



Mayor

Andy Moore

Mayor Pro-Tem

Emery Ashley

Council Members

Marlon Lee

J. Perry Harris

Travis Scott

Roger A. Wood

John A. Dunn

Stephen Rabil

Town Attorney

Robert Spence, Jr.

Town Manager

Michael Scott

Finance Director

Greg Siler

Town Clerk

Shannan Williams

Town Council

Agenda

Packet

Meeting Date: Tuesday, December 6, 2016

Meeting Time: 7:00 p.m.

Meeting Place: Town Hall Council Chambers

350 East Market Street

Smithfield, NC 27577



**TOWN OF SMITHFIELD
TOWN COUNCIL AGENDA
REGULAR MEETING DECEMBER 6, 2016
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page

Presentations:

- 1. Administering Oath of Office to Administrative Captain Ryan Sheppard**
(Mayor – M. Andy Moore) See attached information.....1
- 2. Administering Oath of Office to Police Lieutenant Samuel Jones**
(Mayor – M. Andy Moore) See attached information.....3
- 3. Administering Oath of Office to Police Sergeant Richard Conerly**
(Mayor – M. Andy Moore) See attached information.....4
- 4. Economic Development Update**
(Economic Development Liaison – Tim Kerigan and Rocky Lane)

Public Hearings:

1. **CUP-16-11 Oakey Grove Missionary Baptist Church:** The applicant is requesting a conditional use permit to allow for a daycare center on a .85 acre tract of land and located within a B-3 (Business) zoning district. The property considered for a conditional use permit is located on the northwest side of the intersection of US Hwy 70 Business and Little Creek Church Road. The property is further identified as Johnston County Tax ID# 15J080091.
(Planning Director – Paul Embler) See attached information.....5

- 2. **CUP-16-12 Amalia Felix Mireles:** The applicant is requesting a conditional use permit to allow for an automotive repair facility with tire sales on a 1.1 acre tract of land located within a B-3 (Business) zoning district. The property considered for a conditional use permit is located on the southwest side of the intersection of South Brightleaf Boulevard and Wal-Pat Road and further identified as Johnston County Tax ID# 15A61047D.
(Planning Director – Paul Emblar) See attached information.....35

Citizens Comments:

Consent Agenda Items:

- 1. **Approval of Minutes:** November 1, 2016 – Regular Meeting
November 1, 2016 – Closed Session (Under Separate Cover).....65
- 2. Consideration and Approval of **Resolution #594 (21-2016) Designation of Applicant’s Agent** authorizing the Town Manager and the Finance Director to execute and file applications for federal and or state assistance on behalf of the Town as it relates to FEMA and Hurricane Matthew.
(Town Manager – Michael L. Scott) See attached information.....73
- 3. Consideration and Approval to **purchase 3 Police patrol vehicles** from Deacon Jones in the amount of \$23,800 per vehicle. The purchase of these vehicles was approved in the FY 2016-2017 budget.
(Chief of Police –R. Keith Powell) See attached information.....77
- 4. Consideration and Approval to accept **the transfer of sick time hours** from Johnston Community College earned by the Fire Division Chief of Training.
(Town Manager – Michael L. Scott) See attached information.....93
- 5. Consideration and approval to **amend the Town of Smithfield Code of Ordinances** CHAPTER 18, Utilities, ARTICLE V, Water Shortage and Conservation, Section 18-157, Enforcement – **Ordinance # 488.**
(Town Manager – Michael Scott & Public Utilities Director – Ted Credle)
See attached information.....97
- 6. Consideration and approval of amendments to the **Records Retention and Disposition** schedule as proposed by the NC Department of Cultural Resources.
(Town Clerk – Shannan Williams) See attached information.....131
- 7. **New Hire Report**
(Human Resources Director/ PIO – Tim Kerigan) See attached information.....153

Business Items

- 1. **Acceptance of Duke Energy EV Grant** in the amount of \$25,000 for the construction of 5 electric vehicle charging stations.
(Public Utilities Director – Ted Credle) See attached information.....155

2. Consideration and Approval to adopt a **Career Ladder for the Water Plant**
(Public Utilities Director – Ted Credle) See attached information.....165

3. Consideration and Approval **to back-fill the Sanitation Equipment Operator Position in the Public Works Department due to the movement of the animal control function to the Police Department.**
(Town Manager – Michael Scott) See attached information.....169

4. Consideration and Approval for **Economic Development Expenditure**
(Economic Development Liaison – Tim Kerigan) See attached information.....171

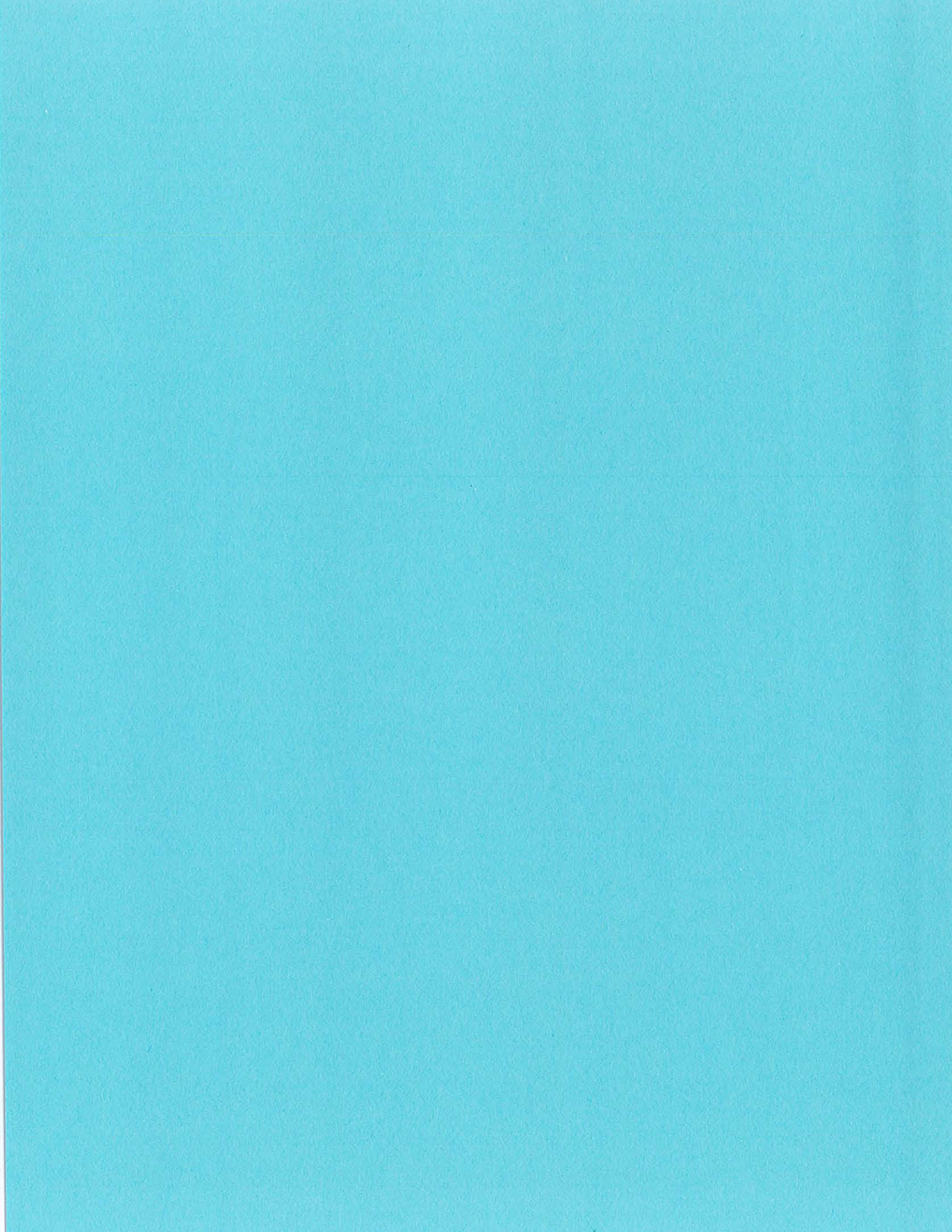
Councilmember’s Comments

Town Manager’s Report

- Financial Report (See attached information).....173
- Department Reports (See attached information).....177
- Manager’s Report (Will be provided at the meeting)

Adjourn

Presentations





Request for City Council Action

Presentation **Police
Promotions**

Date: 12/6/2016

Subject: Promotions
Department: Police
Presented by: Chief R.K. Powell
Presentation: Yes

Issue Statement

The Police Department has recently promoted Ryan Sheppard to the Position of Administrative Captain; Samuel Jones was promoted to the Position of Lieutenant of "A" Team Patrol Activities and Richard Conerly as Patrol Sergeant supervising "D" Team patrol staff. Captain Sheppard has been with the department for seventeen years. Lieutenant Jones has been with the department for nineteen years and Sergeant Conerly has been with the department for nine years.

Financial Impact

At the November 1, 2016 regular meeting, the Town Council unanimously approved the 5% salary increase for each employee due to their respective promotion.

Action Needed

It is requested that Captain Sheppard, Lieutenant Jones and Sergeant Conerly be awarded their promoted badges and have their badges pinned by a significant person in their lives. Following this, the council will have an opportunity to congratulate them on their promotions.

Approved: City Manager City Attorney

Attachments: Oath of Office – Police Administrative Captain Ryan Sheppard
 Oath of Office – Police Lieutenant Samuel Jones
 Oath of Office – Police Sergeant Richard Conerly



OATH OF OFFICE

POLICE CAPTAIN

SMITHFIELD POLICE DEPARTMENT

"I, Ryan Sheppard, do solemnly swear that I will support the Constitution of the United States; that I will continue to be faithful and bear true allegiance to the State of North Carolina and to the Constitutional powers and authorities which are, or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States; that I will be alert and vigilant to enforce the criminal laws of this state; that I will not be influenced in any manner on account of personal bias or prejudice; and that I will faithfully and impartially execute the duties of my office as Police Captain according to the best of my skill, abilities and judgment, so help me God."

Ryan Sheppard

Date

*Oath administered this the
6th day of December, 2016*

M. Andy Moore, Mayor





OATH OF OFFICE

POLICE LIEUTENANT

SMITHFIELD POLICE DEPARTMENT

"I, Samuel Jones, do solemnly swear that I will support the Constitution of the United States; that I will continue to be faithful and bear true allegiance to the State of North Carolina and to the Constitutional powers and authorities which are, or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States; that I will be alert and vigilant to enforce the criminal laws of this state; that I will not be influenced in any manner on account of personal bias or prejudice; and that I will faithfully and impartially execute the duties of my office as Police Lieutenant according to the best of my skill, abilities and judgment, so help me God."

Samuel Jones

Date

*Oath administered this the
6th day of December, 2016*

M. Andy Moore, Mayor





OATH OF OFFICE

POLICE SERGEANT

SMITHFIELD POLICE DEPARTMENT

"I, Richard Conerly, do solemnly swear that I will support the Constitution of the United States; that I will continue to be faithful and bear true allegiance to the State of North Carolina and to the Constitutional powers and authorities which are, or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States; that I will be alert and vigilant to enforce the criminal laws of this state; that I will not be influenced in any manner on account of personal bias or prejudice; and that I will faithfully and impartially execute the duties of my office as Police Sergeant according to the best of my skill, abilities and judgment, so help me God."

Richard Conerly

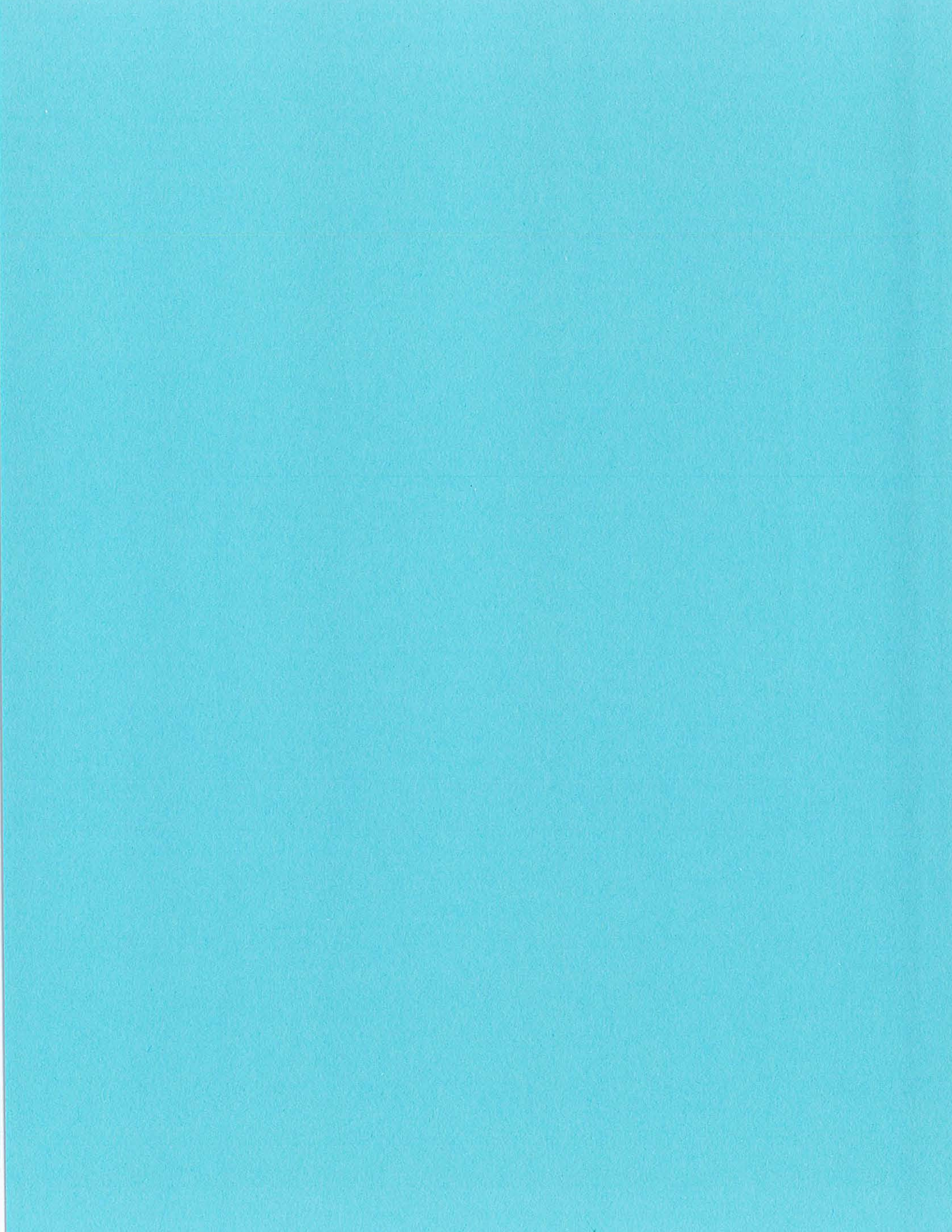
Date

*Oath administered this the
6th day of December, 2016*

M. Andy Moore, Mayor



Public Hearings





Town of Smithfield
Planning Department
350 East Market Street
P.O. Box 761
Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

STAFF REPORT

Application Number: CUP-16-11
Project Name: Oakey Grove Missionary Baptist Church
TAX ID number: 15J08009I
Town Limits/ETJ: ETJ
Applicant: Oakey Grove Missionary Baptist Church
Owners: Oakey Grove Missionary Baptist Church
Agents: none
Neighborhood Meeting: none

PROJECT LOCATION: Northwest side of the intersection of US Hwy 70 Business and Little Creek Church Road.

REQUEST: The applicant is requesting a conditional use permit to allow for a daycare center on a .85 acre tract of land and located within a B-3 (Business) zoning district.

SITE DATA:

Acreage: .85 acres
Present Zoning: B-3 (Business)
Proposed Zoning: N/A
Existing Use / Previous: Place of Worship

DEVELOPMENT DATA: The property is a .85 acre tract of land which contains one permanent structure. A small amount of improved parking is available to include a handicap accessible parking space with handicap ramp. The property is served by two existing driveways accessing Little Creek Church Road. There is no stormwater facility located on the site and none is required at this time.

Proposed Use: Daycare Facility

ENVIRONMENTAL: There does not appear to be any environmentally sensitive areas on the property considered for a Conditional Use permit to include flood plains or designated wetlands.

ADJACENT ZONING AND LAND USES:

Northeast: Zoning: B-3 (Business)
Existing Use: Woodlands

Northwest: Zoning: B-3 (Business)
Existing Use: Place of Worship

Southeast: Zoning: B-3 (Business)
Existing Use: Woodland / Undeveloped

Southwest: Zoning: B-3 and R-20A (Residential-Agricultural)
Existing Use: Residential / Farm land

o **Consistency with the Strategic Growth Plan**

The proposed daycare facility is consistent with the recommendations of the Comprehensive Growth Management Plan which calls for office and institutional land uses near the intersection of Little Creek Church Road and US Hwy 70 Business.

o **Consistency with the Unified Development Code**

Daycare facilities are permitted uses within B-3 (Business) zoning district with a valid conditional use permit. Adequate parking exists for a small daycare center and no other site improvements are proposed or requested at this time.

o **Compatibility with Surrounding Land Uses**

A daycare center at this existing church site should not pose a compatibility issue with surrounding land uses.

o **Signs**

The proposed daycare will qualify for a free standing sign on Little Creek Church Road.

OTHER:

FIRE PROTECTION: Wilson's Mills

SCHOOL IMPACTS: NA

PARKS AND RECREATION: NA

ACCESS/STREETS: Little Creek Church Road

WATER/SEWER PROVIDER: Town of Smithfield

ELECTRIC PROVIDER: Duke Progress Energy

Planning Department Recommendations:

The Planning Department recommends approval of the request for a conditional use permit to allow for a daycare facility on property located within a B-3 (Business) zoning district.

Planning Board Recommendations:

The Planning Board, at its November 3, 2016 meeting, unanimously voted to recommend approval in accordance with the finding of fact for a conditional use permit to allow for a daycare facility within a B-3 (Business) zoning district.

Town Council Action Requested:

The Town Council is requested to review the petition and make a decision in accordance with the finding of fact for a conditional use permit to allow for a daycare facility within a B-3 (Business) zoning district.



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Article 13, of the Town of Smithfield Unified Development Ordinance, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to allow a Conditional Use. Conditional Uses are uses that may be appropriate in a particular district, but has the potential to create incompatibilities with adjacent uses.

Conditional Use Permit applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached) and the application fee. The application fee is \$300.00. All fees are due when the application is submitted.

SITE INFORMATION:

Name of Project: Oskey Grove Church Daycare Acreage of Property: .85 AC
 Parcel ID Number: 16505-18-3478 Tax ID: 15J08009I
 Deed Book: 754 Deed Page(s): 456
 Address: 3525 US 70 BUS
 Location: US 70E AND LITTLE CREEK CHURCH RD.

Existing Use: church Proposed Use: church/Daycare
 Existing Zoning District: B-3 (Business)
 Requested Zoning District: N/A

Is project within a Planned Development: Yes No Planned
 Development District (if applicable): _____

Is project within an Overlay District: Yes No
 Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: CUP-16-11 Date Received: 10/6/14 Amount Paid: \$300.00

OWNER INFORMATION:

Name: OAKEY GROVE MISSIONARY BAPTIST CHURCH

Mailing Address: 3525 U.S BUSINESS 70 AT LITTLE CREEK CHURCH ROAD

Phone Number: 919-934-3816

Fax: _____

Email Address: pastor@oakeygrovebaptistchurch.com

APPLICANT INFORMATION:

Applicant: OAKEY GROVE MISSIONARY BAPTIST CHURCH

Mailing Address: 3525 U.S BUSINESS 70 AT LITTLE CREEK CHURCH ROAD

Phone Number: (919) 633-8844 / (919) 610-5891

Fax: _____

Contact Person: DELORES BADGER / CHARLES PULLEY

Email Address: deloresbadger919@gmail.com / delores.m.badger.mil@mail.mil

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a Conditional Use Permit application. This information is required to be present on all plans, except where otherwise noted:

All required plans *(please see the plan requirements checklist)*.

A signed and sealed traffic impact analysis.

Verification of wastewater allocation *(granted or requested)*.

Driveway permits *(Town of Smithfield or NCDOT encroachment with associated documentation)*.

Other applicable documentation: _____

STATEMENT OF JUSTIFICATION

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

It is our desire to start a fully licensed daycare center

REQUIRED FINDINGS OF FACT

Article 13, Section 13-17 of the Town of Smithfield Unified Development Ordinance requires applications for a Conditional Use Permit to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.

1. That the use will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved;

Establishing a daycare center on this will not endanger the public health, safety, or general welfare. The requirements that the state is mandating will mitigate any such dangers.

2. That the use meets all required conditions and specifications;

It is our intent that the property will meet all state and local ordinance conditions and specification.

3. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property, or that the use is a public necessity; and

The use will not adversely affect the use or any physical attributes of adjoining or abutting property. Property is located on the corner of 70 Bus HWY and Little Creek Church Road. Property is adjacent to a field housing cows and near the property line of a parking lot of Johnston Union Baptist Church, directly across the street is undeveloped property.

4. 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. The conditional use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address impacts of the project as required by GS 160A-382(b).

The location and character of the use will be in harmony with the area in which it is to be located. The conditional use shall demonstrate conformance to the Land Use Plan. It will not impact other project as required by GS 160A-382(b)

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject Conditional Use Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

CHARLES PULLEY
Print Name

Charles Pulley
Signature of Applicant

9-26-16
Date



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

OWNER'S CONSENT FORM

Name of Project: Oakley Grove Church Daycare Submittal Date: 10/6/14

OWNERS AUTHORIZATION

I hereby give CONSENT to _____ (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Signature of Owner *Print Name* *Date*

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Charles Pullay CHARLES PULLAY 9-26-14
Signature of Owner/Applicant *Print Name* *Date*

FOR OFFICE USE ONLY

File Number: <u>CO7-16-11</u>	Date Received: <u>10/6/14</u>	Parcel ID Number: <u>168505-18-3478</u>
-------------------------------	-------------------------------	---

Town of Smithfield
Conditional Use Permit Application
Finding of Fact / Approval Criteria

Application Number: CUP-16-11 **Name:** Oakey Grove Baptist Church

Request: Applicant seeks a CUP for daycare facility on property located within a B-3 zoning district.

The Smithfield Planning Board shall recommend and the Town Council of the Town of Smithfield shall decide the matter of this Conditional Use Permit Application by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reasons or conclusions reached in support of the motion.

1. Finding One of Four:

Circle One

A. Approval:

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved or is approved with the following stated conditions.

Establishing a daycare center at this site will not endanger the public health, safety, or general welfare. The requirements that the state is mandating will mitigate any such dangers.

B. Denial: (If denied, must include facts supporting denial)

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, will materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved for the following stated reasons: (Applicant fails to meet the criteria for approval.)

The proposed daycare facility is in an existing church facility and located in a rural area outside of the Smithfield corporate limits. The facility will have an on-site loading area within the existing parking lot of the church. It is unlikely that that the proposed use will materially endanger the public and should not be used for the basis of a denial.

Finding Two of Four:

Circle One

A. Approval:

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations or is approved with the following additional stated conditions.

It is the applicant's intent that the property will meet all state and local ordinance conditions and specifications.

B. Denial: (If denied, must include facts supporting denial)

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, fails to meet all required specifications or fails to conform to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations in the following ways or for the following reasons:

The proposed daycare facility at this location meets all required specifications to include off-street parking and loading. The proposed daycare facility can and will meet all requirements for outdoor play space prior to operation and therefore should not be used as a basis for denial.

3. Finding Three of Four:

Circle One

A. **Approval:**

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses or is approved with the following additional stated conditions.

The use will not adversely affect the use or any physical attributes of adjoining or abutting property. Property is located on the corner of 70 Bus Hwy and Little Creek Church Road. Property is adjacent to a field housing cows and near the property line of a parking lot of Johnston Union Baptist Church, directly across the street is undeveloped property.

B. **Denial: (If denied, must include facts supporting denial)**

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, will substantially injure the value of adjoining or abutting property and/or will be detrimental to the use or development of adjacent properties or other neighborhood uses in the following ways or for the following reasons.

The proposed daycare facility at this location will create some additional traffic and congestion. The daycare facility will be operating throughout the week and this increase in intensity of use may reduce adjoining property values.

4. Finding Four of Four:

Circle One

A. **Approval:**

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, would not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties or is approved with the following additional stated conditions.

The location and character of the use will be in harmony with the area in which it is to be located. The conditional use shall demonstrate conformance to the Land Use Plan. It will not impact other projects as required by GS 160A-382(b).

B. **Denial: (If denied, must include facts supporting denial)**

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, would adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties in the following ways or for the following stated reasons: (Applicant fails to meet the criteria necessary for approval.)

The comprehensive land use plan has identified the area near the intersection of Little Creek Church Road and US Hwy 70 Business West as suitable for office and institutional uses to include churches and daycare centers. The Town of Smithfield zoning map identifies this property as being zoned B-3 (Business). Daycare facilities are a permitted use within the B-3 (Business) zoning district. Given that both the comprehensive land use plan and Town of Smithfield zoning map have identified daycare facilities as a suitable and permitted use at this location, denial based lack of adherence to these plans and policy is not recommended.

Once all findings have been decided one of the two following motions must be made:

Motion to Approve: *Based upon satisfactory compliance with the above four stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative I move to recommend approval of Conditional Use Permit Application # CUP-16-11*

Motion to Deny: *Based upon failure to meet all of the above four stated findings and for reasons stated therein, I move to recommend denial of Conditional Use Permit Application # CUP-16-11 for the following stated reason:*

4. Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council Conditional Use Permit Application Number CUP-16-11 is hereby:

_____ recommended for approval upon acceptance and conformity with the following conditions; or,

_____ recommended for denial for the noted reasons.

Decision made this ____ day of _____, 20__ while in regular session.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Williams, Town Clerk

DRAFT
Smithfield Planning Board Minutes
Thursday, November 3, 2016
6:00 P.M., Town Hall, Council Room

Members Present:

Chairman-Stephen Upton
Vice-Chairman Daniel Sanders
Ashley Spain
Eddie Foy
Gerald Joyner
Jack Matthews

Members Absent:

Teresa Daughtry
Mark Lane

Staff Present:

Mark Helmer, Senior Planner
Veronica Hardaway, Admin

Staff Absent:

CALL TO ORDER

APPROVAL OF MINUTES FROM OCTOBER 6, 2016.

Jack Matthews made a motion, seconded by Daniel Sanders to approve the minutes as written. Unanimous.

Presentations:

Chairman Foy administered the Oath of Office to the new Chairman of the Board, Stephen Upton.

Chairman Upton administered the Oath of Office to the new Vice-Chairman of the Board, Daniel Sanders.

Public Hearings:

After all persons giving testimony were duly sworn, Mr. Upton opened the public hearing.

CUP-16-11 Oakey Grove Missionary Baptist Church:

Mr. Helmer stated the applicant is requesting a conditional use permit to allow for a daycare center on a .85 acre tract of land and located within an R-20 (Residential-Agricultural) zoning district. The property considered for a conditional use permit is located on the northwest side of the intersection of US Hwy 70 Business and Little Creek Church Road. The property is further identified as Johnston County Tax ID# 15J08009I.

Mr. Helmer stated the property is a .85 acre tract of land which contains one permanent structure. A small amount of improved parking is available to include a handicap accessible parking space with handicap ramp. The property is served by two existing driveways accessing Little Creek Church Road. There is no storm water facility located on the site and none is

required at this time. There does not appear to be any environmentally sensitive areas on the property considered for a conditional use permit to include flood plains or designated wetlands.

Mr. Helmer stated the proposed daycare facility is consistent with the recommendations of the Comprehensive Growth Management Plan which calls for office and institutional land uses near the intersection of Little Creek Church Road and US Hwy 70 Business. Daycare facilities are permitted uses within a B-3 (Business) zoning district with a valid conditional use permit. Adequate parking exists for a small daycare center and no other site improvements are proposed or requested at this time. A daycare center at this existing church site should not pose a compatibility issue with surrounding land uses. The proposed daycare will qualify for a free standing sign on Little Creek Church Road. Fire protection will be provided by Wilson's Mills, Water/Sewer services will be provided by the Town of Smithfield, and electric will be provided by Duke Progress Energy.

The Planning Department recommends approval of the request for a conditional use permit to allow for a daycare facility on property located within a B-3 (Business) zoning district.

The Planning Board is requested to review the petition for a daycare facility within a B-3 zoning district and make a recommendation to Town Council in accordance with the finding of fact for a conditional use permit.

Mr. Upton asked if anyone wanted to speak for or against the proposal.

Eddie Foy asked if the applicant has submitted how large the daycare will be.

Mr. Helmer stated the applicant is proposing a before and after school program at this time, but then will extend its services to a full time daycare.

Eddie Foy asked if the applicant would still have to meet state regulations in this situation.

Mr. Helmer stated yes they would still have to meet state requirements.

Daniel Sanders asked how traffic would be in the proposed area with school buses picking up and dropping children off.

Michael Martin, Pastor at Oakey Grove Baptist Church, stated that right now it will be set up for a before and after school care program and then will work toward becoming a full daycare. Buses will not pose a problem in this case because children will be dropped off in the mornings by their parents and the church will provide transportation to the school. In the afternoons the church will provide transportation back to the church where parents will pick up the children.

Gerald Joyner asked approximately how many children would be enrolled in this program.

Mr. Martin stated approximately 15 children to start.

Being no further questions, Mr. Upton closed the public meeting for CUP-16-11

Eddie Foy made a motion, seconded by Daniel Sanders, to move to the Finding of Fact.

The Planning Board shall recommend and the Town Council of the Town of Smithfield shall decide the matter of this Conditional Use Permit Application by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reason or conclusions reached in support of the motion.

- 1. *Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved or is approved with the following stated conditions.***

Establishing a daycare center at this site will not endanger the public health, safety, or general welfare. The requirements that the state is mandating will mitigate any such dangers.

- 2. *Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations or is approved with the following additional stated conditions.***

It is the applicant's intent that the property will meet all state and local ordinance conditions and specifications.

- 3. *Based on the evidence and testimony presented it is the finding of the Planning board that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses or is approved with the following additional stated conditions.***

The use will not adversely affect the use or any physical attributes of adjoining or abutting property. Property is located on the corner of 70 Bus Hwy and Little Creek Church Road. Property is adjacent to a field housing cows and near the property line of a parking lot of Johnston Union Baptist Church, directly across the street is undeveloped property.

- 4. *Based on evidence and testimony presented it is the finding of the Planning Board that the application, if approved, would not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties or is approved with the following additional stated conditions.***

The location and character of the use will be in harmony with the area in which it is to be located. The conditional use shall demonstrate conformance to the Land Use Plan. It will not impact other projects as required by GS 160A-382(b).

Based upon satisfactory compliance with the above stated four findings and fully contingent upon full incorporation of all statements entered into the record by the testimony of the applicant and applicant's representative;

Eddie Foy made a motion, seconded by Daniel Sanders to allow for a daycare center on a .85 acre tract of land and located within an R-20A (Residential-Agricultural) zoning district.

CUP-16-12 Amalia Felix Mireles:

Mr. Embler stated the applicant is requesting a conditional use permit to allow for an automotive repair facility with tire sales on a 1.1 acre tract of land located within a B-3 (Business) zoning district. The property considered for a conditional use permit is located on the southwest side of the intersection of South Brightleaf Boulevard and Wal-Pat Road and further identified as Johnston County Tax ID# 15A1047D.

Mr. Helmer stated the applicant has submitted a phased preliminary sketch plan showing a proposed 2,800 square foot building with 4 garage bays and 13 parking spots being constructed as part of phase one. Phase two indicates 3,250 square feet of additional building space and 20 additional parking spaces. The site will be served by a proposed 30 foot wide NCDOT approved driveway accessing South Brightleaf Boulevard. No access to Wal-Pat Road will be permitted. It appears that all Town of Smithfield landscape requirements can and will be met prior to site plan approval and issuance of a valid zoning permit. There does not appear to be any environmentally sensitive areas on the property considered for a Conditional Use Permit to include flood plains or designated wetlands.

Mr. Helmer stated the proposed automotive repair facility is consistent with the recommendations of the Comprehensive Growth Management Plan which calls for commercial land uses near the intersection of South Brightleaf Boulevard and Wal-Pat Road. Automotive repair facilities are permitted uses within B-3 (Business) zoning districts with a valid conditional use permit. The site plan indicates that all Town of Smithfield development regulations can and will be met prior to site plan approval and permitting. An automotive repair facility at this location should not pose a compatibility issue with surrounding land uses. The proposed automotive repair facility will qualify for a free standing sign on South Brightleaf Boulevard. The Town of Smithfield will provide fire protection, water/sewer, and electric.

The Planning Department recommends approval of the request for a conditional use permit to allow for an automotive repair facility on property located within a B-3 (Business) zoning district.

The Planning Board is requested to review the petition for an automotive repair facility within a B-3 (Business) zoning district and make a recommendation to Town Council in accordance with the finding of fact for a conditional use permit.

Mr. Upton asked if anyone wanted to speak for or against the proposal.

Mr. Upton asked why there is no access to Wal-Pat Road.

Mr. Helmer explained there is not enough road frontage.

Mr. Upton expressed his concern with the heavy traffic due to the flea market.

Mr. Helmer stated it is very congested in that area; however the proposal is a low traffic generating use. He stated he is aware there is parking over spill on the proposed site due to the flea market, but the applicant is willing to work with the Town on this issue.

Daniel Sanders asked how many vehicle bays there are.

Mr. Helmer stated there are four bays in the newly constructed building. The building backs up to CSX railroad and all landscaping yards are shown on the plan. Additional landscaping will be required on all sides of the building.

Daniel Sanders asked what the hours of operation will be.

Amalia Felix Mireles, 10517 US Hwy 70 W Clayton, stated he is the owner of the proposed business. He stated he currently owns and operates a garage in Clayton and is usually open 7 days a week, but if the Town needs him to adjust his hours he will do so.

Daniel Sanders explained the weekend traffic is extremely heavy due to the flea market.

Brian Leonard, 112 E Johnston Street, stated he is the engineer working on the proposal. He stated the site itself is not a traffic generator and the garage will be working solely on site.

Daniel Sanders asked what their plans are about the parking overage coming from the flea market.

Mr. Leonard stated they would be willing to either block it off completely to outside parking if the Town thinks it's necessary or leave it open if that would make it easier.

Mr. Upton asked how many parking spaces would be available.

Mr. Helmer stated the site plan is showing 13 parking spaces.

Mr. Leonard stated the site plan shows more than 13, it's actually closer to 23 parking spaces.

Ashley Spain asked if the parking spaces will be paved and marked.

Mr. Leonard stated all parking spaces will be paved and marked appropriately.

Mr. Upton asked the applicant if he's been in this business before.

Mr. Mireles stated he runs a similar business in Clayton.

Mr. Upton asked if the site plan would come before the Planning Board.

Mr. Helmer stated the site plan will be approved administratively by the Planning Department.

Being no further questions, Mr. Upton closed the public meeting for CUP-16-12.

Eddie Foy made a motion, seconded by Daniel Sanders, to move to the Finding of Fact.

The Planning Board shall recommend and the Town Council of the Town of Smithfield shall decide the matter of this Conditional Use Permit Application by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reason or conclusions reached in support of the motion.

- 1. Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved or is approved with the following stated conditions.***

The site layout and building plans shall be designed and subsequently approved by all applicable agencies, including the Town of Smithfield. Therefore, all applicable engineering guidelines and principles will be followed for designing and constructing a safe, functioning facility. The use itself will benefit the general welfare by providing a viable need to the public for automobile repair.

- 2. Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations or is approved with the following additional stated conditions.***

As described above, the site layout and building plans will be designed and approved by all applicable agencies. The applicant intends to obtain all approvals and/or permits as required, beginning with this Conditional Use Permit request. The approval/permitting process with various agencies/departments includes, but is not limited to, NCDOT Driveway approval; site plan approval and zoning permit by Planning Department; utility approval/inspections of water/sewer services by Public Works; Building Permit by Inspection Dept; NC Erosion Control approval (if required); and any other approvals/permits as required. The use itself will be operated by the owner in accordance with all local or state regulations as required.

3. ***Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses or is approved with the following additional stated conditions.***

The site layout and subsequent construction will physically take place within the overall property boundary of the site and along the property frontage. As mentioned in the applicant's statement above, the proposed use is actually "allowed" in the current zoning district, however, the associated use of "tire sales" requires a conditional use permit. The applicant intends to comply with any special conditions or requirements that are typically imposed for tire sales/storage at other similar uses, for the purpose of minimizing any impact to adjacent properties.

4. ***Based on evidence and testimony presented it is the finding of the Planning Board that the application, if approved, would not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties or is approved with the following additional stated conditions.***

The adjacent properties to this site are like-zoned and this auto repair use would be consistent with other allowed uses in this zoning district. In fact, another auto repair shop is located directly adjacent to the site. As stated previously, the proposed use is allowed in this zoning district, making it compatible with the surrounding area; however, its association with tire sales is the sole reason for this conditional use permit request. Therefore, as the applicant demonstrates compliance with the Town's requirements for tire sales, then this use would be in harmony with the surrounding area, and in compliance with all other zoning requirements.

Based upon satisfactory compliance with the above stated four findings and fully contingent upon full incorporation of all statements entered into the record by the testimony of the applicant and applicant's representative;

Eddie Foy made a motion, seconded by Daniel Sanders to allow for an automotive repair facility with tire sales on a 1.1 acre tract of land located within a B-3 (Business) zoning district.

Old Business:

New Business:

Mr. Upton expressed his appreciation to Eddie Foy for his years of service to the Planning Board as Chairman.

Jack Matthews made a motion to adjourn, seconded by Ashley Spain. Unanimous.

Submitted this 3rd day of November, 2016.

Veronica Hardaway
Administrative Support Specialist
Planning Department

DRAFT



PLANNING DEPARTMENT
Paul C. Embler, Jr., Director

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, CUP-16-11, were notified by First Class Mail on 11-18-16.

Mark E. Helmer
Signature

Johnston County, North Carolina

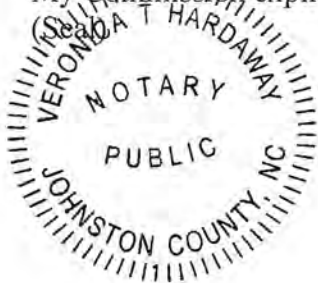
I, Veronica Hardaway, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

18th day of November, 2016

Veronica T Hardaway
Notary Public Signature

Veronica T Hardaway
Notary Public Name

My Commission expires on 1-14-18



Adjacent Property Owners of
CUP-16-11

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15J08009E	168505-18-1740	JOHNSTON UNION CHURCH	3575 US HWY 70 BUS	CLAYTON	NC	27520
15J08008A	168505-07-9753	WARRICK, SUE U	145 LITTLE CREEK CHURCH ROAD	CLAYTON	NC	27520-6833
15J08009J	168505-08-8880	JOHNSTON UNION CHURCH	3575 US HWY 70 BUS	CLAYTON	NC	27520
15J08090	168505-18-6872	EARLY BIRD INVESTMENTS LLC	736 CHERRY STREET SUITE 200	CHATTANOOGA	TN	37402-0000
15J08008C	168505-08-8700	WARRICK, SUE U	145 LITTLE CREEK CHURCH ROAD	CLAYTON	NC	27520-6833
15J08009I	168505-18-3478	OAKY GROVE CHURCH	3525 US 70 Business	Clayton	NC	27520



PLANNING DEPARTMENT

Paul C. Emblar, Jr., Director

Notice Of Public Hearings

Notice is hereby given that the Town Council of the Town of Smithfield will conduct public hearings during the course of their open meeting which starts at 7:00 P.M. on Tuesday, December 6, 2016 in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

CUP-16-11 Oakey Grove Missionary Baptist Church: The applicant is requesting a conditional use permit to allow for a daycare center on a .85 acre tract of land and located within an R-20A (Residential-Agricultural) zoning district. The property considered for a conditional use permit is located on the northwest side of the intersection of US Hwy 70 Business and Little Creek Church Road. The property is further identified as Johnston County Tax ID# 15J08009I.

CUP-16-12 Amalia Felix Mireles: The applicant is requesting a conditional use permit to allow for an automotive repair facility with tire sales on a 1.1 acre tract of land located within a B-3 (Business) zoning district. The property considered for a conditional use permit is located on the southwest side of the intersection of South Brightleaf Boulevard and Wal-Pat Road and further identified as Johnston County Tax ID# 15A61047D.

You have been identified as a property owner in the area specified above and are being advised of this meeting as you may have interest in this matter. You are welcome to attend; however, you are not required to in order for the Board to act on this request. Additional information may be obtained by contacting the Town of Smithfield Planning Department at 919-934-2116.



PLANNING DEPARTMENT

Paul C. Embler, Jr., Director

Notice Of Public Hearings

Notice is hereby given that the Town Council of the Town of Smithfield will conduct public hearings during the course of their open meeting which starts at 7:00 P.M. on Tuesday, December 6, 2016 in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

CUP-16-11 Oakey Grove Missionary Baptist Church: The applicant is requesting a conditional use permit to allow for a daycare center on a .85 acre tract of land and located within an R-20A (Residential-Agricultural) zoning district. The property considered for a conditional use permit is located on the northwest side of the intersection of US Hwy 70 Business and Little Creek Church Road. The property is further identified as Johnston County Tax ID# 15J08009I.

CUP-16-12 Amalia Felix Mireles: The applicant is requesting a conditional use permit to allow for an automotive repair facility with tire sales on a 1.1 acre tract of land located within a B-3 (Business) zoning district. The property considered for a conditional use permit is located on the southwest side of the intersection of South Brightleaf Boulevard and Wal-Pat Road and further identified as Johnston County Tax ID# 15A61047D.

All interested persons are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the town office if you need assistance. Further inquiries regarding this matter may be directed to the Smithfield Planning Department at (919) 934-2116 or online at www.smithfield-nc.com.

Run "Legal Ad" in the Smithfield Herald on 11/23/16 and 11/30/16

3500 Block of US Hwy 70 Business West



Project Name:
Oakley Grove Baptist
Church Daycare

Proposed Use:
Before & After
Daycare Program

File Number:
CUP-16-11

Owner:
Oakley Grove Church

Applicant:
Oakley Grove Church

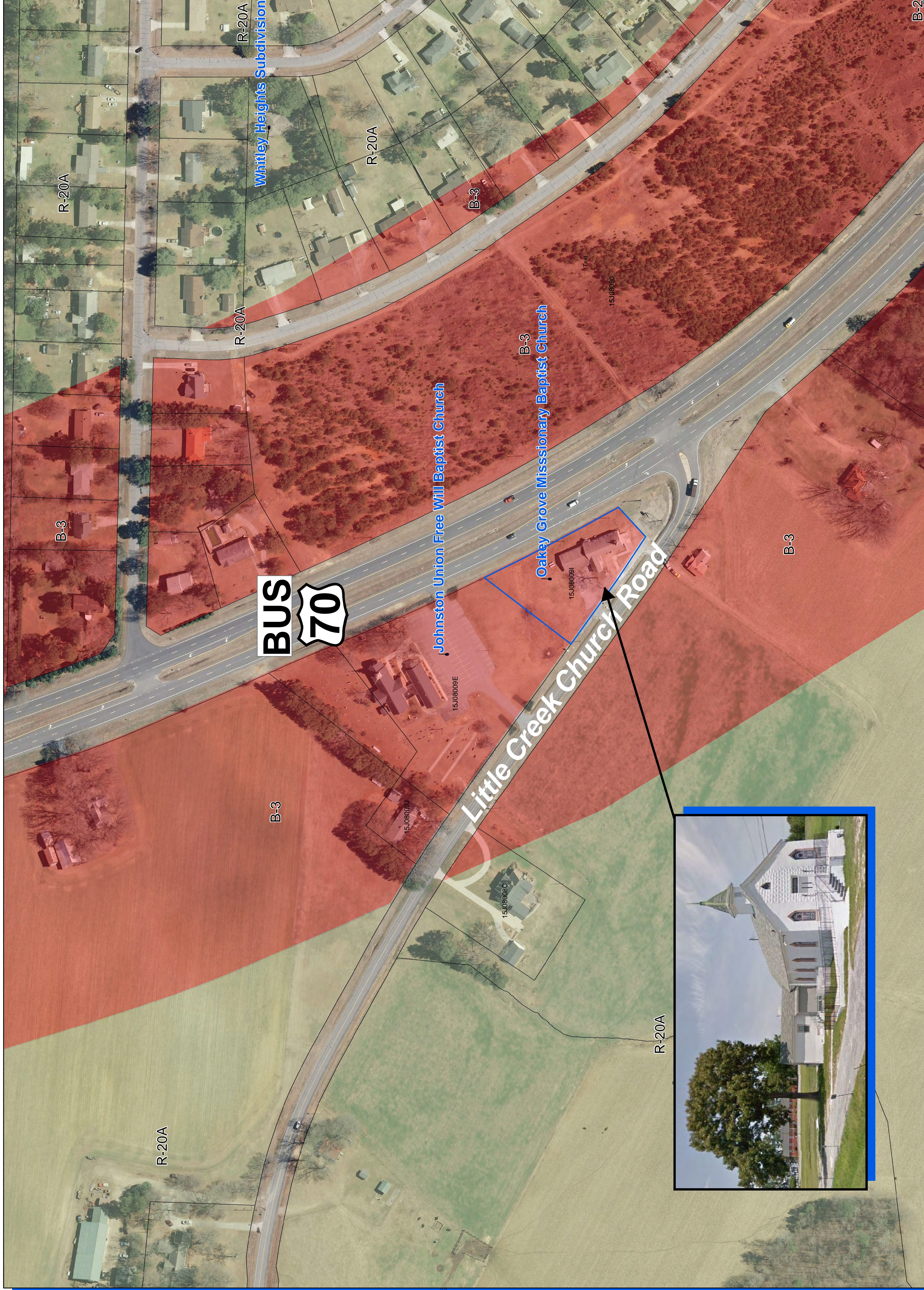
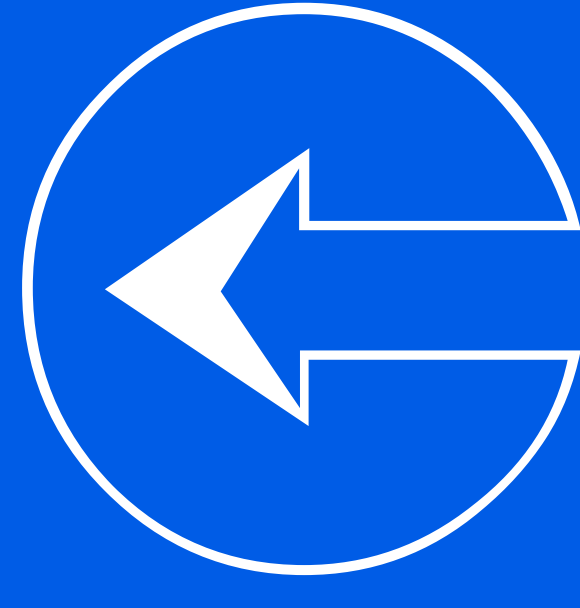
Location:
3520 US Hwy 70
Business West

Tax ID#
15J080091

Zoning District:
B-3

Map created by the
Mark E. Helmer, AICP
Senior Planner,
GIS Specialist
on 10/20/2016

1 inch = 80 feet





Town of Smithfield
Planning Department
350 East Market Street
P.O. Box 761
Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

STAFF REPORT

Application Number: CUP-16-12
Project Name: Amalia Felix Mireles
TAX ID number: 15A61047D
Town Limits/ETJ: City
Applicant: Amalia Felix Mireles
Owners: Amalia Felix Mireles
Agents: none
Neighborhood Meeting: none

PROJECT LOCATION: Southwest side of the intersection of South Brightleaf Boulevard and Wal-Pat Road

REQUEST: The applicant is requesting a conditional use permit to allow for an automotive repair facility with tire sales on a 1.1 acre tract of land located within a B-3 (Business) zoning district.

SITE DATA:

Acreage: 1.1 acres
Present Zoning: B-3 (Business)
Proposed Zoning: N/A
Existing Use / Previous: Vacant Block Building / Automotive Repair Facility

DEVELOPMENT DATA: The applicant has submitted a phased preliminary sketch plan showing a proposed 2,800 square foot building with 4 garage bays and 13 parking being constructed as part of phase one. Phase two indicates 3,250 square feet of additional building space and 20 additional parking space. The site will be served by a proposed 30 foot wide NCDOT approved driveway accessing South Brightleaf Boulevard. No access to Wal-Pat will be permitted. It appears that all Town of Smithfield landscape requirements can and will be met prior to site plan approval and issuance of a valid zoning permit.

Proposed Use: Automotive Repair Facility

ENVIRONMENTAL: There does not appear to be any environmentally sensitive areas on the property considered for a Conditional Use permit to include flood plains or designated wetlands.

ADJACENT ZONING AND LAND USES:

North:	Zoning:	R-8 (Residential)
	Existing Use:	Multifamily housing & single family dwellings
South:	Zoning:	HI (Heavy Industrial)
	Existing Use:	Omnisource Southeast Recycling
East:	Zoning:	B-3 (Business)
	Existing Use:	Vacant – undeveloped
West:	Zoning:	B-3 (Business)
	Existing Use:	Automotive repair & cell tower

- **Consistency with the Strategic Growth Plan**

The proposed automotive repair facility is consistent with the recommendations of the Comprehensive Growth Management Plan which calls for commercial land uses near the intersection of South Brightleaf Boulevard and Wal-Pat Road.

- **Consistency with the Unified Development Code**

Automotive repair facilities are permitted uses within B-3 (Business) zoning district with a valid conditional use permit. The site plan indicates that all Town of Smithfield development regulations can and will be met prior to site plan approval and permitting.

- **Compatibility with Surrounding Land Uses**

An automotive repair facility at this location should not pose a compatibility issue with surrounding land uses.

- **Signs**

The proposed automotive repair facility will qualify for a free standing sign on South Brightleaf Boulevard.

OTHER:

FIRE PROTECTION: Town of Smithfield

SCHOOL IMPACTS: NA
PARKS AND RECREATION: NA
ACCESS/STREETS: South Brightleaf Boulevard
WATER/SEWER PROVIDER: Town of Smithfield
ELECTRIC PROVIDER: Town of Smithfield

Planning Department Recommendations:

The Planning Department recommends approval of the request for a conditional use permit to allow for an automotive repair facility on property located within a B-3 (Business) zoning district.

Planning Board Recommendations:

The Planning Board, at its November 3, 2016 meeting, unanimously voted to recommend approval in accordance with the finding of fact for a conditional use permit to allow for an automotive repair facility within a B-3 (Business) zoning district.

Town Council Action Requested:

The Town Council is requested to review the petition and make a decision in accordance with the finding of fact for a conditional use permit to allow for an automotive repair facility within a B-3 (Business) zoning district.



Town of Smithfield
Planning Department
350 E. Market St Smithfield, NC 27577
P.O. Box 761, Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Article 13, of the Town of Smithfield Unified Development Ordinance, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to allow a Conditional Use. Conditional Uses are uses that may be appropriate in a particular district, but has the potential to create incompatibilities with adjacent uses.

Conditional Use Permit applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached) and the application fee. The application fee is \$300.00. All fees are due when the application is submitted.

SITE INFORMATION:

Name of Project: Site Plan for Tire & Wheels Shop Acreage of Property: 1.429 Acre
Parcel ID Number: 168320-91-0637 & 168320-91-2834 Tax ID: 4357516 & 4340974
Deed Book: 4788 Deed Page(s): 936
Address: 2301 & 2314 South Brightleaf Boulevard, Smithfield, NC 27577
Location: Southwest quadrant of intersection of S. Brightleaf Blvd. (US 301) & Walpat Road (SR 2500)

Existing Use: Vacant Block Building Proposed Use: Auto Repair w/Future Buildings
Existing Zoning District: B-3
Requested Zoning District B-3
Is project within a Planned Development: Yes No
Planned Development District (if applicable): _____
Is project within an Overlay District: Yes No
Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Amount Paid: _____

OWNER INFORMATION:

Name: Amalia Felix Mireles

Mailing Address: 10517 US Highway 70 West, Clayton, NC 27520

Phone Number: 919 553-5557

Fax: _____

Email Address: alfonzoiler@aol.com

APPLICANT INFORMATION:

Applicant: Amalia Felix Mireles

Mailing Address: 10517 US Highway 70 West, Clayton, NC 27520

Phone Number: 919 553-5557 (W) or 919 320-4831 (M)

Fax: _____

Contact Person: Alfonzo Iler

Email Address: alfonzoiler@aol.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a Conditional Use Permit application. This information is required to be present on all plans, except where otherwise noted:

- All required plans (*please see the plan requirements checklist*).
- A signed and sealed traffic impact analysis.
- Verification of wastewater allocation (*granted or requested*).
- Driveway permits (*Town of Smithfield or NCDOT encroachment with associated documentation*).
- Other applicable documentation: _____

STATEMENT OF JUSTIFICATION

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

The site plan indicates a master-planned layout for a current/proposed use for "Auto Repair"; and also indicates future buildings for lease or speculative purposes. The auto repair is an allowed use in the existing B-3 zoning; and any future uses in the future buildings are anticipated to be allowed uses for the B-3 zoning (although such future uses will be required to meet the applicable zoning requirements at the time they are proposed). The proposed use by itself does not require a conditional use permit; however, after discussions with the Planning Department it was discovered that uses with associated "tire sales" or with overnight vehicle storage over 6 vehicles require a conditional use permit. The proposed auto repair use WILL sell tires, which is the primary reason for the Applicant's request for this Conditional Use Permit. The applicant intends to address and comply with the Town's requirements for tire sales and storage. It should be stated, however that the Applicant will NOT store more than 6 vehicles overnight on-site and is NOT requesting the Conditional Use based on this condition. This auto repair business is more suited for relatively expeditious repair work such as tire changes, alignments, oil changes, etc. and not typically for major repairs that require longer term vehicle storage.

REQUIRED FINDINGS OF FACT

Article 13, Section 13-17 of the Town of Smithfield Unified Development Ordinance requires applications for a Conditional Use Permit to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.

1. That the use will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved;

The site layout and building plans for this site shall be designed and subsequently approved by all applicable agencies, including the Town of Smithfield. Therefore, all applicable engineering guidelines and principles will be followed for designing and constructing a safe, functioning facility. The use itself will benefit the general welfare by providing a viable need to the public for automobile repair.

2. That the use meets all required conditions and specifications;

As described above, the site layout and building plans will be designed and approved by all applicable agencies. The Applicant intends to obtain all approvals and/or permits as required, beginning with this Conditional Use request. The approval/permitting process with various agencies/departments includes, but is not limited to, NCDOT Driveway Approval; site plan approval & Zoning Permit by Planning Dept.; utility approval/inspections of water/sewer services by Public Works; Building Permit by Inspection Dept.; NC Erosion Control approval (if required); and any other approvals/permits as required. The use itself will be operated by the Owner in accordance with all local or state regulations as required.

3. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property, or that the use is a public necessity; and

The site layout and subsequent construction will physically take place within the overall property boundary of the site and along the property frontage. As mentioned in the Applicant's statement above, the proposed use is actually "allowed" in the current zoning district, however, the associated use of "tire sales" requires this Conditional Use permit. The Applicant intends to comply with any special conditions or requirements that are typically imposed for tire sales/storage at other similar uses, for the purpose of minimizing any impact to adjacent properties.

4. 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. The conditional use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address impacts of the project as required by GS 160A-382(b).

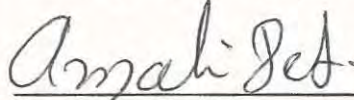
The adjacent properties to this site are like-zoned and this auto repair use would be consistent with other allowed uses in this zoning district. In fact, another auto repair shop is located directly adjacent to this site. As stated previously, the proposed use is allowed in this zoning district, making it compatible with the surrounding area; however, its association with tire sales is the sole reason for this conditional use request. Therefore, as the Applicant demonstrates compliance with the Town's requirements for tire sales, then this use would be in harmony with the surrounding area, and in compliance with all other zoning requirements.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject Conditional Use Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Amalia Felix Mireles

Print Name



Signature of Applicant

10/4/12

Date



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

OWNER'S CONSENT FORM

Name of Project: Site Plan for Tires & Wheels Shop **Submittal Date:** _____

OWNERS AUTHORIZATION

I hereby give CONSENT to Brian R. Leonard (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Amalia Felix Mireles Amalia Felix Mireles 10/4/10
Signature of Owner *Print Name* *Date*

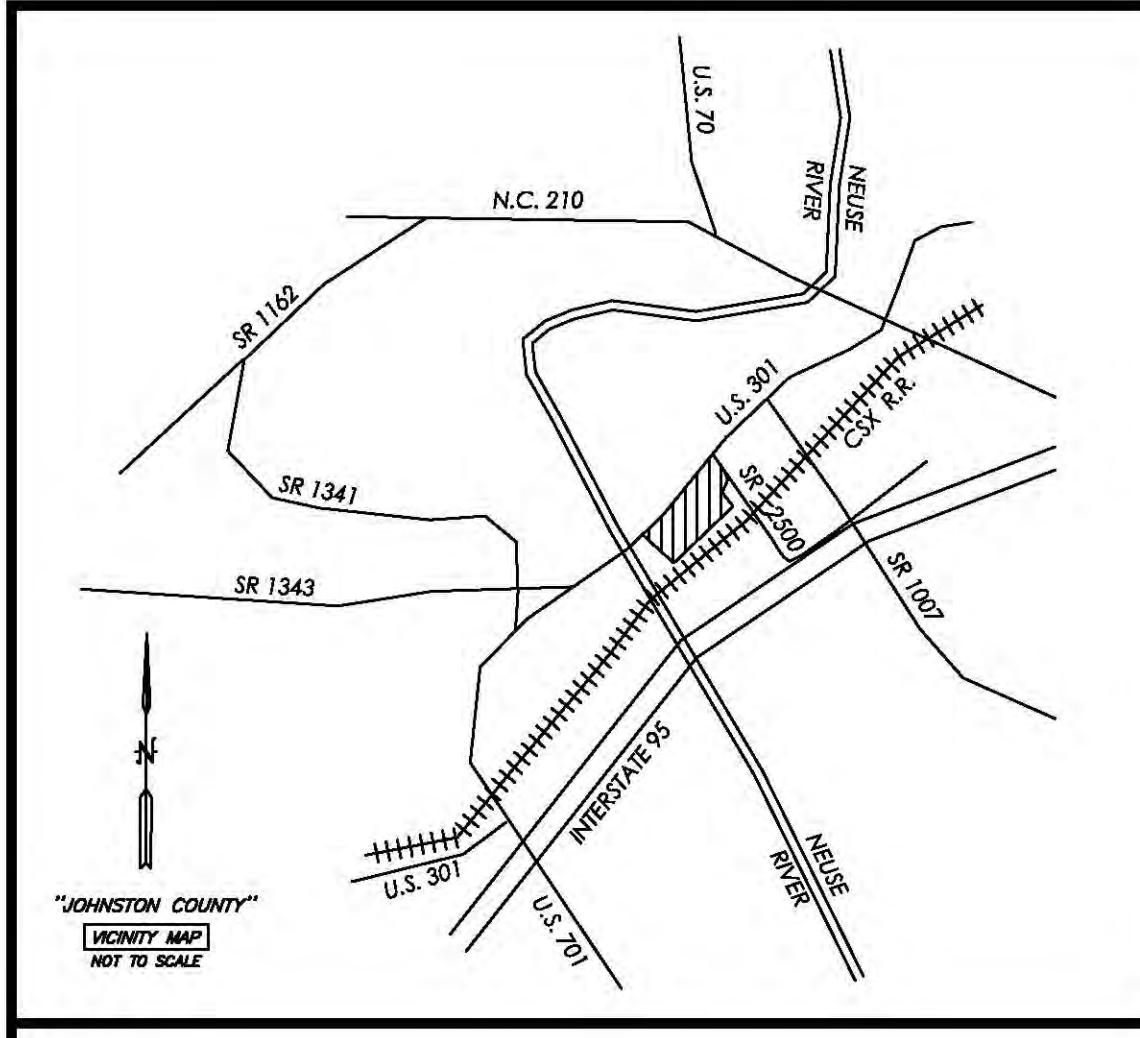
CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Amalia Felix Mireles Amalia Felix Mireles 10/4/10
Signature of Owner/Applicant *Print Name* *Date*

FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Parcel ID Number: 168320-91-0637 & 168320-91-2834



SITE PLAN INFORMATION FOR TOWN OF SMITHFIELD

Proposed Project Name: SITE PLAN FOR TIRES & WHEELS SERVICE SHOP WITH FUTURE OFFICE/LEASE SPACE
 Current Property Owner of Record: AMALIA FELIX MIRELES
 Developer/Applicant: AMALIA FELIX MIRELES
 Zoning: B-3
 Existing Use: VACANT BLOCK BUILDING (TO BE DEMOLISHED), REMAINING OPEN LOT
 Proposed Use: COMMERCIAL - AUTO MAINTENANCE/REPAIR & FUTURE OFFICE/LEASE SPACE
 Electricity Provider: TOWN OF SMITHFIELD
 Other Known Utility/Telecom Providers (not limited to): CENTURY LINK, TIMEWARNER, AT&T

Total Boundary Area = 1.621 AC
 Area in Existing NCDOT RW = 0.192 AC
 Net Usable/Buildable Site Area = 1.429 AC (Clear of RW)

Existing Building/Structure Sq.Ft. = 2,830 Sq.Ft. +/- (From Survey Footprint)
 Proposed Building/Structure Sq.Ft. = 2,800 Sq.Ft. (Max Proposed Bldg)
 + 3,250 Sq. Ft. (Max Future Bldgs)

Parking Spaces Required = 4 Current/Proposed (1 space per Bay x 4 Bays at Front Max) (Ref. UDO 18-3)
 + 33 Future (1 space per 100 sq.ft. typical max req'd of most B-3 uses x 3250 sq.ft Max) (Ref. UDO 18-3)
 37 Total

Parking Spaces Provided = 49
 Handicap Spaces Required = 2 (NC Accessibility Code 4.2.1)
 Handicap Spaces Provided = 2

Existing Impervious Area = 0.428 AC (18,660 sq.ft. - ref. PB 83, PG 380)
 Proposed Impervious Area = 0.813 AC (38,751 sq.ft.) -- INCLUDES CURRENT + FUTURE
 (2,800 Max Sq.Ft. - Proposed Bldg)
 (3,250 Max Sq.Ft. - Future Bldgs)
 (33,701 Sq.Ft. - Remaining Vehicular Areas)

Net New/Additional Impervious Area = 0.484 AC (21,091 sq.ft.)
 NOTE for Town Stormwater: < 0.5 AC New Impervious - No Attenuation Required
 < 1.0 AC New Impervious - No Nitrogen Calculations Required
 See Grading/Drainage/Erosion Plan for Any Additional/Updated Stormwater Info

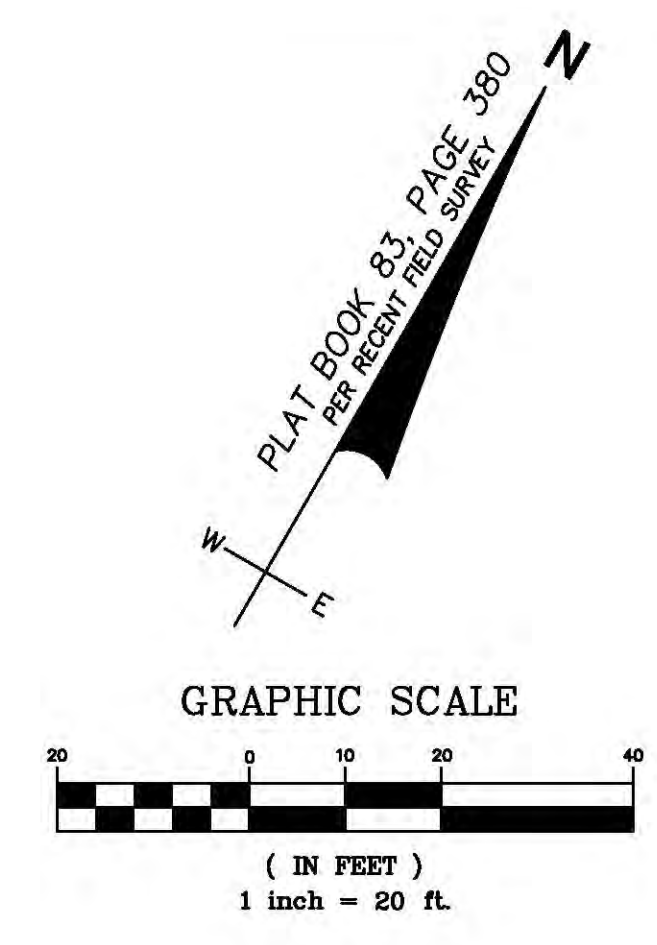
MINIMUM SETBACK/YARD REQUIREMENTS & REQ'D LANDSCAPE AREAS

Minimum Bldg. Yards (Ref: UDO 12-1)
 Minimum Building Yard at Front = 5' (at US 301 Arterial)
 Minimum Building Yard at Side(s) = 15' (35' Corner/Side at SR 2500 Collector per Planning Dept.)
 Minimum Building Yard at Rear = 25'

Minimum Landscape Areas:

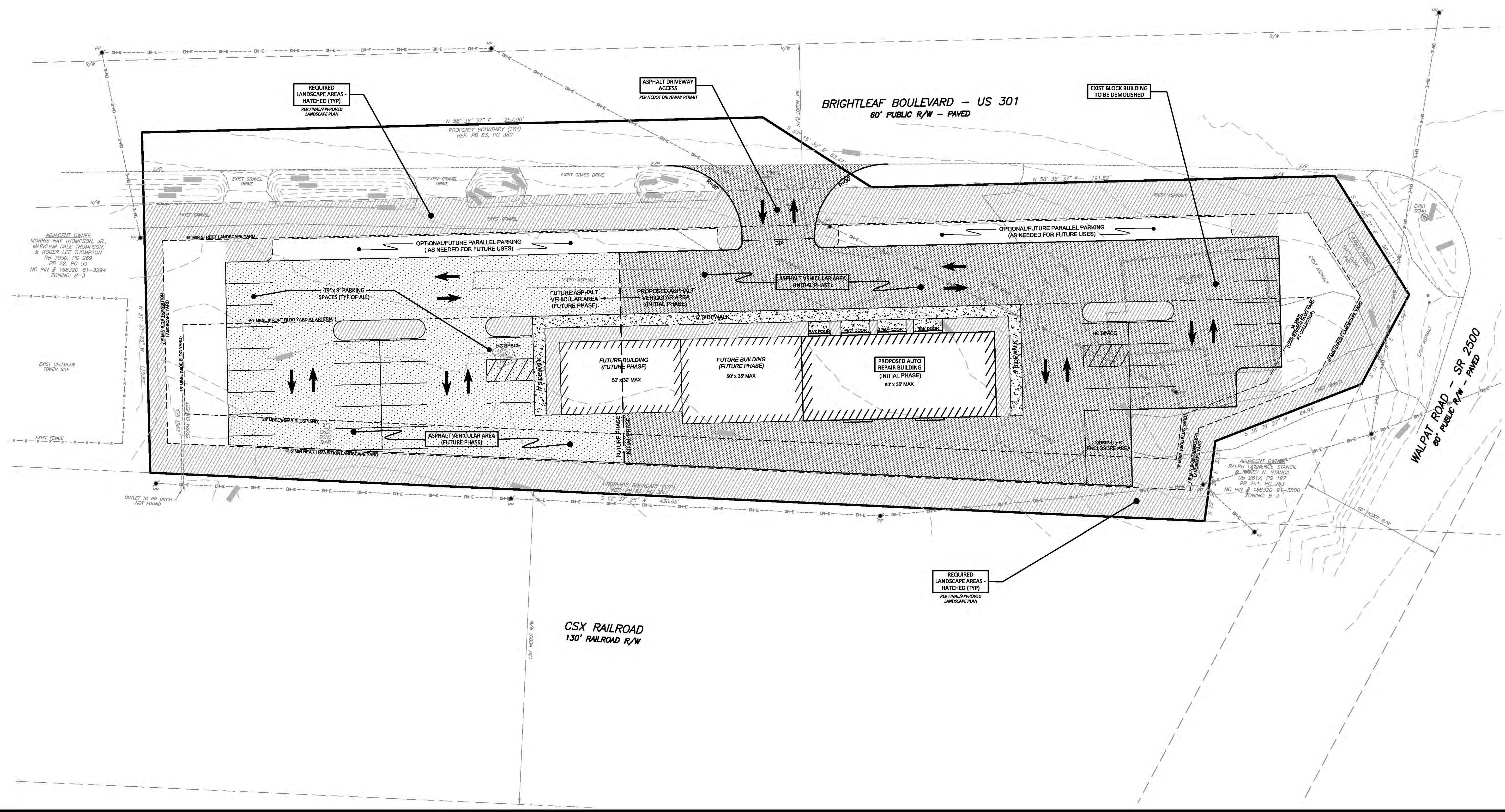
- Buffer Strips (Ref: UDO 17-3(A)6 Table)
None Req'd for Similar, Adjacent Zoning
- General Landscaping (Ref: UDO 17-2(C)(1))
Total Landscape Area: 0.238 AC Min. (> 20% of Gross Site Area)
- Street Yards (Ref: UDO 17-2(C)(8))
Width: 15' (50% of Front Bldg Yard, but only 15' Max per Planning Dept.)
Plantings: > 1 Tree/50 LF; 20 Shrubs/100 LF of road frontage
- Transition Yards (Side & Rear) (Ref: UDO 17-2(C)(9))
Width: Side - 7.5' Min. (50% of Side Bldg Yard)
Rear - 12.5' Min. (50% of Rear Bldg Yard)
Plantings: > 1 Tree/50 LF; 20 Shrubs/100 LF
- Vehicular Surface Area Plantings (Ref: UDO 17-2(C)(7))
Vehicular Landscape Area: 3002 sq.ft. Min. (> 9% of Gross Site Paved Area)
Plantings: Minimum > 1 Tree; > 8 Shrubs
- Other:
All spaces within 50' of a tree
Peninsulas at least every 15 spaces and at ends
Peninsulas at least 8' wide and > 100 sq.ft.
If < 24 total spaces can provide perimeter landscaping instead of interior plantings above
- Foundation (Building) Plantings (Ref: UDO 17-2(C)(9))
Foundation Landscape Area: To Be Determined by Final Building Plan
(Min. Planting Area is > 12% of Building (Face) Area adjacent to vehicular area)
- Other Landscaping (Ref: UDO 7.1.M)

This is only a general summary of the Town Zoning/Landscaping Requirements. Reference Town UDO for additional requirements and more detailed information. Final Landscape Requirements to be coordinated with Smithfield Planning Department. Specific requirements or plantings shall be as indicated on final Plantings Plan or Landscape Plan, as approved by Town of Smithfield.



PRELIMINARY - DO NOT USE FOR CONSTRUCTION (PROGRESS DRAWING ONLY)

REVISION:	DATE:	ORIG. DATE:	SCALE:	REF. BAR SCALE:
		10/4/16		BRL
			DRAWN BY:	BRL
			CHECKED BY:	BRL
			PROJECT NO.:	116010.00
BRL ENGINEERING				
112 East Johnston Street Smithfield, NC 27577				
Office: (919) 986-9300 www.brlengineering.com Fidid: (919) 631-6934				
PRELIMINARY SITE PLAN/LAYOUT FOR CONDITIONAL USE PERMIT				
SITE PLAN FOR TIRE & WHEELS SERVICE SHOP w/FUTURE OFFICE/LEASE SPACE				
OWNER/DEVELOPER INFORMATION				
OWNER/DEVELOPER: AMALIA FELIX MIRELES				
CONTACT: ALOND LER				
CITY OR TOWN, COUNTY & STATE: SMITHFIELD, JOHNSTON CO., NC				
TOWNSHIP, COUNTY & STATE: ---				
NC PIN#: 168320-91-0837; 168320-91-2834				
ZONING: B-3				
Sheet No. 1 of 1				
PRELIM SITE/LAYOUT				



Town of Smithfield
Conditional Use Permit Application
Finding of Fact / Approval Criteria

Application Number: CUP-16-12 **Name:** Automotive repair facility

Request: Applicant seeks a CUP for automotive repair facility on property located within a B-3 zoning district.

The Smithfield Planning Board shall recommend and the Town Council of the Town of Smithfield shall decide the matter of this Conditional Use Permit Application by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reasons or conclusions reached in support of the motion.

1. Finding One of Four:

Circle One

A. Approval:

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved or is approved with the following stated conditions.

The site layout and building plans shall be designed and subsequently approved by all applicable agencies, including the Town of Smithfield. Therefore, all applicable engineering guidelines and principles will be followed for designing and constructing a safe, functioning facility. The use itself will benefit the general welfare by providing a viable need to the public for automobile repair.

B. Denial: (If denied, must include facts supporting denial)

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, will materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved for the following stated reasons: (Applicant fails to meet the criteria for approval.)

The project as proposed will materially endanger the public by generating additional traffic and congestion. This portion of South Brightleaf Boulevard does not adequate turn lanes for vehicular traffic and lacks sidewalks and crosswalks needed for safe pedestrian circulation.

Finding Two of Four:

Circle One

A. Approval:

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations or is approved with the following additional stated conditions.

As described above, the site layout and building plans will be designed and approved by all applicable agencies. The applicant intends to obtain all approvals and/or permits as required, beginning with this Conditional Use Permit request. The approval/permitting process with various agencies/departments includes, but is not limited to, NCDOT Driveway approval; site plan approval and zoning permit by Planning Department; utility approval/inspections of water/sewer services by Public Works; Building Permit by Inspection Dept; NC Erosion Control approval (if required); and any other approvals/permits as required. The use itself will be operated by the owner in accordance with all local or state regulations as required.

B. Denial: (If denied, must include facts supporting denial)

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, fails to meet all required specifications or fails to conform to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations in the following ways or for the following reasons:

The project fails to conform to all required specifications because it does not address safe pedestrian circulation through the use of sidewalks, curb and gutters on South Brightleaf Boulevard and Wal-Pat Road.

3. Finding Three of Four:

Circle One

A. Approval:

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses or is approved with the following additional stated conditions.

The site layout and subsequent construction will physically take place within the overall property boundary of the site and along the property frontage. As mentioned in the applicant's statement above, the proposed use is actually "allowed" in the current zoning district, however, the associated use of "tire sales" requires a conditional use permit. The applicant intends to comply with any special conditions or requirements that are typically imposed for tire sales/storage at other similar uses, for the purpose of minimizing any impact to adjacent properties.

B. Denial: (If denied, must include facts supporting denial)

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, will substantially injure the value of adjoining or abutting property and/or will be detrimental to the use or development of adjacent properties or other neighborhood uses in the following ways or for the following reasons.

The project as proposed will harm adjacent property values if the number of vehicles located on the property exceed the number of approved parking spaces. The storage of discarded tires, if not stored indoors will create additional urban blight along this corridor leading into the city from the south.

4. Finding Four of Four:

Circle One

A. **Approval:**

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, would not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties or is approved with the following additional stated conditions.

The adjacent properties to this site are like-zoned and this auto repair use would be consistent with other allowed uses in this zoning district. In fact, another auto repair shop is located directly adjacent to the site. As stated previously, the proposed use is allowed in this zoning district, making it compatible with the surrounding area; however, its association with tire sales is the sole reason for this conditional use permit request. Therefore, as the applicant demonstrates compliance with the Town's requirements for tire sales, then this use would be in harmony with the surrounding area, and in compliance with all other zoning requirements.

B. **Denial: (If denied, must include facts supporting denial)**

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, would adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties in the following ways or for the following stated reasons: (Applicant fails to meet the criteria necessary for approval.)

The adopted plans and policies of the city will be compromised if the development fails to install all needed infrastructure to include sidewalks on South Brightleaf Boulevard in accordance with the Town of Smithfield Unified Development Ordinance.

Once all findings have been decided one of the two following motions must be made:

Motion to Approve: *Based upon satisfactory compliance with the above four stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative I move to recommend approval of Conditional Use Permit Application # CUP-16-12*

Motion to Deny: *Based upon failure to meet all of the above four stated findings and for reasons stated therein, I move to recommend denial of Conditional Use Permit Application # CUP-16-12 for the following stated reason:*

4. Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council Conditional Use Permit Application Number CUP-16-12 is hereby:

_____ recommended for approval upon acceptance and conformity with the following conditions; or,

_____ recommended for denial for the noted reasons.

Decision made this _____ day of _____, 20__ while in regular session.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Williams, Town Clerk

DRAFT
Smithfield Planning Board Minutes
Thursday, November 3, 2016
6:00 P.M., Town Hall, Council Room

Members Present:

Chairman-Stephen Upton
Vice-Chairman Daniel Sanders
Ashley Spain
Eddie Foy
Gerald Joyner
Jack Matthews

Members Absent:

Teresa Daughtry
Mark Lane

Staff Present:

Mark Helmer, Senior Planner
Veronica Hardaway, Admin

Staff Absent:

CALL TO ORDER

APPROVAL OF MINUTES FROM OCTOBER 6, 2016.

Jack Matthews made a motion, seconded by Daniel Sanders to approve the minutes as written. Unanimous.

Presentations:

Chairman Foy administered the Oath of Office to the new Chairman of the Board, Stephen Upton.

Chairman Upton administered the Oath of Office to the new Vice-Chairman of the Board, Daniel Sanders.

Public Hearings:

After all persons giving testimony were duly sworn, Mr. Upton opened the public hearing.

CUP-16-11 Oakey Grove Missionary Baptist Church:

Mr. Helmer stated the applicant is requesting a conditional use permit to allow for a daycare center on a .85 acre tract of land and located within an R-20 (Residential-Agricultural) zoning district. The property considered for a conditional use permit is located on the northwest side of the intersection of US Hwy 70 Business and Little Creek Church Road. The property is further identified as Johnston County Tax ID# 15J08009I.

Mr. Helmer stated the property is a .85 acre tract of land which contains one permanent structure. A small amount of improved parking is available to include a handicap accessible parking space with handicap ramp. The property is served by two existing driveways accessing Little Creek Church Road. There is no storm water facility located on the site and none is

required at this time. There does not appear to be any environmentally sensitive areas on the property considered for a conditional use permit to include flood plains or designated wetlands.

Mr. Helmer stated the proposed daycare facility is consistent with the recommendations of the Comprehensive Growth Management Plan which calls for office and institutional land uses near the intersection of Little Creek Church Road and US Hwy 70 Business. Daycare facilities are permitted uses within a B-3 (Business) zoning district with a valid conditional use permit. Adequate parking exists for a small daycare center and no other site improvements are proposed or requested at this time. A daycare center at this existing church site should not pose a compatibility issue with surrounding land uses. The proposed daycare will qualify for a free standing sign on Little Creek Church Road. Fire protection will be provided by Wilson's Mills, Water/Sewer services will be provided by the Town of Smithfield, and electric will be provided by Duke Progress Energy.

The Planning Department recommends approval of the request for a conditional use permit to allow for a daycare facility on property located within a B-3 (Business) zoning district.

The Planning Board is requested to review the petition for a daycare facility within a B-3 zoning district and make a recommendation to Town Council in accordance with the finding of fact for a conditional use permit.

Mr. Upton asked if anyone wanted to speak for or against the proposal.

Eddie Foy asked if the applicant has submitted how large the daycare will be.

Mr. Helmer stated the applicant is proposing a before and after school program at this time, but then will extend its services to a full time daycare.

Eddie Foy asked if the applicant would still have to meet state regulations in this situation.

Mr. Helmer stated yes they would still have to meet state requirements.

Daniel Sanders asked how traffic would be in the proposed area with school buses picking up and dropping children off.

Michael Martin, Pastor at Oakey Grove Baptist Church, stated that right now it will be set up for a before and after school care program and then will work toward becoming a full daycare. Buses will not pose a problem in this case because children will be dropped off in the mornings by their parents and the church will provide transportation to the school. In the afternoons the church will provide transportation back to the church where parents will pick up the children.

Gerald Joyner asked approximately how many children would be enrolled in this program.

Mr. Martin stated approximately 15 children to start.

Being no further questions, Mr. Upton closed the public meeting for CUP-16-11

Eddie Foy made a motion, seconded by Daniel Sanders, to move to the Finding of Fact.

The Planning Board shall recommend and the Town Council of the Town of Smithfield shall decide the matter of this Conditional Use Permit Application by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reason or conclusions reached in support of the motion.

- 1. Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved or is approved with the following stated conditions.***

Establishing a daycare center at this site will not endanger the public health, safety, or general welfare. The requirements that the state is mandating will mitigate any such dangers.

- 2. Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations or is approved with the following additional stated conditions.***

It is the applicant's intent that the property will meet all state and local ordinance conditions and specifications.

- 3. Based on the evidence and testimony presented it is the finding of the Planning board that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses or is approved with the following additional stated conditions.***

The use will not adversely affect the use or any physical attributes of adjoining or abutting property. Property is located on the corner of 70 Bus Hwy and Little Creek Church Road. Property is adjacent to a field housing cows and near the property line of a parking lot of Johnston Union Baptist Church, directly across the street is undeveloped property.

- 4. Based on evidence and testimony presented it is the finding of the Planning Board that the application, if approved, would not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties or is approved with the following additional stated conditions.***

The location and character of the use will be in harmony with the area in which it is to be located. The conditional use shall demonstrate conformance to the Land Use Plan. It will not impact other projects as required by GS 160A-382(b).

Based upon satisfactory compliance with the above stated four findings and fully contingent upon full incorporation of all statements entered into the record by the testimony of the applicant and applicant's representative;

Eddie Foy made a motion, seconded by Daniel Sanders to allow for a daycare center on a .85 acre tract of land and located within an R-20A (Residential-Agricultural) zoning district.

CUP-16-12 Amalia Felix Mireles:

Mr. Embler stated the applicant is requesting a conditional use permit to allow for an automotive repair facility with tire sales on a 1.1 acre tract of land located within a B-3 (Business) zoning district. The property considered for a conditional use permit is located on the southwest side of the intersection of South Brightleaf Boulevard and Wal-Pat Road and further identified as Johnston County Tax ID# 15A1047D.

Mr. Helmer stated the applicant has submitted a phased preliminary sketch plan showing a proposed 2,800 square foot building with 4 garage bays and 13 parking spots being constructed as part of phase one. Phase two indicates 3,250 square feet of additional building space and 20 additional parking spaces. The site will be served by a proposed 30 foot wide NCDOT approved driveway accessing South Brightleaf Boulevard. No access to Wal-Pat Road will be permitted. It appears that all Town of Smithfield landscape requirements can and will be met prior to site plan approval and issuance of a valid zoning permit. There does not appear to be any environmentally sensitive areas on the property considered for a Conditional Use Permit to include flood plains or designated wetlands.

Mr. Helmer stated the proposed automotive repair facility is consistent with the recommendations of the Comprehensive Growth Management Plan which calls for commercial land uses near the intersection of South Brightleaf Boulevard and Wal-Pat Road. Automotive repair facilities are permitted uses within B-3 (Business) zoning districts with a valid conditional use permit. The site plan indicates that all Town of Smithfield development regulations can and will be met prior to site plan approval and permitting. An automotive repair facility at this location should not pose a compatibility issue with surrounding land uses. The proposed automotive repair facility will qualify for a free standing sign on South Brightleaf Boulevard. The Town of Smithfield will provide fire protection, water/sewer, and electric.

The Planning Department recommends approval of the request for a conditional use permit to allow for an automotive repair facility on property located within a B-3 (Business) zoning district.

The Planning Board is requested to review the petition for an automotive repair facility within a B-3 (Business) zoning district and make a recommendation to Town Council in accordance with the finding of fact for a conditional use permit.

Mr. Upton asked if anyone wanted to speak for or against the proposal.

Mr. Upton asked why there is no access to Wal-Pat Road.

Mr. Helmer explained there is not enough road frontage.

Mr. Upton expressed his concern with the heavy traffic due to the flea market.

Mr. Helmer stated it is very congested in that area; however the proposal is a low traffic generating use. He stated he is aware there is parking over spill on the proposed site due to the flea market, but the applicant is willing to work with the Town on this issue.

Daniel Sanders asked how many vehicle bays there are.

Mr. Helmer stated there are four bays in the newly constructed building. The building backs up to CSX railroad and all landscaping yards are shown on the plan. Additional landscaping will be required on all sides of the building.

Daniel Sanders asked what the hours of operation will be.

Amalia Felix Mireles, 10517 US Hwy 70 W Clayton, stated he is the owner of the proposed business. He stated he currently owns and operates a garage in Clayton and is usually open 7 days a week, but if the Town needs him to adjust his hours he will do so.

Daniel Sanders explained the weekend traffic is extremely heavy due to the flea market.

Brian Leonard, 112 E Johnston Street, stated he is the engineer working on the proposal. He stated the site itself is not a traffic generator and the garage will be working solely on site.

Daniel Sanders asked what their plans are about the parking overage coming from the flea market.

Mr. Leonard stated they would be willing to either block it off completely to outside parking if the Town thinks it's necessary or leave it open if that would make it easier.

Mr. Upton asked how many parking spaces would be available.

Mr. Helmer stated the site plan is showing 13 parking spaces.

Mr. Leonard stated the site plan shows more than 13, it's actually closer to 23 parking spaces.

Ashley Spain asked if the parking spaces will be paved and marked.

Mr. Leonard stated all parking spaces will be paved and marked appropriately.

Mr. Upton asked the applicant if he's been in this business before.

Mr. Mireles stated he runs a similar business in Clayton.

Mr. Upton asked if the site plan would come before the Planning Board.

Mr. Helmer stated the site plan will be approved administratively by the Planning Department.

Being no further questions, Mr. Upton closed the public meeting for CUP-16-12.

Eddie Foy made a motion, seconded by Daniel Sanders, to move to the Finding of Fact.

The Planning Board shall recommend and the Town Council of the Town of Smithfield shall decide the matter of this Conditional Use Permit Application by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reason or conclusions reached in support of the motion.

- 1. Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved or is approved with the following stated conditions.***

The site layout and building plans shall be designed and subsequently approved by all applicable agencies, including the Town of Smithfield. Therefore, all applicable engineering guidelines and principles will be followed for designing and constructing a safe, functioning facility. The use itself will benefit the general welfare by providing a viable need to the public for automobile repair.

- 2. Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations or is approved with the following additional stated conditions.***

As described above, the site layout and building plans will be designed and approved by all applicable agencies. The applicant intends to obtain all approvals and/or permits as required, beginning with this Conditional Use Permit request. The approval/permitting process with various agencies/departments includes, but is not limited to, NCDOT Driveway approval; site plan approval and zoning permit by Planning Department; utility approval/inspections of water/sewer services by Public Works; Building Permit by Inspection Dept; NC Erosion Control approval (if required); and any other approvals/permits as required. The use itself will be operated by the owner in accordance with all local or state regulations as required.

3. ***Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses or is approved with the following additional stated conditions.***

The site layout and subsequent construction will physically take place within the overall property boundary of the site and along the property frontage. As mentioned in the applicant's statement above, the proposed use is actually "allowed" in the current zoning district, however, the associated use of "tire sales" requires a conditional use permit. The applicant intends to comply with any special conditions or requirements that are typically imposed for tire sales/storage at other similar uses, for the purpose of minimizing any impact to adjacent properties.

4. ***Based on evidence and testimony presented it is the finding of the Planning Board that the application, if approved, would not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties or is approved with the following additional stated conditions.***

The adjacent properties to this site are like-zoned and this auto repair use would be consistent with other allowed uses in this zoning district. In fact, another auto repair shop is located directly adjacent to the site. As stated previously, the proposed use is allowed in this zoning district, making it compatible with the surrounding area; however, its association with tire sales is the sole reason for this conditional use permit request. Therefore, as the applicant demonstrates compliance with the Town's requirements for tire sales, then this use would be in harmony with the surrounding area, and in compliance with all other zoning requirements.

Based upon satisfactory compliance with the above stated four findings and fully contingent upon full incorporation of all statements entered into the record by the testimony of the applicant and applicant's representative;

Eddie Foy made a motion, seconded by Daniel Sanders to allow for an automotive repair facility with tire sales on a 1.1 acre tract of land located within a B-3 (Business) zoning district.

Old Business:

New Business:

Mr. Upton expressed his appreciation to Eddie Foy for his years of service to the Planning Board as Chairman.

Jack Matthews made a motion to adjourn, seconded by Ashley Spain. Unanimous.

Submitted this 3rd day of November, 2016.

Veronica Hardaway
Administrative Support Specialist
Planning Department

DRAFT



PLANNING DEPARTMENT

Paul C. Embler, Jr., Director

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, CUP-16-12, were notified by First Class Mail on 11-18-16.

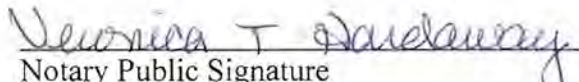


Signature

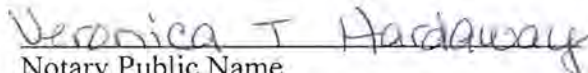
Johnston County, North Carolina

I, Veronica Hardaway, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

18th day of November, 2016



Notary Public Signature



Notary Public Name

My Commission expires on 1-14-18



Adjacent Property Owners of
CUP-16-12

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15A61027	168320-92-2121	ANDREWS, WILEY EDWIN BUD	717 CRESCENT DRIVE	SMITHFIELD	NC	27577-3841
15A61029B	168320-91-3800	STANCIL, RALPH LAWRENCE	PO BOX 188	SELMA	NC	27576-0000
15A61031	168320-92-6100	WILLIAMS, WALTER L	539 S MAIN ST	FINDLAY	OH	45840-3229
15A61047D	168320-91-1779	MIRELES, AMALIA FELIX	1677 ROCK PILLAR ROAD	CLAYTON	NC	27577
15A61047C	168320-81-7608	CARRAWAY, JOAN ALLISON	2312 SOUTH BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-0000
15J10013B	168320-80-7689	OMNISOURCE SOUTHEAST LLC	7575 W JEFFERSON BLVD	FORT WAYNE	IN	46804
15A61046	168320-81-8732	ESCOBAR, GLORIA ALBA	2308 S BRIGHT LEAF BLVD.	SMITHFIELD	NC	27577
15J10012B	168320-81-3294	THOMPSON, MORRIS RAY JR	2317 S BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-0000
15A61051	169317-02-4066	FLAN 4	531 FLANDERS FILTERS RD	WASHINGTON	NC	27889
15A61044	168320-82-8068	FFAH JOHNSON COURT, LLC.	384 FOREST AVEUNE SUITE 14	LAGUNA BEACH	CA	92651



PLANNING DEPARTMENT

Paul C. Emblar, Jr., Director

Notice Of Public Hearings

Notice is hereby given that the Town Council of the Town of Smithfield will conduct public hearings during the course of their open meeting which starts at 7:00 P.M. on Tuesday, December 6, 2016 in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

CUP-16-11 Oakey Grove Missionary Baptist Church: The applicant is requesting a conditional use permit to allow for a daycare center on a .85 acre tract of land and located within a B-3 (Business) zoning district. The property considered for a conditional use permit is located on the northwest side of the intersection of US Hwy 70 Business and Little Creek Church Road. The property is further identified as Johnston County Tax ID# 15J08009I.

CUP-16-12 Amalia Felix Mireles: The applicant is requesting a conditional use permit to allow for an automotive repair facility with tire sales on a 1.1 acre tract of land located within a B-3 (Business) zoning district. The property considered for a conditional use permit is located on the southwest side of the intersection of South Brightleaf Boulevard and Wal-Pat Road and further identified as Johnston County Tax ID# 15A61047D.

You have been identified as a property owner in the area specified above and are being advised of this meeting as you may have interest in this matter. You are welcome to attend; however, you are not required to in order for the Board to act on this request. Additional information may be obtained by contacting the Town of Smithfield Planning Department at 919-934-2116.



PLANNING DEPARTMENT

Paul C. Emblar, Jr., Director

Notice Of Public Hearings

Notice is hereby given that the Town Council of the Town of Smithfield will conduct public hearings during the course of their open meeting which starts at 7:00 P.M. on Tuesday, December 6, 2016 in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

CUP-16-11 Oakey Grove Missionary Baptist Church: The applicant is requesting a conditional use permit to allow for a daycare center on a .85 acre tract of land and located within a B-3 (Business) zoning district. The property considered for a conditional use permit is located on the northwest side of the intersection of US Hwy 70 Business and Little Creek Church Road. The property is further identified as Johnston County Tax ID# 15J08009I.

CUP-16-12 Amalia Felix Mireles: The applicant is requesting a conditional use permit to allow for an automotive repair facility with tire sales on a 1.1 acre tract of land located within a B-3 (Business) zoning district. The property considered for a conditional use permit is located on the southwest side of the intersection of South Brightleaf Boulevard and Wal-Pat Road and further identified as Johnston County Tax ID# 15A61047D.

All interested persons are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the town office if you need assistance. Further inquiries regarding this matter may be directed to the Smithfield Planning Department at (919) 934-2116 or online at www.smithfield-nc.com.

Run "Legal Ad" in the Smithfield Herald on 11/23/16 and 11/30/16

2300 Block of South Brightleaf Boulevard



Project Name:
Amalia Felix Mireles

Proposed Use:
Automotive Repair Facility

File Number:
CUP-16-12

Owner:
Amalia Felix Mireles

Applicant:
Amalia Felix Mireles

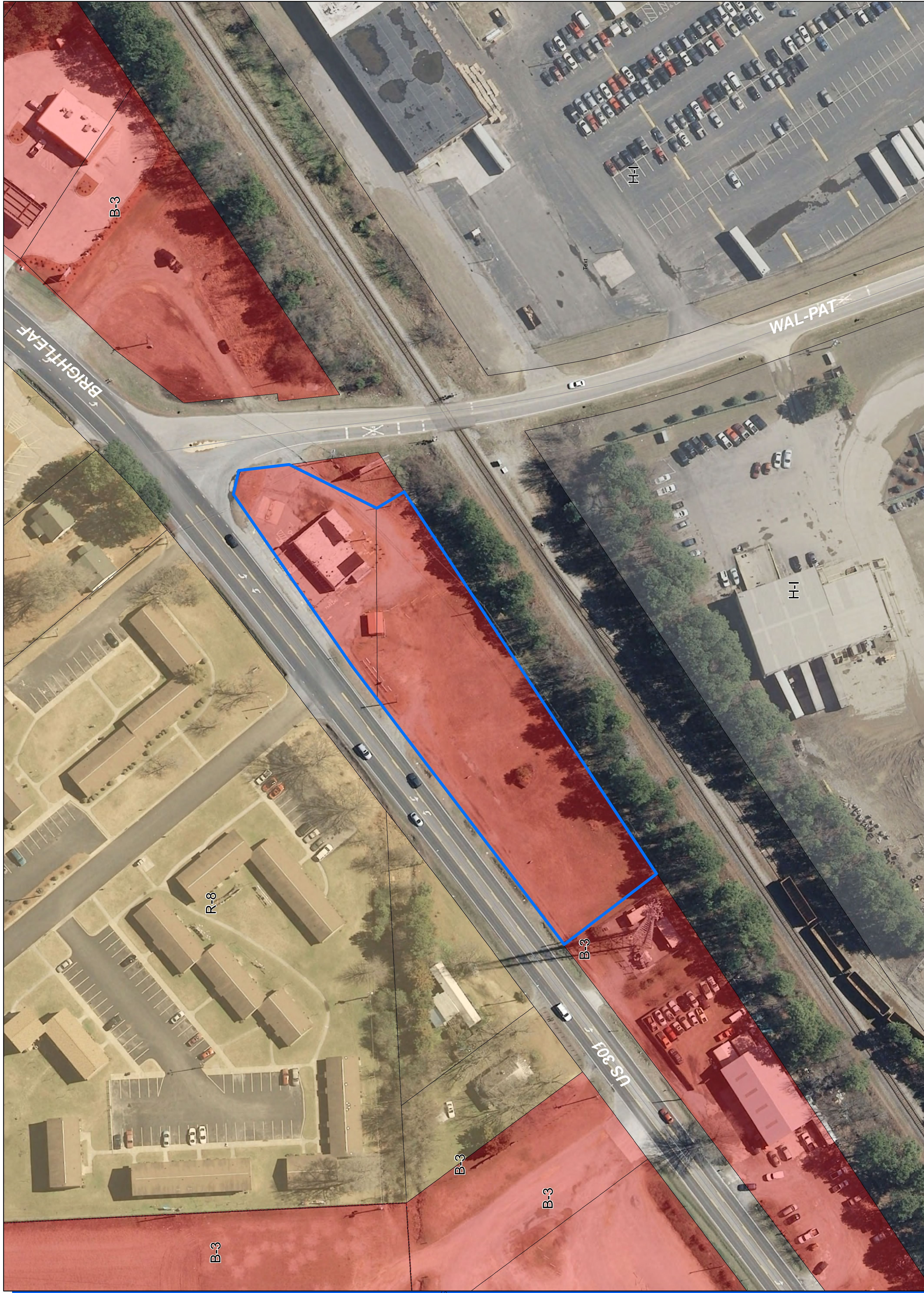
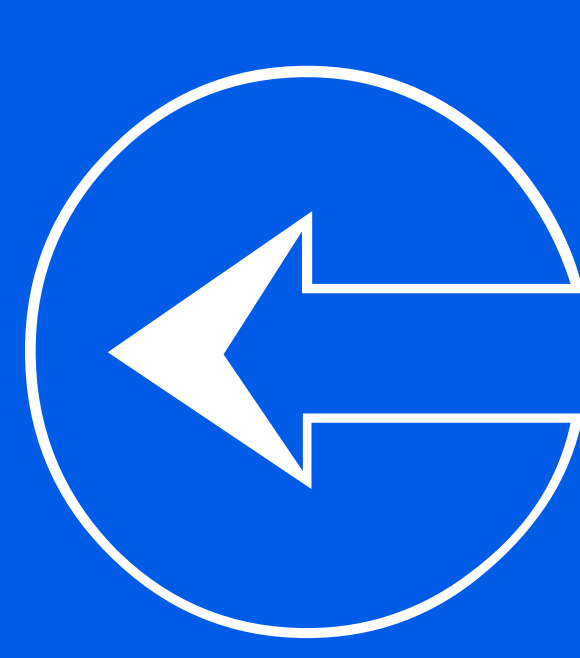
Location:
2301 South Brightleaf Boulevard

Tax ID#
15A61047D

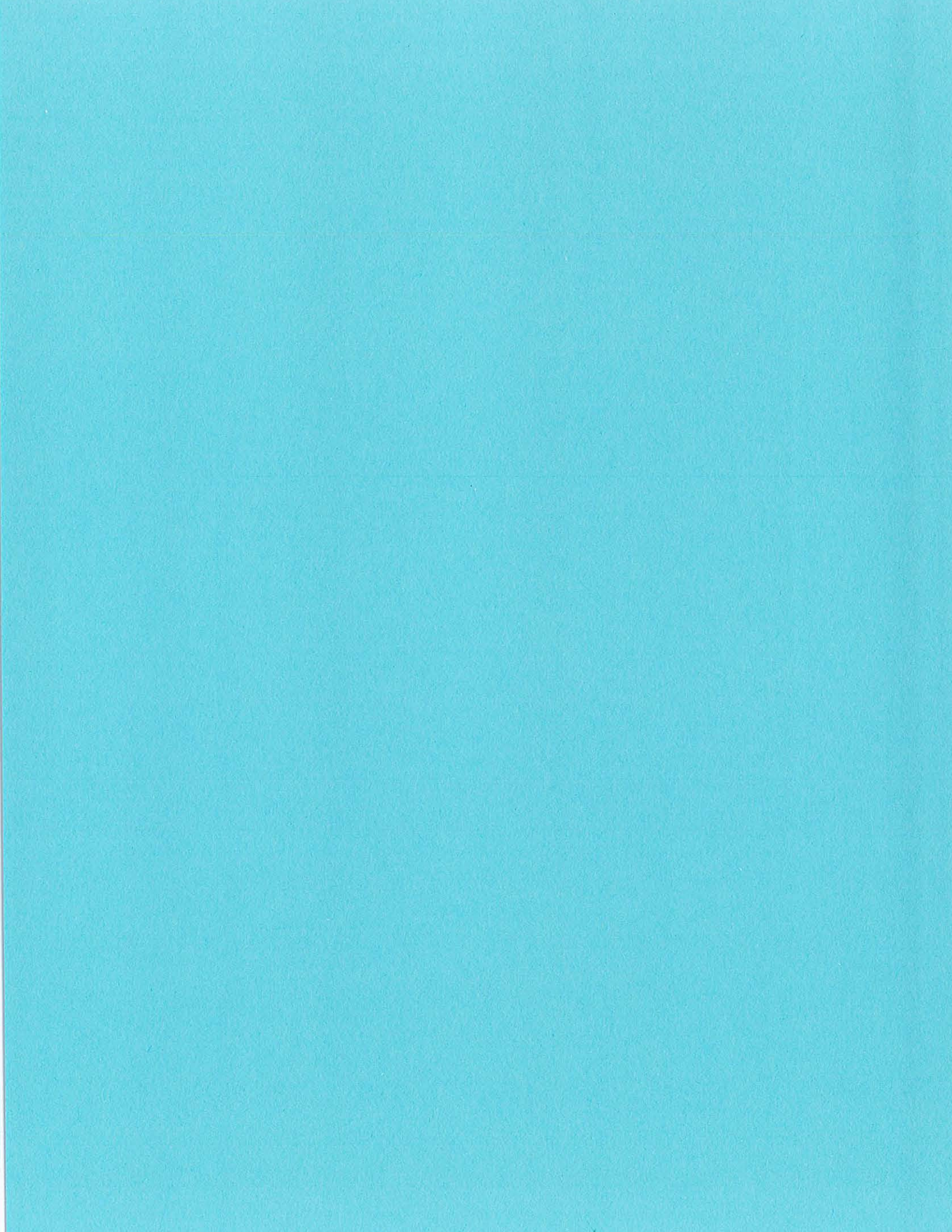
Zoning District:
B-3

Map created by the
Mark E. Helmer, AICP
Senior Planner,
GIS Specialist
on 10/29/2016

1 inch = 40 feet
0 20 40 80 120 Feet



Consent Agenda Items



The Smithfield Town Council met in regular session on Tuesday, November 1, 2016 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

Emery Ashley, Mayor Pro-Tem
Marlon Lee, District 1
Travis Scott, District 3
John A. Dunn, At-Large
Stephen Rabil, At-Large

Councilmen Absent

J. Perry Harris, District 2
Roger A. Wood, District 4

Administrative Staff Present

Michael Scott, Town Manager
John Blanton, Fire Chief
Lenny Branch, Public Works Director
Ted Credle, Public Utilities Director
Paul Embler, Planning Director
Gary Johnson, Parks & Rec Director
Tim Kerigan, Human Resources/PIO
R. Keith Powell, Chief of Police
Greg Siler, Finance Director
Shannan Williams, Town Clerk

Present:

Bob Spence, Town Attorney

Administrative Staff Absent

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

APPROVAL OF AGENDA:

Councilman Scott made a motion, seconded by Councilman Rabil, to approve the agenda with the following amendments:

- Add to Presentations:
 - Item #2: South Smithfield Water District
 - Item #3 Service Awards

Unanimously approved.

PRESENTATIONS:

1. FY 2015-2016 Audit

Finance Director Greg Siler presented the Council with the FY 2015-2016 Audit.

A copy of the FY 2015-2016 Audit is on file in the office of the Town Clerk.

2. South Smithfield Water District

Public Utilities Director Ted Credle addressed the Council on the Smithfield South Water District. Mr. Credle explained that the Town received notification from the State that the drinking water exceeded the Trihalomethane (THM) limits. THM is a by-product of chlorine disinfectant. The increased THM limits were caused by increased temperatures and low demand for water in the summer. Mr. Credle further explained that the Town is combatting this issue by flushing the lines and increasing sampling of the water at various locations.

3. Service Awards

Mayor Moore explained that during his first year as Mayor he never anticipated the need to sign an emergency declaration caused by a natural disaster nor did he anticipate a horrific traffic accident on I-95 that almost caused a Town wide evacuation. He explained that he received many correspondences

thanking him for a job well done. To those he offered his appreciation, but explained that his job was easy. His job was easy because he works with a great Council and a great City Manager. His job was easy because he works with a group of professionals that are properly trained, dedicated and work tirelessly in their respective fields. Those professionals are Town employees and together they form a piece of the puzzle that makes Smithfield a great place to live, work and play. As a token of appreciation, the Town Council presented gift cards to each Department Head to be distributed to every full-time Town employee.

PUBLIC HEARING:

Town Clerk Shannan Williams administered affirmations to those that wished to offer testimony during the Public Hearings.

1. Conditional Use Permit request by Victor Hugo Garcia Rizo (CUP-16-10)

Councilman Rabil made a motion, seconded by Mayor Pro-Tem Ashley, to open the Public Hearing. Unanimously approved.

Planning Director Paul Embler addressed the Council on a request by Victor Hugo Garcia Rizo. The applicant was requesting a conditional use permit to allow for a residential use within a B-3 (Business) zoning district. The property considered for a conditional use permit is located on the southwest side of West Market Street approximately 190 feet southeast of its intersection with Park Avenue. The property is further identified as Johnston County Tax ID# 15077025.

Planning Director Paul Embler has incorporated his entire record and provided it to Council in written form in the November 1, 2016 agenda packet.

The Planning Board, at its October 6, 2016 meeting unanimously voted to recommend approval of the conditional use permit to allow a residential use within a B-3 (Business) zoning district.

The Planning Department recommends approval of the request for a conditional use permit to allow for a residential use on property located within a B-3 (Business) zoning district.

Mayor Moore asked if the applicant was in agreement with the testimony provided by Mr. Embler. The applicant, Victor Hugo Garcia Rizo, responded he was in agreement with the testimony offered by Mr. Embler.

Mayor Moore asked if there were any comments/questions from those that had been duly affirmed to offer testimony. There were none.

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

Mayor Pro-Tem Ashley made a motion, seconded by Councilman Dunn, to close the Public Hearing. Unanimously approved.

The Written Finding of Facts

Town Council of the Town of Smithfield decided the matter of the Conditional Use Permit Application by motion and vote on each of the following four findings of fact.

Mayor Pro-Tem Ashley made a motion, seconded by Councilman Scott, to vote in the affirmative to all of the below Finding of Facts. Unanimously approved.

- **Finding One of Four: Approved**

Based on the evidence and testimony presented it is the finding of the Town Council that the application will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved or is approved with the following stated conditions.

The proposed residential land use at this location will not materially endanger the public were shown because the residential structure will not emit smoke, dust, odor or vibration and will not contain toxic material that may be harmful to adjacent properties or the area at large.

- **Finding Two of Four: Approved**

Based on the evidence and testimony presented it is the finding of the Town Council that the application meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations or is approved with the following additional stated conditions.

The proposed residential land use at this location conforms to standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinances. The existing structure was originally constructed for residential purposes and has adequate parking to serve the requested use.

- **Finding Three of Four: Approved**

Based on the evidence and testimony presented it is the finding of the Town Council that the application will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses or is approved with the following additional stated conditions.

The proposed residential land use at this location will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses. Having a resident occupying this structure will have long term benefits to this property, adjacent properties and the area at large.

- **Finding Four of Four: Approved**

Based on the evidence and testimony presented it is the finding of the Town Council that the application would not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties or is approved with the following additional stated conditions.

The proposed residential land use at this location will not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development. The property was originally intended to serve the residential needs of the area. The property is best suited for residential uses until such time that the property is designed and redeveloped for commercial uses.

Record of Decision: Approval of Conditional Use Permit Application # CUP-16-10

Mayor Pro-Tem Ashley made a motion, seconded by Councilman Scott, based upon satisfactory compliance with the above four stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative moved to approve Conditional Use Permit Application # CUP-16-10. Unanimously approved.

CITIZENS' COMMENTS:

Peggy Scott, Chairperson for the Appearance Commission, informed the Council and the public about two endowments that could assist citizens with tree replacement due to damages caused by Hurricane Matthew. Mrs. Scott explained that the J.B. George and J.P. George Endowments allows for the planting of trees throughout the Town, in the right of ways, for beautification purposes. These trees are

offered at no cost to the citizens. She explained that if a citizen would like to add trees to their landscape along property lines in the right of ways, they should contact Public Works or Town Hall. The trees can be replaced or added with any kind of tree that is approved by the Appearance Commission and Public Works Director Lenny Branch.

CONSENT AGENDA:

Mayor Pro-Tem Ashley made a motion, seconded by Councilman Dunn, to approve the following items as listed on the Consent Agenda:

1. Approved the Minutes of the October 4, 2016 regular meeting and the October 4, 2016 closed session.
2. Approved the 5% promotion increase for the new Police Captain.
3. Approved the 5% promotion increase for the new Police Lieutenant.
4. Approved the 5% promotion increase for the new Police Sergeant.
5. Acceptance of Transportation Alternative Program (TAP) funding for sidewalk intersections to make them ADA compliant. Approval was also granted to use \$9,180.00 of general fund contingency funds as the Town's matching portion.
6. Adopted Ordinance #487 Declaring Road Closures for the Annual Christmas Parade, the Annual Christmas tree Lighting and the Annual Martin Luther King, Jr. Parade.

ORDINANCE # 487

AN ORDINANCE DECLARING ROAD CLOSURES FOR THE ANNUAL CHRISTMAS TREE LIGHTING, THE ANNUAL CHRISTMAS PARADE AND THE ANNUAL MARTIN LUTHER KING, JR. PARADE

WHEREAS, the Town Council of the Town of Smithfield acknowledges a long tradition of providing an annual Christmas Parade and annual Tree Lighting Ceremony for the pleasure of its citizens; and

WHEREAS, the Town Council of the Town of Smithfield acknowledges a new tradition of providing an annual Martin Luther King, Jr. Parade for the pleasure of its citizens; and

WHEREAS, the Town Council of the Town of Smithfield acknowledges its citizens realize a financial benefit from holding these annual events; and

WHEREAS, the Town Council of the Town of Smithfield acknowledges each event requires approximately two hours to install signing and traffic control to be provided by the Smithfield Police Department, and also requires approximately two hours for removing signs, traffic control and litter.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Smithfield pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the days and times set forth below on the following described portion of a State Highway System route:

Annual Tree Lighting Ceremony

Date: First Thursday of every December
Time: 5:00 pm to 9:00 pm
Route Description: North 3rd Street between Market Street and Bridge Street

Annual Christmas Parade

Date: Second Thursday of every December
Time: 5:00 pm to 9:00 pm
Route Description: Market Street (US70) from South 6th Street to South 2nd Street

Annual Martin Luther King, Jr. Parade

Date: Second Friday of every January

Time: 5:00 pm to 9:00 pm

Route Description: Market Street (US70) from South 6th Street to South 2nd Street

Duly adopted this the 1st day of November, 2016.

7. Approved various budget amendments

<u>November, 2016</u>			
1. Revenue			
30-3970-0700	Fund Balance Appropriation	\$ -	\$ 300,000
			\$ 300,000
Expenditures			
30-7220-7400	Capital Outlay-Digitized Mapping Portion \$50,000	\$ 385,000	\$ (30,000)
30-7200-9101	Transfer to W/S CAPITAL PROJECT FUND	90,000	165,000
30-7220-9101	Transfer to W/S CAPITAL PROJECT FUND	510,000	165,000
		<u>\$ 985,000</u>	<u>\$ 300,000</u>
			<u>\$ 1,285,000</u>
To establish and fund the Water/Sewer Asset Inventory and Assessment (AIA) Grant as approved at the October 4, 2016 Council Meeting			
2. Revenue			
45-3980-1401	Transfer From Water Fund	\$ 1,003,400	\$ 330,000
			\$ 1,333,400
Expenditures			
45-7200-7407	Water AIA	\$ -	\$ 165,000
45-7220-7418	Sewer AIA	-	165,000
		<u>\$ -</u>	<u>\$ 330,000</u>
			<u>\$ 330,000</u>
To establish and fund the Water/Sewer Asset Inventory and Assessment (AIA) Grant as approved at the October 4, 2016 Council Meeting			
3. Revenue			
40-3990-000	Fund Balance Appropriation	\$ -	\$ 2,476
40-3290-0001	Interst - J.P. George	-	185
		<u>\$ -</u>	<u>\$ 2,661</u>
			<u>\$ 2,661</u>
Expenditures			
40-4100-3300	J.B. George Projects	\$ 1,200	\$ 915
40-4100-3301	J.P. George Projects	-	1,746
		<u>\$ 1,200</u>	<u>\$ 2,661</u>
			<u>\$ 3,861</u>
To bring forward unspent interest resulting from call of investment			
4. Revenue			
10-3990-0000	Fund Balance Appropriation	\$ 760,118	\$ 17,000
			\$ 777,118
Expenditure			
10-4110-5718	Transfer to General Fund Capital Proj. Fund	\$ -	\$ 17,000
			\$ 17,000
To refund the Street Lighting Project. Was funded in FY16 but monies were not transferred			

8. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Police Officer I	Police	10-5100-0200	\$16.641/hr (\$37,209.95/yr)
P/T Admin Support Specialist	Planning	10-4900-0200	\$9.667/hr

Unanimously approved.

BUSINESS ITEMS:

1. Approved bid award in the amount of \$39,991.89 with Superior Recreation for the acquisition and installation of playground equipment at Gertrude B. Johnson Park.

Parks and Recreation Director Gary Johnson addressed the Council on a request to award the bid for acquisition and installation of playground equipment to Superior Recreation in the amount of \$39,991.89. Mr. Johnson explained that \$50,000 was appropriated in the capital line item for upgrades to Johnson Park. The Parks and Recreation Department sent a request for proposals to four suppliers: Barrs Recreation, LLC, Carolina Parks and Play, Cunningham Recreation and Superior Recreation of the Carolinas. Proposals were to meet the following criteria: A playground unit designed for ages 2-5, a playground unit designed for ages 5-12, an independent swing set structure and an independent climbing wall.

Bid submitted were as follows:

Barrs Recreation	\$38,583.00
Superior Recreation	\$39,991.80

Mr. Johnson further explained that although Barrs Recreation provided the lowest bid in regards to price, the proposal by Superior Recreation of the Carolinas provided more playground equipment for the additional amount. Remaining funds will be used for surfacing and other amenities.

Mayor Pro-Tem Ashley made a motion, seconded by Councilman Scott, to award the bid for acquisition and installation of playground equipment at the Gertrude B. Johnson Park to Superior Recreation in the amount of \$39,991.89 to be funded from capital line item 10-6200-7400. Unanimously approved.

2. Authorization to apply for an AFG (Assistance to Firefighters Grant) to replace aging Air-Packs (SCBA's) and the Air compressor to fill them with, that are currently being used by the fire department.

Fire Chief John Blanton addressed the Council on a request to apply for an Assistance to Firefighters Grant (AFG). Chief Blanton explained the AFG process opened on October 11th, 2016 and closes on November 18th, 2016. This grant allows Fire Departments to apply for equipment. The Smithfield Fire Department is seeking this grant opportunity to replace aging air packs and an aging air compressor. Specific equipment was as follows: 36 air packs which include 2 bottles and a mask for each pack, 15 additional masks, 1 station cascade compressor, and 1 rit pack (combined the additional with the price of the rit pack, 1-75min bottle, mask, and 10ft hose). This grant is a 95%-5% purchase, meaning the Town's responsibility would be 5% and the awarded amount of the grant would be 95%. The amount of the grant application would be \$419,953.00. The Town's responsibility, if awarded, would be \$20,997.00. Notification of grant awards should be received within an eight to twelve month process. If awarded, it would not affect the current budget. The aging equipment will have to be purchased in the upcoming budget years due to being noncompliant in the very near future.

Mayor Pro-Tem Ashley made a motion, seconded by Councilman Scott, to authorize the Fire Department to submit an application for the Assistance to Firefighters Grant (AFG). Unanimously approved.

Councilmembers Comments:

- Mayor Pro-Tem Ashley commended Town and County staff for their efforts during Hurricane Matthew and during the traffic incident on I-95.
- Councilman Scott explained that during power outages, intersections with traffic signals become dangerous. He asked that staff investigate ways to keep traffic lights operational during outages. Mayor Pro-Tem Ashley suggested that the proper way to proceed through a 4 way intersection be placed on the Town website.

- Councilman Scott also stated that relying on Duke Energy in a power outage situation is frustrating

Town Manager’s Report:

Town Manager Michael Scott gave a brief update to the Council on the following items:

- Streetscape Project – The project is now complete.
- Greenway Repairs – There is no additional damage to the greenway due to Hurricane Matthew. The contractor will undergo repairs when the water levels recede and water from Falls Lake is no longer being released.
- Government In Touch Meeting – The last meeting is scheduled for November 13th at the Smithfield Recreation and Aquatics Center
- Brogden Road Substation Transformer – The transformer has been set and will allow more customers to be removed from the Hospital Road substation.
- The Parks and Recreation Department received notification that the 2017 Tar Heel League Softball Tournament will be held at Community Park in July

- **Department Reports**

- A highlight of each department's monthly activities was given to the Council.

Closed Session: Pursuant to NCGS 143-318.11 (a) (5)

Councilman Dunn made a motion, seconded by Councilman Rabil, to go into closed session pursuant to NCGS 143-318.11 (a) (5) to consult with the Town Attorney. Unanimously approved at 8:24 pm.

Reconvene in Open Session:

Mayor Pro-Tem Ashley made a motion, seconded by Councilman Dunn, to reconvene in open session. Unanimously approved at 9:11 pm.

Adjourn

There being no further business, Mayor Pro-Tem Ashley made a motion, seconded by Councilman Scott, to adjourn the meeting. Unanimously approved.

The meeting adjourned at 9:11 pm.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Williams, Town Clerk



Request for City Council Action

Resolution #
Consent Agenda Item: 594 (21-2016)
Designation of Applicant's Agent
Date: 12/6/2016

Subject: Resolution # 594 (21-2016)
Department: General Government
Presented by: Shannan Williams
Presentation: Consent Agenda

Issue Statement

In order for the Town to be eligible to receive disaster relief funds from the State and/or Federal agencies, it must pass a resolution authorizing a primary and secondary agent to act on behalf of the Town.

Financial Impact

N/A

Action Needed

The Town Council is asked to adopt Resolution #594 (21-2016) naming the Town Manager as the Primary Agent and the Finance Director as the Secondary Agent to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act. (Public Law 93-288 as amended) or as otherwise available.

Recommendation

Adopt Resolution # 594 (21-2016)

Approved: City Manager City Attorney

Attachments:

1. Resolution # 594 (21-2016)



Staff Report

	Resolution #
Consent	594 (21-2016)
Agenda	Designation of
Item:	Applicant's
	Agent

In order to receive State or Federal Funding for disaster relief due to Hurricane Matthew, the Town of Smithfield must adopt a Resolution designating a primary and secondary agent to act on behalf of the Town. Staff is requesting that Town Manager Michael Scott be named as the Primary Agent and Finance Director Greg Siler to be named as the Secondary Agent. Mr. Scott and Mr. Siler will be authorized to represent and act for the Town in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and applicant assurances.

Town of Smithfield
Resolution # 594 (21-2016)
DESIGNATION OF APPLICANT'S AGENT
North Carolina Division of Emergency Management

Organization Name (hereafter named Organization) Town of Smithfield	Disaster Number: FEMA-DR-4285-NC
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate):	
Applicant's Fiscal Year (FY) Start Month: July Day: 01	
Applicant's Federal Employer's Identification Number: 56-6001335	
Applicant's Federal Information Processing Standards (FIPS) Number	

PRIMARY AGENT	SECONDARY AGENT
Agent's Name: Michael L. Scott	Agent's Name: Gregory D. Siler
Organization: Town of Smithfield	Organization: Town of Smithfield
Official Position: Town Manager	Official Position: Finance Director
Mailing Address: P O Box 761	Mailing Address: P O Box 761
City ,State, Zip: Smithfield, NC 27577	City ,State, Zip: Smithfield, NC 27577
Daytime Telephone: 919.934.2116 ext.1104	Daytime Telephone: 919.934.2116 ext.1106
Facsimile Number: 919.989.8937	Facsimile Number: 919.934.1134
Pager or Cellular Number: 919.625.2456	Pager or Cellular Number: 919.971.9166

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act. (Public Law 93-288 as amended) or as otherwise available. **BE IT FURTHER RESOLVED** that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the **assurances printed on the reverse side hereof**. **BE IT FINALLY RESOLVED THAT** the above-named agents are authorized to act severally.

PASSED AND APPROVED this 6th day of December, 2016

GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title: M. Andy Moore, Mayor	Name: Shannan L. Williams
Name and Title: Emery Ashley, Mayor Pro-Tem	Official Position: Town Clerk
Name and Title: Marlon Lee, Councilman	Daytime Telephone: 919.934.2116 ext. 1108
Name and Title: J. Perry Harris, Councilman	
Name and Title: Travis Scott, Councilman	
Name and Title: Roger Wood, Councilman	
Name and Title: Stephen Rabil, Councilman	
Name and Title: John A. Dunn, Councilman	

CERTIFICATION

I, Shannan L. Williams, duly appointed and Town Clerk of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of the Town of Smithfield on the 6th day of December, 2016

Date: _____

Signature: _____

APPLICANT ASSURANCES

The applicant hereby assures and certifies that he will comply with the FEMA regulations, policies, guidelines, and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally-assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurance contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 11990, relating to Protection of Wetlands.
3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.
4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.
5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grant or agency may
6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.
7. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.
9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.
10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.
11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights act of 1964 (P.L. 83-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally-assisted programs.
14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 93-288 as amended, and applicable Federal Regulations.
15. It will comply with the provisions of the Hatch Act which limit the political activity of employees.
16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.
17. (To the best of his knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal Financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 205, and applicable FEMA Handbooks.
18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.
19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishment of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.
20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA that such Federal Financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.
21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
22. It will comply with the insurance requirements of Section 314, P.L. 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assurance.
23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.
24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such proper-ties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.
25. It will for any repairs or construction financed herewith, comply with applicable standards of safety, decency and sanitation and in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.

STATE ASSURANCES

The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.



Request for City Council Action

Consent Agenda Item: Purchase Squad Cars
Date: 12/6/2016

Subject: Purchase (3) Patrol Vehicles
Department: Police Department
Presented by: Chief R.K. Powell
Presentation: Consent Agenda

Issue Statement

The Police Department was budgeted \$87,000 for the purchase and preparation of three (3) squad cars. The police department solicited quotes from Deacon Jones Dodge of Smithfield and the successful state bidder, Ilderton Dodge of High Point. Both submitted bids. The two quotes are as follows (Copies of bid sheets are attached):

- Ilderton Dodge \$23,950 (1) vehicle (State Contract Dealership)
- Deacon Jones Dodge \$23,800 (1) vehicle

Financial Impact

The purchase of the vehicles and preparation will be covered by the current budget.

Action Needed

It is requested the Town Council approve the low quote from Deacon Jones in Smithfield and approve the purchase of three (3) squad cars for the Police Department. The recommended quote is within the budgeted amount for this purchase

Recommendation

The Police Department be allowed to purchase the three (3) squad cars from the low quote at Deacon Jones in Smithfield.

Approved: City Manager City Attorney

Attachments:

- Deacon Jones Bid
- Ilderton Dodge Bid

Bid Requirements for Smithfield Police Department 2017 Squad Car Purchase

Bid Specification Requirements	Compliance Yes/ No	Variance from Bid Specifications
1) 2017 Dodge Charger Police Pursuit Vehicle;SON-FL-PL	✓	
2) 4-Door Sedan,Rear Wheel Drive, 5 Passenger,EPA large size, with Police Package	✓	
3) Air conditioning,factory installed	✓	
4) Alternator,220 amp rating	✓	
5) Battery,Heavy Duty 12 volt, mfr's standard except minimum 800 CCA, maintenance free	✓	
6) Brakes; Front - Disc-Vented; Rear - Disc; ABS four (4) wheel - 4 ABS channels; ABS driveline traction control	✓	
7) Cooling System,Heavy Duty, Automatic coolant recovery system with permanent type anti-freeze protected to -20 degrees F with rust inhibitor. Include silicone or EPDM type hoses.	✓	
8) Clock, Dash mounted, incorporated with radio	✓	
9) Differential, Heavy Duty	✓	
10) Power windows, all four doors	✓	
11) Power door locks.	✓	

Bid Specification Requirements	Compliance Yes/ No	Variance from Bid Specifications
12) Engine, 8 cylinder HEMI or equivalent, minimum 370 HP, minimum 5.7 liter, including police package. Speed and acceleration test to be certified by Michigan State Police vehicle evaluation program. Engine external oil cooler, installed, if available from manufacturer.	✓	
13) Fuel - Unleaded 87 Octane or E85	✓	
14) Stainless Steel Exhaust	✓	
15) Floor Covering, Vinyl Throughout, color keyed, front and rear.	✓	
16) Include 2 carpeted or rubber mats in front, and 2 carpeted mats or 1 solid or twin rubber mats in rear. If carpet mats are furnished, must be provided by manufacturer (not aftermarket).	✓	
17) Trunk to include standard floor covering.	✓	
18) Dome light and map/reading light. 1 such light is to be LED and driver selectable for off-red-white operation, and may in addition (but not in lieu of) be switched on-off by a door-actuated control. Other light is to be activated (on-off) by a door-actuated switch, and may in addition (but not in lieu of) be switched on-off by a driver operated control.	✓	
19) Projector-beam type head lights with switchable daytime running lamps.	✓	
20) Glove door lock	✓	

Bid Specification Requirements	Compliance Yes/ No	Variance from Bid Specifications
21) Luggage compartment light	✓	
22) Locks, all locks on a vehicle to be keyed alike. Each vehicle to be keyed individually. Three (3) cut keys. Manufacturer-furnished blank for third key may be cut by dealer. Keyless entry, three (3) electronic key fobs.	✓	
23) Mirrors, inside with day/night adjustment.	✓	
24) Dual exterior mirrors, remote controlled on left and right side, power adjustable.	✓	
25) Paint, all manufacturers standard and clear coat solid colors to be included in the bid price for base vehicle.	✓	
26) Radio, manufacturer's standard AM/FM stereo, CD, with front and rear speakers with Bluetooth.	✓	
27) Rear window defogger.	✓	
28) Remote controlled rear deck lid release. Control to be within convenient reach of driver (not in glove box). Preferred location is left of the steering column. Remote release to be inoperable when ignition switch is in off position; this feature may be dealer provided. Remote release switch must be properly mounted, durable, and fully suited for law enforcement duty including operation during emergency conditions.	✓	
29) Remote hood release, inside	✓	
30) Coil-on-plug type ignition.	✓	

Bid Specification Requirements	Compliance Yes/ No	Variance from Bid Specifications
31) Seats: Rear vinyl covered bench. Front cloth buckets, with driver side 6-way power adjustable. Color-Charcoal	✓	
32) Seat belts and shoulder harnesses, manufacturers standard front and rear seats: attachment to door is not acceptable.	✓	
33) Speedometer, certified calibrated speedometer (2MPH increments) (max. 3% error). Approx. 0-160 MPH indicator.	✓	
34) Tilt Steering Wheel	✓	
35) Power steering external oil cooler if available from manufacturer.	✓	
36) Tires, five (5) tubeless, radial, black sidewall, all season tread, P225/60R18, W-rated, approved and certified for pursuit use on the specific model and configuration of vehicle offered. Goodyear RS-A Type Tires required. Lay down full size tire mount with slide-out trunk tray.	✓	
37) Transmission, 5 speed automatic; Transmission external oil cooler.	✓	
38) Wheels, five (5), 18" x 7.5" steel painted	✓	
39) Fullwheel covers, 18" bolt on with solid steel lug nuts.	✓	
40) Windshield wipers, multiple speed electric, intermittent type, with windshield washers	✓	
41) 12v DC power outlets (2)	✓	
42) Cruise Control	✓	

Bid Specification Requirements	Compliance Yes/ No	Variance from Bid Specifications	
43) Driver's and front passenger's supplemental inflatable restraint system as mandated by NHTSA at the time of production.	✓		
44) Safety air bags - Driver and passenger and head-curtain side impact	✓		
45) Driver and Passenger head protection air bags	✓		
46) Occupancy sensor	✓		
47) Column-mounted transmission shift lever.	✓		
48) Under hood lamp.	✓		
49) Speedometer light cutoff switch.	✓		
50) Electronic Stability Control	✓		
51) TPMS (Tire Pressure Monitoring System)	✓		
52) Theft deterrent	✓		
53) Rear backup camera	✓		

Bid Specification Requirements	Compliance Yes/ No	Variance from Bid Specifications
S4) Rear "Park Assist" system or equivalent	✓	
SS) Hand activated police spot light, factory mounted on driver's side of vehicle. Light activation and movement from inside driver's side of vehicle.	✓	
S6) Warranty: Bumper to Bumper 36 month/36,000 miles (Basic) Powertrain - 60 month/60,000 miles Corrosion Perforation - 60 month/unlimited distance Safety Restraint System - 60 months/60,000 miles	✓	

Price Bid per Vehicle:

23,800

Bidding Organization/ Contact Information:

DEACON JONES AUTO GROUP
1115 N. BRIGHTLEAF BLVD.
SMITHFIELD, NC 27577

ROGER WOOD
COMMERCIAL AND FLEET MGR.
(919) 934-8101 EXT. 662

Date:

11-9-16

Signature of Bidding Individual:

Roger Wood

Print Name of Bidding Individual:

ROGER WOOD

DEACON JONES CHRYSLER DODGE JEEP
 1109 N BRIGHTLEAF BLVD
 SMITHFIELD, NC 275774247

Configuration Preview

Date Printed: 2016-11-09 10:41 AM VIN:
 Estimated Ship Date: VON:

Quantity: 1
 Status: BA - Pending order
 FAN 1: 00P9A Town of Smithfield NC
 FAN 2:
 Client Code:
 Bid Number: TB7076
 PO Number:

Sold to:
 DEACON JONES CHRYSLER DODGE JEEP
 (67501)
 1109 N BRIGHTLEAF BLVD
 SMITHFIELD, NC 275774247

Ship to:
 DEACON JONES CHRYSLER DODGE JEEP (67501)
 1109 N BRIGHTLEAF BLVD
 SMITHFIELD, NC 275774247

Vehicle: 2017 CHARGER POLICE RWD (LDDE48)

	Sales Code	Description	MSRP(USD)	FWP(USD)
Model:	LDDE48	CHARGER POLICE RWD	31,645	31,051
Package:	29A	Customer Preferred Package 29A	0	0
	EZH	5.7L V8 HEMI MDS VVT Engine	2,230	1,985
	DGJ	5-Speed Auto W5A580 Transmission	0	0
Paint/Seal/Trim:	PWT	White Knuckle Clear Coat	0	0
	APA	Monotone Paint	0	0
	*X5	HD Cloth Bucket Seats w/Vinyl Rear	120	107
	-X9	Black	0	0
Options:	4DH	Prepaid Holdback	0	-1,038
	4ES	Delivery Allowance Credit	0	-316
	MAF	Fleet Purchase Incentive	0	-950
	LNF	Black Left Spot Lamp	210	167
	AMV	Fleet Park Assist Group	350	312
	W5A	18" Wheel Covers	40	36
	5N6	Easy Order	0	0
	4FM	Fleet Option Editor	0	0
	4FT	Fleet Sales Order	0	0
	166	Zone 66-Orlando	0	0
	4EA	Sold Vehicle	0	0
Non Equipment:	4FA	Special Bid-Ineligible For Incentive	0	0
Bid Number:	TB7076	Government Incentives	0	-8,700
Discounts:	YGF	8 Additional Gallons of Gas	0	16
Destination Fee:			995	995
Total Price:			35,580	23,685

Order Type: Fleet PSP Month/Week:
 Scheduling Priority: 1-Sold Order Build Priority: 99
 Customer Name:
 Customer Address: USA
 Instructions:

Note: This is not an invoice. The prices and equipment shown on this priced order confirmation are tentative and subject to change or correction without prior notice. No claims against the content listed or prices quoted will be accepted. Refer to the vehicle invoice for final vehicle content and pricing. Orders are accepted only when the vehicle is shipped by the factory.

Bid Requirements for Smithfield Police Department 2017 Squad Car Purchase

Bid Specification Requirements	Compliance Yes/ No	Variance from Bid SpecificatJons
1) 2017 Dodge Charger Police Pursuit Vehicle; SON-FL-PL	yes	
2) 4-Door Sedan, Rear Wheel Drive, 5 Passenger, EPA large size, with Police Package	yes	
3) Air conditioning, factory installed	yes	
4) Alternator, 220 amp rating	yes	
5) Battery, Heavy Duty 12 volt, mfr's standard except minimum 800 CCA, maintenance free	yes	
6) Brakes; Front - Disc-Vented; Rear - Disc; ABS four (4) wheel - 4 ABS channels; ABS driveline traction control	yes	
7) Cooling System, Heavy Duty, Automatic coolant recovery system with permanent type anti-freeze protected to -20 degrees F with rust inhibitor. Include silicone or EPDM type hoses.	yes	
8) Clock, Dash mounted, incorporated with radio	yes	
9) Differential, Heavy Duty	yes	
10) Power windows, all four doors	yes	
11) Power door locks.	yes	

Bid Specification Requirements	Compliance Yes/ No	Variance from Bid Specifications
12) Engine, 8 cylinder HEMI or equivalent, minimum 370 HP, minimum 5.7 liter, including police package. Speed and acceleration test to be certified by Michigan State Police vehicle evaluation program. Engine external oil cooler, installed, if available from manufacturer.	Yes	
13) Fuel - Unleaded 87 Octane or E85	Yes	
14) Stainless Steel Exhaust	Yes	
15) Floor Covering, Vinyl Throughout, color keyed, front and rear.	Yes	
16) Include 2 carpeted or rubber mats in front, and 2 carpeted mats or 1 solid or twin rubber mats in rear. If carpet mats are furnished, must be provided by manufacturer (not aftermarket).	Yes	
17) Trunk to include standard floor covering.	Yes	
18) Dome light and map/reading light. 1 such light is to be LED and driver selectable for off-red-white operation, and may in addition (but not in lieu of) be switched on-off by a door-actuated control. Other light is to be activated (on-off) by a door-actuated switch, and may in addition (but not in lieu of) be switched on-off by a driver operated control.	Yes	
19) Projector-beam type head lights with switchable daytime running lamps.	Yes	
20) Glove door lock	Yes	

Bid Specification Requirements	Compliance Yes/No	Variance from Bid Specifications
21) Luggage compartment light	yes	
22) Locks, all locks on a vehicle to be keyed alike. Each vehicle to be keyed individually. Three (3) cut keys. Manufacturer-furnished blank for third key may be cut by dealer. Keyless entry, three (3) electronic key fobs.	yes	4 fobs & keys
23) Mirrors, inside with day/night adjustment.	yes	
24) Dual exterior mirrors, remote controlled on left and right side, power adjustable.	yes	
25) Paint, all manufacturers standard and clear coat solid colors to be included in the bid price for base vehicle.	yes	
26) Radio, manufacturer's standard AM/FM stereo, CD, with front and rear speakers with Bluetooth.	No	CD not available on Pursuit Charger
27) Rear window defogger.	yes	
28) Remote controlled rear deck lid release. Control to be within convenient reach of driver (not in glove box). Preferred location is left of the steering column. Remote release to be inoperable when ignition switch is in off position; this feature may be dealer provided. Remote release switch must be properly mounted, durable, and fully suited for law enforcement duty including operation during emergency conditions.	yes	
29) Remote hood release, inside	yes	
30) Coil-on-plug type ignition.	yes	

Bid Specification Requirements	Compliance Yes/ No	Variance from Bid Specifications
31) Seats: Rear vinyl covered bench. Front cloth buckets, with driver side 6-way power adjustable. Color-Charcoal	yes	
32) Seat belts and shoulder harnesses, manufacturers standard front and rear seats: attachment to door is not acceptable.	yes	
33) Speedometer, certified calibrated speedometer (2MPH increments) (max. 3% error). Approx. 0-160 MPH indicator.	yes	
34) Tilt Steering Wheel	yes	
35) Power steering external oilcooler if available from manufacturer.	yes	
36) Tires, five (5) tubeless, radial, black sidewall, all season tread, P225/60R18, W-rated, approved and certified for pursuit use on the specific model and configuration of vehicle offered. Goodyear RS-A Type Tires required. Lay down full size tire mount with slide-out trunk tray.	yes	
37) Transmission, 5 speed automatic; Transmission external oil cooler.	yes	
38) Wheels, five (5), 18" x 7.5" steel painted	yes	
39) Fullwheel covers, 18" bolt on with solid steel lug nuts.	yes	
40) Windshield wipers, multiple speed electric, intermittent type, with windshield washers	yes	
41) 12v DC power outlets (2)	yes	
42) Cruise Control	yes	

Bid Specification Requirements	Compliance Yes/ No	Variance from Bid Specifications
43) Driver's and front passenger's supplemental inflatable restraint system as mandated by NHTSA at the time of production.	yes	
44) Safety air bags - Driver and passenger and head-curtain side impact	yes	
45) Driver and Passenger head protection air bags	yes	
46) Occupancy sensor	yes	
47) Column-mounted transmission shift lever.	yes	
48) Under hood lamp.	yes	
49) Speedometer light cutoff switch.	yes	
50) Electronic Stability Control	yes	
51) TPMS (Tire Pressure Monitoring System)	yes	
52) Theft deterrent	yes	
53) Rear backup camera	yes	

Bid Specification Requirements	Compliance Yes/ No	Variance from Bid Specifications
S4) Rear "Park Assist" system or equivalent	yes	
SS) Hand activated police spot light, factory mounted on driver's side of vehicle. Light activation and movement from inside driver's side of vehicle.	yes	
S6) Warranty: Bumper to Bumper 36 month/36,000 miles (Basic) Powertrain - 60 month/60,000 miles Corrosion Perforation - 60 month/unlimited distance Safety Restraint System - 60 months/60,000 miles	yes	36/ 36 60/ 100,000

Price Bid per Vehicle:

\$23,950.00

Bidding Organization/ Contact Information:

Ilderton Dodge / Robert Miller
336-822-8708

Date:

11/8/2016

Signature of Bidding Individual:

Robert Miller

Print Name of Bidding Individual:

Robert Miller



11/28/2016

Buyer:	Smithfeild Police
	Chief R.K. Powell
Phone:	
Fax:	

Cell:	
Phone:	
Fax:	

Make:	Dodge
Model:	Charger Pursuit V8 RWD
Year:	2017
Color:	TBD
VIN:	
Stock #:	
Mileage:	

Make:	
Model:	
Year:	
Color:	
VIN:	
Stock #:	
Mileage:	
ACV:	

MSRP

Sale Price	\$23,950.00
-------------------	--------------------

Options Included		
Cloth Front/Rear Vinyl Seat	Red/White Dome Light	
Black Left Spot Lamp	Flex Fuel Compatiable	
Back Up camera w/ Sonar	Full Size Spare	
Rubber Floor w/ All Season Mats	18" Wheel Covers	
Mounting Bracket		
Options Total		

Sub Total	Per Unit	\$23,950.00
------------------	-----------------	--------------------

BALANCE DUE	\$23,950.00
--------------------	--------------------

Manager _____ **ROBERT MILLER** _____ **Customer** _____

Insurance Information			
Agency Name and Address:			
			Phone No.:
Policy No.			Insurance Company:
Comp.:	Collision:	Effective Dates:	
Contact:	Date:		



Request for City Council Action

**Consent
Agenda
Item:** Sick leave
hours
Date: 12/6/2016

Subject: Acceptance of Sick Leave Hours
Department: Fire Department
Presented by: John Blanton
Presentation: Consent Agenda

Issue Statement

Jeremey Bryan Daughtry is asking for approval of his earned Sick Time to be honored by the Town of Smithfield. As a former employee and part of the hourly earnings were earned while here. Jeremey has earned a total of 1,779.74 hours. The town will accept 350 of those hours leaving the balance of his hours 1,429.74 that we are asking to accept toward his sick time.

Financial Impact

None

Action Needed

For the council to approve or deny this request of accepting 1429.74 sick time hours

Recommendation

Staff recommends accepting his earned hours above what the town already accepts, and keeping a moratorium period of 2 years before he can access these hours.

Approved: City Manager City Attorney

Attachments:

Letter from his previous employer stating earned hours of sick leave.



Staff Report

**Consent
Agenda
Item:**

Jeremey, has been employed with municipal government since 2002 with the City of Goldsboro, before coming to Smithfield in 2006. He left employment of the town in 2011 to pursue the fire training director position at JCC. The town offered the position of the Fire Department, Division Chief of Training in which he has accepted. While being employed by the town, Jeremey never abused his sick time and I believe that his accrual of time proves his integrity to not abuse time earned.



October 4, 2016

Re:

To Whom It May Concern:

Mr. _____ was employed with Johnston Community College from May 9, 2011 to September 15, 2016 as Director of Fire Rescue Training.

At the time of his leave, _____ had 1779.74 hours of sick leave.

If you need further information, please don't hesitate to contact me at 919-209-2503.

Sincerely

A handwritten signature in black ink that reads "Silke Hasselberg". The signature is written in a cursive style with a large, looping initial "S".

Silke Hasselberg
Benefits & Compensation Specialist
Johnston Community College



Request for City Council Action

Business **Update to**
Agenda **Town**
Item: **Ordinance**
Date: 12/6/2016

Subject: Update to the Ordinance 18-157 and Fee Schedule
Department: Public Utilities
Presented by: Ted Credle & Mike Scott
Presentation: Consent

Issue Statement

Staff is requesting to move the fee section found in ordinance 18-157 from the body of the ordinance into the Town's Fee Schedule and update the current Fee Schedule accordingly.

Financial Impact

None

Action Needed

Approve updating ordinance 18-157 and the Town's Fee Schedule, as attached.

Recommendation

Staff recommends approving the changes to the Fee Schedule and to ordinance 18-157 as attached.

Approved: City Manager City Attorney (not required)

Attachments:

Existing ordinance, Fee Schedule and the proposed changes.



Staff Report

**Business Update to
Agenda the Town
Item: Ordinance**

Town staff is requesting to move the fee portion of Ordinance 18-157 **into the Current "Fee Schedule."** Currently penalties for violations of Town Ordinance 18-157 are found within the existing ordinance. By moving the fees into the "Fee Schedule", the Town will be better able schedule the evaluation of these fees, along with the annual adoption of the "Fee Schedule" during the final budget ordinance each year.

TOWN OF SMITHFIELD
North Carolina
ORDINANCE # 488

AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD CODE OF ORDINANCES,
CHAPTER 18, UTILITIES,
ARTICLE V. - WATER SHORTAGE AND CONSERVATION,
SEC. 18-157. - ENFORCEMENT

WHEREAS, Section 18-157 (1) of the Town of Smithfield’s Code of Ordinances outlines the penalties for violating the direct or indirect use of water from the town distribution system; and

WHEREAS, The Public Utilities Department wishes to remove these penalties from the Code of Ordinances and have them placed in the Fee Schedule that is adopted yearly.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Smithfield that Chapter 18, Utilities, Article V. – Water Shortage and Conservation, Sec. 18-157. – Enforcement is rewritten as follows and the penalties for any violations will be outlined in the Fee Schedule adopted yearly:

Sec. 18-157. - Enforcement.

- (1) The direct or indirect use of water from the town distribution system in violation of these rules and regulations is prohibited. Any water customer of the town distribution system that violates or permits the violation of these rules and regulations shall be subject to the ~~following penalties:~~ **penalties outlined in the Town of Smithfield Fee Schedule.**

Size Service Connection	Penalty
¾ inch	\$30.00
1 inch	40.00
1½ inch	50.00
2 inch	60.00

- (2) Each violation shall be added to the customer's water bill and paid in the same manner as current payments to the town.
- (3) Each day a violation occurs shall be considered a separate violation.
- (4) The director of public utilities shall be responsible for enforcing any restrictions imposed from these rules and regulations. If a violation is known to have occurred pursuant to this article, a written violation shall be affixed to the property where the violation occurred and mailed to the customer of record and any other person known to the town who is responsible for the violation and its correction. The written notice shall describe the violation and order that it be corrected immediately or within such specified time as the town determines is reasonable under the circumstances.

- (5) If a violation notice is not complied with, or violation fees for previous violations are not paid, the town may restrict or terminate, water service subject to the following procedures:
- a. The town shall give the customer notice by mail or messenger that, due to reoccurring violations or failure to pay for previous violations, water services will be restricted or terminated within a specific time. The customer will [will] have the opportunity to appeal restriction or termination by requesting a hearing scheduled before an official designated as a hearing officer by the city manager. The request for such hearing should be made before the cut-off date. A prompt conference with a hearing officer will be held.
 - b. If such a hearing is requested by the customer charged with the violation, he or she shall be given full opportunity to be heard before restriction or termination.
 - c. The hearing officer shall order whether service should be restricted or continue. The customer may appeal to the city manager for a prompt hearing. The city manager shall make findings of facts and order whether service should continue or be terminated.
 - d. Any customer charged with the violation of this ordinance may appeal the findings of the hearing officer or city manager to the Smithfield Town Council.
- (6) A fee of fifty dollars (\$50.00) shall be paid for the reconnection of any water service restricted or terminated pursuant to subsection (5). In the event of multiple violations, the reconnection fee shall be one hundred dollars (\$100.00) for the second violation and one hundred fifty dollars (\$150.00) for each additional violation.

This ordinance shall be effective upon adoption

Adopted by motion made by Councilman _____, seconded by Councilman _____, and approved on a vote of ____ in favor and ____ against.

This the 6th day of December, 2016

M. Andy Moore, Mayor

ATTEST

Shannan L. Williams, Town Clerk

APPROVED AS TO FORM:

Robert Spence, Jr., Town Attorney

TOWN OF SMITHFIELD
FY 2016-2017
EFFECTIVE JULY 1, 2016
DEPARTMENTAL FEES SCHEDULE
Amended December 6, 2016
(Addition can be found on page 12 denoted in red)

Administrative Services

Miscellaneous Fees and Charges

Fee for document reproduction(s)	
Black & White 8.5 x 11 Copies.....	\$.10/per page
Color 8.5x 11Copies.....	\$.15/per page
Black & White 8.5 x 14 Copies.....	\$.20/per page
Color 8.5 x 14 Copies	\$.25/per page
 CD Copy.....	 \$1.50
This fee is for the cost of the CD	
 Reproduction of a video copy of any Town Council Meeting.....	 \$2.00
This fee is for the cost of the DVD only.	
 IT Services needed for compiling information relating to any public record request.....	 \$14.00/per hr.
 Flash Drives – Actual cost of the Flash Drive	
Any other electronic storage devices shall be charged the actual cost of the device.	

Cemetery Services

Mausoleum Crypts

Row D, Top.....	\$1600.00
Row C	\$1700.00
Row B	\$1800.00
Row A, Bottom.....	\$2000.00
Crypt Opening and Closing Services.....	\$700.00

Lot Sales: Sunset Memorial Park

Single Grave.....	\$1000.00
Two Grave Lot	\$2000.00
Four Grave Lot.....	\$4000.00
Six Grave Lot	\$6000.00
Grave Opening and Closing Services.....	\$700.00
Burial under 36” in length (including cremations).....	\$400.00

Lot Sales: Riverside Extension Cemetery

Single Grave Lot.....	\$1250.00
Two Grave Lot	\$2500.00
Four Grave Lot.....	\$5000.00
Six Grave Lot	\$7500.00
Grave Opening and Closing Services.....	\$700.00
Burial under 36” in length (including cremations).....	\$400.00

Public Works

Overgrown Lot Clearance

First hour or fraction thereof	\$150.00
Each additional quarter hour.....	\$25.00
Contractor clearance.....	actual expense or \$100.00, whichever is greater

Fire Department Fees

Fire Inspections (all occupancies)

Less than 50,000 sq. Ft.....	\$50.00
50,000 - 100,000 sq. Ft.....	\$100.00
More than 100,000 sq. Ft.....	\$200.00
First Re-Inspection	No Charge
Each subsequent re-inspection.....	\$25.00 ea.

Special Permits

Special Events	\$100.00
Underground Storage Tank Installation / Removal (per Tank)	\$75.00
Fireworks Sales	\$75.00
Fireworks Public Display (permit & stand-by)	\$150.00
Temporary Tent or Air Supported Structure permit	\$75.00
Carnival or Circus Permit and Inspection (Pending City Mgr/Council Approval)	\$100.00

Note: Non-Profit organizations are exempt from the fee schedule if the proper documentation confirming non-profit status is provided to the inspector.

Citations

Fire Lane Citation.....	\$25.00
Fire Code Citation	\$50.00

Mileage Reimbursement

Rate (Federal).....	Per Federal Rate Schedule
---------------------	---------------------------

Parks/Recreation

<u>Late registration Fee</u>	\$10.00
---	---------

<u>Administration Fee for Participant Withdrawal Without Cause</u>	\$10.00
---	---------

Adult Team Sports	<u>Resident</u>	<u>Nonresident</u>
Softball	\$475.00.....	\$522.50
Basketball.....	\$475.00.....	\$522.50
Volleyball.....	\$475.00.....	\$522.50

Youth Team Sports (Boys and Girls)

T-Ball	
Resident	\$30.00 per player
Nonresident	\$66.00 per player

Baseball (9-18), Girls Softball, Coach Pitch, Soccer, Volleyball	
Resident.....	\$35.00 per player
Nonresident	\$77.00 per player

Football, Basketball	
Resident.....	\$40.00 per player
Nonresident	\$88.00 per player

Kinder - Sports Programs

Resident.....	\$20.00 per player
Nonresident	\$44.00 per player

Cheerleading	
Resident.....	\$25.00
Nonresident	\$55.00

Group Tennis Lessons

Adult Resident.....	\$25.00
Adult Nonresident	\$55.00
Youth Resident	\$20.00
Youth Nonresident.....	\$44.00

Athletic Camps (Offered through P&R by individuals & Organizations)..... 10% of gross

Athletic Field Rental (includes club teams, i.e. AAU, CASL, JUSA etc)

Up to 2 hours (day hours) - Resident.....	\$25.00
Up to 2 hours (day hours) - Nonresident	\$55.00
Up to 2 hours (night hours) - Resident	\$40.00
Up to 2 hours (night hours) - Nonresident.....	\$88.00
2 - 4 hours - Resident (day hours)	\$45.00
2 - 4 hours - Nonresident (day hours).....	\$99.00
2 - 4 hours - Resident (night hours).....	\$90.00
2 - 4 hours - Nonresident (night hours)	\$148.50
4 hours - All Day - Resident.....	\$150.00
4 hours - All Day - Nonresident	\$220.00

** \$30.00 - \$50.00 Field Preparation Fee for games (not practices)*

Tournaments Fee for Resident \$150 /day/field
or 1/2 of gate admission if charged

Tournament Fee for Nonresident..... \$165 /day/field
or 1/2 of gate admission if charged

***\$200.00 Deposit for Tournament Field Rental – NON-REFUNDABLE**

Picnic Shelters (except Rotary Shelter)

(\$75.00 clean-up deposit required)

Up to 2 hours - Resident.....	\$25.00
Up to 2 hours - Nonresident	\$55.00
2 - 4 hours - Resident.....	\$50.00
2 - 4 hours - Nonresident	\$110.00
4 hours - All Day - Resident.....	\$80.00
4 hours - All Day - Nonresident	\$176.00

Rotary Picnic Pavilion (Large Shelter)

(\$100.00 clean-up deposit required)

Up to 2 hours:

Entire Shelter	
Resident	\$75.00
Nonresident	\$165.00

½ Shelter	
Resident.....	\$40.00
Nonresident	\$88.00
Up to 4 hours:	
Entire Shelter	
Resident.....	\$90.00
Nonresident	\$198.00
½ Shelter	
Resident.....	\$60.00
Nonresident	\$132.00
Up to 8 hours:	
Entire Shelter	
Resident.....	\$125.00
Nonresident	\$275.00
<u>Town Hall Park Use</u>	
Up to 2 hours:	
Resident.....	\$25.00
Nonresident	\$55.00
Rental fee for 2-4 hours	
Resident.....	\$35.00
Nonresident	\$77.00
Rental fee for 4-8 hours	
Resident.....	\$60.00
Nonresident	\$132.00
Additional Rental Fee for each hour over 8 hours	\$25.00/hour

Recreation & Aquatics Center

Membership Rates are based on annual agreements.

Amenities Fee: \$9.00 Annual unlimited use of bath towels, sweat towels, shampoo, conditioner, body wash, lotions, hair dryers, etc. Fee billed on annual enrollment date, by draft or upon membership renewal.

Members receive discounts on services and programs.

Smithfield Residents are those persons living within the corporate limits of Smithfield.

Enrollment Fee:	\$35.00
Monthly Drafts/Annual Payment	10% Discount

Membership Type	Smithfield Residents		Non-Resident Rates	
	Community	Corporate	Community	Corporate
Individual	\$40.00 / \$432.00	\$35.00 / \$378.00	\$57.20/ 617.76	\$51.70/ \$558.36
Family (max 2)	\$50.00 / \$540.00	\$43.00 / \$464.40	\$68.20/ \$736.56	\$60.50/ \$653.40
Family (max 4)	\$60.00 / \$648.00	\$53.00 / \$572.40	\$79.20/ \$855.36	\$71.50/ 772.20
Senior (Ind)	\$27.00 / \$291.00	\$24.00 / \$259.20	\$42.90/\$463.32	\$39.60 / \$427.68
Senior (Fam)	\$37.00 / \$399.60	\$32.00 / \$345.60	\$53.90/\$582.12	\$48.40/ \$522.72
Family add-on (per)	\$10.00 / \$120.00 (per)	\$10.00 / \$120.00 (per)	\$11.00/ 132.00 (per)	\$11.00/ 132.00 (per)

New rates apply upon renewal of contract

Daily Admission

Children 2 and under

ResidentFree
 NonresidentFree

Youth 3 – 17

Resident.....\$4.00
 Nonresident.....\$7.70

Adult 18-58

Resident.....\$6.00
 Nonresident.....\$11.00

Seniors 59+

Resident.....\$4.00
 Nonresident.....\$7.70

Punch Cards – 10 Visits

Resident..... \$55.00
 Nonresident.....\$99.00

Johnston County School Employee Membership Rates

25% Discount off of residential corporate rate
 10% discount if paid in full upfront
 \$35.00 enrollment fee
 \$9.00 annual amenities fee

Johnston Community College Student Membership Rates

9 month membership commitment from August 15 to May 15 (consistent with academic calendar)
 Must show current student ID/tuition info., etc.
 \$25.00 per month/\$225.00 for the 9 month term
 10% discount if paid in full upfront
 \$35.00 enrollment fee
 \$9.00 annual amenities fee

Aquatics Program Fees

Swim Lessons

Base Lesson Rate is \$15.00/ per lesson
Non-Resident Upcharge is 62% (current rate)

3 Lessons

Resident\$45.00
Non Resident.....\$73.00

5 Lessons

Resident..... \$75.00
Non Resident.....\$121.50

Summer Swim Team

Resident\$70.00
Nonresident.....\$104.50

Lane Rental..... \$10.00 per lane/ per hour

Day Care Rental..... \$5.00 per child for 1 ½ hours in pool area

<u>Swim Meet Rental</u>	<u>Resident</u>	<u>Nonresident</u>
Timing System per day.....	\$500.00.....	\$550.00 per day
Pool Rental.....	\$900.00.....	\$990.00 per day

SRAC Programs

Birthday Pool Parties

Resident\$125.00/ 25 children
Nonresident..... \$165.00/ 25 children
After Hours Fee (if party booked past regular operating hours)..... \$75.00
Extra Rental (1/2 basketball court, other pool)..... \$50.00

Summer Camp (8:30 am – 4:30 pm)

Resident\$100.00/week
Nonresident.....\$137.50/week
(10% off after first child, if SRAC Member)
Early Drop Off/ Late Pick up\$25.00/ week

Facility Rental Rates

Trash Deposit\$50.00 clean-up deposit required for facility use.
(Refundable if trash is picked up and areas are left as deemed due to normal wear and tear)

Cancellation Policy24 hour notice prior to event.
(If cancellation is received prior to usage, a credit can be applied to a future facility use)

<u>Multi-Purpose</u>	<u>(Monday – Thursday)</u>	<u>Resident</u>	<u>Nonresident</u>
Up to 2 hour		\$40.00	\$66.00
2-4 hours		\$60.00	\$88.00
4 hours – All Day.....		\$100.00	\$137.50

<u>Multi-Purpose (Friday – Sunday)</u>	<u>Resident</u>	<u>Nonresident</u>
Up to 2 hour	\$100.00	\$137.50

<u>Gymnasium</u>	<u>Resident</u>	<u>Nonresident</u>
Up to 2 hours	\$250.00	\$330.00
2-4 hours	\$400.00	\$550.00
4 hours – All Day	\$600.00	\$825.00

<u>½ Gymnasium</u>	<u>Resident</u>	<u>Nonresident</u>
Up to 2 hours	\$125.00	\$220.00
2-4 hours	\$250.00	\$440.00
4 hours – All Day	\$400.00	\$605.00

Banquet Room and Catering Kitchen

- \$65.00/ hour (minimum 3 hours)
- \$520.00/ day (8 hours)
- \$260.00 Deposit
- \$20.00/ hour Custodial Fee

* Full-time Town employees shall pay ½ the residential corporate rate for SRAC memberships & events.

** *The Town Manager may approve fee adjustments for special events and programs as needed.*

Planning & Zoning Fees

Passive and active recreation fees in lieu of land donation or for subdivisions with less than 15 lots.....Appraised Valuation
(See paragraph below for details)

The payment in lieu of dedication shall be equal to the appraised value of the required acreage of land within the subdivision based on an appraisal prepared by a licensed appraiser and submitted by the developer. If the Town disagrees with the submitted appraisal, it may have a second appraisal prepared. If the appraisals are within 15% of each other, the developer’s appraisal will be utilized to establish value. If the appraisals differ by more than 15%, the appraisal will be based on the average of the two appraisals.

Rezoning application-	
5 acres or less.....	\$300.00
Above 5 acres	\$300.00 plus \$10.00 for each additional
10 acres or portion thereof above 5 acres	
Request for Ordinance Amendment	\$300.00
Request for Variance application	\$300.00
Appeal from Administrative Interpretation	\$300.00
(Refund Given if Appeal Successful)	
Special use/conditional use permit application (general)	\$300.00
Sign Permit Review	\$50.00
Single Family & Two Family Zoning Permit.....	\$25.00
Commercial & Multi Family Zoning Permit.....	\$100.00
Re-advertising a continued Public Hearing at request of applicant.....	\$200.00
Special use/conditional use permit application (complex)	
a. Multi-family, townhouse development.....	\$300.00 + 5.00 per unit
b. Shopping center, Institutional use	\$300.00 + 1.00 per 1000 sq. ft. of
gross floor area	
c. Planned unit development.....	\$300.00 + 25.00 per acre
d. Mobile home park.....	\$300.00 + 5.00 per lot

Subdivision application	
Minor subdivision.....	\$50.00 + 5.00 per lot
Major subdivision.....	\$250.00 + 5.00 per lot
Site Plan/Construction Plan review	\$200.00 + \$50.00/ac.

Storm Water Permit Application Fee	
Residential.....	\$100/acre (\$850 minimum)
Non-Residential.....	\$100/acre (\$850 minimum)

Storm Water Annual Inspection Fee (if owner does not provide licensed engineer for inspection)	
Storm Water Management Facility (less than 1 ac).....	\$750.00
Storm Water Management Facility Size (1ac to 3 ac).....	\$1000.00
Storm Water Management Facility (greater than 3 ac).....	\$1250.00

Special Zoning Permits (fees in addition to Fire Dept. fees)

Special Events	\$100.00
Underground Storage Tank Installation / Removal (per Tank).....	\$75.00
Fireworks Sales	\$75.00
Fireworks Public Display (permit & stand-by)	\$150.00
Temporary Tent or Air Supported Structure permit	\$75.00
Carnival or Circus Permit and Inspection (Pending City Mgr./Council Approval)	\$100.00
Note: Non-Profit organizations are exempt from the fee schedule if the proper documentation confirming non-profit status is provided to the inspector.	

Recording Fees

Conditional Use Permits, Annexations and any other matter that requires or the Town deems necessary to be filed with the Johnston County Register of Deeds. The Town will charge the same fees as the Johnston County Register of Deeds.

Current Johnston County Register of Deeds fees are \$26.00 for the 1st 15 pages and \$4.00 for each additional page.

Police Department

Animal Control

License Tax and Tag:

Each neutered/spayed cat or dog.....	\$5.00
Each non-neutered/non-spayed cat or dog.....	\$10.00

Violations:

Unsanitary conditions.....	\$50.00
Pet defecating on private or public property	\$50.00
Failure to display current pet tag.....	\$50.00
Excessive Barking.....	\$50.00
Failure to have rabies inoculation	\$100.00
Animal Bite	\$125.00

Violation of Animal at Large:

1 st offense	\$25.00
2 nd offense.....	\$50.00
3 rd offense.....	\$75.00
4 th offense.....	\$100.00
5 th offense	Seizure of animal

Dangerous dog at large\$100.00 and seizure of animal

Parking Violations

Exceeding Time Limit	\$10.00
Wrong Side of Street.....	\$10.00
Fire Lane (also included in Fire Dept. Fees).....	\$25.00
Too Close to Corner.....	\$10.00
Across Parking Line.....	\$10.00
On Crosswalk.....	\$10.00
Abandon on Street.....	\$25.00
Over 12" from curb.....	\$10.00
Double Parking	\$10.00
Loading Zone	\$10.00
Fire Hydrant.....	\$25.00
Driveway.....	\$10.00
Traffic Lane	\$10.00
On Sidewalk.....	\$10.00
Blocking Intersection.....	\$10.00
No Parking Area.....	\$10.00
Handicapped Zone	\$50.00
All Other Parking Violations	\$10.00

Taxicab Regulation

Driver’s Permit.....\$15.00

Property Tax Rate

Rate.....	\$0.57/\$100 valuation
Downtown Smithfield Tax District	\$0.19/\$100 valuation
Smithfield Fire District.....	\$0.12/\$100 valuation

Solid Waste Collection

Residential

Standard Collection, Monthly Fee	\$16.00 (one roll-out container)
Additional Roll-out Container (standard)	\$16.00 (each container)
Backyard Collection, Monthly Fee	\$20.00 (one roll-out container)
Additional Roll-out Container (backyard)	\$20.00 (each container)
Backyard Collection, Disabled / Age 70 +	\$16.00 (one roll-out container)
Yard Debris Collection, Monthly Fee.....	\$10.00(required)
Large Pile(s) of Debris Pickup.....	\$80.00 (per truck load = 8 cubic yards)

Churches /Non-Profit

Standard Pickup, Monthly Fee	\$16.00 (two roll-out containers)
Additional Solid Waste Roll-out Container (standard pickup)	\$16.00 (each container)
Backyard Pickup, Monthly Fee	\$20.00 (two roll-out containers)
Additional Solid Waste Roll-out Container (backyard pickup)	\$20.00 (each container)
Yard Debris Collection, Monthly Fee	\$10.00(required)
Large Pile(s) of Debris Pickup	\$80.00 (per truck load = 8 cubic yards)

Public Utilities Services

Residential Electric Deposit - High Risk	\$400.00
Residential Electric Deposit	\$200.00

Business Deposit	2x (times) the monthly avg. bill for this location
Water Deposit	\$50.00
Water Deposit (high risk)	\$100.00
Returned Check Charge	\$35.00
Return Trip When Customer Not Available	\$25.00
Reconnection after Hours	\$70.00
Special Use Meter Reading & Billing (i.e. water for filling pools)	\$35.00
Re-connection after Disconnection/ Reconnection(Nonpayment)	\$50.00 (9 a.m. to 4 p.m.)

Initial and Transfer Service Fees

Utility Account (7% NC sales tax added to service charges)	\$25.00
Water/Sewer	\$25.00

Water Meter Set

3/4"	\$95.00
1"	\$250.00
1 1/2"	\$470.00
2"	\$1605.00
3"	\$2020.00
Meter tampering investigation charge	\$300.00
Delinquent fee for payments after due date but before disconnection	5 %
Meter Test Charge (After First Free Test)	\$35.00
Temporary Construction & Pole Service Charge	\$50.00
Landlord Transfer Fee	\$25.00

Credits

Water Heater Load Management (12 Months)	\$6.00/month
Air Conditioner Load Management Credit (June, July, August, September)	\$10.00/month

Sewer Tap Fees

In Town (Base Fee)	
4"	\$695.00
6"	\$760.00
Out of Town (Base Fee)	
4"	\$1040.00
6"	\$1140.00

Water Tap Fees

In Town (Base Fee)	
3/4"	\$700.00
1"	\$745.00
1 1/2"	\$1840.00
2"	\$1900.00
4"	Cost figured at time of application
6"	Cost figured at time of application

Out of Town (Base Fee)

3/4"	\$1050.00
1"	\$1120.00
1 1/2"	\$2760.00
2"	\$2850.00
4"	Cost figured at time of application
6"	Cost figured at time of application

Irrigation (using split yoke)

3/4" (requires meter set)	\$200.00
Other	Actual Cost plus 10% + meter set

Fire Sprinkler Fees

<u>Size Connection</u>	<u>Monthly Fee</u>	<u>Service</u>	<u>Rate</u>
6"	\$10.00	SP	SP1
8"	\$15.00	SP	SP2
10"	\$20.00	SP	SP3
12	\$25.00	SP	SP4

Water Rates

Basic Charge

Inside City Customers (All)	\$9.71
Outside City Customers (All)	\$16.99

Consumption Rates (per 1,000 gallons):

<u>Residential Customers</u>	<u>Inside City</u>	<u>Outside City</u>
<u>Usage</u>	<u>Rate</u>	<u>Rate</u>
First 4,000 Gallons	\$4.12	\$8.24
Next 6,000 Gallons	\$4.60	\$9.20
All Over 10,000 Gallons	\$5.20	\$10.40

<u>Commercial Customers</u>	<u>Inside City</u>	<u>Outside City</u>
<u>Usage</u>	<u>Rate</u>	<u>Rate</u>
First 10,000 Gallons	\$4.31	\$8.62
Next 90,000 Gallons	\$4.90	\$9.80
All Over 100,000 Gallons	\$5.39	\$10.78

<u>Residential Irrigation Customers</u>	<u>Inside City</u>	<u>Outside City</u>
<u>Usage</u>	<u>Rate</u>	<u>Rate</u>
First 3,000 Gallons	\$4.87	\$9.74
Next 17,000 Gallons	\$5.68	\$11.36
All Over 20,000 Gallons	\$6.30	\$12.60

<u>Commercial Irrigation Customers</u>	<u>Inside City</u>	<u>Outside City</u>
<u>Usage</u>	<u>Rate</u>	<u>Rate</u>
First 3,000 Gallons	\$4.87	\$9.74
Next 27,000 Gallons	\$5.93	\$11.86
All Over 30,000 Gallons	\$6.30	\$12.60

<u>Industrial/Institutional Customers</u>	<u>Inside City</u>	<u>Outside City</u>
<u>Usage</u>	<u>Rate</u>	<u>Rate</u>
First 25,000 Gallons	\$4.41	\$8.82
Next 75,000 Gallons	\$4.90	\$9.80
All Over 100,000 Gallons	\$5.39	\$10.78

Sewer Rates

Basic Charge

Inside City Customers (All)	\$11.32
Outside City Customers (All)	\$19.81

<u>Consumption Charges</u>	<u>Inside City</u>	<u>Outside City</u>
	<u>Rate</u>	<u>Rate</u>
Residential Customer	\$6.98	\$13.96
Non-Residential Customer	\$7.76	\$15.52

Johnston County Wholesale Rate

\$1.50 Rate per 1000 Gallons

PENALTIES

For violating the direct or indirect use of water from the town distribution System pursuant to Town Ordinance 18-157

Size of Service

<u>Connection</u>	<u>Penalty</u>
¾ inch	\$30.00
1 inch	40.00
1½ inch	50.00
2 inch	60.00

Electric Rates

Residential Service (RS1)

I Availability

This Schedule is available for separately metered and billed electric service to any Customer for use in and about (a) a single-family residence or apartment, (b) a combination residence and farm, or (c) a private residence used as a boarding or rooming house. Service will be supplied to the Customer's premises at one point of delivery through one kilowatt-hour meter.

The types of service to which this Schedule applies are alternating current 60 hertz, either single-phase 2 or 3 wires or three-phase 4 wires, at Town's standard voltage of 240 volts.

This Schedule is not available to (a) individual motors rated over 10 HP, (b) commercial and industrial use, (c) separately metered service to accessory buildings or equipment on

residential property, (d) service to a combined residential and non-residential electric load where the residential load is less than 50% of the total service requirement, (e) resale, or (f) other uses not specifically provided herein.

II Monthly Rate

- A. Basic Customer Charge: \$10.00
- B. Energy Charge: \$.1002/kWh
- C. Purchased Power Adjustment Charge:

The monthly bill may include a purchased power adjustment charge, if any is applicable for the Town to recover wholesale purchased power costs fully.

- D. Three-Phase Service Basic Charge (RS4): \$18.00

- E. Minimum Charge:

The monthly minimum charge shall be the "Basic Customer Charge."

- F. When applicable, North Carolina sales tax will be added to all charges listed above.

III Excess Facilities

Any facilities that the Town provides in addition to those which would be installed normally to provide service under this Schedule shall be Excess Facilities, subject to charges of 2% per month of the installed cost.

IV Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%.

VI General

Service rendered under this Schedule is subject to the Town's Code of Ordinances and other service regulations and operating practices, which may be amended from time to time.

Residential TIME-OF-USE Service

Electric Rate Code RS7 (TU1/TU2, DD7)

I Availability

Service under this Schedule is available for separately metered single-family residences in which energy for all water heating, cooking and clothes drying is supplied electrically. Dwellings must have central electric systems for the primary source of space heating and air conditioning.

Participation in the City's load management program is required for control of heat pump compressors during the cooling season and water heater use in all months.

Alternating current, 60 hertz, single-phase three wire service at standard 240 volts is available under this Schedule.

II Monthly Rate

- A. Basic Customer Charge: \$17.00
- B. KWh Energy Charge: On-Peak \$.1002 kWh
Off-Peak \$.0537kWh
- C. On-Peak kW Demand Charge: \$5.93 /kW
- E. Minimum Charge:

The minimum charge shall be the "Basic Customer Charge."

- F. When applicable, North Carolina sales tax will be added to all charges listed above.

III Determination of On-Peak

On-Peak Demand will be the highest KW demand in any 15-minute interval of the current billing month during the following periods, Monday - Friday:

On-Peak kWh will be the energy used during the following periods, Monday - Friday:

Standard Time	7:00 AM to 9:00 AM
Daylight Savings Time	2:00 PM to 6:00 PM

All hours for Official Town Holidays will be considered as Off-Peak.

IV Excess Facilities

Any facilities that the Town provides in addition to those which would be installed normally to provide service under this Schedule shall be Excess Facilities, subject to charges of 2% per month of the installed cost.

V Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%.

VII Load Management

The Town will limit the use of heat pumps and water heaters served under this Schedule during utility peak-use periods each month. Heat pumps will be wired for control of the compressor during cooling seasons and auxiliary resistance heat during heating seasons. Air conditioning will be interrupted intermittently and water heaters totally for up to four hours during each load management period. Auxiliary resistance heat will be interrupted

for up to two hours. Load management will be initiated almost exclusively on weekdays and is not normally needed more than six times each month.

Load management controls will be installed and operated in accordance with the Town's normal operating procedures.

VIII Contract Period

The Contract Period shall be on a monthly basis. For a Customer who has previously received service under this Rate at the current location, the Contract Period shall not be less than one year.

General Service **Electric Rate Codes GD1, GD2, GD3, GD4**

I Availability

This Schedule is available for nonresidential electric service less than 750 kW supplied at a single point of delivery at one of the Town's standard voltages. This Schedule is not available for supplementary, standby or breakdown service, unless provided in the Service Agreement, or for resale.

Service will be alternating current, 60 hertz, single-phase 3 wires, or three-phase 4 wires, at Town's standard voltages. This Schedule is applicable to electric service supplied to Customer's premises at one point of delivery through one meter.

II Monthly Rate

A. Basic Customer Charge \$16.00 Single Phase (GD1) GD3 No Sales Tax
\$30.00 Three Phase (GD2) GD4 No Sales Tax

B. Energy Charge:
First 2,500 kWh \$.0900/kWh
All Additional kWh \$.0679/kWh

C. kW Demand Charge: DS1, DS2, DS3, DS4 \$ 11.20/kW
(kW Demand is highest 15 minute usage each month)

D. Purchased Power Adjustment Charge:

The monthly bill shall include a purchased power adjustment charge, if any is applicable for the Town to recover wholesale purchased power costs fully.

E. Minimum Charge:

The Minimum Charge shall be the Basic Customer Charge plus \$1.00 per kVA of installed transformer capacity, unless provided otherwise by the Service Agreement.

E. North Carolina sales tax (7%) will be added to all charges listed above.

III Contract Demand

The Contract Demand shall be the kW of Demand specified in the Service Agreement.

IV Billing Demand

The Billing Demand shall be the maximum kW registered or computed by or from the Town's metering facilities during any 15-minute interval within the current billing month.

V Excess Facilities

Any facilities, which the Town provides in addition to those, which would be installed normally to provide service under this Schedule shall be Excess Facilities, subject to charges of 2% per month of the installed cost.

VI Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%.

VII Contract Period

The Contract Period for the purchase of electricity under this Schedule shall be not less than one year, unless otherwise mutually agreed, and shall continue from month to month thereafter unless terminated by written notice.

VIII General

Service rendered under this Schedule is subject to the Town's Code of Ordinances and other service regulations and operating practices, which may be amended from time to time.

Small General Service **Electric Rate Codes GS3, GS4**

I Availability

This Schedule is available for nonresidential electric service less than 10 kW or 1000 kWh (12 month average) supplied at a single point of delivery at one of the Town's standard voltages. This Schedule is not available for supplementary, standby or breakdown service, unless provided in the Service Agreement, or for resale.

Service will be alternating current, 60 hertz, single-phase 3 wires, or three-phase 4 wires, at Town's standard voltages. This Schedule is applicable to electric service supplied to Customer's premises at one point of delivery through one meter.

II Monthly Rate

- A. Basic Customer Charge: \$ \$16.00Single Phase (GS3) and \$24.00Three Phase (GS4)

- B. Energy Charge:

First 1,500 kWh	\$.1190/kWh
Next 2,500 kWh	\$.0900/kWh
All Additional kWh over 4,000	\$.0900/kWh
- C. Purchased Power Adjustment Charge:

The monthly bill shall include a purchased power adjustment charge, if any is applicable for the Town to recover wholesale purchased power costs fully.

- D. Minimum Charge:

The Minimum Charge shall be the Basic Customer Charge plus \$1.00 per kVA of installed transformer capacity, unless provided otherwise by the Service Agreement.

- E. When applicable, North Carolina sales tax will be added to all charges listed above.

III Contract Demand

The Contract Demand shall be the kW of Demand specified in the Service Agreement.

IV Billing Demand

The Billing Demand shall be the maximum kW registered or computed by or from the Town's metering facilities during any 15-minute interval within the current billing month.

V Excess Facilities

Any facilities which the Town provides in addition to those which would be installed normally to provide service under this Schedule shall be Excess Facilities, subject to charges of 2% per month of the installed cost.

VI Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%.

VII Contract Period

The Contract Period for the purchase of electricity under this Schedule shall be not less than one year, unless otherwise mutually agreed, and shall continue from month to month thereafter unless terminated by written notice.

VIII General

Service rendered under this Schedule is subject to the Town's Code of Ordinances and other service regulations and operating practices, which may be amended from time to time.

VI Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%.

VII Contract Period

The Contract Period for the purchase of electricity under this Schedule shall be not less than one year and shall continue from month to month thereafter, unless terminated by written notice.

VIII General

Service rendered under this Schedule is subject to the Town's Code of Ordinances and other service regulations and operating practices, which may be amended from time to time.

Large General Service **Electric Rate Code LG1**

I Availability

This Schedule is available for nonresidential electric service when the Contract Demand is 750 kW or greater, or registered demand equals or exceeds 750 kW in two or more of the preceding twelve months. Service is not available for breakdown or standby use, unless provided in the Service Agreement, or for resale.

The types of service to which this Schedule is applicable are alternating current, 60 hertz, three-phase 4 wires, at Town's standard voltages of 480 volts or higher. This Schedule is available to all electric service supplied to Customer's premises at one point of delivery through one meter.

II Monthly Rate

- | | | |
|----|------------------------------------|-------------|
| A. | Basic Customer Charge: | \$513.95 |
| B. | kW Demand Charge: | \$19.00/kW |
| C. | Energy Charge: | \$.0616/kWh |
| D. | Purchased Power Adjustment Charge: | |

The monthly bill shall include a purchased power adjustment charge, if any is applicable for the Town to recover wholesale power costs fully.

- E. Minimum Charge:

The Minimum Charge shall be the Basic Customer Charge plus \$1.00 per kVA of installed transformer capacity in excess of 500 kVA, unless provided otherwise by the Service Agreement.

F. When applicable, North Carolina sales tax will be added to all charges listed above.

III Contract Demand

The Contract Demand shall be the kW of Demand specified in the Service Agreement.

IV Determination of kW Demand

The Billing Demand shall be the greater of: the highest kW measured in any 15-minute interval during the current billing month or the Contract Demand.

V Excess Facilities

Any facilities, which the Town provides in addition to those, which would be installed normally to provide service under this Schedule shall be considered Excess Facilities. Customer will be responsible for any charges assessed by the Town for Excess Facilities.

VI Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%.

VII Contract Period

The Contract Period for the purchase of electricity under this Schedule shall be not less than one year and shall continue from month to month thereafter, unless terminated by written notice.

VIII General

Service rendered under this Schedule is subject to the Town's Code of Ordinances and other service regulations and operating practices, which may be amended from time to time.

Large General Service **Coordinated Peak Demand** **Electric Rate Code LG2**

I Availability

This Schedule is available for nonresidential electric service when the Contract Demand is 300 kW or greater, and facilities are installed to coordinate reduction of power requirements on the Town's electrical system during system peak periods. The Customer must execute a Service Agreement with the Town prior to receiving service.

Service will be alternating current, 60 hertz, three-phase 4 wires, at Town's standard voltages of 480 volts or higher. This Schedule is available for all electric service supplied to Customer's premises at one point of delivery through one meter. Use of power for resale is not permitted.

II Monthly Rate

- A. Basic Customer Charge: \$513.95
- B. kW Demand Charge:
Coincident Peak Demand \$19.10/kW
- C. Energy Charge: \$.0582/kWh
- D. Purchased Power Adjustment Charge:

The monthly bill shall include a purchased power adjustment charge, if any is applicable for the Town to recover wholesale power costs fully.

- E. Minimum Charge:

The Minimum Charge shall be the Basic Customer Charge plus \$1.00 per kVA of installed transformer capacity in excess of 500 kVA, unless provided otherwise by the Service Agreement.

- F. When applicable, North Carolina sales tax will be added to all charges listed above.

III Contract Demand

The Contract Demand shall be the kW of Demand specified in the Service Agreement.

IV Determination of kW Demand

Coincident Peak (CP) Demand: CP Demand shall be the average kW demand measured in the 60-minute interval used by the North Carolina Eastern Municipal Power Agency for wholesale billing purposes during the corresponding month of Customer's billing. Note – This is different from the kW Demand in the LG1 rate.

V Notification by Town

The Town will use diligent efforts to predict each monthly system peak and notify the Customer in advance. However, the Town is not able to guarantee an accurate prediction and notice will be provided. Notification by the Town will be provided to the Customer by e-mail communications or automatic signal, as mutually agreed. The Customer will hold the Town harmless in connection with its response to notification.

VI Excess Facilities

Any facilities, which the Town provides in addition to those, which would be installed normally to provide service under this Schedule shall be considered Excess Facilities. Customer will be responsible for any charges assessed by the Town for Excess Facilities. Excess Facilities may include special metering required under this Schedule.

VII Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%.

VIII Contract Period

The Contract Period for the purchase of electricity under this Schedule shall be not less than one year and shall continue from month to month thereafter, unless terminated by written notice.

IX General

Service rendered under this Schedule is subject to the Town's Code of Ordinances and other service regulations and operating practices, which may be amended from time to time.

Economic Development Rider **Electric Rate Code ED1**

I Availability

This Rider is available only at the Town's option for existing nonresidential electric service (commercial and industrial) customers, who are served under the Town's LG2 Rate Code for a period of 1 – 5 years as granted by the Town Council. The Town Council may grant an initial period of less than 5 years and subsequently extend the period up to the full 5 year period.

The purpose of this Rider is to provide an economic incentive for an existing business located within the Town of Smithfield to expand and as such this Rider applies only to the expansion load, which must be separately metered.

II Monthly Rate reduction

Per approval by Council, this Rider reduces the Energy Charge for the LG2 Rate Codes by \$0.015/kWh for the expansion load only up to a maximum of 2,000,000 kWh per year and shall be applicable for a period of up to 5 years as set by the Town Council when there is a minimum applicant capital investment of \$1,000,000 in plant and equipment, which may include the capital cost of purchase and installation of a CP load-shedding generator and depending on the number of jobs brought to the Town of Smithfield and employed by the applicant as follows:

Number of New Full-Time Equivalent
Jobs Brought to Smithfield and
Employed by applicant

	Applicable Period
10 jobs	1 year
20 jobs	2 years
30 jobs	3 years
40 jobs	4 years
50 jobs	5 years

Since this Rider applies only to the load-shedding Rate Code LG2, the applicant must successfully shed a minimum of 75% of their Coincident Peak (CP) load when signaled by Electricities of North Carolina. This Rider will automatically terminate if less than 75% of the CP load is shed during the preceding four month period. Customer is and will be responsible for all non-reduced rate costs if for any reason it fails to shed 75% of its CP as set forth above.

Staff is authorized to amend the fee/rate structure as set forth herein and publish accordingly.

Note: The applicant must install a load-shedding generator for CP load-shedding concurrent with their expansion. Smithfield's CP load-shedding Rate Codes offer a very significant demand and energy charge price reduction and hence significantly lower monthly bills to its commercial and industrial Rate Code classes that take advantage of this option. Taken together, this Rider with the CP load-shedding Rate Code classes offers some of the lowest electric rates available in the State and region.

Large General Service
Coordinated Peak Demand
Electric Rate Code LG3

I Availability

This Schedule is available for nonresidential electric service when the Contract Demand is 2000 kW or greater, and facilities are installed to coordinate reduction of power requirements on the Town's electrical system during system peak periods. The Customer must execute a Service Agreement with the Town prior to receiving service.

Service will be alternating current, 60 hertz, three-phase 4 wires, at Town's standard voltages of 480 volts or higher. This Schedule is available for all electric service supplied to Customer's premises at one point of delivery through one meter. Use of power for resale is not permitted.

II Monthly Rate

A.	Basic Customer Charge:	\$513.95
B.	kW Demand Charge:	
	Coincident Peak Demand	\$14.25/kW
	Excess Charge	\$2.25/kW
C.	Energy Charge:	\$.0465/kWh
D.	Purchased Power Adjustment Charge:	

The monthly bill shall include a purchased power adjustment charge, if any is applicable for the Town to recover wholesale power costs fully.

E. Minimum Charge:

The Minimum Charge shall be the Basic Customer Charge plus \$1.00 per kVA of installed transformer capacity in excess of 500 kVA, unless provided otherwise by the Service Agreement.

F. When applicable, North Carolina sales tax will be added to all charges listed above.

III Contract Demand

The Contract Demand shall be the kW of Demand specified in the Service Agreement.

IV Determination of kW Demand

Coincident Peak (CP) Demand: CP Demand shall be the average kW demand measured in the 60-minute interval used by the North Carolina Eastern Municipal Power Agency for wholesale billing purposes during the corresponding month of Customer's billing. Note – This is different from the kW Demand in the LG1 rate.

Excess Demand (ED): ED is the kW difference between Peak Demand and Coincident Peak Demand (see above). It is found by subtracting the Coincident Peak Demand from the Peak Demand.

V Notification by Town

The Town will use diligent efforts to predict each monthly system peak and notify the Customer in advance. However, the Town is not able to guarantee an accurate prediction and notice will be provided. Notification by the Town will be provided to the Customer by e-mail communications or automatic signal, as mutually agreed. The Customer will hold the Town harmless in connection with its response to notification.

VI Excess Facilities

Any facilities, which the Town provides in addition to those, which would be installed normally to provide service under this Schedule shall be considered Excess Facilities. Customer will be responsible for any charges assessed by the Town for Excess Facilities. Excess Facilities may include special metering required under this Schedule.

VII Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%.

VIII Contract Period

The Contract Period for the purchase of electricity under this Schedule shall be not less than one year and shall continue from month to month thereafter, unless terminated by written notice.

IX General

Service rendered under this Schedule is subject to the Town's Code of Ordinances and other service regulations and operating practices, which may be amended from time to time.

Municipal General Service **Electric Rate Code MS1, MS2**

I Availability

This Schedule is available for Town of Smithfield municipal electric service accounts only. This Schedule is not available for supplementary, standby or breakdown service, unless provided in the Service Agreement, or for resale.

Service will be alternating current, 60 hertz, single-phase 3 wires, or three-phase 4 wires, at Town's standard voltages. This Schedule is applicable to electric service supplied to Customer's premises at one point of delivery through one meter.

II Monthly Rate

A. Basic Customer Charge: \$30.00 Three-phase; \$16.00 Single Phase
(Determined by comparable rate code {e.g. GD2})

B. Energy Charge: \$.0820 /kWh

C. Purchased Power Adjustment Charge:

The monthly bill shall include a purchased power adjustment charge, if any is applicable for the Town to recover wholesale purchased power costs fully.

D. Minimum Charge:

The Minimum Charge shall be the Basic Customer Charge plus \$1.00 per kVA of installed transformer capacity, unless provided otherwise by the Service Agreement.

E. When applicable, North Carolina sales tax will be added to all charges listed above.

III Contract Demand

The Contract Demand shall be the kW of Demand specified in the Service Agreement.

IV Billing Demand

The Billing Demand shall be the maximum kW registered or computed by or from the Town's metering facilities during any 15-minute interval within the current billing month.

V Excess Facilities

Any facilities which the Town provides in addition to those which would be installed normally to provide service under this Schedule shall be Excess Facilities, subject to charges of 2% per month of the installed cost.

VI Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%.

VII Contract Period

The Contract Period for the purchase of electricity under this Schedule shall be not less than one year, unless otherwise mutually agreed, and shall continue from month to month thereafter unless terminated by written notice.

VIII General

Service rendered under this Schedule is subject to the Town's Code of Ordinances and other service regulations and operating practices, which may be amended from time to time.

Load Management Rider

I Availability

Credits are available under this Rider for the interruption of electric water heaters and central air conditioners by the Town during Load Management Periods. This Rider is available in conjunction with service under the Town's Residential Service Schedule (Schedule RS1).

To qualify, the Customer must be the owner of the premises where switches are installed, or have the permission of the owner for installation.

II Monthly Credit

The Customer will receive a credit of \$6.00 per month per switch for allowing control of electric water heaters. The credit for control of air conditioning compressor operation will be \$10.00 per month on bills received in the months July-October.

III Appliance Criteria

Water heaters shall be automatic insulated storage type of not less than 30 gallon capacity and may be equipped with only a lower element or with a lower element and an upper element.

Central air conditioners and heat pumps must have a capacity of 2.0 tons or more.

IV Installation of Switches

The cost of installation and maintenance of controls will be paid by the Town. A

licensed electrical contractor will perform installation. Customer must provide access to switch location by appointment for installation and maintenance.

V Removal of Switches

Switches will be removed at Customer's request. Any reinstallation will be at Customer's expense.

VI Load Management

The Town will limit the use of heat pumps and water heaters served under this Rider during utility peak-use periods each month. Heat pumps and air conditioners will be wired for control of the compressor during cooling seasons. Air conditioning will be interrupted intermittently and water heaters totally for up to four hours during each load management period. Load management will be initiated almost exclusively on weekdays and is not normally needed more than six times each month.

Load management controls will be installed and operated in accordance with the Town's normal operating procedures.

RENEWABLE ENERGY GENERATION RIDER- RR1

I Availability:

This schedule is available in conjunction with any of the Town's Rate Schedule applicable to Customer who operates an approved renewable energy generating system, located and used at the Customer's primary residence or business. The rated capacity of the generating system shall not exceed 20 kilowatts for a residential system or 100 kilowatts for a non-residential system. The generating system that is connected in parallel operation with service from the Town and located on the Customer's premises must be manufactured, installed, and operated in accordance with governmental and industry standards, in accordance with all requirements of the local code official, and must fully conform with the Town's applicable renewable energy generation application and attachments.

II Applicability:

This schedule is applicable to all electric service of the same available type supplied at customer's premises at one point of delivery through one kilowatt-hour meter.

III Type of Service:

The types of service to which this schedule is applicable are, alternating current, 60 hertz, single phase 2 or 3 wires, or three phase 3 or 4 wires, at Town's standard voltages.

IV Monthly Credit:

\$. \$.0549 per kWh for all kWh

Total bill credit balances, if any, will be carried forward to the next bill.

V Minimum Charge

None

VI Payments:

When applicable, bills are due when rendered and are payable within twenty (20) days from the billing date shown on the bill. If any bill is not so paid, the Town has the right to suspend service in accordance with its service regulations. If service is disconnected for non-payment of the bill, the customer shall pay the full amount of the delinquent account plus all applicable charges.

VII Adjustments:

This schedule may be amended or adjusted from time to time by the Town of Smithfield.

VIII Special Conditions:

1. The Customer must complete any applicable renewable energy interconnection request documents and submit same to the Town of Smithfield for approval prior to receiving service under this schedule.
2. The Customer's service shall be metered with two electric meters, one of which measures all energy provided by the Town and used by the customer, and the other measures the amount of energy generated by the customer's alternative energy generator.
3. The Public Utilities Department will design and install reasonable and practical modifications to the electric distribution system to allow the interconnection of resources which would otherwise interfere with power quality delivered to other connections. In such cases, the system owner shall make an advance payment to the Town in an amount equal to the cost of the required facility modifications.
4. The Town reserves the right to test the Customer's alternative energy generator and associated equipment for compliance with the applicable interface criteria. Should it be determined that Customer's installation is in violation, the Town will disconnect the alternative energy generator from the Town's distribution system and it will remain disconnected until the installation is brought back into compliance.

IX Contract Period:

The Contract Period for service under this schedule shall be one (1) year and thereafter shall be renewed for successive one-year periods. After the initial period, Customer may terminate service under this schedule by giving at least sixty (60) days previous notice of such termination in writing to the Town.

The Town may terminate service under this schedule at any time upon written notice to Customer. In the event that Customer violates any of the terms or conditions of this schedule, or operates the generating system in a manner which is detrimental to the Town or its customers, service under this schedule may be terminated immediately.

Rate Schedule for Area Lights:

Monthly Charge:		
A1	\$	11.65
A1M	\$	22.00
A1P	\$	14.75
A1U	\$	18.00
B7U	\$	22.85
C1	\$	15.55
C1M	\$	24.60
C1P	\$	18.55
C1U	\$	21.80
C2	\$	18.23
C2M	\$	28.50
C2P	\$	21.30
C2U	\$	25.40
C4	\$	26.75
C4M	\$	35.44
C4P	\$	29.75
C4U	\$	33.95
F1	\$	39.90
F1M	\$	50.20
F1P	\$	42.90
F1U	\$	47.05
F4	\$	26.75
F4M	\$	35.44
F4P	\$	29.75
F4U	\$	32.49
MP1	\$	5.65
WP1	\$	2.80

Any and all of the above mentioned individual rates and fees may be amended, changed, increased or eliminated with a majority vote of the Town of Smithfield Town Council

Adopted by the Smithfield Town Council on this the 20th day of June, 2016

Amended with Town Council approval on this the 12th day of July, 2016

Amended with Town Council approval on this the 6th day of December, 2016

M. Andy Moore, Mayor

ATTEST:

Shannan Williams, Town Clerk



Request for City Council Action

**Consent
Agenda
Item:** Amendments
to the
Records
Retention &
Disposition
Schedule
Date: 12/6/2016

Subject: Records Retention & Disposition Amendments
Department: General Government
Presented by: Shannan Williams
Presentation: Consent Agenda

Issue Statement

In January 2013, the Town of Smithfield adopted, by Resolution, the Municipal Records Retention and Disposition Schedule. Recently, the North Carolina Department of Cultural Resources amended several items on the schedule.

Financial Impact

N/A

Action Needed

The Town Council is asked to adopt Resolution #595 (22-2016) accepting the amendments to the Municipal Records Retention and Disposition Schedule made by the NC Department of Cultural Resources.

Recommendation

Adopt Resolution # 595 (22-2016)

Approved: City Manager City Attorney

Attachments:

1. Current effected pages of the records retention and disposition schedule
2. Proposed changes to the Records retention and disposition schedule pages
3. Resolution # 595 (22-2016).



Staff Report

Consent Agenda Item: Amendments to the Records Retention & Disposition Schedule

The North Carolina Department of Cultural Resources amended the Municipal Records Retention and Disposition schedule in October 2016 to take effect when legislature became effective concerning law enforcement audio and video recordings. Below is a list of the amendments and attached hereto is a current copy of the effected Records Retention Schedule and the proposed amendments.

STANDARD 6. EMERGENCY SERVICES AND FIRE DEPARTMENT RECORDS

- Amending Item 3, 911 Recordings as shown on substitute page 41 and Item 18 Emergency Notifications as shown on substitute page 43.

STANDARD 9. LAW ENFORCEMENT RECORDS

- Amending Item 136, Law Enforcement Audio and Video Recordings, as shown on substitute page 90.
(This item was deleted when House Bill 972 was passed and became effective October 1, 2016)

STANDARD 12. PERSONNEL RECORDS

- Amending Item 19, Employee Eligibility Records, as shown on substitute page 105.
(This item was deleted in the final revision)

STANDARD 4. BUDGET, FISCAL AND PAYROLL RECORDS

- Amending item 32 Escheat and Unclaimed Property File as shown on substitute page 29.

STANDARD 12. PERSONNEL RECORDS

- Adding item 1-A Accreditation Records as shown on substitute page 101.
- Amending items 36 Family Medical Leave Act (FMLA) Records, 42 Leave File, and 43 Leave Without Pay File as shown on substitute pages 110-111.

**TOWN OF SMITHFIELD
RESOLUTION NO. 595 (22-2016)
ACCEPTING THE AMENDMENTS TO THE MUNICIPAL RECORDS
RETENTION AND DISPOSITION SCHEDULE
AMENDED OCTOBER 1, 2016**

WHEREAS, The Municipal Records Retention and Disposition Schedule is endorsed by the Division of Archives and History and the Department of Cultural Resources; and

WHEREAS, The Town of Smithfield currently uses this system for record retention and disposal; and

WHEREAS, The Municipal Records Retention and Disposition Schedule was published on September 10, 2012; and

WHEREAS, the Town of Smithfield adopted the Municipal Records Retention and Disposition Schedule on January 3, 2013; and

WHEREAS, The Town of Smithfield recognizes the amendments to the Municipal Records Retention and Disposition Schedule dated October 1, 2016.

NOW, THEREFORE, BE IT RESOLVED THAT THE SMITHFIELD TOWN COUNCIL accepts the Municipal Records Retention and Disposition Schedule Amendment issued by the North Carolina Department of Cultural Resources, Division of Archives and History, Archives and Records Section, Records Services Branch, dated October 1, 2016. The Amendments are as follows:

STANDARD 4. BUDGET, FISCAL AND PAYROLL RECORDS

- Amending item 32 Escheat and Unclaimed Property File as shown on substitute page 29.

STANDARD 6. EMERGENCY SERVICES AND FIRE DEPARTMENT RECORDS

- Amending Item 3, 911 Recordings as shown on substitute page 41 and Item 18 Emergency Notifications as shown on substitute page 43.

STANDARD 12. PERSONNEL RECORDS

- Adding item 1-A Accreditation Records as shown on substitute page 101.
- Amending items 36 Family Medical Leave Act (FMLA) Records, 42 Leave File, and 43 Leave Without Pay File as shown on substitute pages 110-111.

Adopted this the 6th day of November, 2016.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Williams, Town Clerk

Current Record Retention Disposition Schedule

STANDARD-6. EMERGENCY SERVICES AND FIRE DEPARTMENT RECORDS
 Official records explaining the authority, operating philosophy, proposed methods, and primary functions of municipal emergency services programs and municipal fire departments.

ITEM #	STANDARD-6: EMERGENCY SERVICES AND FIRE DEPARTMENT RECORDS		
	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	911 COMMUNICATION RECORDS Printouts of 911 calls received and computer-aided dispatch (CAD) reports. Reports may list time and date of call, contents of call, location of call, name of unit dispatched and other related information.	Destroy in office after 3 years, if not made part of a case file.*	Comply with applicable provisions of GS §132-1.4 (i), and GS §132-1.5.
2.	911 FILE Information regarding the implementation, training, and operations of the 911 system.	Destroy in office after 5 years.	
3.	911 TAPE RECORDINGS	Destroy in office after 30 days, if not made part of a case file.*	Comply with applicable provisions of GS §132-1.4(i), and GS§132-1.5.
4.	ACCIDENT FILE Records concerning personnel and municipally owned property damage.	Destroy in office 3 years after resolution.*	
5.	ACTIVITY REPORTS Reports on an individual, shift, project and other basis submitted on a daily, weekly, or other basis.	Destroy in office after 3 years.	

*See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS**, page vi.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.

134

Current Record Retention Disposition Schedule

ITEM #	STANDARD-6: EMERGENCY SERVICES AND FIRE DEPARTMENT RECORDS		
	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
13.	CONSOLIDATED MONTHLY REPORTS	Destroy in office after 5 years.	
14.	DAILY LOG Log, journal, blotter or similar record showing activities of a fire department or emergency services.	Destroy in office after 1 year.	
15.	DISASTER AND EMERGENCY MANAGEMENT PLANS Records concerning preparedness, evacuations, and operations in the event of a disaster (natural, accidental, or malicious). Includes but not limited to official copy of comprehensive plan and all background surveys, studies, reports, and draft versions of plans. See also COMPREHENSIVE PLAN item 19, page 4.	a) If an element of the Comprehensive Plan, destroy in office when administrative value ends.† Agency Policy: Destroy in office after <u>Admin.Value Ends</u> b) If not an element of the Comprehensive Plan, destroy in office when superseded or obsolete. c) Destroy in office background surveys, studies, reports, and drafts 3 years after adoption of plan or when superseded or obsolete, whichever comes first.	Comply with applicable provisions of G.S. §132-1.7 regarding the confidentiality of security records.
16.	DISPATCH FILE Records relating to fire dispatch zones. May include maps of fire dispatch zones, census tract information, annexation research, street closings, and other related material.	Destroy in office when superseded or obsolete.	
17.	DISPATCH RECORDINGS Recordings made of activities during an emergency services dispatch.	Destroy in office after 30 days, if not made part of a case file.*	Comply with applicable provisions of GS §132-1.4(i), and GS§132-1.5.
18.	EMERGENCY NOTIFICATIONS	Destroy in office when superseded or obsolete.	

*See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS**, page vi.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.

Current Record Retention Disposition Schedule

ITEM #	STANDARD-9: LAW ENFORCEMENT RECORDS		
	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
134.	WORK RELEASE EARNINGS REPORTS Inmates' work release earnings reports submitted either to the N.C. Department of Corrections or the Clerk of Superior Court.	Destroy in office after 3 years.*	G.S. §148-32.1
135.	WRECKER SERVICE RECORDS Records concerning wrecker requests or calls. May include lists of wrecker company's towing and storage rates, rotation lists, notification records when vehicles are towed from private property, and other related records.	a) Destroy in office after 1 year if not made part of a case file. b) If record is made part of a case file follow disposition instructions for CASE HISTORY FILE: FELONIES item 17, page 64; or CASE HISTORY FILE: MISDEMEANORS item 18, page 64.	

Item 136 was added in October 2016 and removed in November 2016

136

*See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS** page vi.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.

Current Record Retention Disposition Schedule

ITEM #	STANDARD-12: PERSONNEL RECORDS		
	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.	<p>EMPLOYEE EDUCATIONAL ASSISTANCE PROGRAM RECORDS Includes records requesting tuition assistance, repayments, and other related records.</p> <p>See also PERSONNEL RECORDS (OFFICIAL COPY) item 47, page 112.</p>	Destroy in office 3 years after completion, denial, repayment, or removal from program.*	
19.	<p>EMPLOYEE ELIGIBILITY RECORDS Includes the United States Immigration and Naturalization Services, Employment Eligibility Verification (I-9) forms.</p>	<p>a) Destroy in office certificates, I-9 forms and statements, 3 years after individual was hired or 1 year from date of separation.</p> <p>b) Destroy in office registers after 2 years.</p>	8 USC 1324(b)
20.	<p>EMPLOYEE EXIT INTERVIEW RECORDS</p> <p>See also PERSONNEL RECORDS (OFFICIAL COPY) item 47, page 112.</p>	Destroy in office after 1 year.	
21.	<p>EMPLOYEE HEALTH CERTIFICATES Includes health or physical examination reports or certificates created in accordance with Title VII and the Americans with Disabilities Act (ADA).</p>	<p>a) Transfer records as applicable to PERSONNEL RECORDS (OFFICIAL COPY) item 47, page 112.</p> <p>b) Destroy all other records in office 2 years after resolution of all actions.</p>	29 CFR 1602.31

*See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS**, page vi.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.

Current Record Retention Disposition Schedule

ITEM #	STANDARD-4: BUDGET, FISCAL AND PAYROLL RECORDS		
	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
27.	DAILY DETAIL REPORTS	Destroy in office after 1 year.*	
28.	DEPOSITS	a) Destroy in office official/audit copies after 3 years.* b) Destroy in office remaining records after 1 year.	G.S. § 159-32
29.	DETAIL REPORT FILE (FINANCIAL RECORDS FOR GENERAL FUND OR GENERAL LEDGER)	a) Destroy in office annual reports after 3 years.* b) Destroy in office all other reports after 1 year.	
30.	DIRECT DEPOSIT APPLICATIONS/AUTHORIZATIONS Includes related records such as bank account numbers and routing numbers.	Destroy in office when superseded or obsolete.	Comply with applicable confidentiality provisions of G.S. §132-1.10(b)(5) regarding personal identifying information.
31.	DISTRICT INVESTMENT RECORDS	Destroy in office after 3 years.*	
32.	ESCHEAT AND UNCLAIMED PROPERTY FILE	Destroy in office after 10 years.*	Comply with applicable provisions of G.S. §116B-60 and §116B-73.
33.	EXPENDITURE REPORTS	Destroy in office after 3 years.*	
34.	FACILITY SERVICE AND MAINTENANCE AGREEMENTS See also <u>GRANTS: FINANCIAL</u> item 36, page 30.	a) Destroy in office depreciation schedules 3 years after asset is fully depreciated or disposed. b) Destroy in office remaining records after 3 years.*	

*See AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS, page vi.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.

Current Record Retention Disposition Schedule

STANDARD-12. PERSONNEL RECORDS

Official records and materials created and accumulated incidental to the employment, qualifications, training, and pay status of municipal employees. Comply with applicable provisions of G.S. §162A-6.1 regarding confidentiality of personnel records.

ITEM #	STANDARD-12: PERSONNEL RECORDS		
	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	ABOLISHED POSITION FILE	Destroy in office when administrative value ends.† Agency Policy: Destroy in office after <u>Admin.Value Ends</u>	
2.	ADDRESS FILE	Destroy in office when superseded or obsolete.	
3.	ADS AND NOTICES OF OVERTIME, PROMOTION, AND TRAINING OPPORTUNITIES	Destroy in office 1 year from date record was made.	29 CFR 1627.3
4.	AFFIRMATIVE ACTION FILE	a) Destroy in office all reports, analyses, and statistical data after 5 years. b) Destroy in office affirmative action plans 5 years from date superseded.	29 CFR 30.8(b)(e) 29 CFR 1608.4
5.	APPRENTICESHIP PROGRAM RECORDS	Destroy in office 5 years from the date of enrollment.	29 CFR 30.8(e)
6.	APTITUDE AND SKILLS TESTING RECORDS Records concerning aptitude and skills tests required of job applicants or of current employees to qualify for promotion or transfer. May include civil service examinations. See also EMPLOYMENT SELECTION RECORDS item 32, page 109.	a) Destroy in office applicant and employee test papers 2 years from date record was created. b) Destroy in office validation studies and copies of tests 2 years after no longer in use. c) Destroy in office records relating to the planning and administration of tests in office after 2 years.	29 CFR 1602.31 29 CFR 1602.40 29 CFR 1602.49

*See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS**, page vi.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.

Section 1A ACCREDITATION RECORDS was added

All proposed changes have been highlighted

Current Record Retention Disposition Schedule

ITEM #	STANDARD-12: PERSONNEL RECORDS		
	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
35.	EQUAL PAY RECORDS Includes reports, studies, aggregated or summarized data, and similar documentation compiled to comply with the Equal Pay Act.	Destroy in office after 2 years.	29 CFR 1620.32
36.	FAMILY MEDICAL LEAVE ACT (FMLA) RECORDS Records concerning leave taken, premium payments, employer notice, medical examinations considered in connection with personnel action, disputes with employees over FMLA and other related records.	Destroy in office 3 years after leave ends.*	29 CFR 825.500(b)
37.	FRINGE BENEFITS FILE	Destroy in office when administrative value ends.† Agency Policy: Destroy in office after <u>Admin.Value Ends</u>	
38.	GRIEVANCE FILE Includes initial complaint, investigations, actions, summary, and disposition. May include disciplinary correspondence, including email. See also DISCIPLINARY FILE item 11, page 102 and PERSONNEL RECORDS (OFFICIAL COPY) item 47, page 112.	Destroy in office after 2 years.	
39.	HEALTH INSURANCE FILE Completed claim forms and other records concerning employees covered by health plans.	Destroy in office after 2 years.*	
40.	INCREMENTS FILE	Destroy in office when released from all audits.	
41.	INTERNSHIP PROGRAM FILE Records concerning interns and students.	Destroy in office after 3 years.	

*See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS**, page vi.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.

110

140

Current Record Retention Disposition Schedule

ITEM #	STANDARD-12: PERSONNEL RECORDS		
	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
42.	LEAVE FILE Records concerning employee leave including requests for and approval of sick, vacation, overtime, buy-back, shared, donated, military, etc.	a) Destroy in office records concerning military service leave 5 years after returning from active duty.* b) Destroy in office records concerning non-military service leave after 5 years.*	
43.	LEAVE WITHOUT PAY FILE	Destroy in office 5 years after return of employee or termination of employment.	
44.	LONGEVITY PAY REQUESTS	Destroy in office when released from all audits.	
45.	MERIT AND SENIORITY SYSTEM RECORDS	a) Destroy in office employee-specific records after 3 years. b) Destroy in office system and plan records 1 year after no longer in effect.	29 CFR 1627.3
46.	PERSONNEL ACTION NOTICES Records used to create or change information in the personnel records of individual employees concerning such issues as hiring, termination, transfer, pay grade, position or job title, name change and leave.	a) Transfer records as applicable to PERSONNEL RECORDS (OFFICIAL COPY) item 47, page 112. b) Destroy in office all remaining records 2 years from date record was created, received, or the personnel action involved.	

*See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS**, page vi.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.

**Municipal
Records Retention Schedule Amendment**

Amending the Municipal Records Retention and Disposition Schedule published September 10, 2012.

STANDARD 6. EMERGENCY SERVICES AND FIRE DEPARTMENT RECORDS

Amending Item 3, 911 Recordings as shown on substitute page 41 and Item 18 Emergency Notifications as shown on substitute page 43.

STANDARD 9. LAW ENFORCEMENT RECORDS

Amending Item 136, Law Enforcement Audio and Video Recordings, as shown on substitute page 90.

APPROVAL RECOMMENDED

City/Town Clerk

Chief Administrative Officer/
City Manager



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Mayor



Susan W. Kluttz, Secretary
Department of Natural and Cultural Resources

Municipality: _____

October 1, 2016

STANDARD-6. EMERGENCY SERVICES AND FIRE DEPARTMENT RECORDS

Official records explaining the authority, operating philosophy, proposed methods, and primary functions of municipal emergency services programs and municipal fire departments.

STANDARD-6: EMERGENCY SERVICES AND FIRE DEPARTMENT RECORDS			
ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	911 COMMUNICATION RECORDS Printouts of 911 calls received and computer-aided dispatch (CAD) reports. Reports may list time and date of call, contents of call, location of call, name of unit dispatched and other related information.	Destroy in office after 3 years, if not made part of a case file.*	Comply with applicable provisions of GS §132-1.4 (i), and GS §132-1.5.
2.	911 FILE Information regarding the implementation, training, and operations of the 911 system.	Destroy in office after 5 years.	
3.	911 RECORDINGS Tapes, digital recordings, and text messages generated by 911 calls	Destroy in office after 30 days, if not made part of a case file.*	Comply with applicable provisions of GS §132-1.4(i).
4.	ACCIDENT FILE Records concerning personnel and municipally owned property damage.	Destroy in office 3 years after resolution.*	
5.	ACTIVITY REPORTS Reports on an individual, shift, project and other basis submitted on a daily, weekly, or other basis.	Destroy in office after 3 years.	

*See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS**, page vi.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.

STANDARD-6: EMERGENCY SERVICES AND FIRE DEPARTMENT RECORDS			
ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
13.	CONSOLIDATED MONTHLY REPORTS	Destroy in office after 5 years.	
14.	DAILY LOG Log, journal, blotter or similar record showing activities of a fire department or emergency services.	Destroy in office after 1 year.	
15.	DISASTER AND EMERGENCY MANAGEMENT PLANS Records concerning preparedness, evacuations, and operations in the event of a disaster (natural, accidental, or malicious). Includes but not limited to official copy of comprehensive plan and all background surveys, studies, reports, and draft versions of plans. See also COMPREHENSIVE PLAN item 19, page 4.	<p>a) If an element of the Comprehensive Plan, destroy in office when administrative value ends.† Agency Policy: Destroy in office after _____</p> <p>b) If not an element of the Comprehensive Plan, destroy in office when superseded or obsolete.</p> <p>c) Destroy in office background surveys, studies, reports, and drafts 3 years after adoption of plan or when superseded or obsolete, whichever comes first.</p>	Comply with applicable provisions of G.S. §132-1.7 regarding the confidentiality of security records.
16.	DISPATCH FILE Records relating to fire dispatch zones. May include maps of fire dispatch zones, census tract information, annexation research, street closings, and other related material.	Destroy in office when superseded or obsolete.	
17.	DISPATCH RECORDINGS Recordings made of activities during an emergency services dispatch.	Destroy in office after 30 days, if not made part of a case file.*	Comply with applicable provisions of GS §132-1.4(i), and GS§132-1.5.
18.	EMERGENCY NOTIFICATIONS Records of emergency notifications. Includes automatic identification information, such as the name, address, and telephone numbers of telephone subscribers, or the e-mail addresses of subscribers to an electronic emergency notification or reverse 911 system.	Destroy in office when superseded or obsolete.	Comply with applicable provisions of GS §132-1.4 (i), and GS §132-1.5.

*See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS**, page vi.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.

STANDARD-9: LAW ENFORCEMENT RECORDS			
ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
134.	WORK RELEASE EARNINGS REPORTS Inmates' work release earnings reports submitted either to the N.C. Department of Corrections or the Clerk of Superior Court.	Destroy in office after 3 years.*	G.S. §148-32.1
135.	WRECKER SERVICE RECORDS Records concerning wrecker requests or calls. May include lists of wrecker company's towing and storage rates, rotation lists, notification records when vehicles are towed from private property, and other related records.	a) Destroy in office after 1 year if not made part of a case file. b) If record is made part of a case file follow disposition instructions for CASE HISTORY FILE: FELONIES item 17, page 64; or CASE HISTORY FILE: MISDEMEANORS item 18, page 64.	
136.	LAW ENFORCEMENT AUDIO AND VIDEO RECORDINGS Tapes and digital recordings generated by mobile and fixed audio and video recording devices. Does not include ELECTRONIC/VIDEO RECORDINGS OF INTERROGATIONS (HOMICIDE) item 44, page 71. See also MOBILE UNIT VIDEO TAPES item 81, page 80.	a) Destroy in office after 30 days if not made part of a case file.* b) If records are made part of a case file follow disposition instructions for CASE HISTORY FILE: FELONIES item 17, page 64; or CASE HISTORY FILE: MISDEMEANORS item 18, page 64.	Comply with applicable provisions of G.S. § 132-1.4A

*See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS**, page vi.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.

Municipal Records Retention Schedule Amendment

Amending the Municipal Records Retention and Disposition Schedule published September 10, 2012.

STANDARD 9. LAW ENFORCEMENT RECORDS

~~Adding Item 136, Law Enforcement Audio and Video Recordings, as shown on substitute page 90.~~

Superseded
October 1, 2016

STANDARD 12. PERSONNEL RECORDS

Amending Item 19, Employee Eligibility Records, as shown on substitute page 105.

APPROVAL RECOMMENDED

City/Town Clerk

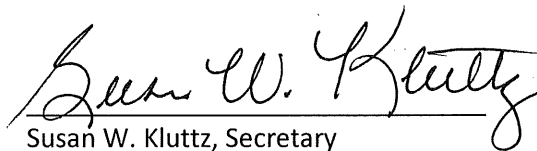
Chief Administrative Officer/
City Manager



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Mayor



Susan W. Kluttz, Secretary
Department of Cultural Resources

January 5, 2015

STANDARD-12. PERSONNEL RECORDS			
ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.	<p>EMPLOYEE EDUCATIONAL ASSISTANCE PROGRAM RECORDS Includes records requesting tuition assistance, repayments, and other related records.</p> <p>See also PERSONNEL RECORDS (OFFICIAL COPY) item 47, page 112.</p>	Destroy in office 3 years after completion, denial, repayment, or removal from program.*	
19.	<p>EMPLOYEE ELIGIBILITY RECORDS Includes the United States Immigration and Naturalization Services, Employment Eligibility Verification (I-9) forms.</p>	Mandatory retention throughout the duration of an individual's employment. After separation, destroy records in office 3 years from date of hire or 1 year from separation, whichever occurs later.	8 USC 1324a(b)(3)
20.	<p>EMPLOYEE EXIT INTERVIEW RECORDS</p> <p>See also PERSONNEL RECORDS (OFFICIAL COPY) item 47, page 112.</p>	Destroy in office after 1 year.	
21.	<p>EMPLOYEE HEALTH CERTIFICATES Includes health or physical examination reports, or certificates created in accordance with Title VII and the Americans with Disabilities Act (ADA).</p>	<p>a) Transfer records as applicable to PERSONNEL RECORDS (OFFICIAL COPY) item 47, page 112.</p> <p>b) Destroy in office all other records 2 years after resolution of all actions.</p>	

**Municipal
Records Retention Schedule Amendment**

Amending the Municipal Records Retention and Disposition Schedule published September 10, 2012.

STANDARD 4. BUDGET, FISCAL AND PAYROLL RECORDS

Amending item 32 Escheat and Unclaimed Property File as shown on substitute page 29.

STANDARD 12. PERSONNEL RECORDS

Adding item 1-A Accreditation Records as shown on substitute page 101.

~~Amending item 19 Employee Eligibility Records as shown on substitute page 105.~~

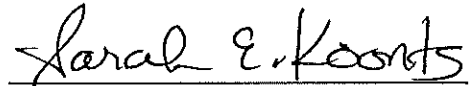
Superseded
January 5, 2015

Amending items 36 Family Medical Leave Act (FMLA) Records, 42 Leave File, and 43 Leave Without Pay File as shown on substitute pages 110-111.

APPROVAL RECOMMENDED

City/Town Clerk

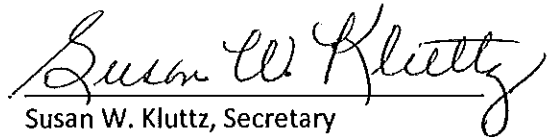
Chief Administrative Officer/
City Manager



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Mayor



Susan W. Kluttz, Secretary
Department of Cultural Resources

August 29, 2013

Municipality

STANDARD-4: BUDGET, FISCAL AND PAYROLL RECORDS			
ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
27.	DAILY DETAIL REPORTS	Destroy in office after 1 year.*	
28.	DEPOSITS	a) Destroy in office official/audit copies after 3 years.* b) Destroy in office remaining records after 1 year.	G.S. § 159-32
29.	DETAIL REPORT FILE (FINANCIAL RECORDS FOR GENERAL FUND OR GENERAL LEDGER)	a) Destroy in office annual reports after 3 years.* b) Destroy in office all other reports after 1 year.	
30.	DIRECT DEPOSIT APPLICATIONS/AUTHORIZATIONS Includes related records such as bank account numbers and routing numbers.	Destroy in office when superseded or obsolete.	Comply with applicable confidentiality provisions of G.S. §132-1.10(b)(5) regarding personal identifying information.
31.	DISTRICT INVESTMENT RECORDS	Destroy in office after 3 years.*	
32.	ESCHEAT AND UNCLAIMED PROPERTY FILE	a) Destroy in office after 10 years if report was filed prior to July 16, 2012.* b) Destroy in office after 5 years if report was filed after July 16, 2012.*	Comply with applicable provisions of G.S. §116B-60 and §116B-73.
33.	EXPENDITURE REPORTS	Destroy in office after 3 years.*	
34.	FACILITY SERVICE AND MAINTENANCE AGREEMENTS See also GRANTS: FINANCIAL item 36, page 30.	a) Destroy in office depreciation schedules 3 years after asset is fully depreciated or disposed. b) Destroy in office remaining records after 3 years.*	

STANDARD-12. PERSONNEL RECORDS			
ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	ABOLISHED POSITION FILE	Destroy in office when administrative value ends.† Agency Policy: Destroy in office after _____	
1-A.	ACCREDITATION RECORDS Records concerning compliance with those standards outlined by professional accreditation programs.	Destroy in office 1 year after accreditation is obtained, renewed, or no longer valid.*	
2.	ADDRESS FILE	Destroy in office when superseded or obsolete.	
3.	ADS AND NOTICES OF OVERTIME, PROMOTION, AND TRAINING OPPORTUNITIES	Destroy in office 1 year from date record was made.	29 CFR 1627.3
4.	AFFIRMATIVE ACTION FILE	a) Destroy in office all reports, analyses, and statistical data after 5 years. b) Destroy in office affirmative action plans 5 years from date superseded.	29 CFR 30.8(b)(e) 29 CFR 1608.4
5.	APPRENTICESHIP PROGRAM RECORDS	Destroy in office 5 years from the date of enrollment.	29 CFR 30.8(e)
6.	APTITUDE AND SKILLS TESTING RECORDS Records concerning aptitude and skills tests required of job applicants or of current employees to qualify for promotion or transfer. May include civil service examinations. See also EMPLOYMENT SELECTION RECORDS item 32, page 109.	a) Destroy in office applicant and employee test papers 2 years from date record was created. b) Destroy in office validation studies and copies of tests 2 years after no longer in use. c) Destroy in office records relating to the planning and administration of tests in office after 2 years.	29 CFR 1602.31 29 CFR 1602.40 29 CFR 1602.49

STANDARD-12. PERSONNEL RECORDS			
ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
35.	EQUAL PAY RECORDS Includes reports, studies, aggregated or summarized data, and similar documentation compiled to comply with the Equal Pay Act.	Destroy in office after 2 years.	29 CFR 1620.32
36.	FAMILY MEDICAL LEAVE ACT (FMLA) RECORDS Records concerning leave taken, premium payments, employer notice, medical examinations considered in connection with personnel action, disputes with employees over FMLA and other related records.	Item discontinued. See LEAVE FILE , item 42, page 111.	
37.	FRINGE BENEFITS FILE	Destroy in office when administrative value ends.† Agency Policy: Destroy in office after _____	
38.	GRIEVANCE FILE Includes initial complaint, investigations, actions, summary, and disposition. May include disciplinary correspondence, including email. See also DISCIPLINARY FILE item 11, page 102 and PERSONNEL RECORDS (OFFICIAL COPY) item 47, page 112.	Destroy in office after 2 years.	
39.	HEALTH INSURANCE FILE Completed claim forms and other records concerning employees covered by health plans.	Destroy in office after 2 years.*	
40.	INCREMENTS FILE	Destroy in office when released from all audits.	
41.	INTERNSHIP PROGRAM FILE Records concerning interns and students.	Destroy in office after 3 years.	

STANDARD-12. PERSONNEL RECORDS			
ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
42.	LEAVE FILE Records concerning employee leave, including requests for and approval of sick, vacation, overtime, buy-back, shared, donated, military, etc. Includes premium payments, employer notice, medical examinations considered in connection with personnel action, disputes with employees over the Family Medical Leave Act (FMLA), and other related records.	Destroy in office 3 years after return of employee or termination of employment.*	29 CFR 825.110(b)(2)(i) 29 CFR 825.500(b)
43.	LEAVE WITHOUT PAY FILE	Item discontinued. See LEAVE FILE , item 42, page 111.	
44.	LONGEVITY PAY REQUESTS	Destroy in office when released from all audits.	
45.	MERIT AND SENIORITY SYSTEM RECORDS	a) Destroy in office employee-specific records after 3 years. b) Destroy in office system and plan records 1 year after no longer in effect.	29 CFR 1627.3
46.	PERSONNEL ACTION NOTICES Records used to create or change information in the personnel records of individual employees concerning such issues as hiring, termination, transfer, pay grade, position or job title, name change and leave.	a) Transfer records as applicable to PERSONNEL RECORDS (OFFICIAL COPY) item 47, page 112. b) Destroy in office all remaining records 2 years from date record was created, received, or the personnel action involved.	



Staff Report

**Consent New
Agenda Hire
Item: Report**

Date of Meeting: December 06, 2016

Date Prepared: November 28, 2016

Staff Work By: Tim Kerigan, HR Director

Background

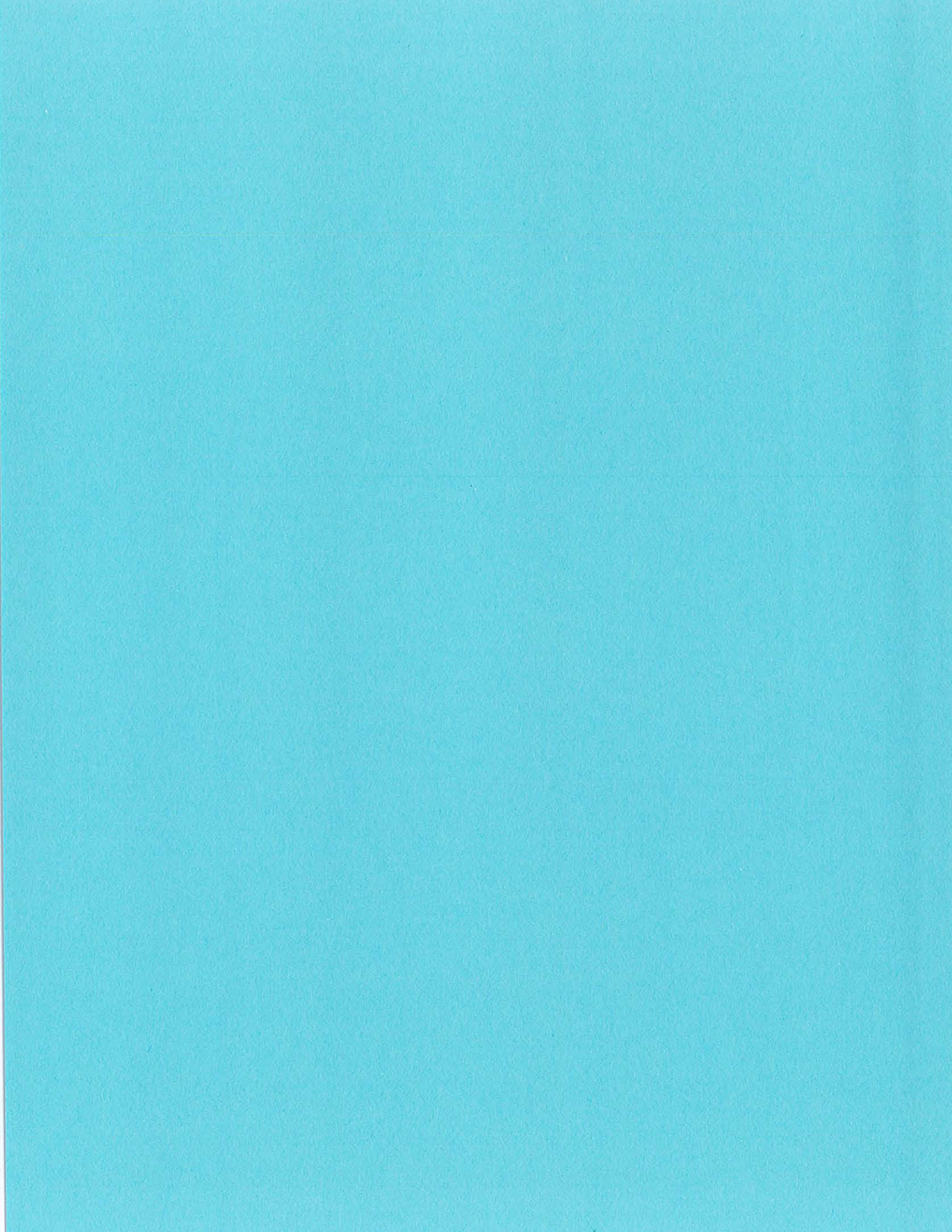
Per Policy, upon the hiring of a new or replacement employee, the Town Manger or Department Head shall report the new/replacement hire to the Council on the Consent Agenda at the next scheduled monthly Town Council meeting.

Action Requested

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 16-17 Budget.

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Electric Line Technician	PU - Electric	31-7230-0200	\$16.35/hr (\$34,008.00/yr)
WP Operator/Trainee	PU – Water Plant	30-7200-0200	\$13.50/hr (\$28,080.00/yr)
PT P&R Staff	P&R – Recreation	10-6200-0210	\$9.00/hr
PT P&R Staff	P&R – Recreation	10-6200-0210	\$9.00/hr

Business Items





Request for City Council Action

**Business
Agenda
Item:**

**Acceptance
of Duke
Energy EV
Grant**

Date: 12/6/16

Subject: Acceptance of Duke Energy EV Grant

Department: Public Utilities

Presented by: Ted Credle

Presentation: Yes

Issue Statement

The Council is asked to authorize the Town Manager to execute the required funding agreement to accept the \$25,000 funds from Duke Energy, if the paperwork is also acceptable to the Town Attorney and the Mayor.

Financial Impact

The acceptance of the funds will not impact the Town budget. There is no local match.

Action Needed

Authorize the Town Manager to execute the required funding agreement to accept the \$25,000 funds from Duke Energy, if the paperwork is also acceptable to the Town Attorney and the Mayor.

Recommendation

Staff recommends Council to authorize the Town Manager, as stated, above.

Approved: City Manager City Attorney

Attachments:

Communication from Duke Energy regarding the selection of award
Overview of the program

Portion of submitted Application, indicating where the stations will be constructed



Staff Report

**Business
Agenda
Item:**

As part of a settlement between Duke Energy and the EPA, Duke Energy has launched a program to fund Electric Vehicle (EV) charging stations in many of the states they serve, including North Carolina. These funds are made available to cities and towns that are considered **"underserved" by electric vehicle charging infrastructure. Duke Energy will pay** for 100%, up to \$5,000 per charge port, for each station installed. There is no local match required. The Town of Smithfield applied to receive this funding to pay for ten (10) station, totaling \$50,000, on August 24, 2016.

On November 8, 2016 the Town received notification (attached) we had been selected to receive funding for five (5) of the station, in the amount of \$25,000. The Town will pay for the initial installation and Duke Energy will reimburse the Town up to \$5,000 per port. **The Town is proposing to install "metered" stations, to allow EV users to re-charge** the vehicle at minimum cost. The proposed locations were chosen on the basis that visitors would park long enough for the charging to be effective. A list of the approved sites is enclosed.

As part of this process, Duke Energy will send documentation to execute the agreement, so the Town can receive the funds. The due date for returning the executed paperwork is December 31, 2016. If the Town fails to execute the paperwork, the funds will be given to another community.

Due to the lack of time involved, the Council is asked to authorize the Town Manager to execute the required funding agreement to accept the \$25,000 funds from Duke Energy. The stipulation concerning this paperwork is that the Town Manager, The Town Attorney and the Mayor all review and approve the paperwork, as to form.

Ted Credle

From: Duke Energy <Plugin@duke-energy.com>
Sent: Tuesday, November 08, 2016 4:00 PM
To: Ted Credle
Subject: Duke Energy's Electric Vehicle Charging Station Grants
Attachments: PEV Grant Recipient Toolkit.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

This message contains graphics. If you do not see the graphics, [click here to view](#).



Congratulations!

We are pleased to inform you that \$25,000 is being reserved for Town of Smithfield to install 5 public charging stations. Based on the information provided in your application, the locations approved for the charging stations are: Parking at 509 N Brightleaf Blvd, 245 College Road, 350 E. Market Street, 207 E. Johnson Street, 901 S. Brightleaf Blvd, and 600 Booker Dairy Road not restricted to employees.

Over 500 charging stations were requested from almost 100 applicants across the state of North Carolina. We awarded charging stations based upon the following methodology:

- Each city and state government entity and each non-profit were awarded \$10,000 for two charging stations.
- To achieve our goal of giving preference to underserved communities, applicants in counties that currently have two or less public charging stations, were awarded additional funds to order to give that county a total of \$50,000 for five charging stations, unless the applicants requested fewer charging stations.

In the coming weeks, you will receive a funding agreement to sign and return by **12/31/2016**. If your signed agreement is not returned by EOD on 12/31/16, your reserved funds may be assigned to another applicant.

A Communications Toolkit is included with this letter to assist you in maximizing your grant announcement to the community. Your Duke Energy point of contact, referenced in this toolkit, is your local Duke Energy District Manager. We will also be sending you additional information about resources to available to plan a successful implementation of your charging station.

Again, thank you for your interest in the project and congratulations on your new charging stations. If you have any questions ahead receiving your funding agreement, please respond to this email.



Duke Energy's \$1.5 million program aims to increase public electric vehicle charging in N.C. by 30 percent

🕒 July 12, 2016

- **\$1 million to fund public charging stations**
- **\$500,000 for electric bus charging for transit agencies**

CHARLOTTE, N.C. -- The number of public electric vehicle (EV) charging stations in North Carolina will jump 30 percent thanks to a new project from Duke Energy.

Duke Energy's "EV Charging Infrastructure Support Project" will provide \$1 million to help cities and towns develop public charging stations for residents. Duke Energy will pay 100 percent up to \$5,000 per charge port; \$20,000 per site, or \$50,000 per city under the program.

"Over the past decade, Duke Energy has supported the development of several hundred electric vehicle charging stations in North Carolina," said David Fountain, Duke Energy's North Carolina president, "Adoption of EVs depends on a robust infrastructure for consumers."

Duke Energy has been active in building public charging stations at parking decks, libraries and shopping areas. According to [Advanced Energy](#), an independent, non-profit organization established by the North Carolina Utilities Commission, there are about 4,700 registered plug-in EVs and about 700 public charging ports spread out around North Carolina.

"Today is a perfect time to begin thinking about and planning for electric vehicle charging," said Dr. Robert Koger, president of [Advanced Energy](#), "Duke Energy's new program will give communities the opportunity to provide a new amenity for residents and visitors that also benefits the local economy and air quality."

Another part of the project is an additional \$500,000 devoted to cities and towns for the construction of electric bus charging stations. Again, Duke Energy will pay 100 percent for electric bus charging infrastructure up to \$250,000 per entity.

The programs are targeted to cities and towns, which include both retail and wholesale customers. Interested parties may apply, but are not obligated to proceed if selected as a recipient. The deadline to apply is Sept. 1. Interested parties can download the [public EV charging form here](#). The [bus charging form can be downloaded here](#).

If you have additional questions about the programs, email PlugIn@Duke-Energy.com.

The programs are part of a [recent settlement](#) with the U.S. Environmental Protection Agency and environmental groups.

About Duke Energy

Headquartered in Charlotte, N.C., Duke Energy is an S&P 100 Stock Index company traded on the New York Stock Exchange under the symbol DUK. More information about the company is available at duke-energy.com.

The [Duke Energy News Center](#) serves as a multimedia resource for journalists and features news releases, helpful links, photos and videos. Hosted by Duke Energy, [illumination](#) is an online destination for stories about remarkable people, innovations, and community and environmental topics. It also offers glimpses into the past and insights into the future of energy.

Follow Duke Energy on [Twitter](#), [LinkedIn](#), [Instagram](#) and [Facebook](#).

Contact: Randy Wheelless
Office: 704.382.8379
24-Hour: 800.559.3853
Twitter: @DE_RandyW

Related Stories



Duke Energy electrifies the North Carolina arts community through \$566,000 in grants



Piedmont Natural Gas Foundation provides \$100K grant to YWCA Central Carolinas



Duke Energy reports third quarter 2016 financial results

Related Tags

North Carolina, Environment, Corporate, Energy efficiency

Electric Vehicle Charging Station Support Program



Thank you for your interest in the Personal Electric Vehicle Funding Program. Please return this application by 9/1/2016 to plugin@duke-energy.com. We anticipate committing the funds by 12/31/2016. All applicants will be advised by that time. If not all funds are used, applicants whose proposals could not be fulfilled in the first round will be considered again.

Contact Information

Town of Smithfield	
Organization Name	
Ted Credle	Public Utilities Director
Preferred Contact	Title
320 Hospital Road Smithfield, NC 27577	
Address	
919-934-2116	ted.credle@smithfield-nc.com
Phone Number	Email Address

Proposal Details

This information may have been provided on the letter of interest as an indication of potential participation. The information provided here supersedes the LOI. Financial compensation for this group is proposed to be 100% of qualifying Electric Vehicle Charging Stations costs up to \$5,000 per charge port, \$20,000 per site, and \$50,000 per entity (all apply).

If unsure of whether stations will be level 1 or level 2, please leave blank.

Location	Total	Level 1	Level 2	Estimated Avg Time User is Parked	Anticipated Installation Date	Other Relevant Information
509 N Brightleaf Blvd	2			3-4 hours	ASAP	Johnston Memorial Hospital
245 College Road	2			3-4 hours	Spring 2017	Johnston Community College
350 E. Market Street	1			0.5-2 hours	ASAP	Smithfield Town Hall
207 E. Johnston Street	1			2-4 hours	Spring 2017	Johnston County Courthouse
901 S. Brightleaf Blvd	1			0.5-1 hour	Spring 2107	Brightleaf Commons
1025 Outlet Center Drive	2			2-4 hours	January 2017	Carolina Premium Outlets
600 Booker Dairy Road	1			2-4 Hours	ASAP	Smithfield Recreation & Aquatics Center

Are you able to pay for the charging station up front and be reimbursed or do you require the funding in order to purchase the equipment? Applicants requiring funding prior to installation must submit detailed cost estimates and commitments. The funding arrangement will not impact whether the proposal is chosen.

We are able to pay costs up front and be reimbursed

Have you already received quotes for installation? If so, please attach them.

No. At this time, we have yet to receive any quotes.

Use the space below to provide any information you think is relevant to Duke Energy regarding this funding. Examples may include how it will help you achieve your goals, evidence of current need or usage of existing charging stations in the area.

Currently, the Town of Smithfield has one municipal charging station, which is only available to the single EV owned by the Town. These stations would provide the public access to this much-needed resource. Further, by establishing some of these stations in the proposed locations, it would enable visitors to recharge their vehicle while visiting the Town, or while on business.

Is there any support you plan to supply to the charging station in order to ensure utilization and/or education about electric vehicles? This is not a requirement for participation.

If selected, the Town will announce the program through all available media outlets, our own website, and through various community-oriented organizations (i.e. chamber of commerce, visitors bureau, etc.) If there are additional funds after installation, the Town may include these stations in the Town way finding/signage program.

Are there any questions that you have for Duke Energy that you need in order to best complete this application?

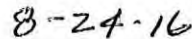
Currently, there are no questions. We are excited about the potential to offer our citizens and all visitors the ability to recharge while in the Town of Smithfield.

Please submit drawings of proposed locations with this application. One should show where the charging stations would be located specifically and facilities users would be able to walk to. The other should show the general area, giving a feel for the area around the location including major thoroughfares.

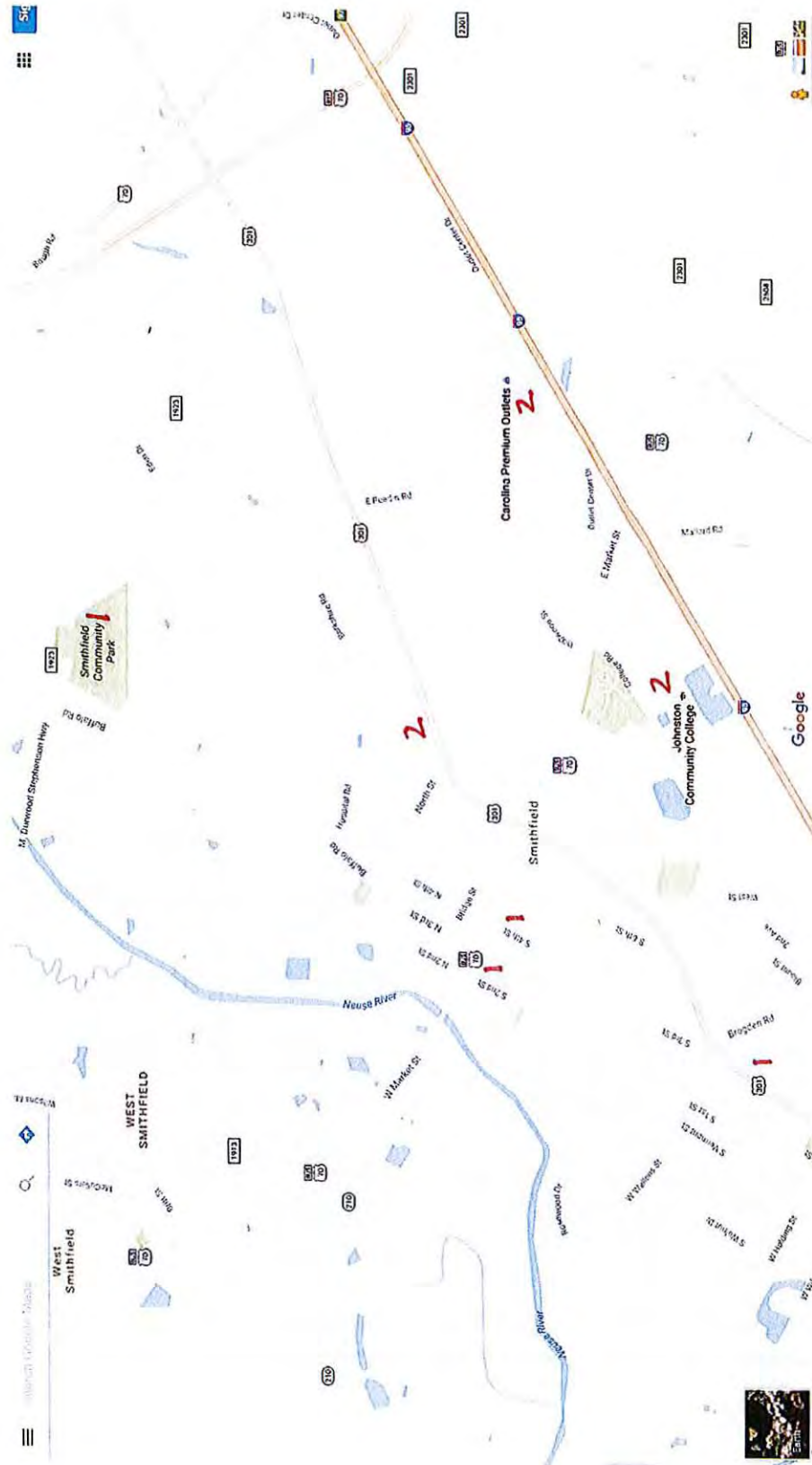
Signature



Date



Vicinity Map of Proposed 10 EV Charging Stations



The Town of Smithfield is located at the intersection of I-95 and US Highway 70



Request for City Council Action

**Business
Agenda
Item:**

**Water
Plant
Career
Ladder**

Date: 12/6/16

Subject: Water Plant Career Ladder

Department: Public Utilities

Presented by: Ted Credle

Presentation: Business Item

Issue Statement

The Public Utilities Department is proposing career path be established for Water Treatment Plant personnel; similar to the existing career paths, already approved by council, for both the electric division and the water & sewer division.

Financial Impact

None

Action Needed

Approve the proposed career ladder for Water Treatment Plant

Recommendation

Staff recommends the adoption of the presented career ladder

Approved: City Manager City Attorney (not required)

Attachments:

Proposed career ladder



Staff Report

**Business
Agenda
Item:** **Water
Plant
Career
Ladder**

The Public Utilities Department has a long-standing career advancement path for the personnel at the Water Treatment Plant; but, staff can find no adopted record for such. Staff has prepared the attached documentation to explain what has been previously accepted and what is proposed to be formalized, going forward. Public Utilities encourage the personnel at the Water Plant to advance their training, knowledge and experience by offering this career ladder. Town Council has approved similar career paths for the Electric Division and the Water & Sewer Division in the past two years.



WATER TREATMENT PLANT CAREER LADDER

TITLE	PAY GRADE	EXPERIENCE/QUALIFICATION
Water Plant Trainee	Pay Grade 11	Beginner
Water Plant Operator I	Pay Grade 12	"C" Certification & 6 months
Water Plant Operator II	Pay Grade 13	"B" Certification & 18 months
Water Plant Operator III	Pay Grade 14	"A" Certification & 30 months
Water Plant Mechanic/Operator	Pay Grade 13	(As Vacancies arise)
Chief Water Plant Operator	Pay Grade 20	(As Vacancies arise)
Water Plant Chemist	Pay Grade 20	(As Vacancies arise)
Water Plant Supervisor	Pay Grade 22	(As Vacancies arise)

EXPLANATION OF ELIGIBILITY FOR CAREER LADDER POSITIONS:

Water Plant Trainee: is the title given to a worker who is coming on board with little, or no, experience. This is granted to someone looking to begin their career in the Water Plant Division. This individual will have no certification and 0-12 months experience. This title has been given the pay grade of 11.

Water Plant Operator I: is the title given to a worker who has obtained the first level of certification, the completion of "Operator C" licensure. This certification will only be granted by the State of North Carolina after the candidate has a minimum of 6 months of work experience, has attended the appropriate training class, and has successfully passed the required, written exam. This title has been given the pay grade of 12.

Water Plant Operator II: is the title given to a worker who has obtained the second level of certification, the completion of "Operator B" licensure. This certification will only be granted by the State of North Carolina after the candidate has obtained the "Operator C" licensure, has a minimum of 18 months of work experience, has attended the appropriate training class, and has successfully passed the written exam. This title has been given the pay grade of 13.

Water Plant Operator III: is the title given to a worker who has obtained the third level of certification, the completion of "Operator A" licensure. This certification will only be granted by the State of North Carolina after the candidate has obtained the "Operator B" licensure, has a minimum of 30 months of work experience, has attended the appropriate training class, and has successfully passed the written exam. This title has been given the pay grade of 14.

EXPLANATION OF ELIGIBILITY FOR NON-CAREER LADDER POSITIONS:

Water Plant Mechanic/Operator is the title given to a worker who has obtained the first level of certification, the completion of "Operator C" licensure. This certification will only be granted by the State of North Carolina after the candidate has 6 months of work experience, has attended the appropriate training class, and has successfully passed the written exam. This employee must also perform routine maintenance tasks and be familiar with plant machinery such as pumps & motors, plumbing, and simple electrical controls. This title has been given the pay grade of 13.

Chief Water Plant Operator is the title given to a worker who has obtained the third level of certification, the completion of "Operator A" licensure. This employee will have extensive knowledge of the systems and workings of the Water Plant. This employee will have a mastery of the required reporting documentation to the State to maintain lawful operation of the Water Plant. This employee will also be designated as the ORC (Operator of Responsible Charge) for the Water Plant. This title has been given the pay grade of 20.

Water Plant Chemist is the title given to the employee who will be responsible for taking the required samples, running the required tests, and submitting the required reports concerning the quality of the produced water, in accordance with North Carolina law. This employee should have obtained the first level of certification, the completion of "Operator C" licensure. This certification will only be granted by the State of North Carolina after the candidate has obtained the "Operator C" licensure, has 6 months of work experience, has attended the appropriate training class, and has successfully passed the written exam. This employee will also have extensive knowledge of the systems and workings of the Water Plant. This title has been given the pay grade of 20.

Water Plant Supervisor is the title given to the employee that has managerial responsibility over the Water Plant. This employee must have a wealth of knowledge in the water production field, a mastery of the workings at the Water Plant and at least 10 years of experience working at a water production facility. This title has been given the pay grade of 22.



Request for City Council Action

**Business
Agenda
Item:** **Personnel
Changes**
Date: 12/6/2016

Subject: Animal Control
Department: Public Works & Police Department
Presented by: Town Manager Mike Scott
Presentation: Business

Issue Statement:

The current Animal Control Officer is retiring after 28 years of employment with the Town of Smithfield. The Town Manager requests approval to back-fill the Equipment Operator position in Public Works left vacant due to the movement of the animal control function to the police department.

Financial Impact:

The Animal Control Officer will be moved to the police department budget effective January 2, 2017. The vacant Equipment Operator position will be back-filled in Public Works effective January 2, 2017. Neither the Police Department budget nor the Public Works budget will require amendment to complete the transfer and hiring of these employees/ responsibilities. Total Budgetary Impact is \$23,500 annually, including salary and all current benefits.

Action Needed:

Approve change in responsibilities and hiring of equipment operator in Public Works.

Recommendation:

Approve change in responsibilities and hiring of equipment operator in Public Works.

Approved: City Manager City Attorney

Attachments:

Staff Report.



Staff Report

**Business
Agenda
Item
12/06/2016**

**Personnel
Changes**

The current animal control employee is scheduled to retire effective on or about January 1, 2017. In 2010, the Animal Control position was moved from the police department to the Public Works Department in an effort, in part, to maximize Human Resources. The Animal Control Officer was expected to fulfill the duties and responsibilities of Animal Control and Public Works employee, simultaneously. This arrangement did not function as anticipated, as the animal control function required a full time position. This left the Public Works Department short manpower to complete the tasks required of a Public Works employee.

By moving the animal control function back to the police department, the new animal control officer will be in a better position to succeed, as he or she can seek guidance continually throughout the day from supervisors within the police department that have a thorough understanding of the law and legal processes that are required for an animal control officer to take actions against violators of Town Ordinances. Because of vacancies that have existed within the police department during the first five months of the fiscal year, the police department can easily absorb the financial responsibilities of employing a new animal control officer. The Town Manager has the authority to move the animal control officer under Town of Smithfield, Code of Ordinances, Chapter 4, Article II, Sections 25 – 27.

By hiring a new equipment operator within Public Works, the department can better reach its goals and better fine tune its management requirements to areas within Public Works and Sanitation. Budget amendments will not be needed in Public Works due to the salary **of the current Animal Control Officer's salary being higher than an entry level equipment operator**. Budget amendments are **not required to the police department's FY 2016-17** budget, due to previous and existing vacancies.

The Police Department will be adding the additional staff and operational fees for the animal control officer during the FY 2017-18 budget process for future years.



Request for City Council Action

**Business
Agenda
Item:** Economic
Development
Promotional
Items
Date: 12/06/2016

Subject: Economic Development Promotional Items
Department: Non-Departmental
Presented by: Tim Kerigan, Economic Development Liaison
Presentation: Consent Agenda

Issue Statement

Staff is proposing the purchase of several targeted promotional items to assist with Economic Development efforts for the Town.

Financial Impact

The total cost for these requested promotional items will not exceed \$5,000. As of 11/28/2016, there is an unencumbered balance of \$81,782.08 in the 10-4110-5710 line item (Economic Development) of the FY 2016-17 Adopted Budget.

Thus, there would be no negative impact to the budget.

Action Needed

Council approval of the project request, as required by the FY 2016-17 Adopted Budget.

Recommendation

Staff recommends the authorization of the Economic Development Liaison to seek and purchase the best price, quality and quantity of the items requested; not to exceed requested budget for such items.

Approved: City Manager City Attorney

Attachments:

None.



Staff Report

**Business
Agenda
Item:** **Economic
Development
Promotional
Items**

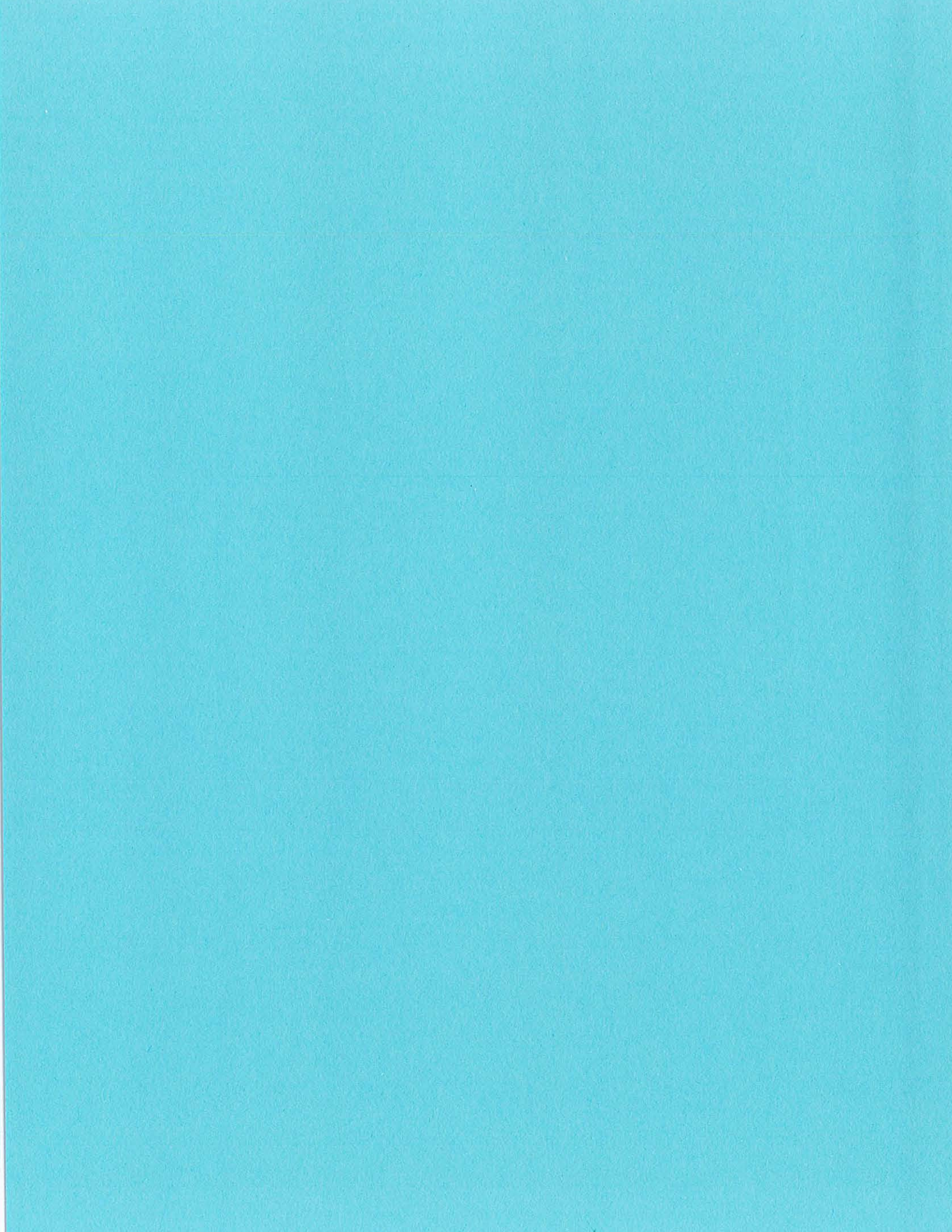
We continue to build on recruiting, retention, expansion and appreciation efforts for all economic development possibilities. These efforts include trade shows, seminars, local business visits, partnering with the JCVB, DSDC, Smithfield-Selma Chamber, the Johnston County Economic Development Office and Electricities to name a few.

In order to present an initial positive first impression, as well as a memorable encounter, we would like to be empowered with a few items that may both open the door to our clientele as well as leave them with something to hold that reminds them of Smithfield.

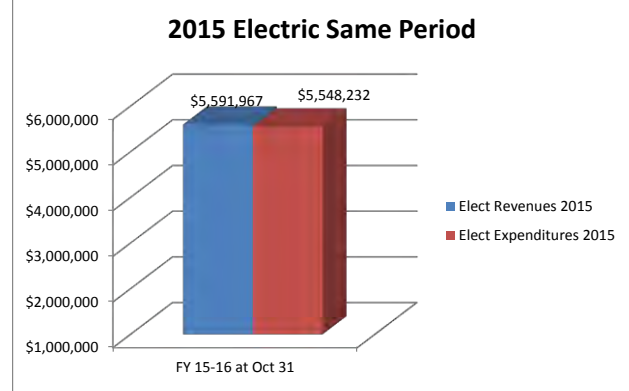
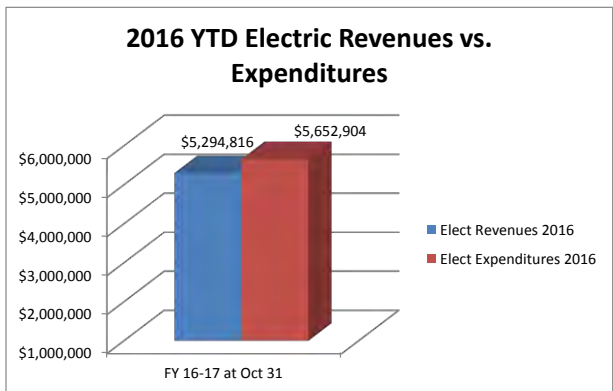
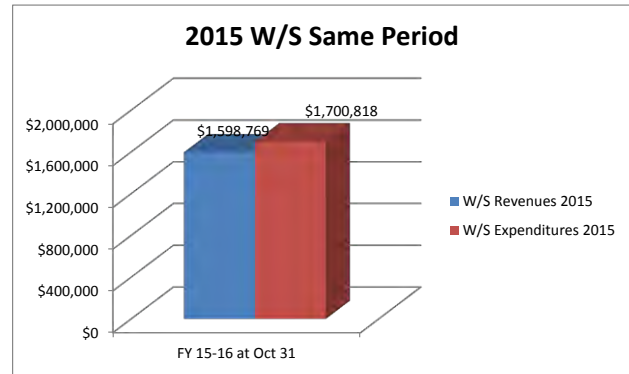
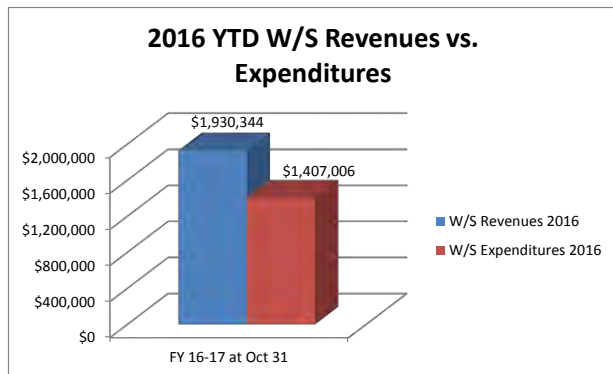
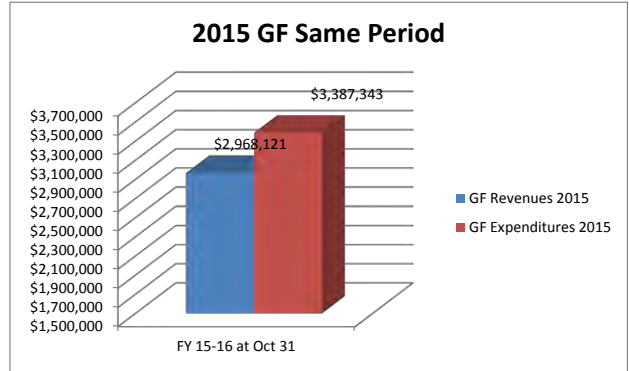
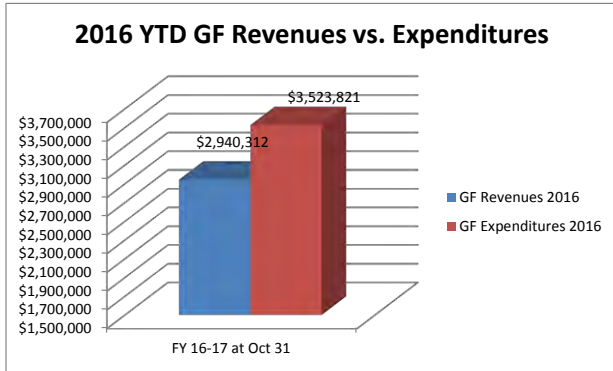
The following items will help us express our message:

- Trade Show Table Cloth with Logo
- **"In Touch" magnets promoting social media, PEG Channel, website, etc.**
- **"Value Cards" game promoting positive Smithfield values**
- **"River Rock" squeezable stress reliever – promoting ease of "doing business" in Smithfield and within the Planning Department and ED efforts**
- **Engraved "Worry-free Stone" – pocket-sized**
- **Mini Breath Spray with Logo and "Fresh Perspective"**

Financial Report



Town of Smithfield Revenues vs. Expenditures



TOWN OF SMITHFIELD
MAJOR FUNDS FINANCIAL SUMMARY REPORT
October 31, 2016
Gauge: 4/12 or 33.33 Percent

33.33%

GENERAL FUND						
	Frequency	Actual	Budget	Actual to Date	YTD %	
Revenues		FY '15-16	FY '16-17	FY '16-17	Collected	
Current & Prior Year Property Taxes	Monthly	\$ -	\$ 5,528,779	\$ 1,031,897	18.66%	
Motor Vehicle Taxes	Monthly	-	470,000	184,290	39.21%	
Utility Franchise Taxes	Quarterly	-	1,000,000	225,585	22.56%	
Local Option Sales Taxes	Monthly	-	2,064,700	390,624	18.92%	
Aquatic and Other Recreation	Monthly	-	753,300	267,679	35.53%	
Sanitation	Monthly	-	1,306,500	355,054	27.18%	
All Other Revenues		-	1,307,825	485,183	37.10%	
Loan Proceeds		-	104,000	-	0.00%	
Transfers (Electric and Fire Dist.)		-	261,614	-	0.00%	
Fund Balance Appropriated		-	786,343	-	0.00%	
Total		\$ -	\$ 13,583,061	\$ 2,940,312	21.65%	
Expenditures						
		Actual	Budget	Actual to Date	YTD %	
		FY '15-16	FY '16-17	FY '16-17	Spent	
General Gov.-Governing Body		\$ -	\$ 389,407	\$ 160,911	41.32%	
Non Departmental		-	902,709	313,995	34.78%	
Debt Service		-	1,283,352	424,796	33.10%	
Finance		-	159,792	28,927	18.10%	
Planning		-	367,698	96,589	26.27%	
Police		-	3,608,768	965,846	26.76%	
Fire		-	1,498,722	366,715	24.47%	
EMS		-	-	-	#DIV/0!	
General Services/Public Works		-	483,940	130,879	27.04%	
Streets		-	1,251,604	144,722	11.56%	
Motor Pool/Garage		-	91,880	26,248	28.57%	
Powell Bill		-	348,225	20,785	5.97%	
Sanitation		-	1,237,219	308,389	24.93%	
Parks and Rec		-	858,580	247,264	28.80%	
SRAC		-	927,613	287,755	31.02%	
Contingency		-	173,552	-	0.00%	
Appropriations/Contributions		-	-	-	0.00%	
Total		\$ -	\$ 13,583,061	\$ 3,523,821	25.94%	

YTD Fund Balance Increase (Decrease)

-

-

33.33%

WATER AND SEWER FUND

	Actual		Budget		Actual to Date		YTD %
	FY '15-16		FY '16-17		FY '16-17		Collected
Revenues							
Water Charges	\$ -	\$ 2,890,000	\$ 702,925				24.32%
Water Sales (Wholesale)	-	\$ 715,210	\$ 265,099				37.07%
Sewer Charges	-	3,270,000	947,466				28.97%
Tap Fees	-	16,000	9,945				62.16%
All Other Revenues	-	16,000	4,909				30.68%
Loan Proceeds	-	-	-				#DIV/0!
Fund Balance Appropriated	-	-	-				#DIV/0!
Total	\$ -	\$ 6,907,210	\$ 1,930,344				27.95%

	Actual		Budget		Actual to Date		YTD %
	FY '15-16		FY '16-17		FY '16-17		Spent
Expenditures							
Water Plant (Less Transfers)	\$ -	\$ 1,631,097	\$ 395,002				24.22%
Water Distribution/Sewer Coll (Less Transfers)	-	4,075,521	862,010				21.15%
Transfer to General Fund	-	-	-				#DIV/0!
Transfer to W/S Capital Proj. Fund	-	600,000	-				0.00%
Debt Service	-	495,361	149,994				30.28%
Contingency	-	105,231	-				0.00%
Total	\$ -	\$ 6,907,210	\$ 1,407,006				20.37%

ELECTRIC FUND

	Actual		Budget		Actual to Date		YTD %
	FY '15-16		FY '16-17		FY '16-17		Collected
Revenues							
Electric Sales	\$ -	\$ 16,894,747	\$ 5,078,181				30.06%
Penalties	-	400,000	194,203				48.55%
All Other Revenues	-	90,463	22,432				24.80%
Loan Proceeds	-	-	-				
Fund Balance Appropriated	-	-	-				
Total	\$ -	\$ 17,385,210	\$ 5,294,816				30.46%

	Actual		Budget		Actual to Date		YTD %
	FY '15-16		FY '16-17		FY '16-17		Spent
Expenditures							
Administration/Operations	\$ -	\$ 2,105,522	\$ 641,879				30.49%
Purchased Power	-	13,600,000	4,568,728				33.59%
Debt Service	-	359,972	350,491				97.37%
Capital Outlay	-	255,000	91,806				
Contingency	-	303,502	-				
Transfers to Electric Capital Proj Fund	-	400,000	-				
Transfer to Water Capital Improvement Fund	-	275,000	-				
Transfers to General Fund	-	86,214	-				0.00%
Total	\$ -	\$ 17,385,210	\$ 5,652,904				32.52%

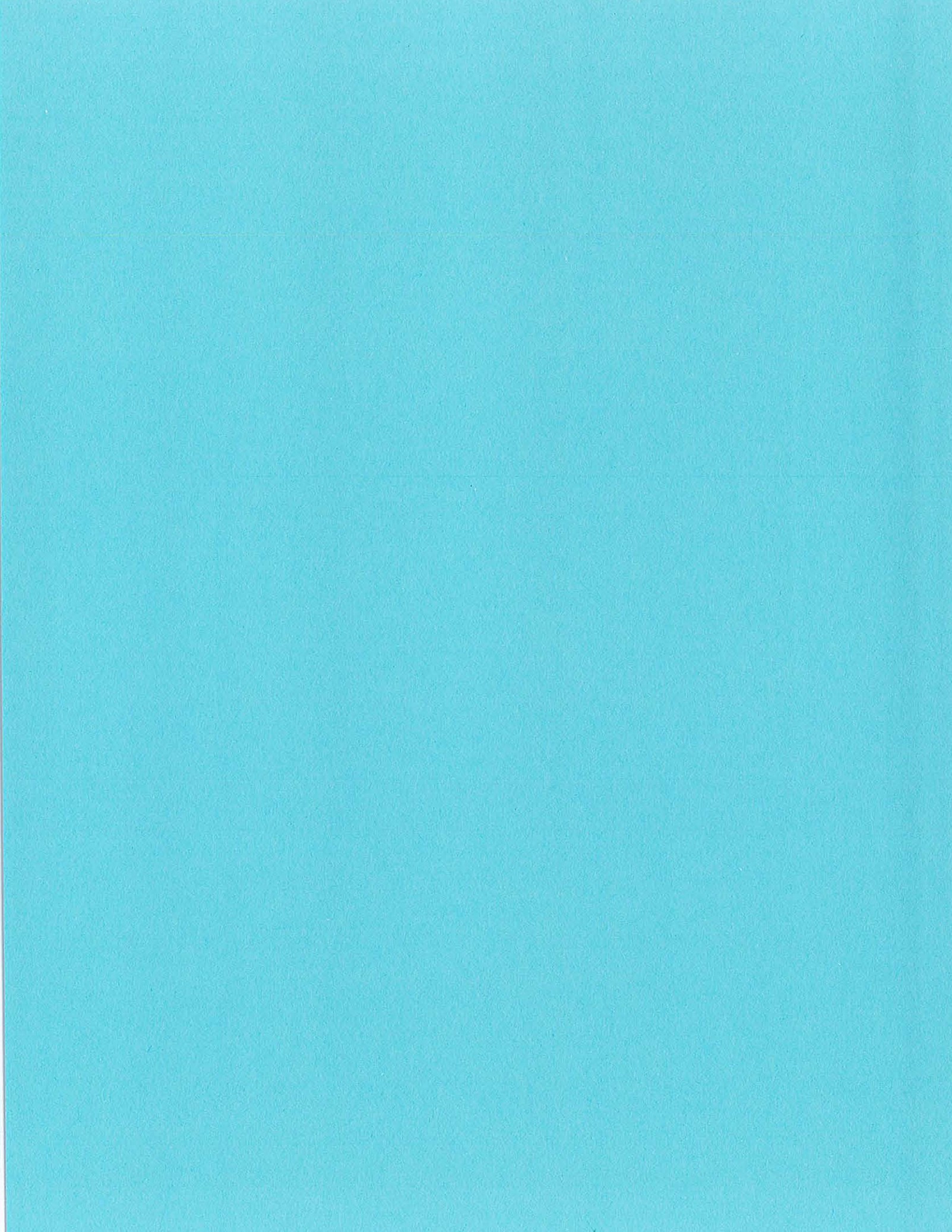
CASH AND INVESTMENTS

General Fund (Includes P. Bill)	7,385,668			
Water and Sewer Fund	4,468,436			Interest Rate
Electric Fund*	7,801,026			
Capital Project Fund: Wtr/Sewer (45)	473,155	1st CITIZENS	14,037,525	0.20%
Capital Project Fund: General (46)	681,035	NCCMT	2,249,453	0.500%
Capital Project Fund: Electric (47)	181,347	STIFEL	-	Market
Firemen Relief Fund (50)	168,179	KS BANK	3,752,832	.2, .65, &.75%
Fire District Fund (51)	37,828	FOUR OAKS	1,290,135	0.60%
JB George Endowment (40)	133,271	PNC BANK	-	0.00%
Total	\$21,329,945		\$ 21,329,945	

*Plug

Account Balances Confirmed By Finance Director on 11/16/2016

Department Reports





Memo

To: Mike Scott, Town Manager
From: William W. Dreitzler, P.E., Town Engineer
Date: November 23, 2016
Re: December Engineer's Staff Report

Please consider my staff report for the December 6, 2016 Council Meeting:

PARKS AND RECREATION DEPARTMENT:

Children's Inclusion Park and Miracle Field

Bids will be received for the Sitework / Grading on Tuesday, November 29, 2016 and for the Concrete on Wednesday, November 30, 2016. To date we have provided plans and specifications to eight contractors. Our target is to be able to provide a project report and bid award recommendation at the January 2017 Council Meeting.

Greenway Bank Stabilization

The Council approved the J.P. Edwards, Inc. proposal at the October 4, 2016 meeting. The approved contract was in the amount of \$50,120. I provided a final inspection of the work on Thursday, November 17, 2016. The project has been completed and the work is considered acceptable. I will be providing a Certification of Completion to the U.S. Army Corps of Engineers.

PLANNING DEPARTMENT:

Outlet Center Drive Drainage

The Council approved the J.P. Edwards, Inc. proposal at the October 4, 2016 meeting. The approved contract was in the amount of \$29,940. To date the work is considered 90% complete. Installation and bank stabilization/seeding has been completed for the section along Outlet Center Drive in front of the Texas Steakhouse as well as the section along Outlet Center Drive from South Equity to North Equity. In addition, the small section along North Equity has been completed. However, based on site observation it was determined that an additional section, approximately 40 linear feet, should be installed in front of the Texas Steakhouse. Generally, this additional section will be from the culvert inlet at the intersection

of South Equity and Outlet Center Drive along South Equity to the first drive into the Texas Steakhouse parking lot.

Smithfield Crossing Screen Wall

The 6-foot high screen fence has been installed along a section of Outlet Center Drive that abuts residential properties that front Dogwood Street. The landscaping phase of this project was scheduled to begin on November 23, 2016. I anticipate completion prior to our December Council Meeting.

Outlet Center Drive Ingress/Egress Evaluation

We are evaluating the ingress/egress issues that have arisen since the installation of the round-about along Outlet Center Drive. A meeting with the Southeast Area Study (SEAS) Stakeholder Oversight Team was held in Clayton on November 15, 2016. I attended the meeting along with Paul Emblar on behalf of the Town of Smithfield. Under the Hot Spot Studies section Smithfield Gateway Analysis of a hand-out was the bullet "Review of the existing service road access to outlet malls". I will be following up with Allison Fluitt, Kimley-Horn to obtain more specifics. Kimley-Horn is CAMPO's consultant for this project.

PUBLIC WORKS DEPARTMENT:

Miscellaneous Drainage

Coordinating with Lenny Branch and I have provided site evaluations of multiple drainage issues on an as requested basis.

2006 Pavement Condition Survey

I have completed the field work and the data compilation for this assessment. I anticipate final submittal of my report along with my recommendations regarding use of the 2006 Pavement Condition Survey by early December.

Venture Drive Drainage

Video inspection of the storm drainage system along Venture Drive has been on-going and is scheduled to be completed prior to Thanksgiving. Final reports will be provided to Lenny Branch and me for our review. If we find the condition of the storm drainage system to be satisfactory and as such not negatively impacting the roadway subgrade, then we will move to advertise the roadway re-construction project.

PUBLIC UTILITIES DEPARTMENT:

Pump Station #12

PS #12 is included in this year's budget for improvement/replacement. Because there are no certified pump curves available for this location, a pump drawdown test was performed on November 15, 2016. The data from the test will allow me to make an assessment of the existing pump capabilities. This assessment will lead to a recommendation to either upgrade or replace the existing facility. One of our goal with the upgrade of PS #12 is to provide for future capacity as this area develops.

Sincerely,



William W. Dreitzler, P.E.
Town Engineer



FINANCE DEPARTMENTAL REPORT FOR OCTOBER, 2016

SUMMARY OF ACTIVITIES:

Daily Collections/Property Taxes/Other	\$2,982,631
Franchise Tax.....	0
Sales & Use Tax.....	176,839
Powel Bill.....	0
Total Revenue	\$3,159,470

Expenditures: General, Water, Electric and Firemen’s Fund..... \$3,403,261

FINANCE:

- Compiled and submitted monthly retirement report on 10/31/2016
- Issued 51 purchase orders
- Processed 749 vendor invoices for payment and issued 369 accounts payable checks
- Prepared and processed 2 regular payrolls. Remitted federal and state payroll taxes on 10/7/16 and 10/21/16
- Issued 0 new privilege licenses (new law change in effect 7/1/2015)
- Sent 0 second notices for past due privilege licenses
- Collected \$182.50 on past due privilege license fees. **NOTE:** Total collected now at \$10,161. The past due collections are the result of mailing some 284 past due notices to local businesses. Approximately 40 second notices were sent.
- Sent 0 past due notices for grass cutting
- Collected \$220, in grass cutting invoices. Total collected calendar year to date is \$5,357
- Processed 13 NSF Checks (Utility and SRAC)
- Bad debt calendar year-to-date collections total \$33,277 (EMS = \$6,997; SRAC = \$9,110; Utility= \$16,743; and Other = \$427).
- Invoiced two (4) grave openings for a total of \$2,800

FINANCE DIRECTOR

- Participated in Worxtime webinar on healthcare reporting, Oct. 3, 2016
- Attended Town Council Meeting on Oct. 4, 2016. Prepared and presented annual audit report
- Completed NC State Firemen’s Association (NCSFA) report Oct. 5, 2016
- Attended South Smithfield (District 2) Government In Touch Community meeting on Oct. 20, 2016
- Prepared journal entries for Rural Infrastructure Grant
- Attended FEMA meeting in Wilson, NC on Oct. 28, 2016

Finance Department Totals for Oct 2016

Meter Reading

Actual Meters Read	9,981	
Meters Loaded to Hand Held	10,255	
Meter Tech Service Hours	0	\$0.00

Billing/Collections

Bills Mailed	6,101	\$2,268,871.99	
Area Lights Billed	941	\$33,568.60	
JoCo Wholesale water	59,752,000	\$89,637.71	
Load Mgmt AC credit	0	\$0.00	
Load Mgmt water heater credit	608	-\$3,741.00	
Adjustments	105	-\$396.71	
Delinquent Accts/Late Fees	1,547	\$30,345.54	
NSF - Utility Only	13	\$3,171.14	
Refund Checks Issued	18	\$5,584.48	
Door Hangers	228		
Disconnect for non-pay	66		
Reconnect for payment received	60		
Bank Drafts	740	\$479,954.54	
Lockbox	897	\$455,927.67	
ECO Payment Totals			
	IVR-phone	190	
	On-Line (website)	629	\$194,427.54 BOTH
Cash Window Transactions/Payments	3,783	\$1,811,043.27	
Accts collected from Debt setoff	1	\$46.68 EMS	
	1	\$109.00 SRAC	
	0	\$0.00 Utility	
Accts submitted to Debt Setoff	2	\$362.61 Utility	
	0	\$0.00 SRAC	

Service Orders

Requested Orders	294	
Completed Orders	288	
	Terminated Accounts	106
	Meters Rechecked	27
	New Turn on Accounts	110
Meter Tamper / Meter Missing	1	\$300.00

Phone Call Usage

CSR - Elaine

		Duration
Inbound	216	5:07:33
Outbound	87	2:03:54

CSR/Collections - Audrey

Inbound	151	3:35:05
Outbound	64	1:01:12
Collections - Cash Window#2		
Inbound	35	0:39:45
Outbound	2	0:14:07
Switch Board Operator x1101		
Inbound	114	0:57:20
Outbound	7	0:28:35
Total Town (Trunk Lines)		
Inbound	1,839	55:15:13
Outbound	850	38:29:30



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

BOARD ACTIONS REPORT - 2016

	October	Calendar Year to date
Town Council		
Rezoning	0	3
Conditional Use	2	11
Ordinance Amendment	0	0
Major Subdivisions	0	0
Annexations	0	0
Special Events	4	21
Planning Board		
Rezoning	1	3
Condition Use	1	12
Ordinance Amendment	0	0
Subdivisions	0	0
Annexations	0	0
Board of Adjustment		
Variance	0	3
Admin Appeal	0	0
Historic Properties Commission		
Certificate of Appropriateness	0	0
Historic Landmarks	0	0



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

Permit Issued for September 2016

		Permit Fees	Permits Issued
Site Plan	Minor Site Plan	275.00	5
Zoning	Land Use	1,000.00	10
Zoning	Sign	150.00	3
Total:		1,425.00	18
Fiscal YTD Total:		6,650.00	96

Z16-000134	Zoning	Land Use	TMobile antenna swap	2491 US Business 70 Highway East
Z16-000135	Zoning	Land Use	Quick Shirts, Inc.	729 North BRIGHTLEAF Blvd
SP16-000052	Site Plan	Minor Site Plan	remote parking lot	205 North FOURTH Street
SP16-000053	Site Plan	Minor Site Plan	Class A Manufactured Home	103 HILL Street
SP16-000054	Site Plan	Minor Site Plan	Boat Dock	1061 North LAKESIDE Drive
Z16-000136	Zoning	Land Use	Tortilleria y Taqueria Ramos	817 South BRIGHTLEAF Blvd
Z16-000137	Zoning	Land Use	Saddle Up Saloon	113 North BRIGHTLEAF Blvd
Z16-000138	Zoning	Land Use	Market Street Automotive	440 East MARKET Street
SP16-000055	Site Plan	Minor Site Plan	Construction Trailer	1000 East HUNTLEY Street
Z16-000139	Zoning	Land Use	Market Street Automotive	440 East MARKET Street
Z16-000140	Zoning	Sign	Market Street Automotive	440 East MARKET Street
Z16-000141	Zoning	Land Use	Fit 24 Gym	721 North BRIGHTLEAF Blvd
Z16-000142	Zoning	Land Use	260418-21-8136	447 Venture Drive
Z16-000143	Zoning	Land Use	Primary Health Choice, Inc.	839 South BRIGHTLEAF Blvd
Z16-000144	Zoning	Sign	Primary Health Choice, Inc.	839 South BRIGHTLEAF Blvd
SP16-000056	Site Plan	Minor Site Plan	Lampe & Malphus Q Building	210 North Tenth Street
Z16-000145	Zoning	Sign	Osborne Realty	115 North SECOND Street
SP16-000057	Site Plan	Minor Site Plan	Green Hill Baptist Church ADA	42 Green Hill Road
Z16-000146	Zoning	Land Use	Big Buddy, LLC	1652 BOOKER DAIRY Road



**TOWN OF SMITHFIELD
POLICE DEPARTMENT
MONTHLY REPORT
MONTH ENDING October 31, 2016**

I. STATISTICAL SECTION

Month Ending Oct. 31, 2015	Oct-16	Oct-15	Total 2016	Total 2015	YTD Difference
Calls For Service	1919	1665	17179	18572	-1393
Incident Reports Completed	192	181	1858	1770	80
Cases Closed	111	180	1459	1839	-380
Accident Reports	74	68	724	711	13
Arrest Reports	120	158	1324	1292	32
Burglaries Reported	13	11	132	85	47
Drug Charges	33	54	384	338	46
DWI Charges	11	04	91	85	6
Citations Issued	175	250	2013	2573	-560
Speeding	33	31	413	562	-149
No Operator License	38	69	425	637	-212
Registration Violations	12	41	143	347	-204

II. PERSONNEL UPDATE

The department currently has 3 vacant patrol officers positions. Two officers are in the solo phase of field training and will be released from field training shortly.

III. MISCELLANEOUS

The police department is assisting with the Race for Lace on November 12, 2016. The department will also have several patrol vehicles at the Touch A Truck event that his being sponsored by the Junior Women's League on November 12, 2016.

Officers provided extra patrols during Halloween Trick or Treat times. Officers handed out over 800 glow necklaces to children, as a safety item. The necklaces were purchased with drug forfeiture money.

Very busy month due to Hurricane Matthew and the Vehicle wreck on I-95. Officers with the department pulled together with other town departments and did an outstanding job during both incidents.

REPORTED UCR OFFENSES FOR THE MONTH OF OCTOBER 2016

PART I CRIMES	October	October	+/-	Percent	Year-To-Date		+/-	Percent
	2015	2016		Changed	2015	2016		Changed
MURDER	0	0	0	N.C.	1	0	-1	-100%
RAPE	0	0	0	N.C.	3	4	1	33%
ROBBERY	3	4	1	33%	18	10	-8	-44%
Commercial	2	3	1	50%	7	3	-4	-57%
Individual	1	1	0	0%	11	7	-4	-36%
ASSAULT	3	7	4	133%	54	49	-5	-9%
* VIOLENT *	6	11	5	83%	76	63	-13	-17%
BURGLARY	11	11	0	0%	81	127	46	57%
Residential	3	7	4	133%	53	65	12	23%
Non-Resident.	4	3	-1	-25%	17	23	6	35%
Commercial	4	1	-3	-75%	11	39	28	255%
LARCENY	56	59	3	5%	480	514	34	7%
AUTO THEFT	4	4	0	0%	14	22	8	57%
ARSON	0	1	1	N.C.	2	4	2	100%
* PROPERTY *	71	75	4	6%	577	667	90	16%
PART I TOTAL:	77	86	9	12%	653	730	77	12%
PART II CRIMES								
Drug	42	41	-1	-2%	321	381	60	19%
Assault Simple	14	7	-7	-50%	152	130	-22	-14%
Forgery/Counterfeit	1	1	0	0%	35	34	-1	-3%
Fraud	4	12	8	200%	102	79	-23	-23%
Embezzlement	0	1	1	N.C.	10	17	7	70%
Stolen Property	3	0	-3	-100%	16	11	-5	-31%
Vandalism	8	5	-3	-38%	72	79	7	10%
Weapons	4	2	-2	-50%	33	18	-15	-45%
Prostitution	0	0	0	N.C.	0	1	1	N.C.
All Other Sex Offens	0	3	3	N.C.	8	6	-2	-25%
Gambling	0	0	0	N.C.	0	0	0	N.C.
Offn Agnst Faml/Chld	1	1	0	0%	7	3	-4	-57%
D. W. I.	4	12	8	200%	83	88	5	6%
Liquor Law Violation	2	0	-2	-100%	12	15	3	25%
Disorderly Conduct	1	0	-1	-100%	10	13	3	30%
Obscenity	0	0	0	N.C.	2	1	-1	-50%
Kidnap	0	0	0	N.C.	0	2	2	N.C.
All Other Offenses	3	1	-2	-67%	55	62	7	13%
PART II TOTAL:	87	86	-1	-1%	918	940	22	2%
===== GRAND TOTAL:	164	172	8	5%	1571	1670	99	6%

N.C. = Not Calculable



Town of Smithfield
Fire Department
 October, 2016

I. Statistical Section

Responded to	2016 Oct.	2015 Oct.	2016 YTD	2015 YTD
Total Structure Fires Dispatched	12	7	78	82
Confirmed Structure Fires (Our District)	3	2	15	14
Confirmed Structure Fires (Other Districts)	2	2	9	11
EMS/Rescue Calls	198	120	1419	1118
Vehicle Fires	1	0	15	16
Motor Vehicle Accidents	25	12	165	139
Fire Alarms (Actual)	15	10	94	57
Fire Alarms (False)	16	10	98	120
Misc./Other Calls	54	25	277	173
Mutual Aid (Received)	14	7	93	86
Mutual Aid (Given)	10	5	60	51
Overlapping Calls (Calls at the same time)	145	15	372	171
TOTAL EMERGENCY RESPONSES	321 +74%	184	2146 +26%	1705

* Denotes breakdown of calls *

	Oct.	YTD
Fire Inspections/Compliance Inspections	39	274
Public Fire Education Programs	5	31
Children in Attendance	108	1806
Adults in Attendance	27	341
Plans Review Construction/Renovation Projects	0	10
Fire Code Citations	0	0
Fire Lane Citations	0	0
Consultation/Walk Through	10	109
Re-Inspections	17	127

II. Major Revenues

	Oct.	YTD
Inspections	\$1,100.00	\$13,000.00
False Alarms	\$225.00	\$4,925.00
Fire Recovery USA	\$5,225.03	\$24,706.03
EMS Debt Setoff	\$499.07	\$7,893.16

Major Expenses for the Month:

- Overtime due to Hurricane Matthew and the Haz-Mat incident on I-95
- Maintenance to emergency vehicles due to Hurricane Matthew.
- Fuel expenses due to both incidents.

III. Personnel Update:

- High call volumes on numerous days, resulting in 2nd and 3rd duty crews being activated, this has become a reoccurring event.

IV. Narrative of monthly departmental activities:

- We participated in several fire prevention programs throughout October; we were able to reach out to many children and adults through these visits. The following are the schools and businesses we able to reach out to: First Baptist Church, Johnston County homeschooled educators, Temple mothers of pre-school, Smithfield Head-start, Wilson's Mills Kindergarten, South-Smithfield Elementary.
- Due to Hurricane Matthew we responded to many calls throughout the storm and the aftermath of the flooding that came after. During this event we responded to 112 calls for emergencies, of those 44 were water rescues.
- Clayton Fire Dept. sent one crew (3 firefighters) to assist with damage assessments for three days.
- On Oct. 19th we responded to several motor vehicle accidents on I-95, one of them that involved hazardous materials, causing the evacuation of all citizens within a radius of an initial ½ mile. As the event lingered the radius was increased up to 3 miles.
- We are having an incident action report meeting; to be held at the Smithfield Fire Department training room on December 9th at 10:00 AM, to discuss the event and what our actions were and what can be improved on for future events.
- The Fire Dept. continues in preparations for the upcoming NCDOT ISO rating inspection, the inspection was cancelled due to Hurricane Matthew and as of now has not been rescheduled.

**Town of Smithfield
Public Works Department
Oct. 31, 2016**



246 Total Work Orders completed by the Public Works Department

4 Burials, at \$700.00 each = \$2,800.00

0 Cremation Burial, \$400.00 each = \$0

\$0 Sunset Cemetery Lot Sales

\$0 Riverside Extension Cemetery Lot Sales

384.16 tons of household waste collected

206 tons of yard waste collected

8.5 tons of recycling collected

36 Animal Control work orders completed

14 Cats transported to Animal Shelter

13 Dogs transported to Animal Shelter

Town of Smithfield
Public Works Appearance Division
Cemetery, Landscapes, and Grounds Maintenance
Buildings, Facilities, and Sign Division
Monthly Report
Oct. 31, 2016



I. Statistical Section

- 4 _____ Burials
- 6 _____ Works Orders – Buildings & Facilities Division
- 8 _____ Work Orders – Grounds Division
- 27 _____ Work Orders – Sign Division

II. Major Revenues

Sunset Cemetery Lot Sales:	\$0.00
Riverside Ext Cemetery Lot Sales:	\$0.00
Grave Opening Fees:	\$2,800.00
Total Revenue:	\$2,800.00

III. Major Expenses for the Month:

\$765.20 to McClung Electric for repairs to the flood lights at Town Hall flag pole and lights inside facility.

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

The overall duties include daily maintenance on cemeteries, landscapes, right-of-ways, buildings and facilities. The Public Works Department participated in the 2016 Flu Clinic held at SRAC on October 19, 2016. Lawrence Davis, Public Works Interim Crew Leader conducted the Public Works Safety meeting on "Personal Protective Equipment".

Town of Smithfield
Public Works Drainage/Street Division
Monthly Report
Oct. 31, 2016



I. Statistical Section

- a. All catch basins in problem areas were cleaned on a weekly basis
- b. Crews worked on Hurricane Matthew cleanup. See attached report.
- c. 1 Work Orders - 100 Linear Feet of ditches were cleaned
- d. 7 Work Orders –450lbs. of Cold Patch was used for 7 Potholes.
- e. 36 Work Orders were completed regarding Animal Control related issues.
14 Cats and 13 Dogs were transported to the Animal Control Shelter.

II. Major Revenues

None for the month

III. Major Expenses for the Month:

\$563.62 to Bullock Brothers for the purchase of 2 chain saws, \$2,111.93 to Public Works Equipment for repairs to the Jet Truck, \$2,850 to Hinton Construction for sidewalk repairs on S 3rd Street between Johnston and Church Street.

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

The Public Works Department participated in the 2016 Flu Clinic held at SRAC on October 19, 2016. Lawrence Davis, Public Works Interim Crew Leader conducted the Public Works Safety meeting on "Personal Protective Equipment".

**Town of Smithfield
Public Works Department
October 2016 Drainage Report**

Location: Woodsdale and Bookerdairy Road, Wellons and S 2nd, 7 B N Sussex Drive, 7th and Lee, Wellons and SBL, 406 Caswell Street, 5th and Dundee
 Starting Date: 10/4/2016
 Completion Date: 10/24/2016
 Description: Repaired 7 potholes with 7.5 bags of Perma Patch asphalt.
 Man-hours: 4.5hrs.
 Equipment: 401 pickup plus hand tools.
 Materials: 7.5 bags of Perma Patch Asphalt.

Location: East Smithfield, Furlong – MLK – E Lee – South and North Ave.
 Starting Date: 10/5/2016
 Completion Date: 10/5/2016
 Description: Assisted the Fire Dept. by painting fire hydrants.
 Man-hours: 11hrs.
 Equipment: 312 Sanitation truck.
 Materials: Paint provided by Fire Dept.

Location: 824 S 5th Street.
 Starting Date: 10/6/2016
 Completion Date: 10/6/2016
 Description: Cut 100LF of ditch bank for positive drainage. Placed 4 yards of rip rap rock to control erosion.
 Man-hours: 9hrs.
 Equipment: 420 Cat backhoe, 405 and 406 dump trucks.
 Materials: 4 yards of rip rap rock.

Location: Throughout City Limits (Hurricane Matthew clean up)
 Starting Date: 10/8/2016
 Completion Date: Continued to next month.
 Description: Removed down trees, blocked off roads due to flooding and culvert failure, removed debris. 216.9 tons of loose yard waste, 9.03 tons of construction debris and 137.32 tons of household waste was removed due to storm cleanup.
 Man-hours: 2,493.3 regular hours and 952.4 hrs. Over time.
 Equipment: 3 Knuckleboom loaders, 420 cat backhoe, 405 dump truck, 16ft dump trailer, Both department flatbed trucks and every available service truck in the department.
 Materials: N/A

Location: Outlet Center Drive, Hwy 70 at Yelverton Grove Road, 9th Street at Millies, Market Street and College Road.
 Starting Date: 10/19/2016
 Completion Date: 10/19/2016
 Description: Coned off roadways for police department due to wreck on I95 “chemical spill”.
 Man-hours: 5hrs.
 Equipment: 402 pickup with cone trailer.
 Materials: N/A

Location: SRAC, Smith Collins Park.
Starting Date: 10/21/2016
Completion Date: 10/24/2016
Description: Delivered cones and event containers for the Praise in the Park and the Harbor walk/run in her shoes events.
Man-hours: 3hrs.
Equipment: Trash truck and 402 pickup plus trailer.
Materials: N/A

**Town of Smithfield
Public Works Fleet Maintenance Division
Monthly Report
Oct. 31, 2016**



I. Statistical Section

- 1 Preventive Maintenances
- 0 North Carolina Inspections
- 20 Work Orders

II. Major Revenues

None for the month

III. Major Expenses for the Month:

None for the month

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

The shop employee performed preventive maintenances on all Town owned generators. The Public Works Department participated in the 2016 Flu Clinic held at SRAC on October 19, 2016. Lawrence Davis, Public Works Interim Crew Leader conducted the Public Works Safety meeting on "Personal Protective Equipment".

Town of Smithfield
Public Works Sanitation Division
Monthly Report
October 31, 2016



I. Statistical Section

The Division collected from approximately 4100 homes, 4 times during the month

- a. Sanitation forces completed 131 work orders
- b. Sanitation forces collected 384.16 tons of household waste
- c. Sanitation forces disposed of 103 loads of yard waste and debris at Spain Farms Nursery (89 loads were Hurricane Matthew related, and 14 loads were non storm related. Also, disposed of 23.63 tons of yard waste at the Jo Co Landfill
- d. Recycled 0 tons of clean wood waste (pallets) at Convenient Site Center
- e. Town's forces collected 3.11 tons of construction debris (C&D)
- f. Town disposed of 0 scrap tires that was collected at Convenient Site Center
- g. Recycling forces collected 5.50 tons of recyclable plastic
- h. Recycled 1360 lbs. of cardboard material from the Convenient Site Center
- i. A total of 0 gallons of cooking oil was collected at the Convenient Site Center
- j. Recycled 2580 lbs. of plastics & glass (co-mingle) from the Convenient Site Center

II. Major Revenues

- a. Received \$29.74 from Sonoco Products for cardboard material
- b. Sold 1360 lbs. of aluminum cans for \$408.00
- c. Sold 2660 lbs. of shredder steel for \$93.10 to Omni Source
- d. Sold 2440 lbs. of shredder sheet iron for \$85.40

III. Major Expenses for the Month:

Paid Carolina Freightliner of Raleigh \$573.43 and \$561.71 was paid to Cummings Atlantic for repairs on the Household Waste TK # 310. ERJ Hydraulics was paid \$680 for repairs to Knuckle Boom Loader #301. Fleet Pride was paid \$1,180.70 for repairs to Household Waste Truck #303. Petersen Industries, Inc. was paid \$2,312.44 for repairs were made to Knuckle Boom Loader # 313. American Tire Distributor was paid \$508.62 for tires for the recycling truck.

IV. Personnel Update:

Due to the lack of man power a temporary employee was hired.

V. Narrative of monthly departmental activities:

The department worked closely with Parks & Recreation and Downtown Development on providing traffic Control devices and event containers for Special events held at the Parks. The Public Works Department participated in the 2016 Flu Clinic held at SRAC on October 19, 2016. Lawrence Davis, Public Works Interim Crew Leader conducted the Public Works Safety meeting on "Personal Protective Equipment". In addition to the above tonnage; 216.9 tons of loose yard waste, 137.32 tons of household waste and 9.03 tons of C & D was collected and transported to the Jo Co Landfill from Hurricane Matthew Cleanup during the month of October.



**PARKS AND RECREATION
AND
SMITHFIELD RECREATION
AND AQUATICS CENTER**

MONTHLY REPORT FOR OCTOBER, 2016

PROGRAMS STATISTICS	OCTOBER 2016	16/17 FY YTD	OCTOBER 2015	15/16 FY YTD
NUMBER OF PROGRAMS	37	119	39	146
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	4194	20799	4829	23792
SRAC MEMBER VISITS	4287	21650	5062	23818
DAY PASSES	244	4183	359	4420
RENTALS (SRAC)	39	181	37	203
USERS (SRAC RENTALS)	2385	11774	1480	10559
PARKS RENTALS	22	100	13	155
USERS (PARKS RENTALS)	2120	6999	390	3740
TOTAL UNIQUE CONTACTS	13,230	65,405	12,120	66,329
FINANCIAL STATISTICS	OCTOBER 2016	16/17 FY YTD	OCTOBER 2015	15/16 FY YTD
PARKS AND RECREATION REVENUES	\$ 8,230.15	\$ 25,629.66	\$ 7,279.80	\$ 38,381.80
PARKS AND RECREATION EXPENDITURES (OPERATIONS)	\$ 59,738.97	\$ 216,005.47	\$ 52,712.63	\$ 203,717.41
PARKS AND RECREATION EXPENDITURE (CAPITAL OUTLAY EQUIP)	\$ -	\$ 31,259.04	\$ -	\$ -
SRAC REVENUES	\$ 46,467.10	\$ 231,745.85	\$ 49,568.52	\$ 239,407.06
SRAC EXPENDITURES	\$ 69,338.39	\$ 287,754.57	\$ 55,502.74	\$ 286,377.79
SRAC MEMBERSHIPS	2671			
HIGHLIGHTS	FINISHED FALL PROGRAMMING AND TRANSITIONED TO WINTER SPORTS / PROGRAMS HOSTED HALLOWEEN EGG HAUNT WITH 150 PARTICIPANTS			



- **Statistical Section**

- Electric CP Demand 18,733 Kw relative to September's demand of 27,091 Kw.
- Electric System Reliability for was 96.5474%, with one recorded outage, Hurricane Matthew; relative to September's 99.9728%.
- Raw water treated on a daily average was 3.325 MG relative to 3.552 MG for September; with maximum demand of 4.030 MG relative to September's 3.840 MG.
- Total finished water to the system was 91.294 MG relative to September's 94.562 MG. Average daily for the month was 2.945 MG relative to September's 3.050 MG. Daily maximum was 3.452 MG (October 9th) relative to September's 3.510 MG. Daily minimum was 2.450 MG (October 10th), relative to September's 2.450 MG.

- **Miscellaneous Revenues**

- Electrical sales were \$1,410,885 relative to September's sales of \$1,585,599
- Water sales were \$206,865 relative to September's \$220,008
- Sewer sales were \$286,737 relative to September's \$296,251
- Johnston County Water purchases were \$68,803 for 45.869 MG relative to September's \$89,628 for 59.752 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$885,714 relative to September's \$1,153,696
- Johnston County sewer charge was \$166,328 for 56.017 MG relative to September's \$160,354 for 53.897 MG.

- **Personnel Changes**

- Russell Renfrow was hired as a Water Plant Mechanic and began employment on October 3, 2016.
- Michael Carpenter was hired as a Utility Line Mechanic and began employment on October 31, 2016.
- Paul Alday was separated from employment as Water Operator III on October 11, 2016



**Town of Smithfield
Electric Department
Monthly Report
October, 2016**

I. Statistical Section

- Street Lights repaired -32
- Area Lights repaired -20
- Service calls - 96
- Underground Electric Locates -121
- Poles changed out or installed -1
- Underground Services Installed/Repaired -1

II. Major Revenues

- N/A

III. Major Expenses for the Month:

- N/A

IV. Personnel Update:

- Utility Dept. had a Safety meeting on Emergency/Disaster Preparedness.

V. Miscellaneous Activities:

- Continuing to cutting Right-of-Way along Power Line & Water/Sewer ROW.
- Completed installing lights for Tree Scape Project along Market Street.
- Helped the Street Dept. remove Flags along Market Street.
- Storm Matthew knocked out power to approximately 3800 Town of Smithfield customers for approximately 32 hours due to a tree falling on Duke Energy's Transmission circuit that feeds the Hospital Road Substation.
- Helped Meter Dept. with turn on & turn off.
- Install new transformer bank & service for new Advance Auto Store at 110 N. Brightleaf Blvd.



WATER & SEWER OCTOBER 2016 MONTHLY REPORT

● DISCONNECT WATER	9
● RECONNECT WATER	17
● TEMPORARY METER SET	2
● DISCOLORED WATER CALLS	6
● LOW PRESSURE CALLS	5
● NEW SERVICE INSTALLS	3
● LEAK DETECTION	19
● METER CHECKS	13
● METER REPAIRS	6
● WATER MAIN REPAIRS	8
● STREET CUTS	2
● REPLACE EXISTING METERS	9
● INSTALL NEW METERS	1
● FIRE HYDRANTS REPAIRED	2
● FIRE HYDRANTS REPLACED	2
● SEWER REPAIRS	16
● CLEANOUTS INSTALLED	5
● SEWER MAIN CLEANED	4650LF
● SERVICE LATERALS CLEANED	555LF
● SERVICE CALLS	136
● LOCATES	117
● FLUSHED ALL DEAD END LINES ONE TIME	

- FLUSHED ALL HYDRANTS ON HYDRANT LIST
- SERVICE AND MAINTAINED ALL 18 LIFT STATIONS 3 TIMES PER WEEK
- INSPECTED ALL AERIAL SEWERS ONE TIME
- INSTALLED TWO AUTOMATIC FLUSHERS IN SMITHFIELD SOUTH WATER DISTRICT

MAJOR EXPENSES FOR THE MONTH

- Hurricane Matthew clean up. Replacement of pumps at SLS#1, Pump and starter for SLS#18.
- Purchase 1 new chainsaw, 2 new pipe saws, and 2000w generator for camera trailer.
- Purchase new cables and wires for the Sanitary Sewer Camera.
- Purchase new electronics for SLS#4, #7, #12, and #8 from T3 Automation.
- First invoice for new AMI project.

PERSONEL UPDATES

- Pat and Ted took exams for certification.
- Finished interviews for the Utility Mechanic position, hired Michael Carpenter, his start date was October 31, 2016.

UP COMING PROJECTS FOR THE MONTH OF NOVEMBER

- Collecting bids and beginning the construction process to replace SLS#7 due to being destroyed by Hurricane Matthew.
- INSTALL SECURITY FENCING AROUND 3 LIFT STATIONS AND 1 WATER TOWER
- PREPARING TO START THE AMI PROCESS

- Collecting bids and beginning construction on SLS#12 and force main replacement.
- REMOVE VALVE AT JONES BROTHERS TANK (RD BRASWELLS)
- SEWER MANHOLE SURVEY TO START (HYDROSTRUCTURES)
- SLS#3 RETRO FIT BEGINS



MONTHLY WATER LOSS REPORT

OCTOBER 2016

(2) 3/4" LINE-1/8" HOLE- 3 DAYS

3/4" LINE-1/8"HOLE-1 DAYS

3/4" LINE – 1/8" HOLE – 5 DAYS

1"LINE- 1/8"HOLE – 4 HRS

2" LINE- 1/16"HOLE – 2 DAYS

6" LINE- 4" SPLIT-15MINS

(2) FIRE HYDRANTS LEAKING – 1 DAY

1"LINE- 1/8"HOLE – 2DAYS

Smithfield Water Plant
Distribution Sampling Site Plan

Hydrant Flushing

Street Name	Date	Chlorine	Time	Gallons	Psi	Street Name	Date	Chlorine	Time	Gallons	PSI
Stephson Drive	10/26/16	3	15	5310	10	North Street	10/19/16	4	15	15930	
Computer Drive	10/26/16	3	15	5310	10	West Street	10/17/16	4	15	17620	50
Castle Drive	10/27/16	3.4	15	5310	10	Regency Drive	10/17/16	1	30	39000	60
Parkway Drive	10/25/16	1.8	15	15930	40	Randers Court	10/19/16	1	30	31860	40
Garner Drive	10/26/16	2.6	15	7965		Noble Street	10/19/16	1	30	15840	
Hwy 210 LIFT ST.	10/27/16	3.4	15	7965		Fieldale Dr#1(L)	10/19/16	1	15	15930	40
Skyland Drive	10/27/16	3.2	15	5310	10	Fieldale Dr#2(R)	10/19/16	1	15	15930	40
Braford Street	10/25/16	1.3	30	7965		Heather Court	10/19/16	1	15	7965	40
Kellie Drive	10/20/16	1.4	30	15390		Reeding Place	10/19/16	1	15	7965	40
Edgewater	10/25/16	1.4	15	15390		East Street	10/17/16	4	15	15930	40
Edgecombe	10/25/16	1.4	15	159480	40	Smith Street	10/17/16	3.8	15	15930	
Valley Wood	10/26/16	1.3	15	15930	40	Wellons Street	10/17/16	4	15	15930	40
Creek Wood	10/26/16	1.3	15	15930		Kay Drive	10/13/16	1.5	15	9750	15
White Oak Drive	10/25/16	1	30	10620	10	Huntington Place	10/13/16	2	15	10095	
Brookwood Drive	10/25/16	1	15	5655	5	N. Lakeside Drive	10/13/16	2	15	9435	15
Runnymede Place	10/25/16	1	15	5310	10	Cypress Point	10/13/16	2	15	8715	12
Nottingham Place	10/25/16	1	15	5310	10	Quail Run	10/13/16	1	15	10095	
Heritage Drive	10/26/16	1	30	10620	10	British Court	10/13/16	2	15	11550	
Noble Plaza #1	10/28/16	1	30	10620	10	Tyler Street	10/13/16	2	15	19500	60
Noble Plaza #2	10/25/16	1	30	10620	10	Yelverton Road	10/24/16	3	15	15930	40
Pinecrest Street	10/26/16	1	15	5310	10	Ava Gardner	10/25/16	0.1	120	191960	
S. Sussex Drive	10/25/16	2.2	15	7965		Waddell Drive	10/24/16	1	15	5310	10
Elm Drive	10/20/16	3	15	5310	10	Henly Place	10/24/16	1.7	15	8715	12
Braford Street	10/20/16	1.3	30	15930		Birch Street	10/24/16	3	15	8715	12
Coor Farm Supply	10/26/16	2.8	15	5080		Pine Street	10/24/16	3	15	9750	15
Old Goldsboro Rd,	10/26/16	1.5	30	21240		Oak Drive	10/24/16	3	15	9430	14
Hillcrest Drive	10/19/16	4	15	10620	10	Cedar Drive	10/24/16	2	15	5310	10
Eason Street	10/19/16	1	15	15930	40	Aspen Drive	10/24/16	2	15	8715	12
Magnolia circle	10/19/16	1.5	15	7965		Furlonge Street	10/24/16	3	15	8715	12
Rainbow Drive	10/17/16	2.4	15	19500	60	Golden Corral	10/24/16	3	15	10080	16
Rainbow Circle	10/17/16	2.2	15	19500	60	Holland Drive	10/24/16	2	15	9750	15
Moonbeam Circle	10/17/16	2.2	15	19500	60	Davis Street	10/24/16	3.5	15	8715	12
Ray Drive	10/19/16	1.6	15	31860	40	Caroline Ave.	10/24/16	3.5	15	5310	10
Will Drive	10/19/16	1.8	15	31860	40	Johnston Street	10/24/16	3.5	15	7965	15
Michael Lane	10/17/16	4	15	7965	40	Ryans	10/25/16	0.1	120	127440	
Ward Street	10/17/16	4	15	15930	40						

**Town of Smithfield
Water Treatment Plant**

All figures are in MGD.

**Oct-16
Plant Totals**

Date	Rate of Flow	Hrs. Operated	Raw Treated	Finish Metered	Plant Useage	Finish to Dist. System	% of RAW TREATED TO SYSTEM
1	3.50	21.0	3.160	3.000	0.1130	2.887	91.36
2	3.50	21.5	3.170	2.920	0.1160	2.804	88.45
3	3.50	24.0	3.530	3.260	0.1180	3.142	89.01
4	3.50	22.0	3.280	3.180	0.1170	3.063	93.38
5	3.50	24.0	3.520	3.260	0.1190	3.141	89.23
6	3.50	20.5	3.140	2.810	0.1160	2.694	85.80
7	3.50	24.0	3.530	3.340	0.1220	3.218	91.16
8	3.50	24.0	3.520	3.170	0.1190	3.051	86.68
9	4.00	24.0	4.030	3.580	0.1280	3.452	85.66
10	4.00	22.0	3.440	2.460	0.1090	2.351	68.34
11	3.50	24.0	3.510	3.060	0.1180	2.942	83.82
12	3.50	20.5	2.990	2.850	0.1160	2.734	91.44
13	3.50	21.5	3.150	2.710	0.1140	2.596	82.41
14	3.50	22.5	3.240	2.800	0.1140	2.686	82.90
15	3.50	19.0	2.850	2.650	0.1150	2.535	88.95
16	3.50	23.0	3.370	2.940	0.1160	2.824	83.80
17	3.50	21.5	3.230	2.990	0.1170	2.873	88.95
18	3.50	23.0	3.400	3.280	0.1210	3.159	92.91
19	3.50	23.5	3.410	2.850	0.1160	2.734	80.18
20	3.50	22.0	3.200	3.170	0.1210	3.049	95.28
21	3.50	24.0	3.490	3.180	0.1220	3.058	87.62
22	3.50	23.0	3.340	3.080	0.1190	2.961	88.65
23	3.50	23.0	3.300	3.160	0.1210	3.039	92.09
24	3.50	23.5	3.460	3.390	0.1210	3.269	94.48
25	3.50	22.0	3.240	3.060	0.1180	2.942	90.80
26	3.50	23.0	3.300	3.270	0.1230	3.147	95.36
27	3.50	23.0	3.340	3.200	0.1180	3.082	92.28
28	3.50	23.0	3.310	3.200	0.1180	3.082	93.11
29	3.50	22.5	3.250	3.130	0.1160	3.014	92.74
30	3.50	21.0	3.090	2.940	0.1150	2.825	91.42
31	3.50	23.0	3.300	3.060	0.1200	2.940	89.09
Total	109.50	698.5	103.090	94.950	3.656	91.294	88.56
Avg	3.53	22.5	3.325	3.063	0.118	2.945	
Max	4.00	24.0	4.030	3.580	0.128	3.452	
Min	3.50	19.0	2.850	2.460	0.109	2.351	