seconded by Councilman Stephen Rabil to approve the Special Use Permit request SUP-26-01 with three conditions of use:*
>
> 1. *That the architectural standards be upheld throughout the project, with the architectural rendering being entered into the official record.*
> 2. *That there be no flashing, neon or otherwise digitally animated signs on the building.*
> 3. *To utilize the gravel parking lot for up to 24 months; and after 24 months the petitioner should come back before the Council to request any necessary extension.*
>
> *The motion was unanimously approved by the Town Council.*

Councilwoman Doris Wallace returned for the remainder of the meeting.

CITIZENS' COMMENTS:

- There were no citizen's comments made during this meeting.

Councilman John Dunn made a motion, seconded by Councilman Roger Wood to approve the consent agenda as submitted. Unanimously approved.

CONSENT AGENDA ITEMS:

~~**Approval of Minutes**~~
~~a. April 16, 2026 – Recessed Budget Session~~
~~b. April 16, 2026 – Closed Session~~

1. **Consideration and request for approval of Resolution No. 806 to adopt a South Water District Water Supply Plan in accordance with NC G.S. 143-355 (l):** This official plan has been created, submitted and accepted by NCDEQ. Official acceptance will be finalized once adopted by Resolution of the Smithfield Town Council.

TOWN OF SMITHFIELD
RESOLUTION NO. 806 (13-2026)
FOR APPROVING SOUTH WATER DISTRICT
LOCAL WATER SUPPLY PLAN

WHEREAS, North Carolina General Statute 143-355 (l) requires that each unit of local government that provides public water service or that plans to provide public water service and each large community water system shall, either individually or together with other units of local government and large community water systems, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the Smithfield South Water District, has been developed and submitted to the NCDEQ for approval; and

WHEREAS, the NCDEQ finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (l) and that it will provide appropriate guidance for the future management of water supplies for the Smithfield South Water District, as well as useful information to the Department of Environmental Quality for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Smithfield that the Local Water Supply Plan entitled, Smithfield South dated May 19, 2026, is hereby approved and shall be submitted to the Department of Environmental Quality, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Town Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the 19th day of MAY, 2026.

2. **Consideration and request for permission to remove the old DAV house located at 1500 Buffalo Rd.:** The Council is requested to approve removal of the old DAV house through the process of burning down as a training opportunity for the Smithfield Fire Department.

3. **Amendment to Contract to Audit Accounts**:
Consideration and request for approval of the attached LGC-205 Amendment to Contract to Audit Accounts submitted by Thompson, Price, Scott, Adams & Co., P.A. The amendment reflects an increase in the fee for preparation of the financial statements, which was not included in the original contract. Council approval is requested to allow submission of the amended contract to the Local Government Commission for processing of the FY25 audit report.

BUSINESS ITEMS:

~~**Consideration and request for review of the Downtown Business District Feedback Survey:** The Council is being respectfully requested to review the survey and recommendations from staff feedback for benchmarks moving forward in the Town's Municipal Service District (MSD).~~

1. **Consideration to enter into a Grant Contract with NCLWF for the College Pond Retrofit Project:** On October 10, 2025, the Town of Smithfield was notified that it had been awarded grant funding in the amount of $783,351 from the NC Land and Water Fund (NCLWF) Board of Trustees for the 2025-1003 Smithfield College Pond Retrofit Project. The Council is respectfully requested to approve or deny the grant contract.

Interim Manager Kimberly Pickett stated that the Spring Branch watershed project began under former Public Works Director Winsman, who obtained council's approval in October 2025 to apply for a North Carolina Land and Water Fund grant to improve water quality in the Spring Branch watershed in downtown Smithfield, part of the Neuse River Basin. The Town has since been awarded approximately $783,315, with a Town match of about $135,000, planned to be budgeted over two years. She noted that consulting firm McCormick Taylor is contributing an additional $20,000 in in-kind services, and introduced Brian Roberts of McCormick Taylor to describe the technical details of the project and answer questions.

Brian Roberts of McCormick Taylor explained that the project is one of the priority items from the Spring Branch Resiliency Plan delivered to the Town in November 2024. It will retrofit the Town's College Pond (near College Road) by installing a continuous monitoring and adaptive control (CMAC) riser structure to increase stormwater storage. This pond receives runoff from the entire area near the I-95/US-70 interchange, so the CMAC system will lower the pond in advance of major storms to create extra storage, then control how water is released. The project also includes upgrading the emergency spillway and replacing the principal spillway into the downstream storm system. In addition to flood mitigation, the plan calls for installing floating wetlands in the pond to remove nutrients from stormwater and improve water quality downstream in the Neuse River Basin. Roberts noted that under the grant's terms, the Town is required to provide a 17% local match for the project—meaning whatever amount is ultimately spent from the grant, the Town must contribute at least 17% of that total cost, even if the final project cost comes in lower than originally estimated.

Roberts noted that the detailed construction budget for the College Pond retrofit is shown in the November 2024 estimate included in council's packet, along with background on Opti CMAC (continuous monitoring and adaptive control) software previously used on similar projects. He explained that Opti (or a comparable real-time control system) requires an annual subscription of about $12,000, but the grant was written broadly enough ("Opti CMAC or real-time controls") to allow consideration of different vendors or options. He emphasized that a 17% local match is unusually low for this type of grant (typical matches are closer to 50%), and that the project was highlighted by NCDEQ due to its importance for the Neuse watershed. In response to council questions, he confirmed that McCormick Taylor modeled the entire watershed and pond piping, and that the CMAC system will be forecast-driven and automated, using storm forecasts and a USGS gage on the Neuse River to lower the pond in advance of storms, add more than 20 acre-feet of storage, and control releases so the pond does not discharge when river levels are already high.

Pickett noted that while currently budgeted under the Town's Public Works division, it will eventually be redirected as a Planning Department function.

The Council and staff discussed the flow watershed, noting benefits of this project for the Eva Ennis Park, Pine Acres, Sussex Drive, Venture Drive, and other neighboring areas.

Mayor Andy Moore asked for clarification for whether the grant estimates were based off of 2024 numbers, or whether the 17% is based on updated information. Roberts stated yes. The information was updated, and further noted that the cost coming from the Town's end would be for actual materials.

In response to a question from Councilman John Dunn about an April 2027 completion date, Brian Roberts clarified that date came from the original Spring Branch Resiliency Plan submitted in November 2024 and was only a rough target for implementing the entire plan. This College Pond retrofit is Phase 2 (Phase 1 was the two culvert replacements already funded by the state). He said the resiliency plan timeline has not yet been updated, but once the Town issues an RFP, selects a consultant, and the project formally starts, they expect about two years to complete construction, and the grant allows three years to use the funds, giving the Town some schedule flexibility.

In response to a question from Mayor Moore about the award of the grant, Pickett noted the Town has been approved for the grant, and we just needed to sign the contract and get it back to McCormick Taylor, at which time work can begin.

Mayor Pro Tem Sloan Stevens made a motion, seconded by Councilwoman Doris Wallace to approve the Eva Ennis College Pond retrofit grant. Unanimously approved.

2. **Consideration and request for review of the FY 2026-2027 Interim Manager's Proposed Budget and Fee Schedule:** The Town Council is respectfully being asked to review and discuss the Interim Manager's proposed FY

2026–2027 Budget and Fee Schedule prior to the public hearing for Proposed Annual Budget.

Interim Manager Kim Pickett presented the FY 2026 proposed budget, noting a total General Fund of approximately $24.8 million with the property tax rate held at $0.45 per $100 valuation (Downtown District at $0.16), and motor vehicle tax revenue estimated at about $950,000. She reported required increases in retirement contributions, property/liability insurance, and health insurance, and up to a 2% merit increase for full-time staff. She briefly reviewed major department budgets (Police, Fire, Public Works, Parks & Recreation, Aquatics), highlighted key capital items (street resurfacing via Powell Bill and fund balance, vehicles/equipment, IT and software upgrades, fire apparatus replacement planning, early funding toward a future Fire Station 3), and noted there is no proposed retail rate increase for water, sewer, or electric at this time, though updated rate studies are underway. She also mentioned modest changes to the fee schedule (cemetery, parks and recreation, removal of taxi-cab permit fee) and confirmed the budget includes contingency in all three major funds. Upon giving all the major highlights of her proposed budget to the Town Council, it was noted that the public hearing for approval of the proposed annual budget will be scheduled for June 2, 2026 to receive any public feedback.

A copy of the Manager's Proposed Budget is on file in the office of the Town Clerk.

Councilman Roger Wood noted that he would like the Town to consider digital voting in the future. Pickett noted that this was a feature in the newly proposed *BoardBook* software for the Town Council. He commended Pickett for doing a good job on the budget, citing it's never easy.

Mayor Pro Tem Sloan Stevens echoed Wood's comments on the excellent job done on the Town's budget. He also commented that the proposed budget is conservative, focused on needs with some limited extras, and noted it could easily be much larger. He asked that the planned East Neuse water improvement project at the I-95 crossing be evaluated and, if possible, structured so the added water capacity is reserved and prioritized for future economic development projects.

Interim Manager Kim Pickett reiterated that there will be a public hearing on June 2 for the FY 2026 budget, after which council may adopt it or delay action. She highlighted minor fee schedule changes: adjustments to cemetery and parks and recreation fees, inclusion of tap fees in the upcoming water/sewer rate study, and elimination of the taxi cab driver permit fee due to administrative burden outweighing the revenue. It was suggested that future technology-related tools (e.g., digital voting) might be funded from the PEG/tech channel revenues.

Mayor Andy Moore then emphasized that while the Town has a healthy fund balance, it should be used primarily for one-time expenses, not to support recurring operating costs, to avoid long-term budget problems. He thanked staff and department heads for their work in developing the budget and commended council for productive discussions, stating he believes the Town has a solid, responsible budget.

COUNCILMEMBER COMMENTS:

- Mayor Andy Moore thanked staff and department heads for their work on the budget and town operations, offered condolences to Councilwoman Wallace on the loss of her sister, and asked staff to better centralize the publicizing of all Town events (Parks & Rec, Downtown/DSDC, Police, Fire, Library, etc.) in a single, easily found location for residents.

- Councilman Roger Wood suggested creating a regular feature to highlight one department each month—including its activities and employees—using tools like the Town's Channel 64 and social media to recognize staff and keep citizens informed.

TOWN MANAGER'S REPORT:

Interim Manager Kim Pickett reminded everyone of the employee picnic on Friday at the Recreation & Aquatics Center (outdoors weather-permitting, otherwise in the gym from 11:30 a.m.–2:30 p.m.), noted it is Public Works Week, and thanked Lawrence and his team. She also reported that, in response to complaints about unclear parking on Market Street, NCDOT will grind and restripe on-street parking overnight on June 10–11, with follow-up patching, and that NCDOT (DFC) will present its Market Street design on June 2. A council member commented that existing Market Street signage is "extremely obnoxious" and should be improved. Mayor Moore agreed signage should be reviewed not only on Market Street but town-wide and said that could be addressed as part of the upcoming project.

Closed Session Pursuant to NC G.S. 143-318.11 (a)(3)

Councilman Roger Wood made a motion, seconded by Councilman Stephen Rabil to go into closed session pursuant to NC G.S. 143-318.11 (a)(3) at approximately 10:04 pm. Unanimously approved.

Mayor Pro Tem Sloan Stevens made a motion, seconded by Councilman Roger Wood to reconvene into open session at approximately 10:30 pm. Unanimously approved.

Adjourn:

Councilman Roger Wood made a motion, seconded by Councilwoman Doris Wallace to adjourn the meeting at approximately 10:31 p.m. Unanimously approved.

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk