



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 L. Scott

Finance Director

Greg Siler

Town Clerk

Shannan Williams

Town Council

Agenda

Packet

Meeting Date: Tuesday, April 4, 2017

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 APRIL 4, 2017
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

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Presentations

- 1. Proclamation: Recognizing April 18th as Electrical Lineman Appreciation Day**
(Mayor – M. Andy Moore) See attached information.....1
- 2. Administering Oath of Office to Police Patrol Captain James Grady**
(Mayor – M. Andy Moore) See attached information.....3

Public Hearings

- 1. Conditional Use Permit Request – CUP-17-02 Linda Caulder:** The applicant is requesting a conditional use permit to allow for a private nightclub on a .46 acre tract of land located within a B-2 (Business) zoning district. The property considered for approval is located on the west side of the North Brightleaf Boulevard approximately 260 feet north of its intersection with East Market Street. The property is further identified as Johnston County Tax ID# 15022007.
(Planning Director – Paul Emblar) See attached information.....7
- 2. Zoning Text Amendment Request – ZA-17-02 Rob’s Hydraulics:** The applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance, Article 10, Table of Permitted Uses to allow for contractors with equipment yards as an administratively approved use by right within the B-3 (Highway Entrance Business) and LI (Light Industrial) zoning districts.
(Planning Director – Paul Emblar) See attached information.....39

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1. **Approval of Minutes:** March 7, 2017 – Regular Meeting
March 7, 2017 – Closed Session
(Under Separate Cover).....43

2. **Special Event: Tent Revival** – The applicant, Greater Vision Worship Center, is seeking approval to conduct its annual tent revival to be held June 18th -24th from 6:30 pm until 9:30 pm at the church located at 720 2nd Avenue.
(Planning Director – Paul Emblar) See attached information.....63

3. **Special Event: Tent Revival** – The applicant, Blessed By God Ministries, is seeking approval to conduct a tent revival to be held on April 26th -28th from 7:30 pm – 10:00 pm at the church located at 906 Blount St. Smithfield.
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4. **Special Event: DSDC Events**
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5. **Promotion** – Consideration and approval for a promotion once a new Captain has been selected in the Fire Department.
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6. **Promotion** – Consideration and approval for a promotion once a new Engineer has been selected in the Fire Department
(Fire Chief – John Blanton) See attached information.....85

7. **Consideration and Approval of the NCEMPA REPS Service agreement**
(Public Utilities Director – Ted Credle) See attached information.....87

8. **Advisory Board Appointments**
 - a) Carter Rabil has submitted an application for consideration to be appointed to a first term on the Appearance Commission.
 - b) Carter Rabil has submitted an application for consideration to be appointed to a first term on the Historic Properties Commission.
 - c) David Johnson has submitted an application for consideration to be appointed to a first term on the Board of Adjustments as an in-town resident.
(Town Clerk – Shannan Williams) See attached information.....95

9. **New Hire Report**
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(Public Works Director – Lenny Branch) See attached information.....103

2. Consideration and Approval of Various Budget Amendments
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3. Discussion Concerning Lake Park Circle
(Town Manager – Michael Scott) See attached information.....111

4. Discussion Concerning Property Code Violations
(Town Manager – Michael Scott & Planning Director Paul Emblar).....121
See attached information

Councilmember’s Comments

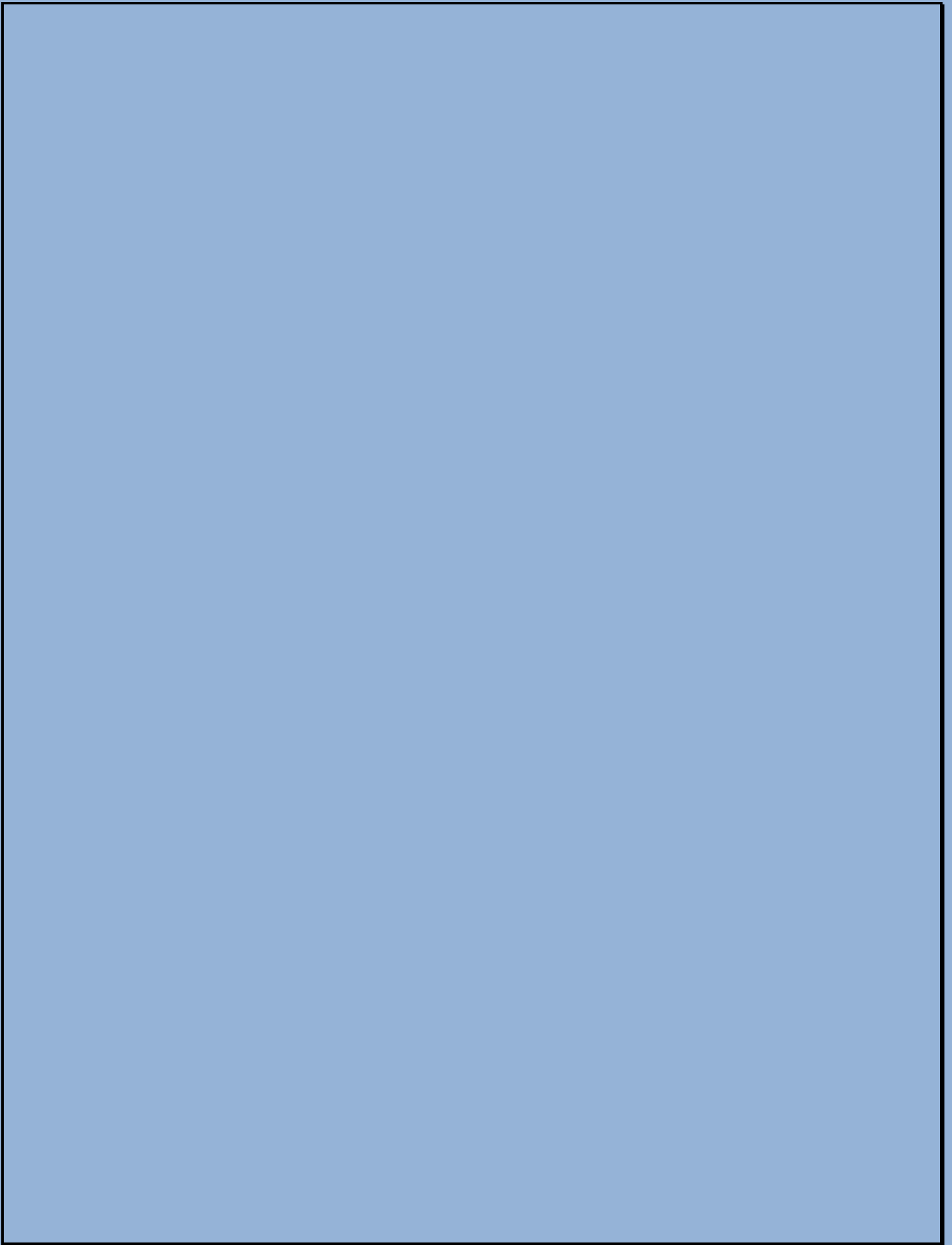
Town Manager’s Report

- Financial Report (See attached information).....125
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- Manager’s Report (Will be provided at the meeting)

Closed Session: Pursuant to NCGS 143.318.11 (a)(5) to discuss property acquisition with the Town Attorney.

Recess: Will recess until the first budget meeting to be determined by the Town Council.

Presentations



PROCLAMATION
ELECTRICAL LINEMEN APPRECIATION DAY
APRIL 18, 2017

Whereas, the Town of Smithfield honors the profession of linemen, as this profession is steeped in personal, family and professional tradition; and

Whereas, electrical linemen are often first responders during storms and other catastrophic events, working to repair broken lines to make the scene safe for the citizens of the Town of Smithfield; as well as, other public safety workers; and

Whereas, electrical linemen work on the Town of Smithfield power lines 24 hours a day, 365 days a year, to keep the electricity flowing; and

Whereas, due to the danger of their work with thousands of volts of electricity high atop power lines, these linemen put their lives at risk every day for the citizens of the Town of Smithfield; and

Whereas, the U.S. Senate in 2013 first recognized the efforts of electrical linemen in keeping the power on and protecting public safety, and has designated the celebration of a National Linemen Appreciation Day.

Now, Therefore, I, M. Andy Moore Mayor of the Town of Smithfield along with the members of the Town Council, do hereby proclaim April 18, 2017 as "Electrical Linemen Appreciation Day"; and we call upon the citizens of the Town of Smithfield to recognize and appreciate the hard work, innovation and dedication that these public servants make every day to our health, safety, comfort, and quality of life.

Proclaimed this the 4th day of April 2017.



M. Andy Moore, Mayor

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the Town of Smithfield on this Fourth day of April in the year of our Lord Two Thousand Seventeen.



Request for City Council Action

**Business
Agenda
Item:** **Police
Promotion**
Date: 04/04/2017

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

Issue Statement

The Police Department has recently promoted James Grady to the position of Patrol Captain supervising the Patrol Division and School Resource Officers. Captain Grady has been a member of the Smithfield Police Department for over 18 years. Captain Grady has served the agency as lieutenant for the last 15 years. Captain Grady has overseen the Field Training Program and taken care of Wrecker Rotation.

Financial Impact

Captain Grady will receive a 5% increase in pay due to the promotion. The increase in pay was approved by Council and will be covered by the current budget.

Action Needed

Administer Oath of Office to James Grady as the new Patrol Captain for the Smithfield Police Department.

Recommendation

James Grady to be sworn in as the new Patrol Captain for the Smithfield Police Department.

Approved: City Manager City Attorney

Attachments:

1. Memo to all personnel
2. Oath of Office



OATH OF OFFICE

POLICE CAPTAIN

SMITHFIELD POLICE DEPARTMENT

"I, James Grady, 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."

James Grady

Date

*Oath administered this the
4th day of April, 2017*

M. Andy Moore, Mayor





SMITHFIELD POLICE DEPARTMENT

110 S. Fifth Street • Smithfield, NC 27577
Phone: (919) 934-2121 • Fax: (919) 934-0223

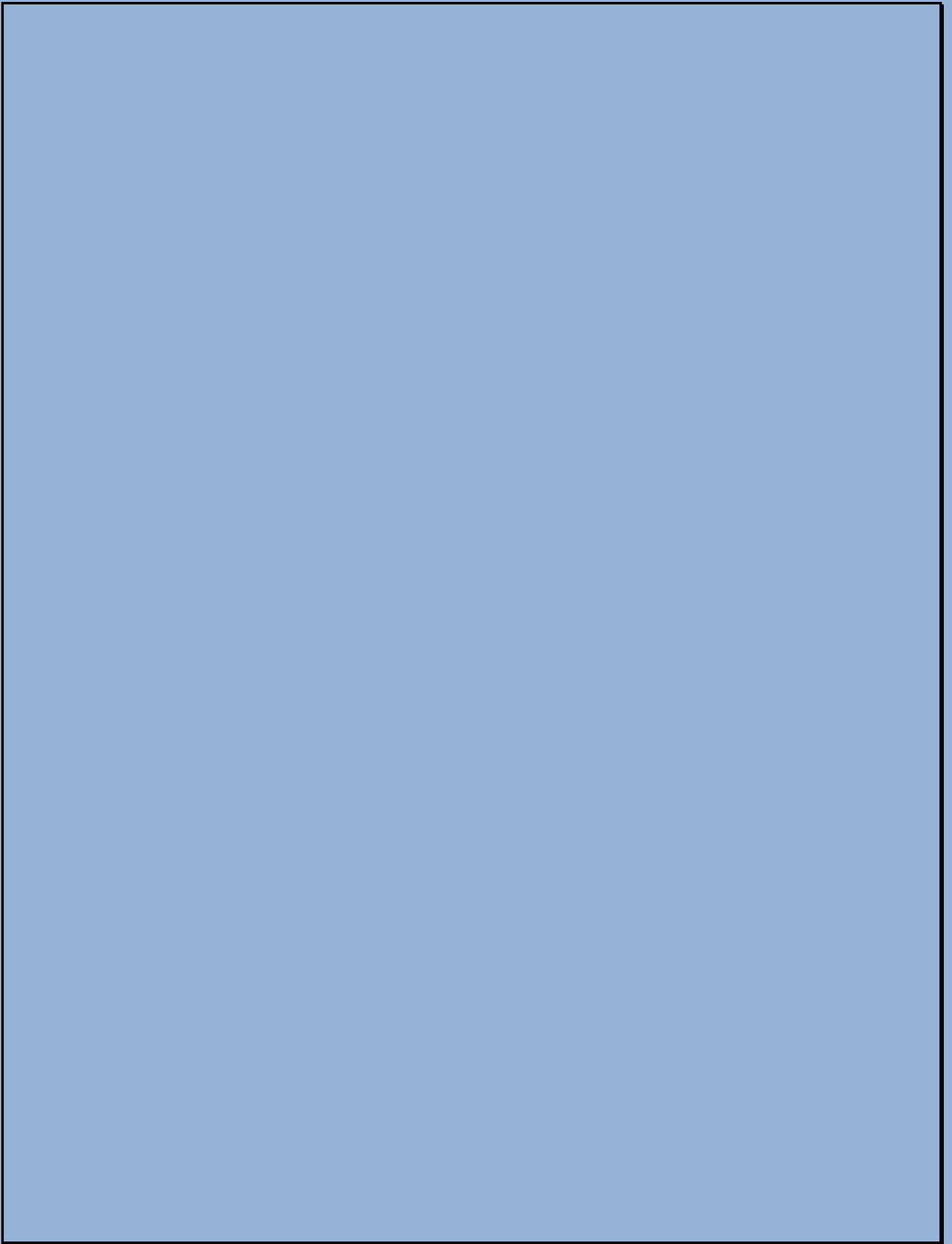
To: All Personnel
From: Robert K. Powell, Chief of Police
Subject: Captain Promotion
Date: March 3, 2017

Effective Monday, March 20, Lieutenant James Grady will be promoted to the rank of Captain with the Smithfield Police Department. Captain Grady has been a dedicated member of the Smithfield Police Department since June 3, 1998. He has held the ranks of Patrol Sergeant and Patrol Lieutenant for the last 15 years. Captain Grady has attained the Advanced Law Enforcement Certification from the North Carolina Law Enforcement Training and Standards Commission . He also completed the Management Development Program in 2007.

The Smithfield Police Department is honored to be able to make such an announcement regarding one of its long term, dedicated police officers. Please join me in congratulating him on this much deserved promotion.

Smithfield, North Carolina • The Heart of Johnston County Since 1777

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-17-02
Project Name: Saddle Up Saloon
TAX ID number: 15022007
Town Limits/ETJ: City
Applicant: Linda M. Caulder
Owners: Bon-RIC LLP
Agents: none
Neighborhood Meeting: none

PROJECT LOCATION: West side of the North Brightleaf Boulevard approximately 260 feet north of its intersection with East Market Street.

REQUEST: The applicant is requesting a conditional use permit to allow for a private club on a .46 acre tract of land located within a B-2 (Business) zoning district.

SITE DATA:

Acreage: .46 acres
Present Zoning: B-2 (Business)
Proposed Zoning: N/A
Existing Use / Previous: Existing establishment with approved ABC permits for beer and wine sales.

DEVELOPMENT DATA: The property is the former home of Betty's Bar and has been in continuous operation as a bar for many years. The new owner is seeking to expand the business to include mixed drinks by the glass without prepared food service. North Carolina Alcohol and Beverage Control can issue full ABC permits if the establishment is a private club with membership requirements.

The Town of Smithfield Unified Development, Article 10, Table of Permitted Uses has identified private clubs as a permitted use within the B-2 (Business) zoning district with a valid Conditional Use Permit issued by Town Council. The request for a private club also represents a change of use and triggers full compliance with the Town of Smithfield Unified Development Ordinance to include on-site parking, landscaping and buffering from adjacent residential land uses. A site plan has been submitted showing the site coming into compliance as much as is practical with current development regulation and includes a paved parking lot with 30 parking spaces. Landscaping includes a buffer consisting of a solid fence and plant material. The applicant has not submitted building elevations or stated any intent to modernize the front building façade.

Proposed Use: Private club with full service ABC permits.

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:	B-2(Business)
	Existing Use:	Commercial / Single family dwelling
South:	Zoning:	B-2 (Business)
	Existing Use:	Vacant
East:	Zoning:	B-2 (Business)
	Existing Use:	Automotive parts sales
West:	Zoning:	B-2 (Business)
	Existing Use:	Convenience store with fuel

- **Consistency with the Strategic Growth Plan**

The proposed private club is consistent with the recommendations of the Comprehensive Growth Management Plan which calls for commercial uses near the intersection of Brightleaf Boulevard and Market Street.

- **Consistency with the Unified Development Code**

Private clubs are permitted uses within the B-2 (Business) zoning district with a valid conditional use permit. On-site parking with landscaping and an approved NCDOT driveway will need to be constructed prior to operation as private club.

- **Compatibility with Surrounding Land Uses**

A private club at this location should not pose a compatibility issue with surrounding land uses providing required on-site parking is constructed and required landscaping and buffers are installed as per the Town of Smithfield Unified Development Ordinance.

- **Signs**

The proposed night club will qualify for a wall sign on the Brightleaf Boulevard building elevation.

OTHER:

FIRE PROTECTION: Town of Smithfield

SCHOOL IMPACTS: NA

PARKS AND RECREATION: NA

ACCESS/STREETS: North 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 a private club providing the a site plan showing adequate on-site parking, landscaping and buffering is approved and constructed prior to operating as a private club.

Planning Board Recommendations:

The Planning Board, at its March 2, 2017 meeting, unanimously voted to recommend approval of the request for a conditional use permit to allow for a private club on property located within a B-2 (Business) zoning district.

Town Council Action Requested:

The Smithfield Town Council is requested to review the petition for a private club within a B-2 (Business) zoning district and make a decision in accordance with the finding of fact for a conditional use permit.



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: Saddle Up Saloon Acreage of Property: .463
 Parcel ID Number: 69419-60-4983 Tax ID: 600800713 15022007
 Deed Book: 01898 Deed Page(s): 0248
 Address: 113 N. Briantleaf Blvd Smithfield NC 27577
 Location: acrossed from Advance Auto
next door to City Barber Shop
 Existing Use: Beer + Wine Proposed Use: Mixed Beverage
 Existing Zoning District: B-2 (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): Entry Corridor

FOR OFFICE USE ONLY

File Number: CUP-17-02 Date Received: 1/5/17 Amount Paid: 300.00

OWNER INFORMATION:

Name: Linda M. Caulder
Mailing Address: 707 Garner Rd.
Phone Number: 919 333 5890 Fax: N/A
Email Address: caulderlinda@yahoo.com

APPLICANT INFORMATION:

Applicant: Linda Caulder
Mailing Address: 707 Garner Rd
Phone Number: 919 333 5890 Fax: N/A
Contact Person: _____
Email Address: caulderlinda@yahoo.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 Saddle Up Saloon has already been registered as a private club with the ABC Commission and have met all requirements for a private club, which include:
private membership - application on file.
completed the Alcohol Training program w/ ABC
obtained ~~to~~ a certificate of compliance from ABC
all government, local & State requirement have been met, and the fire marshal, town inspection office, and Chief of Smithfield Police have already signed off in acceptance to my request of a mixed Beverage license to accompany my malt beverage & wine license

#300 check

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;

I do not intend to cause damage or obstruction surrounding businesses. I have made several improvements on the exterior of the building as well as within, and this property is no longer an eyesore.

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

I have met all required conditions & specifications requested of me by local, government, county organizations.

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

all the properties is fenced off around the rear of the building, and there is no exit from the rear of this location either.

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).

Saddle Up Saloon is a bar that is going to attract a mature clientele with a rustic atmosphere with no intentions of being a "club" atmosphere.

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.

Linda Caulder
Print Name

Linda Caulder
Signature of Applicant

12-22-2016
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: Saddle Up Saloon Submittal Date: 12-22-2016

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.

Linda Caulder Linda Caulder 12-22-2016
 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.

DR Godwin DAVID RICKY GODWIN 12/28/16
 Signature of Owner/Applicant Print Name Date

FOR OFFICE USE ONLY

File Number: CV-17-02 Date Received: 1/5/17 Parcel ID Number: 169419-60-4983

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

Application Number: CUP-17-02 **Name:** Saddle Up Saloon

Request: Applicant seeks a CUP for a private club on property located within a B-2 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.

A private club at this location should not material endanger the public health, welfare and safety providing adequate on-site parking is made available behind the principle structure. Assembly and parking between the front of the building and the right-of-way will be eliminated and safety margins maintained through the reduction of impervious surfaces and the planting of a landscaped street yard adjacent to North Brightleaf Boulevard.

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.)

A private club at this location will material endanger the public health, welfare and safety due to the building being in such close proximity to the right-of-way of North Brightleaf Boulevard and that no assurance can be given that an assembly of people will not gather so close to such a busy corridor.

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.

A private club at this location is considered a change in use and requires the site to come into compliance with current development standards as much as practical. The site plan as proposed will meet current minimum parking standards and will provide transition and street yards as required by the Town of Smithfield Unified Development ordinance.

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:

A private club at this location meets minimum on-site parking requirements. However, if for any reason additional parking is needed, none will be available to include on-street parking along North Brightleaf Boulevard. Reduced buffer yards between the proposed private club and the residential properties to the north are inadequate and fail to meet minimum standards designed to reduce negative impacts on adjacent residential land uses. The reduced driveway width between the building and adjacent property to the south will cause access issues to and from the subject site.

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.

A private club at this location will not substantially injure the value of adjacent properties providing the building and property is rehabilitated and brought to current development standards as much practical.

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.

A private nightclub at this location is an increase in intensity of use from its current use of bar. The proposed use will not be compatible with the changing conditions near the intersection of Brightleaf Boulevard and Market Street. A private club at this location will cause adjacent residential properties to be seen as less desirable to potential buyers.

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.

A private club at this location will not adversely affect any adopted plans or policies of the Town of Smithfield and a comprehensive rehabilitation of the site will bring additional needed improvements near the intersection of Brightleaf Boulevard and Market Street.

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.)

A private club at this location will violate the character of existing standards for development of the adjacent properties and create negative impacts on nearby properties through additional traffic and congestion on a heavily traveled commercial corridor.

4. 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-17-02*

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-17-02 for the following stated reason:*

5. Record of Decision:

Based on a motion and majority vote of the Town of Town Council for the Conditional Use Permit Application Number CUP-17-02 is hereby:

_____ approved upon acceptance and conformity with the following conditions; or,

_____ denied 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, March 2, 2017
6:00 P.M., Town Hall, Council Room

Members Present:

Chairman-Eddie Foy
Vice-Chairman Stephen Upton
Mark Lane
Daniel Sanders
Gerald Joyner
Teresa Daughtry
Jack Matthews
Ashley Spain

Members Absent:

Staff Present:

Mark Helmer, Senior Planner
Veronica Hardaway, Deputy Clerk

Staff Absent:

CALL TO ORDER

APPROVAL OF MINUTES FROM FEBRUARY 2, 2017.

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

Mr. Upton reminded the Board the next Town Council meeting will be held March 7, 2017 at 7:00pm.

Public Hearings:

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

CUP-17-02 Linda Caulder:

Teresa Daughtry recused herself from this public hearing.

Mr. Helmer stated the applicant is requesting a conditional use permit to allow for a private nightclub on a .46 acre tract of land located within a B-2 (Business) zoning district. The property considered for approval is located on the west side of North Brightleaf Boulevard approximately 260 feet north of its intersection with East Market Street. The property is further identified as Johnston County Tax ID# 15022007.

Mr. Helmer stated the property is the former home of Betty's Bar and has been in continuous operation as a bar for many years. The new owner is seeking to expand the business to include mixed drinks by the glass without prepared food service. North Carolina Alcohol and Beverage Control can issue full ABC permits if the establishment is a private club with membership

requirements. The Town of Smithfield Unified Development, Article 10, Table of Permitted Uses has identified private clubs as a permitted use within the B-2 (Business) zoning district with a valid Conditional Use Permit issued by Town Council. The request for a private club also represents a change of use and triggers full compliance with the Town of Smithfield UDO to include on-site parking, landscaping and buffering from adjacent residential land uses. It is recommended that a site plan showing the parking layout and landscaping be reviewed by the Planning Board prior to forwarding a favorable recommendation to Town Council. There does not appear to be environmentally sensitive areas on the property considered for a Conditional Use Permit to include flood plains or designated wetlands.

Mr. Helmer stated the proposed private club is consistent with the recommendations of the Comprehensive Growth Management Plan which calls for commercial uses near the intersection of Brightleaf Boulevard and Market Street. Private clubs are permitted uses within a B-2 (Business) zoning district with a valid conditional use permit. On-site parking with landscaping and NCDOT driveway permits will need to be constructed prior to operation. A private club at this location should not pose a compatibility issue with surrounding land uses providing required on-site parking is constructed and required landscaping and buffers are installed as per the Town of Smithfield UDO. The proposed night club will qualify for a wall sign on the Brightleaf Boulevard building elevation. The Town of Smithfield will provide fire protection, water/sewer, and electric services.

Mr. Helmer informed the Board the applicant has submitted a site plan.

The Planning Department recommends approval of the request for a conditional use permit to allow for a private club providing a site plan showing adequate on-site parking, landscaping and buffering is approved and constructed prior to operating as a private club.

The Planning Board is requested to review the petition for a private club within a B-2 (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.

Mark Lane asked if the applicant would be able to benefit from the new landscaping requirements.

Mr. Helmer stated at this time the plan would have to be approved according to the current ordinance.

Mark Lane expressed the current ordinance is shows landscaping to be cluttered.

Mr. Helmer stated that for this proposed plan the ordinance is asking for 1 tree and 20 shrubs which would not overwhelm the yard.

Eddie Foy asked if the UDO committee is considering reducing landscape requirements.

Mr. Helmer stated yes.

Daniel Sanders asked if shrubs will be planted along the 24ft driveway.

Mr. Helmer stated yes.

Mr. Upton asked if two cars would fit down the driveway.

Mr. Helmer stated it will be a tight fit, but would be able to be done.

Daniel Sanders asked how parking will be in front of the building.

Mr. Helmer stated the concrete in front of the building will be removed and replaced with landscaping.

Mr. Upton asked what the hours of operation will be.

Linda Caulder, 707 Garner Road, stated the hours of operation would be Sunday – Tuesday from 12pm-12am; Wednesday – Friday 12pm-2am.

Ashley Spain asked if the applicant would have to provide the full buffer amount.

Mr. Helmer stated the applicant will not have to be able to provide a full buffer as the side yard tapers down from 8ft to 5ft but a privacy fence is proposed in addition to the required plant material.

Mark Lane expressed that the adjacent vacant lot could benefit off of the applicants buffer.

Daniel Sanders asked about open container laws.

Ms. Caulder stated she is well aware of the open container laws. She stated she will not allow anyone out front or around the sides of the building visible to the public with open containers however, she did state there is a covered back patio where patrons can only smoke as she prohibits alcohol out there as well.

Mr. Helmer asked if there will be any offsite sales.

Ms. Caulder stated no.

Eddie Foy asked what the membership process is.

Ms. Caulder stated in order to be considered a private club it's the law that if you don't have a kitchen serving food it has to be private. She stated in order to be private you have to be a

member's only club, but she does not charge a membership fee. Members have to have an application on file and are given house rules as well as sign a register when they are present.

Being no further questions, Mr. Upton closed the public meeting for CUP-17-02.

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

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.

- 1. Based on 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 applicant does not intend to cause damage or obstruction to surrounding businesses and has made several improvements on the exterior as well as the interior of the building.

- 2. Based on 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.***

The applicant has met all required conditions and specifications requested by local and county government.

- 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.***

All properties are fenced off around the rear of the building and there is no exit from the rear of this location.

- 4. Based on the 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.***

Saddle Up Saloon is a bar that is going to attract a mature clientele with a rustic atmosphere with no intentions of being a “club” atmosphere.

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;

Daniel Sanders made a motion, seconded by Eddie Foy to allow for a private club on a .46 acre tract of land located within a B-2 (Business) zoning district.

ZA-07-01 Town of Smithfield:

Mr. Helmer stated the applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance, Article 10, Table of Permitted Uses to allow for the sale of agricultural products as an administratively approved use by right within the B-2 (Business) and B-3 (Highway Entrance Business) zoning districts.

Mr. Helmer stated the Town Council at its February meeting directed the planning staff to draft a proposed ordinance for consideration of temporary agricultural sales of locally grown produce in the B-2 and B-2 zoning districts. Council further directed staff to remove the requirement of a conditional use permit for agricultural sales and replace the conditional use requirement with various permit conditions to further regulate as a right of use within the B-2 and B-3 zoning districts.

Mr. Helmer stated the proposed draft defines what agricultural sales are, where the sales can be conducted, how many of the sales sites can occur on a given property, how the sales can be conducted, how the sales sites can be signed and what safety precautions must be taken. With the adoption of the ordinance amendment by the Town Council, agricultural sales can be allowed on any property located in the B-2 and B-3 districts by obtaining an annual permit from the planning department.

***DRAFT ORDINANCE # _____
TO AMEND THE TOWN OF SMITHFIELD UNIFIED DEVELOPMENT ORDINANCE, ARTICLE
10, TABLE OF PERMITTED/CONDITIONAL USE DISTRICTS, TEMPORARY SALES OF
AGRICULTURAL PRODUCTS***

BE IT ORDAINED by the Town Council of the Town of Smithfield that Article 10, Section 10-1, Table of Permitted/Conditional Use Districts, is hereby amended to allow for the temporary sale of locally grown agricultural products grown off-site as a temporary use by right within the B-3 (Highway Entrance Business) and B-2 (Business) zoning districts and shall read in its entirety as follows: (new line to be inserted into the permitted use chart)

ARTICLE 10. TABLE OF PERMITTED / CONDITIONAL USE DISTRICTS																	
PERMITTED USES	ICS*	R-6	R-8	R-10	R-20A	R-MH	PUD**	RHO***	O/I	B-1	B-2	B-3	ECOD***	LI****	HI****	AD	OS
TEMPORARY SALE OF LOCALLY GROWN AGRICULTURAL PRODUCTS GROWN OFF- SITE											P	P					

ALSO BE IT ORDAINED by the Town Council of the Town of Smithfield that Article 10, Section 10-2, Notes to the Table of Permitted/Conditional Use Districts, Note 19, Temporary uses is hereby amended to allow for the Temporary Sale of Locally Grown Agricultural Products Grown Off-Site as a use by right and shall read in its entirety as follows: (text to be deleted is struck through and new text is underlined)

Note 19. Temporary Uses. The ~~Board~~ Town Council shall consider the effects of the use on adjacent properties and shall set a time limit on the temporary use. Temporary office units shall meet the requirements of Note 12. Temporary Sale of Locally Grown Agricultural Products Grown Off-Site shall be a use by right and permitted in accordance with Note 19. Temporary Uses. (E) Temporary Sale of Locally Grown Agricultural Products Grown Off-Site.

ALSO BE IT ORDAINED by the Town Council of the Town of Smithfield that Article 10, Section 10-2, Notes to the Table of Permitted/Conditional Use Districts, Note 19, (E) Sale of Agricultural Products Grown Off-Site is hereby amended and shall read in its entirety as follows: (text to be deleted is struck through and new text is underlined)

(E) Temporary Sale of Locally Grown Agricultural Products Grown Off-Site. For purpose of this section, agricultural products are defined as products obtained primarily through farming or agricultural activities, including but not limited to: pumpkins; grains and seed crops; fruits of all kinds; vegetables; nursery, floral, or namental, and greenhouse products; trees and forest products, including Christmas trees, firewood, and pine straw; bees and beekeeping products; seafood; dairy products, any USDA-recognized agricultural product. For purposes of this section, processed or prepared food products of any kind shall not be considered as agricultural products. Additionally:

(1) As well as locations listed above, the temporary sale of locally grown agricultural products may occur from a vacant lot.

(2) The temporary sale of locally grown agricultural products is exempt from the requirement to be similar to the products of the principal use.

(3) The temporary sale of locally grown agricultural products ~~may~~ must be accomplished from a vehicle, trailer, or ~~shipping container tent.~~

(4) Temporary sales of locally grown agricultural products within the street right-of-way and required landscape yards shall be prohibited. Location of temporary sales of locally grown agricultural products must provide for safe vehicular access and adequate parking.

(5) The quantity of temporary sales of locally grown agricultural products shall be limited to one vendor for every 75 linear feet of road frontage per lot.

~~(4)-(6)~~ (6) The temporary sale of locally grown agricultural products shall be allowed on an individual parcel or site for no more than 180 total days per calendar year, and no more than three events per calendar year only by purchase of an annual permit which shall expire on December 31st of each calendar year.

(7) A permit application for temporary sales of locally grown agricultural products must include a signed and notarized written letter of permission from the property owner allowing the applicant to conduct temporary sales of locally grown agricultural products on the property considered for approval. The application shall also include a scaled site plan.

~~(F)~~ (8) ~~Agricultural~~ Temporary Sign. Signs advertising the temporary sale of locally grown agricultural products for sale shall be allowed provided that they meet the requirements of Article 19, Regulations for Signs, and the following:

~~(1)~~ (a) On properties where ~~temporary agricultural products for sale~~ temporary sales of locally grown agricultural products are grown and sold, one ground sign is allowed facing each road on which the property has frontage or;

~~(2)~~ (b) On other ~~private~~ properties where temporary sales of locally grown agricultural products are permitted and with the permission of the property owner, provided that:

~~(a)~~ (1) Only temporary sales of locally grown agricultural goods products ~~grown on property located within Smithfield or its extraterritorial jurisdiction may be sold~~ are eligible for a temporary sign.

~~(b)~~ (2) No more than one such sign may be erected ~~on any other single piece of property~~ for any permitted locally grown agricultural sales site.

~~(3) No person, entity, or family shall be entitled to permits for more than four off-premises agricultural signs for any sale location.~~

~~(3)~~ (c) Such signs may be ~~up~~ displayed only during the season while locally grown agricultural products are actually for sale at the location and shall in no case remain in place for more than ~~90~~ 180 days.

~~(4)~~ (d) Such off-site signs shall not exceed 42" in height and 4 square feet in area.

The Planning Department recommends approval of the above UDO draft ordinance.

The Planning Board is requested to review the petition to allow for temporary sales of locally grown agricultural products located on B-2 and B-3 zoning districts.

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

Daniel Sanders asked anyone can set up as long as they pay \$50 permit fee.

Mr. Helmer stated yes.

Teresa Daughtry asked how anyone would know if someone from another state comes through with a truck selling produce.

Mr. Helmer stated the produce is supposed to be locally grown and it hasn't been a problem in the past.

Mark Lane stated there should be language in the amendment that limits the amount of locations that can be set up by an individual.

Being no further questions, Mr. Upton closed the public meeting for ZA-17-01.

Mark Lane made a motion, seconded by Eddie Foy to allow for the text amendment with the provision that an individual have no more than 2 locations at a time.

ZA-17-02 Rob's Hydraulics:

Mr. Helmer stated the applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance, Article 10, Table of Permitted Uses to allow for contractors with equipment yards as an administratively approved use by right within the B-3 (Highway Entrance Business) zoning district.

Mr. Helmer stated Lynch Leasing Incorporated has requested the expanded use of and a streamlined process for, contractors with outdoor storage yards. Currently, contractors with outdoor storage yards are only permitted with the HI (Heavy Industrial) zoning district as a staff approved use by right. Expanding contractors with storage yards to the B-3 (Business) and LI (Light Industrial) will create opportunity for additional businesses and jobs within and around the city.

Mr. Helmer stated the amendment will allow for contractor yards with a staff approved land use permit and a \$100.00 permit fee for each location. The amendment will reduce the need to amend the zoning map and eliminate the need for a conditional use permit for a savings of \$600.00 in filing fees and 60 days in process time. Contractors with outdoor storage within the B-3 (Business) and (LI) Light Industrial zoning district will be required to meet Article 17, Landscape and Buffer Requirements, Section 17-3: (E) Screening of Dumpsters, Junkyards and Outdoor Storage Areas.

Mark Lane made a motion, seconded by Ashley Spain to deny the requested amendment. ***In favor; Mark Lane, Ashley Spain. Opposed; Stephen Upton, Daniel Sanders, Jack Matthews, Eddie Foy, Teresa Daughtry. Motion fails 2-5.***

DRAFT ORDINANCE # _____
TO AMEND THE TOWN OF SMITHFIELD UNIFIED DEVELOPMENT ORDINANCE, ARTICLE 10, TABLE OF PERMITTED/CONDITIONAL USE DISTRICTS, CONTRACTORS WITH STORAGE YARDS

BE IT ORDAINED by the Town Council of the Town of Smithfield that Article 10, Section 10-1, Table of Permitted/Conditional Use Districts, is hereby amended to allow for the contractors with storage yards as a use by right within the B-3 (Highway Entrance Business) LI (Light Industrial) and HI (Heavy Industrial) zoning districts and shall read in its entirety as follows: (new text is underlined)

ARTICLE 10. TABLE OF PERMITTED / CONDITIONAL USE DISTRICTS																	
PERMITTED USES	ICS*	R-6	R-8	R-10	R-20A	R-MH	PUD**	RHO***	O/I	B-1	B-2	B-3	ECOD***	LI****	HI****	AD	OS
CONTRACTORS, BUILDING (with storage yard)												<u>P</u>		<u>P</u>	P		
CONTRACTORS, EQUIPMENT, (with storage yard)												<u>P</u>		<u>P</u>	P		
CONTRACTORS, HEAVY CONSTRUCTION (with storage yard)												<u>P</u>		<u>P</u>	P		

The Planning Department recommends approval of the above UDO draft ordinance.

The Planning Board is requested to review the petition to allow for the expanded use of contractor with storage yards within the LI (Light Industrial) and B-3 (Business) zoning districts.

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

Eddie Foy asked if Lynch Leasing is getting ready to do a major project.

Mr. Helmer stated he was not aware of any, but it seems that way.

Being no further questions, Mr. Upton closed the public meeting for ZA-17-02.

Eddie Foy made a motion, seconded by Teresa Daughtry to allow for the expanded use of contractor with storage yards within the LI (Light Industrial) and B-3 (Business) zoning districts. ***In favor; Eddie Foy, Teresa Daughtry, Stephen Upton, Daniel Sanders, Jack Matthews. Opposed; Mark Lane, Ashley Spain. Motion passes 5-2.***

Old Business:

Eddie Foy stated a West Smithfield business is looking real nice.

New Business:

Daniel Sanders suggested the Planning Board, Planning Department, and the Town Council should put more effort in enforcing codes. Mr. Sanders stated he talked to the Town Manager regarding landlord tenants and the appearance of their houses.

Mr. Upton stated there is a great deal of administrative paperwork that needs to be done to enforce codes as well as a budgetary restraints placed on staff and staffs willingness to conduct code enforcement activities is not the problem.

Jack Matthews made a motion to adjourn, seconded by Teresa Daughtry. Unanimous.

Submitted this 2nd day of March, 2017.

Veronica Hardaway
Deputy Clerk
Planning Department

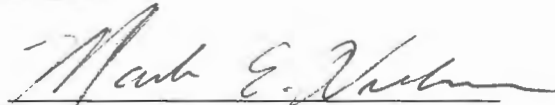


PLANNING DEPARTMENT

Paul C. Embler, Jr., Director

ADJOINING PROPERTY OWNERS CERTIFICATION

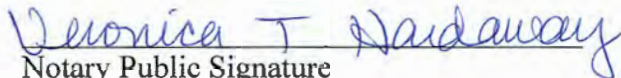
I, **Mark E. Helmer**, hereby certify that the property owner and adjacent property owners of the following petition, CUP-17-02, were notified by First Class Mail on 3-20-17.

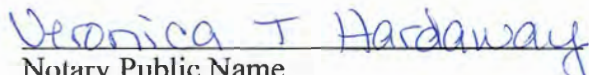

Signature

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

20th day of March, 2017


Notary Public Signature


Notary Public Name

My Commission expires on 1-14-18



TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15022001	169419-60-3835	MOHAMED & SONS INC	PO BOX 1236	SMITHFIELD	NC	27577-0000
15022002	169419-60-4802	MOHAMED AND SONS INC	P O BOX 1236	SMITHFIELD	NC	27577-0000
15022003	169419-60-5707	TILGHMAN, GRANVILLE M AND OTHERS	27 ANNETTE DR STE 107	BENSON	NC	27504-8045
15022007	169419-60-4983	BON-RIC LLP	P O BOX 607	SELMA	NC	27576-0607
15022009	169419-61-5074	HOPKINS, RONALD JOE	432 E MARKET ST	SMITHFIELD	NC	27577-0000
15022018	169419-60-8905	W T BARTHOLOMEW TRUST	955 NORTH MAIN STREET	LOUISBURG	NC	27549-2148
15022025	169419-60-7632	CROSTOWN SMITHFIELD LLC	594 BROADWAY SUITE 1010	NEW YORK	NY	10012-0000
15022008	169419-61-4140	REGISTER, SALLY C	710 BRIDGE ST	SMITHFIELD	NC	27577-0000
15021032	169419-61-2072	STANCIL OIL COMPANY	PO BOX 188	SELMA	NC	27576-0188
15022024	169419-60-8800	M & F LLC	PO BOX 148	SMITHFIELD	NC	27577-0000
15099031L	169419-61-3107	ANYON, ANDRE G	118 N 7TH STREET	SMITHFIELD	NC	27577-3936
15022006B	169419-60-5822	POPE, MARY T	27 ANNETTE DR	BENSON	NC	27504-8045
15022006A	169419-60-4827	MOHAMED & SONS INC	PO BOX 1236	SMITHFIELD	NC	27577-0000
15022006	169419-60-5902	HYATT, SHERRIE LYNN	3000 WEDGE COURT	MATTHEWS	NC	28104-0000



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, April 4, 2017 in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

CUP-17-02 Linda Caulder: The applicant is requesting a conditional use permit to allow for a private nightclub on a .46 acre tract of land located within a B-2 (Business) zoning district. The property considered for approval is located on the west side of the North Brightleaf Boulevard approximately 260 feet north of its intersection with East Market Street. The property is further identified as Johnston County Tax ID# 15022007.

ZA-17-02 Rob's Hydraulics: The applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance, Article 10, Table of Permitted Uses to allow for contractors with equipment yards as an administratively approved use by right within the B-3 (Highway Entrance Business) and LI (Light Industrial) zoning districts.

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

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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 3/22/17 and 3/29/17

SURVEYOR'S DISCLAIMER:

THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED; HOWEVER, A NORTH CAROLINA LICENSED ATTORNEY SHOULD BE CONSULTED CONCERNING CORRECT OWNERSHIP, WIDTH, AND LOCATIONS OF ANY EASEMENTS, RIGHTS OF WAY, CEMETERIES OR FAMILY BURIAL GROUNDS NOT SHOWN ON RECORDED MAPS OR DEEDS MADE AVAILABLE TO THIS SURVEYOR BY THE RECENT OWNER(S) AT THE TIME OF THIS SURVEY AND OTHER QUESTIONS THAT MAY BE REVEALED BY THE TITLE EXAMINATION INCLUDING ANY RESTRICTIVE COVENANTS. ALSO THIS SURVEYOR HAS NO KNOWLEDGE OF THE OWNERSHIP OR MAINTENANCE RESPONSIBILITIES OF ANY FENCES ON OR NEAR THE BOUNDARY LINES. NO RESPONSIBILITY OF ANY NATURE IS ASSUMED BY THIS SURVEYOR FOR ANY CONDITIONS WHICH MAY PRESENTLY EXIST BUT ARE UNKNOWN, SUCH AS CEMETERIES, FAMILY BURIAL GROUNDS, TOXIC OR HAZARDOUS WASTE MATERIALS/SITES, WETLANDS, FLOOD HAZARD AREAS/SOILS, ETC., OR ANYTHING ELSE THAT MAY BE IN THE RESTRICTIVE COVENANTS. ALSO AS USED IN THE SURVEYOR'S CERTIFICATION HEREON, THE WORD "CERTIFY" MEANS TO STATE OR DECLARE A PROFESSIONAL OPINION OF CONDITIONS REGARDING THOSE FACTS OR FINDINGS WHICH ARE SUBJECT OF THE CERTIFICATION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESS OR IMPLIED. THE MAP OR PLAT SHOWN HEREON SHALL NOT BE USED WITH AN AFFIDAVIT OR LETTER OF ANY KIND FOR REUSE INCLUDING, BUT NOT LIMITED TO FUTURE LOAN CLOSINGS, PLOT PLANS, CONSTRUCTION, LANDSCAPING, PERMITTING, ETC., IT IS A VIOLATION OF THE FEDERAL COPYRIGHT ACT TO COPY OR MODIFY AND REUSE THIS SURVEY BEYOND THE DATE AND SCOPE NOTED ON THE MAP. JIMMY BARBOUR SURVEYING, PA., ITS ASSOCIATES, AND/OR AGENTS SHALL NOT BE LIABLE FOR USE OF THIS SURVEY BY ANY OTHER ENTITIES OR PERSONS FOR ANY PURPOSE BEYOND THE DATE AND SCOPE AS NOTED ON THIS MAP OR PLAT.

SITE NOTES:

INFORMATION TAKEN FROM SMITHFIELD DEVELOPMENT ORDINANCE ARTICLE / SECTION 12 (SETBACKS) AND SECTION / ARTICLE 17 (LANDSCAPING)

PROPERTY IS ZONED B-2 (GENERAL BUSINESS)

LANDSCAPING REQUIREMENTS

FOR LANDSCAPING FRONT YARD BUFFER
1 CANOPY TREE PER EVERY 50 LF
20 SHRUBS PER EVERY 100 LF

FOR LANDSCAPING SIDE YARD BUFFERS
1 CANOPY TREE PER EVERY 50 LF or
1 UNDERSTORY TREE PER EVERY 25 LF
20 SHRUBS PER EVERY 100 LF

MINIMUM BUILDING SETBACKS FOR B-2 ZONING
FRONT-20'
SIDE-8' **
REAR-15'

** NONE REQUIRED, PROVIDED HOWEVER, THAT IF A SIDE YARD IS PROVIDED, IT SHALL BE AT LEAST 8 FEET WIDE.

PARKING SPACE CALCULATIONS

CLUB-2,520 SF= 26 SPACES
BARBER SHOP-2 SPACES PER CHAIR= 4 SPACES

TOTAL NUMBER OF PARKING SPACES REQUIRED 30
28 REGULAR PARKING SPACES
2 HANDICAP PARKING SPACES

GRID NOTES

NCGS VRS
NAD 1983 (2011)
GEOID 12 A
COMBINED FACTOR-0.99988088

REFERENCES:

DEED BOOK 1898, PAGE 248

PARCEL ID NO. 15022007

ALSO SEE PLAT BOOK 4, PAGE 267
PLAT BOOK 83, PAGE 333
PLAT BOOK 74, PAGE 325

I, JIMMY C. BARBOUR, PLS, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK _____ PAGE _____ ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK _____ PAGE _____; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THE GLOBAL POSITIONING ACCURACY (GPA) OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2: STANDARDS FOR GEODETIC NETWORKS AT 1 CENTIMETER ACCURACY CLASSIFICATION (95% CONFIDENCE) USING RTK NETWORK; THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.001-01); I, THE SURVEYOR, HEREBY WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS _____ DAY OF _____, A.D. 2017.

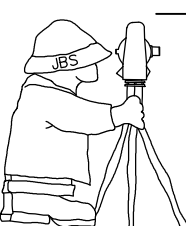
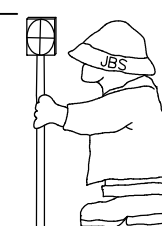
JIMMY C. BARBOUR, PROFESSIONAL LAND SURVEYOR, NC NO. 2855

FH	DASHED LINES	FIRE HYDRANT	MNS	MAGNETIC NAIL SET
WM / WV	WATER METER / WATER VALVE	ERB	EXISTING IRON REBAR	EXISTING IRON REBAR
EIP	EXISTING IRON PIPE FOUND	RRSS	RAILROAD SPIKE SET	RAILROAD SPIKE SET
EIS	EXISTING IRON STAKE FOUND	N/F	NOW OR FORMERLY	NOW OR FORMERLY
ECM	EXISTING CONCRETE MONUMENT FOUND	PP/SP/AL	POWER POLE/SERVICE POLE/AREA LIGHT	POWER POLE/SERVICE POLE/AREA LIGHT
C/L	CENTERLINE OF ROAD	OHPL	OVERHEAD POWER LINE	OVERHEAD POWER LINE
EPK	EXISTING PARKER-KALON NAIL FOUND	CP	COMPUTED POINT FROM REFERENCED SOURCES	COMPUTED POINT FROM REFERENCED SOURCES
ERRS	EXISTING RAILROAD SPIKE FOUND	CSS	COTTON SPINDLE SET	COTTON SPINDLE SET
EIA	EXISTING IRON AXLE FOUND	R/W	RIGHT OF WAY	RIGHT OF WAY
RBS	#5 IRON REBAR FOUND WITH RED PLASTIC CAP			
ECS	EXISTING COTTON SPINDLE FOUND			
EMN	EXISTING MAGNETIC NAIL FOUND			

PROPERTY SHOWN HEREON IS NOT LOCATED IN A 100 YR. FLOOD ZONE ACCORDING TO FEMA PANEL NO. 3720169400 J DATED 12-2-2005.

JIMMY BARBOUR SURVEYING, PA
JIMMY C. BARBOUR, PLS, GSI

C-3109
213 S. SECOND STREET
P. O. BOX 28
SMITHFIELD, N.C. 27577
919 989-6642 919-989-3013
919 989-6643 FAX

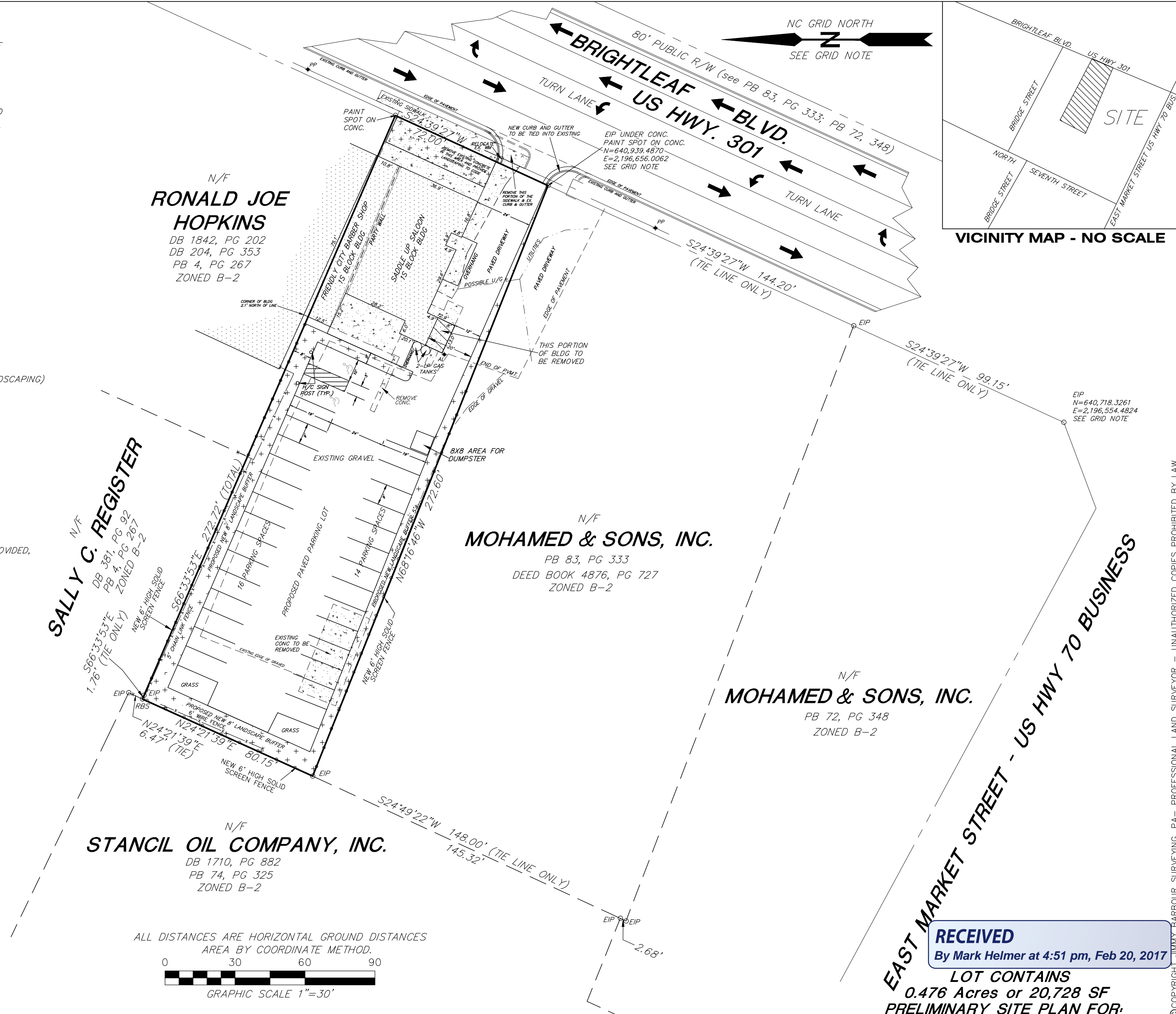
SADDLE UP SALOON

OWNER N/F BON-RIC, LLP

TOWNSHIP SMITHFIELD COUNTY JOHNSTON STATE NC

SURVEYED BY J SIMMONS DRAWN BY CINDA MOORE

DATE SURVEYED 2-16-17 SCALE 1"=30' DRAWING NO. 17-030



RECEIVED
By Mark Helmer at 4:51 pm, Feb 20, 2017

LOT CONTAINS
0.476 Acres or 20,728 SF
PRELIMINARY SITE PLAN FOR:

COPYRIGHT JIMMY BARBOUR SURVEYING, PA - PROFESSIONAL LAND SURVEYOR - UNAUTHORIZED COPIES PROHIBITED BY LAW

100 Block of North Brightleaf Boulevard



Project Name:
Saddle Up Saloon

Proposed Use:
Private Nightclub

File Number:
CUP-17-02

Owner:
Bon-Ric LLP

Applicant:
Linda Caulder

Location:
113 North
Brightleaf Blvd

Tax ID#
15022007

Zoning District:
B-2

Map created by the
Mark E. Helmer, AICP
Senior Planner,
GIS Specialist
on 1/23/2017

1 inch = 40 feet





Request for City Council Action

Public Hearing **Zoning Text
Amendment**

Date: 04/04/2017

Subject: ZA-17-02 Contactors with storage yards
Department: Planning
Presented by: Paul Embler
Presentation: Public Hearing

Issue Statement: Lynch Leasing Incorporated is requesting an amendment to the Unified Development Ordinance to allow for the expanded use of contractor with storage yards within the LI (light Industrial) and B-3 (Business) zoning districts.

Financial Impact The amendment will allow for contractor yards with a staff approved land use permit and a \$100.00 permit fee for each location. The amendment will reduce the need to amend the zoning map and eliminate the need for a conditional use permit for a savings of \$600.00 in filing fees and 60 days in process time.

Action Needed The Planning Board is requested to conduct a public hearing for the purpose of amending the Unified Development Ordinance to allow for the expanded use of contractors with storage yards as use by right.

Recommendation: Planning staff recommends approval of the UDO as per the attached draft ordinance.

Approved: City Manager City Attorney

Attachments: Proposed Ordinance #490



Staff Report

**Public Hearing Zoning Text
Amendment**

The applicant has requested the expanded use of, and a streamlined process for, contractors with outdoor storage yards. Currently, contractors with outdoor storage yards are only permitted with the HI (Heavy Industrial) zoning district as a staff approved use by right. Expanding contractors with storage yards to the B-3 (Business) and LI (Light-Industrial) will create opportunity for additional businesses and jobs within and around the city.

Contractors with outdoor storage within the B-3 (Business) and (LI) Light Industrial zoning district will be required to meet Article 17, Landscape and Buffer Requirements, Section 17-3: (E) Screening of Dumpsters, Junkyards and Outdoor Storage Areas.



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

Petition for Amendment to the Unified Development Ordinance

Pursuant to Article 4 of the Town of Smithfield Unified Development Ordinance, Proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. The application for any amendment shall contain a description of the proposed zoning regulation.

APPLICANT INFORMATION:

Lynch Leasing, Inc.	PO Box 636
Petitioner's Name	Address or PO Box
Grimesland, NC 27837	252-714-1356
City, State, Zip Code	Telephone

Proposed amendment to the Town of Smithfield Unified Development Ordinance:
 Amend Article 10, Table of Permitted / Conditional Uses, to allow for contractors with equipment yards
 as an administratively approved permitted use by right in the B-3 (Business) zoning district.
 (Attach additional sheets as necessary)

This application must be accompanied by a Statement of Justification which addresses the following:

1. How the amendment proposed would serve the public interest or correct an obvious error in the existing ordinance.
2. How the amendment proposed will enhance or promote the purposes and goals of the adopted plans and policies of the governing body.

The undersigned hereby authorizes the filing of this petition and certifies that the information contained herein stands alone based on the merits of this request and is accurate to the best of their knowledge and belief.

Signature of Petitioner	2/3/17 Date
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FOR OFFICE USE ONLY

File Number: ZA-07-02	Date Received: 2/3/17	Amount Paid: \$300.00
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DRAFT ORDINANCE #490
TO AMEND THE TOWN OF SMITHFIELD UNIFIED DEVELOPMENT
ORDINANCE, ARTICLE 10, TABLE OF PERMITTED/CONDITIONAL USE
DISTRICTS, CONTRACTORS WITH STORAGE YARDS

BE IT ORDAINED by the Town Council of the Town of Smithfield that Article 10, Section 10-1, Table of Permitted/Conditional Use Districts, is hereby amended to allow for the contractors with storage yards as a use by right within the B-3 (Highway Entrance Business) LI (Light Industrial) and HI (Heavy Industrial) zoning districts and shall read in its entirety as follows: (new text is underlined>

ARTICLE 10. TABLE OF PERMITTED / CONDITIONAL USE DISTRICTS																	
PERMITTED USES	ICS*	R-6	R-8	R-10	R-20A	R-MH	PUD**	RHO***	O/I	B-1	B-2	B-3	ECOD***	LI****	HI****	AD	OS
CONTRACTORS, BUILDING (with storage yard)												<u>P</u>		<u>P</u>	P		
CONTRACTORS, EQUIPMENT, (with storage yard)												<u>P</u>		<u>P</u>	P		
CONTRACTORS, HEAVY CONSTRUCTION (with storage yard)												<u>P</u>		<u>P</u>	P		

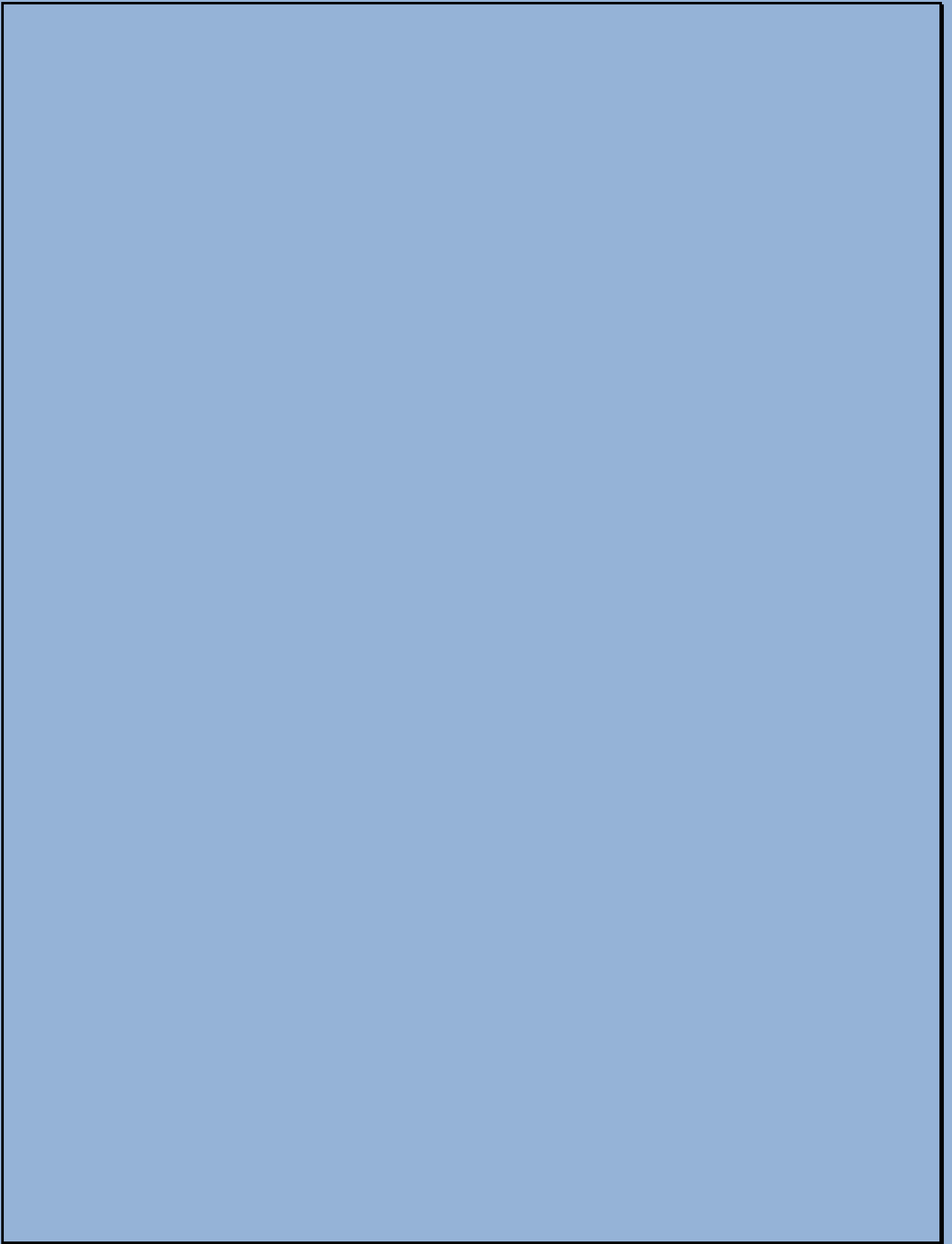
Duly adopted this the 4th day April 2017.

M. Andy Moore, Mayor

ATTEST

Shannan L. Williams, Town Clerk

Consent Agenda Items



The Smithfield Town Council met in regular session on Tuesday, March 7, 2017 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
Roger A. Wood, District 4
John A. Dunn, At-Large
Stephen Rabil, At-Large

Councilmen Absent

J. Perry Harris, District 2

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
Bill Dreitzler, Town Engineer

Administrative Staff Absent

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

APPROVAL OF AGENDA:

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

- o Remove from Consent Agenda Item 14: (a) and (b)

Unanimously approved.

PRESENTATIONS:

1. Proclamation: Recognizing April 22, 2017 at #SSStrong Day

Mayor Moore expressed his appreciation to the principals of the area schools that were in attendance and presented them with a proclamation.

PROCLAMATION

**Recognizing April 22, 2017 as #SSStrong Day
in the Town of Smithfield**

WHEREAS, the Towns of Smithfield and Selma are home to nearly 20,000 residents who live, work, go to school, meet, eat, pray, celebrate, and debate; and

WHEREAS, progress—while not always easy—requires understanding the importance of community; and

WHEREAS, community is defined as a feeling of fellowship with others, as a result of sharing common attitudes, interests, and goals; and

WHEREAS, the designation #SSStrong is a written embodiment of the sense of community and serves as a strong reminder that we all play integral roles in community-building and living the #SSStrong creed; and

WHEREAS, we are continually grateful for those who serve our communities untiringly; and

WHEREAS, those who lead this movement are helping to expand its reach by their affirmative influences on others who live, work, and play in Smithfield and Selma.

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield along with the members of the Town Council, proclaims Saturday, April 22, 2017 as #SSStrong Day and encourages its citizens to take pride in community by taking part in this celebration.

2. Proclamation: Honoring Dennis C. Tyner, Sr.'s 20 years of service to the Town of Smithfield

Mayor Moore presented a proclamation to Dennis Tyner for his years of service to the Town. Mr. Tyner expressed his appreciation to his family and to the Town staff.

PROCLAMATION In Honor of Dennis C. Tyner's 20 Years of Service to the Town of Smithfield

WHEREAS, Dennis C. Tyner, Sr. has been a dedicated employee for 20 years and officially retired on February 28, 2017; and

WHEREAS, Dennis C. Tyner, Sr. has served the Town of Smithfield as a Parks and Recreation Facility Maintenance Technician from 1997 until 2000 and as the Parks and Recreation Facility Maintenance Supervisor from 2000 until his retirement; and

WHEREAS, examples of Dennis C. Tyner, Sr.'s exemplary efforts can be found on the well maintained and manicured parks and athletic fields throughout Town; and

WHEREAS, Dennis C. Tyner, Sr.'s dedicated interest and devotion to duty has had a valuable effect on the efficiency and morale of his co-workers, and we wish to extend to him our sincere appreciation for his outstanding performance of duty; and

WHEREAS, he will be missed both professionally and as a friend, and we extend our very best wishes for his continued success in his life's pursuits.

NOW, THEREFORE, I, *M. Andy Moore*, Mayor of the Town of Smithfield along with the members of the Town Council, express our sincere appreciation to Dennis C. Tyner, Sr. for his distinguished service to the Town of Smithfield, and urge our citizens to join with us as we extend our sincere appreciation for his work, and wish him well in his future endeavors.

3. 2017 Public Power Awards of Excellence

Brenda Daniels Economic Development Manager with ElectriCities presented the 2017 Public Power Awards of Excellence in Service Excellence, Financial Stability and Energy Efficiency Town staff.

4. Presentation by GeoTechnologies on Full Depth Reclamation – Venture Drive

Town Manager Michael Scott explained that the purpose of this presentation was to provide the Council with information on the full depth reclamation (FDR) process being considered for Venture Drive. Mr. Harris from GeoTechnologies explained that FDR has been used in many different conditions including residential developments and airports. The advantage of FDR is it is faster than the traditional method of road reconstruction. FDR is a method where the asphalt and the base material are essentially recycled and mixed with portland cement to create a base using a machine

called a reclaimer. This method is less expensive and faster because a lot less material is being hauled from the site and then replaced. This method would also be less burdensome on the businesses along Venture Drive because there would not be a wait time for traffic to be able to traverse the road. Mr. Harris did inform the Council that when GeoTechnologies surveyed the condition of Venture Drive over two years ago, they determined that there were some drainage issues.

Mayor Pro-Tem Ashley inquired if Mr. Harris could determine what caused the condition of Venture Drive. Mr. Harris concluded that slightly thin pavement, a high volume of truck traffic and poor subgrade support lead to the conditions of the road. He further concluded that the soil is mostly clay, which does not allow water to drain.

Councilman Scott stated that essentially the road was being recycled and used as base. Mr. Harris responded in the affirmative. He explained that test sample of Venture Drive were taken to the lab to determine what the road was made of and what would be the best mixture for the strength needed.

Mayor Pro-Tem Ashley asked if FDR was the recommended method for Venture Drive. Mr. Harris responded in the affirmative.

Councilman Rabil questioned if the road would fail if the drainage problems were not addressed. Mr. Harris responded in the affirmative. Public Works Director Lenny Branch informed the Council that all drainage issues have been investigated and resolved.

PUBLIC HEARINGS:

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

1. Conditional Use Permit Request by Nelson and Shonda Covington: Higher Calling Child Care (CUP-17-01)

Councilman Rabil made a motion, seconded by Councilman Wood, to open the Public Hearing. Unanimously approved.

Planning Director Paul Embler addressed the Council on a request by Nelson and Shonda Covington. The applicant was requesting a conditional use permit to allow for a commercial daycare center on a .98 acre tract of land located within a B-2 (Business) zoning district. The property considered for approval is located on the southwest side of the intersection of North Seventh Street and Bridge Street and further identified as Johnston County Tax ID# 15021012.

Planning Director Paul Embler has incorporated his entire record and provided it to Council in written form in the March 7, 2017 agenda packet.

The Planning Board, at its February 2, 2017 meeting, unanimously voted to recommend approval of the conditional use permit request for a day care facility within a B-2 zoning district.

The Planning Department recommends approval of the request for a conditional use permit to allow for a day care facility on property located within a B-2 (Business) zoning district.

Mayor Moore asked the applicants if they were in agreement with the testimony provided by Mr. Embler. The applicant, Nelson Covington, responded they were 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 was none.

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

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

- **Finding One of Four : Agree**

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.

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.

- **Finding Two of Four: Agree**

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.

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

- **Finding Three of Four: Agree**

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 daycare center will not adversely affect the use or any physical attributes of adjoining or abutting property. Daycare facilities are considered medium intensity uses which are generally compatible with residential uses and are permitted as an accessory to churches which are currently only permitted in residential zoning districts. Additional traffic generated by the proposed daycare facility will have minimal impact on nearby commercial properties who have direct access to East Market Street.

- **Finding Four of Four: Agree**

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 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).

Record of Decision: Approval of Conditional Use Permit Request (CUP-17-01)

Mayor Pro-Tem Ashley made a motion, seconded by Councilman Rabil, 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 recommend approval of Conditional Use Permit Application # CUP-17-01. Unanimously approved.

Mayor Moore informed the Council that the representative from the Classic Ford had not arrived, but would be in attendance as soon as possible. It was the consensus of the Council to hear the zoning text amendment request prior to hearing the conditional use permit request.

3. Zoning Text Amendment Request by the Town of Smithfield (ZA-17-01)

Councilman Wood made a motion, seconded by Councilman Scott, to open the Public Hearing. Unanimously approved.

Planning Director Paul Embler addressed the Council on a request by the Town of Smithfield. The Planning Department was requesting an amendment to the Town of Smithfield Unified Development Ordinance, Article 10, Table of permitted uses, to allow for the sale of agricultural products as an administratively approved use by right within the B-2 (Business) and B-3 (Business) zoning districts.

The Town Council at its February meeting directed the Planning staff to draft a proposed ordinance for consideration of temporary agricultural sales of locally grown produce in the B-2 and B-3 Zoning Districts. Council further directed staff to remove the requirement of a conditional use permit for agriculture sales and replace the conditional use requirement with various permit conditions to further regulate as a right of use within the B-2 and B-3 zoning districts.

The proposed draft defines what agricultural sales are, where the sales can be conducted, how many of the sales sites can occur on a given property, how the sales can be conducted, how the sales sites can be signed and what safety precautions must be taken. With the adoption of the ordinance amendment by the Town Council, agricultural sales can be allowed on any property located in the B-2 and B-3 districts by obtaining an annual permit from the Planning department.

The Planning Board at its meeting made a further recommendation that a vendor could have no more than two sites within the Town.

Mayor Moore asked if there was anyone in the audience that wished to speak on the matter. There was none.

Mayor Moore asked if there were any questions or comments by Council.

Councilman Scott stated that this proposed amendment was to make it more convenient for local people to sell their locally grown products. He questioned if this had been taken before and discussed by the UDO Committee. Mayor Pro-Tem Ashley responded that this has not been discussed by the UDO Committee but it would be addressed.

Councilman Scott questioned if this ordinance aligned with what other Towns are doing. Mr. Embler responded that this was a pretty liberal allowance for farm sales. Mr. Embler explained that there a distinction whereby if a local farmer is within the corporate limits and has property in the Town, the farmer is allowed to sell his products without restrictions. This ordinance addressed any vendor that does not own property in the Town that would like to sell their locally grown products. He further explained that the Town does not want to have vendors that do not sell locally grown products. Councilman Scott asked if plants would be allowable under this ordinance. Mr. Embler responded that plants are included in the UDO's definition of agricultural products.

Mayor Pro-Tem Ashley inquired if a vendor had to have permission from the landowner to sell on a particular site. Mr. Embler responded that vendors have to have permission from the landowner and they have to submit a site plan to the Planning Department. The site plan will allow staff to review the intended use of the site and also gauge if patrons can access the property safely. Mr. Embler further explained that there is a \$50 annual permit fee per location. The permit is good for the entire year and staff will review all permits by December 31st.

Councilman Scott questioned the appeal process in the event that the vendor does not accept staff's recommendations. Mr. Embler responded that all appeals would go before the Board of Adjustment. Councilman Scott stated that he would like the Town Manager to be able to review the appeal prior to it being presented to the Board of Adjustment. Town Manager Michael Scott replied that the process was already in place. He reviews all appeals prior to it being heard by the Board of Adjustments to see if compromises can be made while staying within the confines of the ordinance.

Councilman Scott made a motion, seconded by Councilman Wood, to close the Public Hearing. Unanimously approved.

Councilman Scott made a motion, seconded by Councilman Lee, to approve Ordinance #489 amending the UDO Article 10. Unanimously approved.

ORDINANCE #489
TO AMEND THE TOWN OF SMITHFIELD UNIFIED DEVELOPMENT ORDINANCE,
ARTICLE 10, TABLE OF PERMITTED/CONDITIONAL USE DISTRICTS, TEMPORARY
SALES OF AGRICULTURAL PRODUCTS

BE IT ORDAINED by the Town Council of the Town of Smithfield that Article 10, Section 10-1, Table of Permitted/Conditional Use Districts, is hereby amended to allow for the temporary sale of locally grown agricultural products grown off-site as a temporary use by right within the B-3 (Highway Entrance Business) and B-2 (Business) zoning districts and shall read in its entirety as follows: (new line to be inserted into the permitted use chart)

ARTICLE 10. TABLE OF PERMITTED / CONDITIONAL USE DISTRICTS																	
PERMITTED USES	ICS*	R-6	R-8	R-10	R-20A	R-MH	PUD**	RHO***	O/I	B-1	B-2	B-3	ECOD***	LI****	HI****	AD	OS
<u>TEMPORARY SALE OF LOCALLY GROWN AGRICULTURAL PRODUCTS GROWN OFF-SITE</u>											<u>P</u>	<u>P</u>					

ALSO BE IT ORDAINED by the Town Council of the Town of Smithfield that Article 10, Section 10-2, Notes to the Table of Permitted/Conditional Use Districts, Note 19, Temporary uses is hereby amended to allow for the Temporary Sale of Locally Grown Agricultural Products Grown Off-Site as a use by right and shall read in its entirety as follows: (text to be deleted is struck through and new text is underlined)

Note 19. Temporary Uses. The Town Council shall consider the effects of the use on adjacent properties and shall set a time limit on the temporary use. Temporary office units shall meet the requirements of Note 12. Temporary Sale of Locally Grown Agricultural Products Grown Off-Site shall be a use by right and permitted in accordance with Note 19, Temporary Uses, (E) Temporary Sale of Locally Grown Agricultural Products Grown Off-Site.

ALSO BE IT ORDAINED by the Town Council of the Town of Smithfield that Article 10, Section 10-2, Notes to the Table of Permitted/Conditional Use Districts, Note 19, (E) Sale of Agricultural Products Grown Off-Site is hereby amended and shall read in its entirety as follows: (text to be deleted is struck through and new text is underlined)

(E) Temporary Sale of Locally Grown Agricultural Products Grown Off-Site. For purpose of this section, agricultural products are defined as products obtained primarily through farming or agricultural activities, including but not limited to: pumpkins; grains and seed crops; fruits of all kinds; vegetables; nursery, floral, ornamental, and greenhouse

products; trees and forest products, including Christmas trees, firewood, and pine straw; bees and beekeeping products; seafood; dairy products, any USDA-recognized agricultural product. For purposes of this section, processed or prepared food products of any kind shall not be considered as agricultural products. Additionally:

- (1) As well as locations listed above, the temporary sale of locally grown agricultural products may occur from a vacant lot.
- (2) The temporary sale of locally grown agricultural products is exempt from the requirement to be similar to the products of the principal use.
- (3) The temporary sale of locally grown agricultural products must be accomplished from a vehicle, trailer, or tent.
- (4) Temporary sales of locally grown agricultural products within the street right-of-way and required landscape yards shall be prohibited. Location of temporary sales of locally grown agricultural products must provide for safe vehicular access and adequate parking.
- (5) The quantity of temporary sales of locally grown agricultural products shall be limited to one vendor for every 75 linear feet of road frontage per lot.
- (6) The temporary sale of locally grown agricultural products shall be allowed only by purchase of an annual permit which shall expire on December 31st of each calendar year.
- (7) A permit application for temporary sales of locally grown agricultural products must include a signed and notarized written letter of permission from the property owner allowing the applicant to conduct temporary sales of locally grown agricultural products on the property considered for approval. The application shall also include a scaled site plan.
- (8) Temporary Sign. Signs advertising the temporary sale of locally grown agricultural products for sale shall be allowed provided that they meet the requirements of Article 19, Regulations for Signs, and the following:
 - (a) On properties where sales of locally grown agricultural products are grown and sold, one ground sign is allowed facing each road on which the property has frontage or;
 - (b) On other properties where temporary sales of locally grown agricultural products are permitted and with the permission of the property owner, provided that:
 - (1) Only temporary sales of locally grown agricultural products are eligible for a temporary sign.
 - (2) No more than one such sign may be erected for any permitted locally grown agricultural sales site.
 - (c) Such signs may be displayed only during the season while locally grown agricultural products are actually for sale at the location and shall in no case remain in place for more than 180 days.
 - (d) Such off-site signs shall not exceed 42" in height and 4 square feet in area.

Councilman Scott made a motion, seconded by Councilman Lee, to delay the Public Hearing of the Conditional Use Permit request by Classic Ford to a later point in the meeting due to the Classic Ford representative being delayed. Unanimously approved.

CITIZENS' COMMENTS:

- William Ragsdale addressed the Council on the condition of Venture Drive. He explained that the Town of Smithfield was built on quicksand. The problems with Venture Drive are twofold. The Town should have waited more than two years before accepting the road. In the future, the Town should consider waiting at least five years before accepting any road that is constructed by a private developer. This would allow the Town to ascertain how the road will withstand constant traffic. The other problem with Venture drive is that the Town should have put a weight limit on the road. Mr. Ragsdale explained that he observed over a 100 heavy use vehicles on that road in the course of a day. In his opinion, these heavily weighted vehicles have caused the damage to the road. Mr. Ragsdale further explained that all heavy vehicles should have to use state maintained roads because if there was a problem with the road, the burden would be on the state to repair it.
- Charles Forte of 303 Oak Street addressed the Council on relief for his utility bills. He explained he had appeared before the Council in January and February and was still trying to get his utilities connected. Town Manager Michael Scott questioned if anything had changed since they last spoke about this issue. Mr. Forte responded that there has been no change. Town Manager Michael Scott explained that he provided a recommendation to Mr. Forte and provided the utility records to the Council. The Town Manager further explained that his recommendation was a \$250 utility deposit instead of the required \$500 deposit and a payment plan to repay the debt. This recommendation still stands. Mr. Forte responded that he never had a \$1700 utility bill. Councilman Travis Scott responded that he had reviewed the records and he supports the decision made by the Town Manager and the Council cannot make acceptations for these types of matters. Councilman Scott further explained that the debt was related to a former business Mr. Forte owned. Mr. Forte responded that those utility bills should have been absolved when the corporation was dissolved. Mayor Moore explained that while the Council was sympathetic, it was still a debt owed to the Town. He reiterated that the Town Manager has offered a recommendation to offer some relief on this matter.
- Tony Nixon of 8 Cedar Drive addressed the Council on blighted homes in Smithfield. He explained that the East Smithfield Improvement Organization was concerned about the amount of vacant houses, uninhabitable house and houses that should be uninhabited. Mr. Nixon explained that 25% of the housing in Smithfield is rental property and most of which is in the East Smithfield District. These vacant houses could be used for vagrancy and crime. These vacant housing directly affects property values. He requested that the Council delve into the Ordinances and take enforcement measures to improve these blighted properties.
- Mayor Moore welcomed the new Executive Director of the Greater Smithfield Selma Area Chamber of Commerce Frank Bernard. Mr. Bernard stated that he was excited about the opportunity and looked forward to collaborating with the Town of Smithfield.

PUBLIC HEARINGS – CONTINUED:

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

2. Conditional Use Permit Request by Classic Ford (CUP-17-03)

Councilman Scott made a motion, seconded by Councilman Rabil, to open the Public Hearing. Unanimously approved.

Planning Director Paul Emblar addressed the Council on a request by Scott Calhon of Classic Ford. The applicant was requesting a conditional use permit to allow for automotive sales on a 7.75 acre tract of land located within a B-3 (Highway Entrance Business) zoning district. The property

considered for approval is located on the southwest side of the intersection of North Brightleaf Boulevard and Ava Gardner Avenue and further identified as Johnston County Tax ID# 14074005.

Mr. Embler explained that the applicant has submitted a sketch plan of the proposed facility. This version of the plan indicates two requested access points to Brightleaf Boulevard as well as two access points to a private access easement on the adjacent property to the west. This will likely be changed due to the recommendations of NCDOT. The sketch plan shows the location of a 33,992 square foot building as well as 26 customer parking spaces, 40 employee parking spaces and 390 parking spaces for display of vehicles for sale. Landscaping includes standard street yards and transition yards as well as required interior parking lot planting islands. Required storm water facilities will be constructed in the rear portion of the lot. Lighting plans and signage plans will be produced prior to site plan approval.

Planning Director Paul Embler has incorporated his entire record and provided it to Council in written form in the March 7, 2017 agenda packet.

The Planning Board, at its February 2, 2017 meeting, unanimously voted to recommend approval of the request for a conditional use permit to allow for an automobile sales dealership on a 7.75 acre tract of land and located within the B-3 (Business) zoning district.

The Planning Department recommends approval of the request for a conditional use permit to allow for an automobile sales dealership on a 7.75 acre tract of land and located within the B-3 (Business) zoning district.

Mayor Moore asked if the applicant was in agreement with the testimony provided by Mr. Embler. The applicant, Scott Calhoun of Classic Ford, responded he was in agreement with the testimony offered by Mr. Embler. He further responded that the only active issue was accessibility to Brightleaf Blvd. and Shelter Way and he was working with NCDOT on this issue.

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

Mayor Moore asked if there were any questions from Council.

Mayor Pro-Tem Ashley stated that the only issue was an NCDOT issue. Mr. Embler responded that he and Mr. Calhoun met with NCDOT official twice and they are moving toward a positive solution

Councilman Scott questioned if a signal light was installed would that change the store frontage. Mr. Calhoun responded that if the business did end up with a signaled access, it could affect where the building sits on the property. Mr. Embler responded that the site plan approval is a separate entity and although it could change, it would not be a drastic change.

Councilman Wood made a motion, seconded by Councilman Rabil, 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 Dunn, to vote in the affirmative to all of the below Finding of Facts. Unanimously approved.

- **Finding One of Four : Agree**

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 automobile sales lot at this location will not materially endanger the public were shown because the site has adequate parking available and layout of the site facilitates safe movement of automobiles and pedestrian traffic with little additional congestion.

- **Finding Two of Four: Agree**

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 automobile sales lot 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 providing all minimum development standards are met to include landscaping, lighting, paved parking and all other minimum development standards.

- **Finding Three of Four: Agree**

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 automobile sales lot 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 providing required landscape buffers and street yards are installed and maintained in accordance with minimum development standards and that no more than 456 automobile are on the lot at any given time. Automobiles for sale shall be no closer than 15 feet from the right-of-way of North Brightleaf Boulevard in accordance with the Town of Smithfield Unified Development Ordinance and all areas where cars are placed shall be paved.

- **Finding Four of Four: Agree**

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 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).

Record of Decision: Approval of Conditional Use Permit Request (CUP-17-03)

Mayor Pro-Tem Ashley made a motion, seconded by Councilman Rabil, that 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 recommended approval of Conditional Use Permit Application # CUP-17-03. Unanimously approved.

CONSENT AGENDA:

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

1. Approved the following Minutes:

February 7, 2017 – Regular Meeting
February 7, 2017 – Closed Session

2. Special Event – Picture Show and Picnic in the Park: Approval to allow the Smithfield Parks and Recreation Department to hold an event on April 29th from 6:30pm – 10:00 pm.
3. Approved Resolution #600 (05-2017) Awarding retired Police Captain his service badge and weapon at a cost of \$1.00

**RESOLUTION # 600 (05-2017)
AWARDING THE SERVICE BADGE AND WEAPON
TO RETIRED POLICE CAPTAIN**

BE IT RESOLVED that the Town Council of the Town of Smithfield hereby awards the service weapon, a Sig P290RS, Serial Number 26C29601 and service badge to retired Police Captain Tommy S. Choe, at a price of \$1.00

4. Approved the installation of (2) 15 minute parking signs in the 100 block of South 3rd Street.
5. Approved amending the Pay Plan
(A copy of the amended pay plan is on file in the office of the Town Clerk)
6. Approved the 5% promotion increase for the new Police Captain.
7. Approved the 5% promotion increase for the new Police Lieutenant.
8. Approved the 5% promotion increase for the new Police Sergeant.
9. Approved the promotion of an internal candidate from Parks and Grounds Crew Leader to Facility Maintenance Supervisor in the Parks and Recreation Department.
10. Approved the promotion of an internal candidate from Facility Maintenance Specialist to Appearance Crew Leader in the Public Works Department.
11. Approved the promotion of an internal candidate from Sanitation Worker to Sanitation Equipment Operator in the Public Works Department.
12. Approved the purchase of a 2017 John Deer Zero Turn Mower from East Coast Equipment in the amount of \$10,405.14. \$13,000 was allocated in the FY 2016-2017 budget for this purchase. Bids received were as follows:

- | | |
|--------------------------|-------------|
| • East Coast Equipment | \$10,405.14 |
| • Great Outdoors of Dunn | \$11,234.00 |
| • Bullock Brothers | \$12,476.09 |

13. Approved Various Budget Amendments

<u>BOOKER DAIRY ROAD CAPITAL PROJECT FUND</u>	<u>BEFORE</u>	<u>ADJ.</u>	<u>AFTER</u>
1. Revenue			
44-3980-1400 Transfer From	<u>\$ 275,000</u>	<u>\$ (275,000)</u>	<u>\$ _____</u>

Electric Fund

Expenditure

44-7220-3200 Power Line Relocation	<u>\$ 275,000</u>	<u>\$ (275,000)</u>	<u>\$ -</u>
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To move the Booker Dairy Road Project power line relocation cost to the Electric Capital Project Fund

2.

Revenue

47-3980-1400 Transfer from Electric Fund	<u>\$ 1,631,515</u>	<u>\$ 275,000</u>	<u>\$ 1,906,515</u>
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Expenditure

47-7230-7408 Booker Dairy Rd Power Line Relocation	<u>\$ -</u>	<u>\$ 275,000</u>	<u>\$ 275,000</u>
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To move the Booker Dairy Road Project power line relocation cost to the Electric Capital Project Fund

14. Advisory Board Appointments

- Jan Branch was reappointed to serve a fourth term on the Historic Properties Commission.

15. New Hire Report

<u>Filled Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Public Works Supervisor	PW – Sanitation	10-5800-0200	\$18.55/hr (\$38,584.00/yr)

<u>Current Vacancies</u>	<u>Department</u>	<u>Budget Line</u>
Police Officer	Police	10-5100-0200
Equipment Operator	PW – Sanitation	10-5800-0200
Appearance Crew Leader	PW – General	10-5500-0200
Facility Maint. Supervisor	P&R - Recreation	10-6200-0200
Firefighter I	Fire	10-5300-0200

Unanimously approved.

BUSINESS ITEMS:

1. Discussion to Consider Developing a Strategic Communications Plan with the assistance of ElectriCities

Economic Development Liaison Tim Kerigan addressed the Council on developing a strategic communications plan with the assistance of ElectriCities. Mr. Kerigan explained through staff's research and recent citizen/business engagement, staff recognized that the Town has been missing opportunities to partner with entities such as ElectriCities. The professional staff at ElectriCities is able to provide valuable insight and guidance at no cost in order to develop the basis of a Strategic Communications Plan. Once we have that plan, we can then decide which identified initiatives we would like to pursue.

Brenda Daniels Economic Development Manager with ElectriCities explained that her staff would develop a communications plan for the Town of Smithfield. ElectriCities would provide valuable marketing information and tools to staff outlining what the Town needs to do and how to do it. Ms. Daniels further explained that she and her staff do many things internally at no cost to the Town. Rocky Lane of Sanford Holshouser explained that this directly related to the Strategic Economic Update's external communications. He explained that Smithfield has a great story but no one is telling it. This communications plan will direct the Town on who, how and when to tell the Town's story, ElectriCities covers the cost of marketing and promotional tools.

Councilman Scott questioned the cost of the plan. Ms. Daniels explained the cost was dependent on what the Council chose to do first. She estimated that it could cost \$25,000 - \$50,000. Most expenses would go toward marketing material that is covered by ElectriCities.

Mike Fleming chair of the Smithfield Economic Development Advisory Committee (SEDAC) explained that the committee was very enthusiastic about what ElectriCities could offer the Town. Mr. Fleming asked that the Council allow the committee and staff to move forward.

Mayor Moore explained to the Council that economic development efforts are not going to happen overnight but these efforts are finally gaining momentum.

It was the consensus of the Council to move forward with developing a strategic communications plan with the assistance of ElectriCities.

2. Discussion to Consider Developing a Retail Strategy and Recruitment Plan with the assistance of ElectriCities

Economic Development Liaison Tim Kerigan addressed the Council on a retail strategy and recruitment plan with the assistance of ElectriCities. Mr. Kerigan explained that the economic development committee and staff have been looking at strategies for retail development. They have discussed retailers that the Town needs and desires. Mr. Kerigan explained that the Town has very little data to provide for businesses that desire to locate in a specific area that fits their model. Retail Strategies, LLC. can assist the Town with recruiting efforts and developing a plan.

Brenda Daniels Economic Development Manager with ElectriCities explained that ElectriCities has worked with Retail Strategies for several years. This is a three-year commitment. They will assist with what will benefit the Town of Smithfield and what deliverable are available to the Town.

Lacy Beasley, President and COO with Retail Strategies, LLC., informed the Council of what her firm can offer the Town of Smithfield. Ms. Beasley explained that Retail Strategies, LLC.'s goal is to navigate the retail real-estate process. She explained that this is a three-year commitment because it takes time to make connections with retailers and property owners. By collaborating with ElectriCities, it makes it more economical for Towns to utilize the services of her firm. Ms. Beasley gave an overview of the plan process of research, real estate and recruitment.

Mayor Pro-Tem Ashley stated that it all sounded very good.

3. Approval to allow the Police Department to submit a grant application to the Governor's Highway Safety Program

Chief of Police R. Keith Powell addressed the Council on a request to submit a grant to the Governor's Highway Safety Program (GHSP) to create a two-officer traffic team within the Police department. Chief Powell explained that the grant is a three-year commitment. The grant will cover all personnel and equipment expenses for a two-officer traffic team. This includes vehicles, vehicle equipment, radios, video cameras, officer salaries and benefits, officer equipment, potential salary increases during the grant period, fuel and radar units. The match amounts for the grant are 15% for the first year, 30% for year 2 and 50% for year 3. Equipment purchases are all included in the grant amounts for year one and are not spread over the 3 year period. It is estimated the year one grant amount would be \$250,000. The match amount for the town would be \$37,500.00. In year 2, the grant amount would be \$145,000 with the Town's match amount being \$43,500.00. Year 3 will be similar to year two in the grant amount, but the match amount would increase to 72,500. Following year three of the

grant, all equipment becomes the property of the Town and the Town is under no obligation to continue the program. The number of officers hired under this grant could then be decreased through attrition, should the Council choose to do so. The Town is under no obligation to accept these funds until after the grant is approved and comes back in front of the town council for final approval.

Councilman Wood questioned if Clayton had a traffic team. Chief Powell responded that Clayton, Raleigh and Goldsboro all have traffic officers.

Councilman Rabil inquired if the Town has ever had a traffic officer. Chief Powell responded that the Town of Smithfield had one traffic officer a long time ago.

Councilman Scott made a motion, seconded by Councilman Rabil, to allow the Police Department to submit an application to the Governor’s Highway Safety Program to create a two-officer traffic team. Unanimously approved.

4. Approval of a New Auditing Firm

Finance Director Greg Siler addressed the Council on approval to contract with a new auditing firm to conduct the Town’s annual audit. Mr. Siler explained that in fiscal year 2016 some Council members expressed an interest in placing the Town’s annual financial audit out to bid. In reviewing the proposals, Mr. Siler considered more than the lowest bid; experience, qualification and references were also considered. After reviewing all the proposals, it was Mr. Siler’s recommendation to award the audit contract to Thompson, Price, Scott, Adams & Co., P.A. (TPSA).

The Town received 9 responses from the RFP. A fee summary of those proposals is as follows:

	2017	2018	2019	Total	Fee Rank
SPD & A (S. Preston Douglas & Assoc)Bernard Robinson & Company	\$ 21,000	\$ 21,000	\$ 22,750	\$ 68,250	1
W Geene PLLC	\$ 22,000	\$ 22,000	\$ 22,000	\$ 66,000	2
TPSA (Thompson, Price, Scott, Adams & Co., P.A.)	\$ 22,750	\$ 22,750	\$ 22,750	\$ 68,250	3
Petway Mills & Pearson	\$ 23,000	\$ 23,500	\$ 24,000	\$ 70,500	4
Denning, Herring, Sessoms & Company	\$ 23,760	\$ 23,760	\$ 23,760	\$ 71,280	5
Rives & Associates LLP	\$ 23,670	\$ 23,670	\$ 24,380	\$ 71,720	6
Bernard Robinson & Company	\$ 26,250	\$ 26,250	\$ 27,000	\$ 78,750	7
Carr, Riggs & Ingram LLC	\$ 26,250	\$ 26,900	\$ 27,570	\$ 80,720	8
Mauldin & Jenkins	\$ 28,000	\$ 28,000	\$ 29,500	\$ 85,500	9

Mayor Pro-Tem Ashley questioned how Mr. Siler felt about periodically changing auditing firms. Mr. Siler responded that he had mixed feelings because while it is beneficial to have a new firm review the Town’s financials, there is a lot more work involved the first few years with a new auditing firm.

Councilman Scott questioned if Mr. Siler checked references of the firms. Mr. Siler responded that he did check references and are were favorable.

Councilman Scott made a motion, seconded by Councilman Wood, to award the bid to Thompson, Price, Scott, Adams & Co., P.A. (TPSA) for a three-year period to be renewed annually. Unanimously approved.

5. Approved of a bid award to Turner Asphalt in the amount of \$603,592.00 for the Full Depth Reclamation (FDR) of Venture Drive

Public Works Director Lenny Branch addressed the Council for the consideration and approval of a bid award to Turner Asphalt in the amount of \$603,592.00 for the Full Depth Reclamation (FDR) of Venture Drive. Mr. Branch explained that pavement surface would consist of 3” of I19.0B with a 3” of S9.5B surface mix and 10” of the FDR base. This combination allows for greater stability of the road.

Mr. Branch explained that staff originally sent out bid packets for the total reconstruction of Venture Drive. The Town received four proposals and all were over budget. Staff then looked for an alternative cost effective method for the road. It was determined that the FDR method was a better option. Fourteen (14) BID packets for Full Depth Reclamation of Venture Drive were sent out to area contractors. We received proposals from two (2) companies and are as follow:

- Turner Asphalt \$603,592.00
- S.T. Wooten \$870,700.00

It was the recommendation of the Public Works Department to award the Full Depth Reclamation contract of Venture Drive to Turner Asphalt in the amount of \$603,592.00.

Town Manager Michael Scott informed the Council that \$700,000 was budgeted for this project. Since the bid for the project came in almost \$100,000 under budget, he asked Mr. Branch to investigate the cost of resurfacing Peedin Road from the railroad tracks to Venture Drive. Mr. Branch informed the Council that Turner Asphalt was willing to resurface that section of road for \$58,632.

Councilman Wood made a motion, seconded by Councilman Scott, to award the bid to Turner Asphalt in the amount of \$603,592 for the FDR of Venture Drive and also approved the resurfacing of Peedin Road from the railroad tracks to Venture Drive in the amount of \$58,632. Unanimously approved.

6. Booker Dairy Road Right of Way

Town Manager Michael Scott addressed the Council on a request by the North Carolina Department of Transportation (NCDOT) for a temporary easement on Booker Dairy Road. The Town Manager explained that as part of the Booker Dairy Road Extension/Improvement project, NCDOT must acquire right of way throughout the project area. The Town owns property that would be impacted by this project. NCDOT proposes to compensate the Town of Smithfield \$24,650 for the requested acquisition. The right of way acquisitions requested of the Town are temporary easements only. These temporary easements will not negatively affect construction efforts planned by the Town of Smithfield at the Miracle League and Inclusion Park. NCDOT does plan additional improvements in the estimated amount of \$4,250 near the entrance of the SRAC. These improvements will be necessary to widen the road and facilitate the necessary medians to accommodate NCDOT’s access plans. These improvements are removing and reconstructing the curbing adjacent to the SRAC. Town staff and the Town attorney have reviewed the proposal. Town Engineer Bill Dreitzler explained that the Town Manager asked him to determine if there would be significant impacts to the Miracle League and Inclusion Park project. He confidently stated that there would be no significant impact because the proposed ball field is 35 feet off the right of way and the temporary easement is 30 feet off the right of way. He further explained that the only infrastructure that could temporarily be impacted would be a water meter and a backflow preventer. Staff would address any impact to the water meter and backflow preventer.

Mayor Pro-Tem Ashley made a motion, seconded by Councilman Rabil, to approve the request by the North Carolina Department of Transportation for a temporary easement on Booker Dairy Road.

7. Road Condition Study Discussion

Town Manager Michael Scott addressed the Council on the road condition study. He explained that the Town is currently operating under a 2006 road condition survey to make decisions regarding its traditional spring road-resurfacing program. It has been determined this study is antiquated. Councilman Lee requested this matter be discussed in regards to the direction the Public Works Director should proceed in making the decisions as to which roads should be scheduled for resurfacing in the current fiscal year. The Town Manager asked the Town's Contract Engineer, Bill Dreitzler, to complete an evaluation of the 2006 road condition survey, in order to check for validity. Mr. Dreitzler evaluated 35 roads, selected at random, in order to evaluate their need for resurfacing, using a similar rating system that was used in 2006.

Mr. Dreitzler explained that in his evaluation, he reviewed 35 different street blocks independently and prioritized the streets based on current conditions. The ranking system is as follows: (1) High Priority, (2) Medium Priority and (3) Low Priority. Mr. Dreitzler explained that he walked all 35 streets to determine their current condition and once that was determined, he walked the streets again to prioritize which streets were in the worst condition. He then compared his data to the 2006 study and determined there were many inconsistencies. The 35 streets chosen were taken from the 2006 study and were scheduled to be resurfaced over the course of the next 3-4 years. Mr. Dreitzler's recommendation was for the Council to consider a new pavement condition study in the next fiscal year.

Town Manager Michael Scott questioned how the Council would like to proceed for this fiscal year's street resurfacing. He explained that the Council could continue to follow the 2006 study or follow the Town Contract Engineer's prioritized list.

Councilman Lee stated that there are streets in the East Smithfield District that need to be resurfaced that are not included. Mr. Dreitzler responded that with a new pavement condition study all the streets in Smithfield would be evaluated and prioritized.

Mayor Moore questioned Mr. Dreitzler's recommendation to follow the 2006 study for this fiscal year street resurfacing project. Mr. Dreitzler responded that his recommendation was only out of consistency since the Town has been following that since 2006. Public Works Director Lenny Branch's recommendation was to resurface priority 1 and 2 streets as outlined by Mr. Dreitzler.

Mayor Moore questioned if it made more sense to resurface an entire block instead of sections of a block. Mr. Branch responded that while it may look better, some street blocks are in worse condition than other blocks of the same street.

It was the recommendation of the Town Manager to resurface the eighteen (18) roads identified by Mr. Dreitzler as priority one (1) or priority two (2) streets, as opposed to following the recommendations of the 2006 condition survey.

Councilman Wood made a motion, seconded by Councilman Dunn, to resurface the priority 1 and 2 streets as identified by the Town's contract Engineer in this fiscal year. In the event that another street is deemed to be in worse condition, the Public Works Director and the Town Manager could amend the list of streets to be resurfaced. A new pavement condition study will be discussed and considered during the budget session. Councilman Wood, Councilman Dunn, Mayor Pro-Tem Ashley, Councilman Rabil and Councilman Scott voted in favor of the motion. Councilman Lee voted against the motion. Motion carried 5 to 1.

Prioritized Street Listing

<u>STREET INSPECTION LOCATION</u>	<u>REPAIR PRIORITY</u>
CASWELL STREET (5TH ST TO 4TH ST)	1
S SECOND STREET (E ROSE TO E DAVIS)	1
S CRESCENT STREET (W SANDERS TO W BINGHAM)	1
S SECOND STREET (E SANDERS TO E WELLONS)	1
E HOLT STREET (FIFTH TO BRIGHLEAF)	1
BRIDGE STREET (4TH TO 5TH)	1

FRONT STREET (MARKET TO JOHNSTON)	1
FIFTH STREET (MARKET TO JOHNSTON)	1
E HOLT STREET (4TH TO 5TH)	1
W HOLDING STREET (S CRESCENT TO CRESCENT)	1
E DAVIS STREET (BRIGHTLEAF TO SEVENTH)	1
CASWELL STREET (4TH TO 3RD)	2
SIXTH STREET (CASWELL TO HANCOCK)	2
FIFTH STREET (CASWELL TO HANCOCK)	2
CASWELL STREET (6TH TO 7TH)	2
MASSEY STREET (6TH TO 7TH)	2
FIFTH STREET (E LEE TO ROSE)	2
CASWELL STREET (7TH TO BRIGHLEAF)	2
S SUNSET STREET (W MEADOWBROOK TO CUL-DE-SAC)	3
W WELLONS (CRESCENT TO WALNUT)	3
E WILSON STREET (S SECOND TO BRIGHTLEAF)	3
ROGERS CIRCLE (COLLIER TO DEAD END)	3
HARRIS STREET (COLLIER TO DEAD END)	3
E HOLT STREET (SECOND TO THIRD)	3
MLK JR DRIVE (FULLER TO LEMAY)	3
FAYETTEVILLE STREET (DEAD END TO DEAD END)	3
NORTH AVENUE (MLK JR TO WEST)	3
W BINGHAM STREET (S FIRST TO S VERMONT)	3
CEDAR DRIVE (WILLOW TO CUL-DE-SAC)	3
E LEE STREET (4TH TO 5TH)	3
SEVENTH STREET (CASWELL TO BRIDGE)	3
BRIDGE STREET (2ND TO FRONT)	3
E DAVIS STREET (4TH TO 5TH)	3
BAKER STREET (W HOOD TO END PVMT)	3
S VERMONT STREET (W ROSE TO W PARKER)	3

8. Approval to fund Stormwater Upgrades on Barbour Road

Town Manager Michael Scott addressed the Council on consideration to fund stormwater upgrades on Barbour Road. The Town Manager explained that as part of the stormwater management requirements, NCDOT is requiring the developer to up fit a storm drainage pipe under Barbour Road. This would include changing the existing 24-inch culvert and pipe to a 30-inch culvert and pipe. The developer, Genesis Living, Inc., asked the Town of Smithfield to assist with this project, both financially and by managing the upgrade. The Town Manager’s recommendation to the Council was to approve the payment of the labor for the storm water pipe upgrade, as well as manage the project, in exchange for right of ways being provided to the Town on both sides of Barbour Road at the location of the new Storm Drainage pipe and culvert. The maximum amount agreed by the Town to support this project was \$13,000. This money can be paid from the Economic Development Line Item in the General Fund, 10-4110-5710, without budget amendment.

Councilman Wood made a motion, seconded by Councilman Rabil, to approve the request. Unanimously approved.

Councilmembers Comments:

- Councilman Lee informed the Council that he currently traveled around the East Smithfield District and discovered that 75 houses are deemed inhabitable. These properties are a burden on the neighborhoods and need to be addressed by the Town. The Town Ordinance should be enforced without any consideration to who owns the property. The houses present safety issues for those that live around them.

Councilman Lee asked for an update on the Smithfield Selma Sports Academy. Town Manager Michael Scott responded that the sports academy is functioning. He explained that the former Manager made a commitment to this program and he made the decision to fulfill that commitment. He further explained that due to the controversy surrounding the Smithfield Selma Sports Academy, he delayed his decision on whether or not the Town should be involved. This delay caused the academy

to not be marketed as well as it could have been. Parks and Recreation Director Gary Johnson stated that all of the children involved in recreational activities were sent an email inviting them to attend the Smithfield Selma Sports Academy. The Town Manager clarified that he and Mr. Johnson did discuss changing the name of the academy, but thought it would put a lot of burden on the people involved because new uniforms would have to be purchased. The Town Manager's intent was to allow anyone who wished to participate, the opportunity to play basketball. Councilman Lee responded that the whole intention of the Smithfield Selma Sports Academy was to help the kids of Smithfield and Selma.

Councilman Lee questioned if the drainage issues at Smith Collins Park had been addressed. Town Engineer Bill Dreitzler responded that he is currently working on drainage improvements for the entire park.

- Councilman Scott informed the Council that staff and the Booker Dairy Road Committee met with NCDOT representatives. Topics discussed were left turn and right turn accesses as well as sidewalks. NCDOT representatives asked the Town to determine where the sidewalks should be constructed because there is a 70/30 match for the sidewalks. Town Manager Michael Scott responded that he submitted a request to NCDOT for first and second priority sidewalks to ascertain the cost. This will be presented to the Council in the future. Councilman Scott stated that sidewalk access for the old part of Booker Dairy Road should also be considered.

Councilman Scott informed the Council that the Library Board is doing well. He expressed his appreciation to the members of the Appearance Commission for visual improvements made by the Commission at the Library.

Councilman Scott informed the Council that NCEMPA has approved another rate change. Smithfield is in a very good position as it related to electric rates. He explained that the Town should be proud of the fact that Smithfield has the second lowest residential rate for NCEMPA members,

Town Manager's Report:

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

- The Town Manager expressed his appreciation to Tony Nixon for addressing the issue of uninhabitable housing. He stated that it is a significant problem. In the future, the Council may need to amend the ordinances to add more stringent language as it relates to minimum housing requirements. He informed the Council that retired Police Captain Tommy Choe was now the part time Code Enforcement Officer.
 - The Town Manager expressed his appreciation to the dedicated citizens that regularly attend the Council meetings. He encouraged the public to be present during the budget session.
 - LGC meeting: The LGC approved the financing of the Booker Dairy Road Project. They are confident that the Town can manage itself and its finances. He expressed his appreciation to Finance Director Greg Siler for his efforts on this project.
 - Proposed Jail Location: There has been no submission by Johnston County concerning the proposed location of the detention center.
 - The Colonial Rest Home located at Buffalo Road and Hospital Road remains in the process of condemnation.
- **Department Reports**
 - A highlight of each department's monthly activities was given to the Council.

Closed Session: Pursuant to NCGS 143-318.11 (a) (3) to Consult with the Town Attorney and (a) (5) to discuss potential property acquisition

Councilman Scott made a motion, seconded by Councilman Rabil, to go into closed session pursuant to NCGS 143-318.11 (a) (3) & (5). Unanimously approved at 9:57.

(Note: Mayor Pro-Tem Ashley and Councilman Harris were not present for the closed session)

Reconvene in Open Session:

Councilman Scott made a motion, seconded by Councilman Wood, to reconvene in open session. Unanimously approved at 10:24 pm.

Property Acquisition

Councilman Scott made a motion, seconded by Councilman Wood, to approve the contract for the purchase of the former Johnston Ambulance Service property in the amount of \$425,000. Unanimously approved.

Councilman Scott made a motion, seconded by Councilman Rabil, to approve Resolution #601 (06-2017) Official Intent to Reimburse. Unanimously approved.

RESOLUTION # 601 (06-2017)
DECLARATION OFFICIAL INTENT TO REIMBURSE

WHEREAS; the Town of Smithfield desires to purchase the former Johnston Ambulance Service property located at 1200 W. Market Street, Smithfield, N.C. and

WHEREAS; it is the intent of the Town to purchase the property immediately with fund balance as the seller is not willing to wait the time required to go through the Local Government Commission approval process.

WHEREAS; it is the intent of the Town to refinance the purchase through installment financing or other suitable financing and that the financing will be obtained as a result of a process involving Local Government Commission oversight and approval by Town Council, and

WHEREAS; this Resolution and declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section, and

WHEREAS: the Town Council of the Town of Smithfield is authorized to resolve and declare the official intent of the Town of Smithfield, North Carolina (the "Issuer") with respect to the matters contained herein.

NOW THEREFORE BE IT RESOLVED; that the Town of Smithfield proposes to undertake the Project as described below, to incur the related and necessary project expenditures, and to refinance the cost of the Project with the proceeds of debt to be issued by the Town for the project all as described below:

1. Expenditures to be Incurred. The Town of Smithfield (the Issuer) anticipates incurring maximum expenditures (the "Expenditures") of \$425,000 for purchasing the former Johnston Ambulance Service building located at 1200 W. Market Street, Smithfield, N.C. 27577, Parcel I.D. 15-0-86-032
2. Plan of Finance. The Issuer intends to finance the costs of the Project with General Fund fund balance, then refinance with Project with proceeds of installment purchase financing or other suitable form of debt, to be issued by the Town (the "Borrowing"),

the interest on which is to be excluded from gross income for Federal income tax purposes.

3. Maximum Principal Amount of Debt to be Issued. The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is \$425,000.

4. Declaration of Official Intent to Reimburse. The Issuer, Town of Smithfield, NC, hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

Adjourn

There being no further business, Councilman Scott made a motion, seconded by Councilman Wood, to adjourn the meeting. Unanimously approved.

The meeting adjourned at approximately 10:30 pm.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Williams, Town Clerk



Request for City Council Action

**Consent
Agenda
Item:** Application
for
Temporary
Use Permit
Date: 04/04/2017

Subject: Temporary Use Permit
Department: Greater Vision Worship Center
Presented by: Planning Department
Presentation: Consent Agenda Item

Issue Statement

The Council is being asked to authorize an annual tent revival on June 18-24, 2017 at Greater Vision Worship Center located at 720 2nd Avenue Smithfield.

Financial Impact

N/A

Action Needed

To approve the Temporary Use Permit Application

Recommendation

Planning Staff recommended approving this annual event.

Approved: City Manager City Attorney

Attachments:

1. Temporary Use Application



Staff Report

**Consent
Agenda
Item:** **Application
for
Temporary
Use Permit**

Greater Vision Worship Center has requested to hold their annual tent revival at 720 2nd Avenue. The event will be held June 18-24, 2017 from 6:30 p.m. to 9:00 p.m. A PA system will be used during those hours. The only live music will be the Church Praise Team performing. They will not be serving any food or goods at this event. No anticipated security or traffic control from Smithfield Police Department will be needed.



Town of Smithfield's Planning Department
 P.O. Box 761 or
 350 East Market Street
 Smithfield, NC 27577
 Effective: January 2008

Temporary Use Permit Application

Completed applications should be submitted to the Town of Smithfield's Planning Department at least four weeks prior to the event. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

A site plan/diagram of event property MUST BE ATTACHED (see attachments)

- | | |
|---|---|
| <p>TYPE OF EVENT</p> <p><input type="checkbox"/> Expansion or replacement of existing facilities</p> <p><input type="checkbox"/> Sale of agricultural products grown off-site</p> <p><input type="checkbox"/> Sale of fireworks</p> <p><input type="checkbox"/> Special event, over 100 people in attendance</p> <p><input type="checkbox"/> Athletic event on streets, greenways</p> <p><input checked="" type="checkbox"/> Other (please describe) <u>Tent Revival</u></p> | <p style="text-align: right;">PERMIT FEE \$50.</p> <p><input type="checkbox"/> Construction Trailer</p> <p><input type="checkbox"/> Real estate sales office or model home</p> <p><input type="checkbox"/> Sale of non-agricultural products, except fireworks</p> <p><input type="checkbox"/> Not-for-profit event, over 100 people in attendance</p> <p><input type="checkbox"/> Town recognized event</p> <p><input checked="" type="checkbox"/> Live Band/ Concert <u>Church Praise Team will sing</u></p> |
|---|---|

Name of Event <u>Greater Vision Worship Center, COGOP Tent Revival</u>	Location of Event (exact street address) <u>120 East St^W adjacent to Blount Street, Smithfield</u>
--	---

Applicant name Lakima Walker E-mail address lakimawalker@yahoo.com

Address 110 Impressive Lane Clayton, NC Zip 27520

Day phone (919) 333-7705 Mobile phone 919-333-7705

Event set-up/start time/date June 18, 2017 Event clean-up/end date/time June 24, 2017

Sound amplification hours 6:30-9pm Will food or goods be sold? NO

Security provided by Smithfield Police or private security (describe duties): Not requested

Private agency name & phone, if applicable: _____

Will any Town property be used (i.e., streets, parks, greenways)? No ~~at~~ the church property

Do you wish to: Restrict animals at this event? (circle Yes No) Prohibit Fireworks? (circle Yes No)

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for Temporary Uses. I certify that I have notified all adjoining property owners of the planned temporary use.

Lakima Walker Applicant's name (print) _____ Signature _____ Date 3/9/17

PLEASE RETURN THIS PERMIT TO INSPECTIONS AND PERMIT DEPARTMENT WITH \$50.00 FEE.

Method of payment: Cash _____ Check _____ Credit card _____ Amount \$ _____ HTE _____

Reviewing Planner: _____ Date: _____
 (Note: See attached letter)



Request for City Council Action

**Consent
Agenda
Item:** Application
for
Temporary
Use Permit
Date: 04/04/2017

Subject: Temporary Use Permit
Department: Blessed by God Ministries
Presented by: Planning Department
Presentation: Consent Agenda Item

Issue Statement

The Council is being asked to authorize a tent revival on April 26-28, 2017 at Blessed by God Ministries located at 906 Blount St. Smithfield.

Financial Impact

Action Needed

To approve the Temporary Use Permit Application

Recommendation

Approved: City Manager City Attorney

Attachments:

1. Temporary Use Permit Application



Staff Report

**Consent
Agenda
Item:** **Application
for
Temporary
Use Permit**

Blessed by God Ministries has requested to hold a tent revival at 906 Blount Street. The revival will be held April 26-28, 2017 from 7:30 p.m. to 10:00 p.m. A PA system will be used during those hours. They will not be serving any food or goods at this event. They have requested the Smithfield Police Department to periodically patrol the area during the event.



Town of Smithfield's Planning Department
 P.O. Box 761 or
 350 East Market Street
 Smithfield, NC 27577
 Effective: January 2008

Temporary Use Permit Application

Completed applications should be submitted to the Town of Smithfield's Planning Department at least four weeks prior to the event. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

A site plan/diagram of event property MUST BE ATTACHED (see attachments)

TYPE OF EVENT

PERMIT FEE \$50.

- | | |
|--|---|
| <input type="checkbox"/> Expansion or replacement of existing facilities | <input type="checkbox"/> Construction Trailer |
| <input type="checkbox"/> Sale of agricultural products grown off-site | <input type="checkbox"/> Real estate sales office or model home |
| <input type="checkbox"/> Sale of fireworks | <input type="checkbox"/> Sale of non-agricultural products, except fireworks |
| <input type="checkbox"/> Special event, over 100 people in attendance | <input checked="" type="checkbox"/> Not-for-profit event, over 100 people in attendance |
| <input type="checkbox"/> Athletic event on streets, greenways | <input type="checkbox"/> Town recognized event _____ |
| <input type="checkbox"/> Other (please describe) <u>TENT REVIVAL</u> | <input checked="" type="checkbox"/> Live Band / Concert _____ |

TENT REVIVAL Name of Event 906 Blount St Smithfield NC. Location of Event (exact street address)

Applicant name Ricky Locus E-mail address Bessielocus@Outlook.com

Address 19 Aspen Drive Smithfield N.C. Zip 27577

Day phone 919-487-1814 Mobile phone 252-218-8160

Event set-up/start time/date 4-26-17 10:00 AM Event clean-up/end date/time 4-28-17 10:00 PM

Sound amplification hours 7:30 PM - 10:00 PM Will food or goods be sold? NO

Security provided by Smithfield Police or private security (describe duties): Yes Police Drive Thru's

Private agency name & phone, if applicable: _____

Will any Town property be used (i.e., streets, parks, greenways)? NO

Do you wish to: Restrict animals at this event? (circle Yes No) Prohibit Fireworks? (circle Yes No)

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for Temporary Uses. I certify that I have notified all adjoining property owners of the planned temporary use.

Ricky Locus Applicant's name (print) Ricky Locus Signature 3-28-17 Date

PLEASE RETURN THIS PERMIT TO INSPECTIONS AND PERMIT DEPARTMENT WITH \$50.00 FEE.

Method of payment: Cash _____ Check _____ Credit card Amount \$ 50.00 HTE _____

Reviewing Planner: [Signature] Date: 3/28/2017
 (Note: See attached letter)



Request for City Council Action

**Consent
Agenda
Item:** Application
for
Temporary
Use Permit
Date: 04/04/2017

Subject: Temporary Use Permit
Department: Downtown Smithfield Development Corporation
Presented by: Planning Department
Presentation: Consent Agenda Item

Issue Statement

The Council is being asked to authorize The Downtown Smithfield Development Corporation approval for all DSDC sponsored events for 2017.

Financial Impact

N/A

Action Needed

To approve the Temporary Use Permit Applications

Recommendation

Approve the Temporary Use Permit Applications

Approved: City Manager City Attorney

Attachments:

1. DSDC letter
2. Temporary Use Permit Applications



Staff Report

**Consent
Agenda
Item:** **Application
for
Temporary
Use Permit**

The Downtown Smithfield Development Corporation is requesting approval for all DSDC sponsored events for 2017. Based on the success of previous Downtown Smithfield Wine Walks, the DSDC would like to hold two this year, April 21 and November 17. These events do not require the closure of any streets and all alcohol is to be consumed within buildings. The DSDC will hire two Smithfield Police Department officers to verify the age of participants and provide a police presence.

The Ham & Yam Festival will be held **May 6, 2017** and will require the closures of several streets, with all reopening no later than 11:59 p.m. on Saturday, May 6.

- 12:00 p.m., Friday, May 5
Front Street from Johnston Street to Market Street
- 11:00 p.m., Friday, May 5
Church Street from Second Street to Front Street
Second Street from Market Street to Church Street
Third Street from Market Street to Church Street
Johnston Street from Front Street to Third Street

The DSDC has proposed significant changes to their summer concert series, rebranding it **“Rhythm & Brews,” changing the location, and incorporating other activities.** The location for this event will be in the 100 block of S. Third Street, which will allow more visibility and connectivity for more businesses as well as additional space. The DSDC plans to introduce more family friendly activities and also seeks approval to allow for the sale and consumption of alcohol within the event area. Concerts are planned for **June 16** and **September 15** from 5:00 p.m. until approximately 11:00 p.m. and will require the closure of the 100 block of S. Third Street.

Smithfield’s Annual Independence Celebration will be held Sunday, July 2, 2017. They will partner with the Smithfield Parks & Recreation Department, providing family-friendly activities, entertainment and food vendors. The following streets are being requested to be closed for this event.

- 12:00 p.m., Sunday, July 2
Third Street from Market Street to Johnston Street
- 5:00 p.m., Sunday, July 2
Johnston Street from Second to Fourth Street
Third Street from Johnston Street to Church Street

The Christmas Tree Lighting will be held December 7, 2017 from 5:00 p.m. until 10:00 p.m., with the closure of 100 block of N. Third Street. As planning for that event continues they may request the closure of a larger area.



March 1, 2017

Town of Smithfield
PO Box 761
Smithfield, NC 27577

Re: Downtown Smithfield Special Events

Dear Mayor, Council and Staff,

Enclosed you will find temporary use permit applications for all DSDC-sponsored events for 2017. We have proposed additional events, as well as changes to existing events. Below is a summary of these events.

Based on the success of previous Downtown Smithfield Wine Walks, the DSDC would like to hold two this year, on April 21 and November 17. These events do not require the closure of any streets, and all alcohol is to be consumed within buildings. We will again hire two Smithfield Police Department officers to verify the age of participants and provide a police presence. The Wine Walk has been a very successful retail event for Downtown Smithfield and our businesses.

The Ham & Yam Festival will be held on May 6, 2017, and will require the closures of several streets, with all reopening no later than 11:59 p.m. on Saturday, May 6.

12:00 p.m., Friday, May 5
Front Street from Johnston Street to Market Street

11:00 p.m., Friday, May 5
Church Street from Second Street to Front Street
Second Street from Market Street to Church Street
Third Street from Market Street to Church Street
Johnston Street from Front Street to Third Street

The DSDC very much appreciates the assistance of the Town in providing services to ensure the success of the festival.

200 South Front Street • Smithfield, North Carolina 27577 • (919) 934-0887

The DSDC has proposed significant changes to our summer concert series, rebranding it “Rhythm & Brews,” changing the location, and incorporating other activities. The location will shift to the 100 block of S. Third Street, which will allow for more visibility and connectivity for more businesses, as well as additional space. The DSDC plans to introduce more family friendly activities, and also seeks approval to allow for the sale and consumption of alcohol within the event area. These concerts are planned for June 16 and September 15, and will require the closure of the 100 block of S. Third Street from 5:00 p.m. until approximately 11:00 p.m.

Smithfield’s Annual Independence Celebration will be held Sunday, July 2, 2017. In partnering with the Smithfield Parks & Recreation Department, we will again have family-friendly activities, entertainment, and food vendors. As in previous years, we request permission to close the following downtown streets used during the event until 11:00 p.m. on July 2:

12:00 p.m., Sunday, July 2
Third Street from Market Street to Johnston Street

5:00 p.m., Sunday, July 2
Johnston Street from Second to Fourth Street
Third Street from Johnston Street to Church Street

The Christmas Tree Lighting is planned for December 7, 2017. At this time, we would like to request closure of the 100 block of N. Third Street from 5:00 p.m. until 10:00 p.m.; however, as planning for that event continues, we may request the closure of a larger area.

The Downtown Smithfield Development Corporation appreciates the support of the Town in making these events possible, and we hope that you all will make every effort to join us.

Sincerely,



Sarah Edwards
Executive Director



Town of Smithfield's Planning Department
 P.O. Box 761 or
 350 East Market Street
 Smithfield, NC 27577
 Effective: January 2008

Temporary Use Permit Application

Completed applications should be submitted to the Town of Smithfield's Planning Department **at least four weeks prior to the event.** All applicants should read the following pages before completing all sections required. **Incomplete applications may increase the permit processing time.** If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

A site plan/diagram of event property MUST BE ATTACHED (see attachments)

TYPE OF EVENT

- Expansion or replacement of existing facilities
- Sale of agricultural products grown off-site
- Sale of fireworks
- Special event, over 100 people in attendance
- Athletic event on streets, greenways
- Other (please describe) _____

- Construction Trailer
- Real estate sales office or model home
- Sale of non-agricultural products, except fireworks
- Not-for-profit event, over 100 people in attendance
- Town recognized event DSPC events
- Live Band / Concert _____

PERMIT FEE \$50.

<u>Downtown Smithfield Wine Walk</u> Name of Event	<u>Downtown Smithfield</u> Location of Event (exact street address)
---	--

Applicant name Sarah Edwards E-mail address sarah@downtownsmithfield.com
 Address 200 S. Front Street Smithfield, NC Zip 27577
 Day phone (919) 934-0887 Mobile phone (919) 796-2899
 Event set-up/start time/date April 21, 2017 5pm Event clean-up/end date/time April 21, 2017 9pm
 Sound amplification hours 5pm-9pm Will food or goods be sold? No
 Security provided by Smithfield Police or private security (describe duties): Smithfield Police off duty
 Private agency name & phone, if applicable: Checking IDs, offering police presence
 Will any Town property be used (i.e., streets, parks, greenways)? Streets

Do you wish to: Restrict animals at this event? (circle Yes **No**) Prohibit Fireworks? (circle **Yes** No)

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for Temporary Uses. I certify that I have notified all adjoining property owners of the planned temporary use.

Sarah Edwards Applicant's name (print) [Signature] Signature 1/10/2017 Date

PLEASE RETURN THIS PERMIT TO INSPECTIONS AND PERMIT DEPARTMENT WITH \$50.00 FEE.

Method of payment: Cash _____ Check _____ Credit card _____ Amount \$ _____ HTE _____

Reviewing Planner: _____ Date: _____
 (Note: See attached letter)



Town of Smithfield's Planning Department
 P.O. Box 761 or
 350 East Market Street
 Smithfield, NC 27577
 Effective: January 2008

Temporary Use Permit Application

Completed applications should be submitted to the Town of Smithfield's Planning Department at least four weeks prior to the event. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

A site plan/diagram of event property MUST BE ATTACHED (see attachments)

TYPE OF EVENT

- Expansion or replacement of existing facilities
- Sale of agricultural products grown off-site
- Sale of fireworks
- Special event, over 100 people in attendance
- Athletic event on streets, greenways
- Other (please describe) _____

PERMIT FEE \$50.

- Construction Trailer
- Real estate sales office or model home
- Sale of non-agricultural products, except fireworks
- Not-for-profit event, over 100 people in attendance
- Town recognized event DSDC events
- Live Band / Concert _____

<u>Downtown Smithfield Wine Walk</u> Name of Event	<u>Downtown Smithfield</u> Location of Event (exact street address)
---	--

Applicant name Sarah Edwards E-mail address sarah@downtownsmithfield.com
 Address 200 S Front St, Smithfield NC Zip 27577

Day phone (919) 934-0887 Mobile phone (919) 796-2099

Event set-up/start time/date November 17, 2017 5pm Event clean-up/end date/time November 17, 2017 9pm

Sound amplification hours 5-9pm Will food or goods be sold? NO

Security provided by Smithfield Police or private security (describe duties): Smithfield Police off duty
 Private agency name & phone, if applicable: Checking IDs, offering Police presence

Will any Town property be used (i.e., streets, parks, greenways)? Streets

Do you wish to: Restrict animals at this event? (circle Yes **No**) Prohibit Fireworks? (circle **Yes** No)

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for Temporary Uses. I certify that I have notified all adjoining property owners of the planned temporary use.

Sarah Edwards _____ [Signature] _____ 1/10/2017
 Applicant's name (print) Signature Date

PLEASE RETURN THIS PERMIT TO INSPECTIONS AND PERMIT DEPARTMENT WITH \$50.00 FEE.

Method of payment: Cash _____ Check _____ Credit card _____ Amount \$ _____ HTE _____

Reviewing Planner: _____ Date: _____
 (Note: See attached letter)



Town of Smithfield's Planning Department
 P.O. Box 761 or
 350 East Market Street
 Smithfield, NC 27577
 Effective: January 2008

Temporary Use Permit Application

Completed applications should be submitted to the Town of Smithfield's Planning Department at least four weeks prior to the event. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

A site plan/diagram of event property MUST BE ATTACHED (see attachments)

TYPE OF EVENT

- Expansion or replacement of existing facilities
- Sale of agricultural products grown off-site
- Sale of fireworks
- Special event, over 100 people in attendance
- Athletic event on streets, greenways
- Other (please describe) _____

PERMIT FEE \$50.

- Construction Trailer
- Real estate sales office or model home
- Sale of non-agricultural products, except fireworks
- Not-for-profit event, over 100 people in attendance
- Town recognized event Ham + Yam Festival
- Live Band / Concert _____

Ham + Yam Festival Name of Event Downtown Smithfield. Location of Event (exact street address)

Applicant name Sarah Edwards E-mail address sarah @ downtown smithfield .com

Address 200 S. Front St, Smithfield, NC Zip 27577

Day phone (919) 934-0887 Mobile phone (919) 796-2899

Event set-up/start time/date May 5, 2017 12pm Event clean-up/end date/time May 6, 2017 11:59pm

Sound amplification hours May 5 - 6pm-10pm, May 6 - 10am-10pm Will food or goods be sold? Yes

Security provided by Smithfield Police or private security (describe duties): Smithfield Police, police presence

Private agency name & phone, if applicable: _____

Will any Town property be used (i.e., streets, parks, greenways)? Streets, Town Commons

Do you wish to: Restrict animals at this event? (circle **Yes** No) Prohibit Fireworks? (circle **Yes** No)

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for Temporary Uses. I certify that I have notified all adjoining property owners of the planned temporary use.

Sarah Edwards Applicant's name (print) [Signature] Signature 1/10/2017 Date

PLEASE RETURN THIS PERMIT TO INSPECTIONS AND PERMIT DEPARTMENT WITH \$50.00 FEE.

Method of payment: Cash _____ Check _____ Credit card _____ Amount \$ _____ HTE _____

Reviewing Planner: _____ Date: _____
 (Note: See attached letter)



Town of Smithfield's Planning Department
 P.O. Box 761 or
 350 East Market Street
 Smithfield, NC 27577
 Effective: January 2008

Temporary Use Permit Application

Completed applications should be submitted to the Town of Smithfield's Planning Department at least four weeks prior to the event. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

A site plan/diagram of event property MUST BE ATTACHED (see attachments)

TYPE OF EVENT

- Expansion or replacement of existing facilities
- Sale of agricultural products grown off-site
- Sale of fireworks
- Special event, over 100 people in attendance
- Athletic event on streets, greenways
- Other (please describe) _____

PERMIT FEE \$50.

- Construction Trailer
- Real estate sales office or model home
- Sale of non-agricultural products, except fireworks
- Not-for-profit event, over 100 people in attendance
- Town recognized event BSDC events
- Live Band / Concert _____

<u>Rhythm + Brews</u> Name of Event	<u>Corner of Third and Market streets</u> Location of Event (exact street address)
--	---

Applicant name Sarah Edwards E-mail address sarah@downtownsmithfield.com
 Address 200 S Front St Smithfield, NC Zip 27577
 Day phone (919) 934-0887 Mobile phone (919) 796-2899
 Event set-up/start time/date June 16, 2017 5pm Event clean-up/end date/time June 16, 2017 11pm
 Sound amplification hours 6:30 - 9:30pm Will food or goods be sold? Yes
 Security provided by Smithfield Police or private security (describe duties): Smithfield Police, Police presence
 Private agency name & phone, if applicable: _____

Will any Town property be used (i.e., streets, parks, greenways)? Street
 Do you wish to: Restrict animals at this event? (circle Yes **No**) Prohibit Fireworks? (circle Yes **No**)

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for Temporary Uses. I certify that I have notified all adjoining property owners of the planned temporary use.

Sarah Edwards [Signature] 1/10/2017
 Applicant's name (print) Signature Date

PLEASE RETURN THIS PERMIT TO INSPECTIONS AND PERMIT DEPARTMENT WITH \$50.00 FEE.

Method of payment: Cash _____ Check _____ Credit card _____ Amount \$ _____ HTE _____

Reviewing Planner: _____ Date: _____
 (Note: See attached letter)



Town of Smithfield's Planning Department
 P.O. Box 761 or
 350 East Market Street
 Smithfield, NC 27577
 Effective: January 2008

Temporary Use Permit Application

Completed applications should be submitted to the Town of Smithfield's Planning Department at least four weeks prior to the event. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

A site plan/diagram of event property MUST BE ATTACHED (see attachments)

TYPE OF EVENT

- Expansion or replacement of existing facilities
- Sale of agricultural products grown off-site
- Sale of fireworks
- Special event, over 100 people in attendance
- Athletic event on streets, greenways
- Other (please describe) _____

- Construction Trailer
- Real estate sales office or model home
- Sale of non-agricultural products, except fireworks
- Not-for-profit event, over 100 people in attendance
- Town recognized event DSDC events
- Live Band / Concert _____

PERMIT FEE \$50.

<u>Rhythm & Brews</u> Name of Event	<u>Corner of Third and Market streets</u> Location of Event (exact street address)
--	---

Applicant name Sarah Edwards E-mail address sarah@downtownsmithfield.com
 Address 200 S Front St, Smithfield NC Zip 27577
 Day phone (919) 934-0087 Mobile phone (919) 796-2099
 Event set-up/start time/date September 15, 2017 5pm Event clean-up/end date/time September 15, 2017 11pm
 Sound amplification hours 6:30-9:30pm Will food or goods be sold? Yes
 Security provided by Smithfield Police or private security (describe duties): Smithfield Police, police presence

Private agency name & phone, if applicable: _____

Will any Town property be used (i.e., streets, parks, greenways)? Street

Do you wish to: Restrict animals at this event? (circle Yes **No**) Prohibit Fireworks? (circle **Yes** No)

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for Temporary Uses. I certify that I have notified all adjoining property owners of the planned temporary use.

Sarah Edwards [Signature] 1/10/2017
 Applicant's name (print) Signature Date

PLEASE RETURN THIS PERMIT TO INSPECTIONS AND PERMIT DEPARTMENT WITH \$50.00 FEE.

Method of payment: Cash _____ Check _____ Credit card _____ Amount \$ _____ HTE _____

Reviewing Planner: _____ Date: _____
 (Note: See attached letter)



Town of Smithfield's Planning Department
 P.O. Box 761 or
 350 East Market Street
 Smithfield, NC 27577
 Effective: January 2008

Temporary Use Permit Application

Completed applications should be submitted to the Town of Smithfield's Planning Department **at least four weeks prior to the event.** All applicants should read the following pages before completing all sections required. **Incomplete applications may increase the permit processing time.** If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

A site plan/diagram of event property MUST BE ATTACHED (see attachments)

TYPE OF EVENT

- Expansion or replacement of existing facilities
- Sale of agricultural products grown off-site
- Sale of fireworks
- Special event, over 100 people in attendance
- Athletic event on streets, greenways
- Other (please describe) _____

- Construction Trailer
- Real estate sales office or model home
- Sale of non-agricultural products, except fireworks
- Not-for-profit event, over 100 people in attendance
- Town recognized event _____
- Live Band / Concert _____

PERMIT FEE \$50.

<u>Independence Celebration</u> Name of Event	<u>Third Street</u> Location of Event (exact street address)
--	---

Applicant name Sarah Edwards E-mail address sarah@downtownsmithfield.com

Address 200 S Front St, Smithfield NC Zip 27577

Day phone (919) 934-0887 Mobile phone (919) 716-2899

Event set-up/start time/date July 2, 2017 - 12pm Event clean-up/end date/time July 2, 2017 - 11pm

Sound amplification hours 6pm - 10pm Will food or goods be sold? Yes

Security provided by Smithfield Police or private security (describe duties): Smithfield Police police presence

Private agency name & phone, if applicable: _____

Will any Town property be used (i.e., streets, parks, greenways)? Street

Do you wish to: Restrict animals at this event? (circle **Yes** No) Prohibit Fireworks? (circle Yes **No**)

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for Temporary Uses. I certify that I have notified all adjoining property owners of the planned temporary use.

Sarah Edwards [Signature] 1/10/2017
 Applicant's name (print) Signature Date

PLEASE RETURN THIS PERMIT TO INSPECTIONS AND PERMIT DEPARTMENT WITH \$50.00 FEE.

Method of payment: Cash _____ Check _____ Credit card _____ Amount \$ _____ HTE _____

Reviewing Planner: _____ Date: _____
 (Note: See attached letter)



Town of Smithfield's Planning Department
 P.O. Box 761 or
 350 East Market Street
 Smithfield, NC 27577
 Effective: January 2008

Temporary Use Permit Application

Completed applications should be submitted to the Town of Smithfield's Planning Department at least four weeks prior to the event. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

A site plan/diagram of event property MUST BE ATTACHED (see attachments)

TYPE OF EVENT

- Expansion or replacement of existing facilities
- Sale of agricultural products grown off-site
- Sale of fireworks
- Special event, over 100 people in attendance
- Athletic event on streets, greenways
- Other (please describe) _____

PERMIT FEE \$50.

- Construction Trailer
- Real estate sales office or model home
- Sale of non-agricultural products, except fireworks
- Not-for-profit event, over 100 people in attendance
- Town recognized event Tree Lighting
- Live Band / Concert _____

<u>Christmas Tree Lighting</u> Name of Event	<u>Third Street</u> Location of Event (exact street address)
---	---

Applicant name Sarah Edwards E-mail address sarah@downtownsmithfield.com
 Address 200 S. Front St, Smithfield NC Zip 27577
 Day phone (919) 934-0987 Mobile phone (919) 796-2899
 Event set-up/start time/date December 7, 2017 - 9pm Event clean-up/end date/time December 7, 2017 - 10pm
 Sound amplification hours 6:30pm - 9:00pm Will food or goods be sold? NO
 Security provided by Smithfield Police or private security (describe duties): Smithfield Police - police presence
 Private agency name & phone, if applicable: _____
 Will any Town property be used (i.e., streets, parks, greenways)? _____

Do you wish to: Restrict animals at this event? (circle **Yes** No) Prohibit Fireworks? (circle Yes **No**)

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for Temporary Uses. I certify that I have notified all adjoining property owners of the planned temporary use.

Sarah Edwards [Signature] 1/10/2017
 Applicant's name (print) Signature Date

PLEASE RETURN THIS PERMIT TO INSPECTIONS AND PERMIT DEPARTMENT WITH \$50.00 FEE.

Method of payment: Cash _____ Check _____ Credit card _____ Amount \$ _____ HTE _____

Reviewing Planner: _____ Date: _____
 (Note: See attached letter)



Request for City Council Action

Consent **Fire**
Agenda **Department**
Item: **Promotion**
Date: 04/04/2017

Subject: Captain's Promotion
Department: Fire
Presented by: Chief John Blanton
Presentation: Consent Agenda

Issue Statement

A Captain's position has been opened with the Hiring of the Fire Chief. It is requested that the Town Council allow the Fire Department to fill this position as soon as the Captain's testing has been completed.

Financial Impact

There will be a 5 % increase in pay with the promotion for the Engineer that is selected. The pay increase will be covered under the current budget.

Action Needed

Council to approve this position being filled with the 5 % increase in pay once the candidate is selected.

Recommendation

Allow the Fire Department to proceed with filling this vacancy.

Approved: City Manager City Attorney

Attachments: N/A



Request for City Council Action

**Consent
Agenda
Item:** Fire
Department
Engineer
Promotion
Date: 04/04/2017

Subject: Engineer Promotion
Department: Fire
Presented by: Chief John Blanton
Presentation: Consent Agenda

Issue Statement

An **Engineer's** position will be opened, once the vacant Captain position is filled, at that time, the Fire Department will then begin the process of hiring for the **Engineer's** Position.

Financial Impact

The Firefighter II that is selected after the process will receive a 5% increase in pay due to the promotion. The increase will be covered by the current budget.

Action Needed

Council to approve this vacant Engineer's position to be filled once a candidate is selected.

Recommendation

Allow the Fire Department to fill this vacancy once the position comes open.

Approved: City Manager City Attorney

Attachments: N/A



Request for City Council Action

Consent
Agenda
Item: REPS
Date: Agreement
04/04/2017

Subject: Execution of the REPS Agreement
Department: Utilities
Presented by: Ted Credle
Presentation: No

Issue Statement

The Town should execute the agreement with NCEMPA to take the place of the previous agreement, which was inadvertently voided.

Financial Impact

There will be no impact on the approved fiscal budget

Action Needed

Approve the agreement with NCEMPA

Recommendation

Staff recommends the execution of the REPS agreement with NCEMPA

Approved: City Manager City Attorney

Attachments:

Copy of REPS Agreement with NCEMPA



Staff Report

Consent
Agenda
Item: **REPS
Agreement**

In 2015, the Town of Smithfield (Town) and the North Carolina Eastern Municipal Power Agency (NCEMPA) re-entered into an agreement where NCEMPA would coordinate and **administer a program that fulfills the Town's obligation to meet the Renewable Energy and Energy Efficiency Portfolio Standards (REPS) requirements set forth in Senate Bill 3, adopted in 2007; otherwise known as the "REPS Compliance Program".**

In July of 2015, in conjunction with the sale of generating assets, the Town and NCEMPA entered into an agreement with Duke Energy that, by the nature of the agreement, inadvertently terminated the previously held agreement between the Town and NCEMPA, in regards to the REPS obligations.

This proposed agreement re-establishes the relationship between the Town and the NCEMPA, allowing NCEMPA to **coordinate and administer the "Compliance Program" on behalf of the Town; act as the Town's agent in regards to the REPS obligations; and file all necessary and required reports with the North Carolina Utilities Commission.**

**NORTH CAROLINA
EASTERN MUNICIPAL POWER AGENCY**

**AMENDED AND RESTATED
RENEWABLE ENERGY DEVELOPMENT
AND
SERVICE AGREEMENT**

Witness this Agreement, dated as of the ___ day of _____, 2017, by North Carolina Eastern Municipal Power Agency, a joint agency organized and existing under the provisions of Chapter 159B of the General Statutes of North Carolina (“Power Agency”), and the municipality of the State of North Carolina which has executed this Agreement (“the Municipality”).

WHEREAS, Power Agency and the Municipality previously entered into a Renewable Energy Development and Service Agreement pursuant to which Power Agency has undertaken the development, coordination and administration of a program designed to enable the Municipality to meet its Renewable Energy and Energy Efficiency Portfolio Standards (“REPS”) obligations set forth in Senate Bill 3 adopted by the North Carolina General Assembly in 2007 and codified in N.C.G.S. as §62-133.8 et. seq. (the “REPS Compliance Program”); and

WHEREAS, the term of the Renewable Energy Development and Service Agreement was coterminous with the term of that certain Supplemental Power Sales Agreement between Power Agency and the Municipality, dated as of the 30th day of July, 1981; and

WHEREAS, effective July 31, 2015, in connection with the sale by Power Agency of all of its generating assets jointly owned with Duke Energy Progress, LLP, Power Agency and the Municipality terminated the Supplemental Power Sales Agreement and entered into a Full Requirements Power Sales Agreement, dated as of April 24, 2015, and effective as of July 31, 2015, pursuant to which Power Agency provides the Municipality with its Full Requirements Bulk Power Supply, as that term is defined in the Full Requirements Power Sales Agreement; and

WHEREAS, also pursuant to the Full Requirements Power Sales Agreement, Power Agency, for purposes of carrying out its rights and obligations under the Full Requirements Power Sales Agreement, has been designated and appointed by the Municipality as the Municipality’s sole agent to the fullest legal extent that such agency may be established for such purposes; and

WHEREAS, effective as of July 31, 2015, the Renewable Energy Development and Service Agreement was terminated simultaneously with the termination of the Supplemental Power Sales Agreement; and

WHEREAS, Power Agency and the Municipality desire that Power Agency continue to develop, coordinate and administer the REPS Compliance Program on behalf of the Municipality

and desire to amend and restate the Renewable Energy Development and Service Agreement to provide that the same shall continue for a term coterminous with the Full Requirements Power Sales Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, and such other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, IT IS AGREED:

1. Power Agency Undertakings.

Power Agency shall:

- i) on behalf of the Municipality, determine, develop, coordinate and administer a REPS Compliance Program for the Municipality;
- ii) obtain, to the extent deemed appropriate by the Board of Directors of Power Agency, supply-side renewable resources, the output of which would be available for sale at wholesale to the Municipality as part of its All Requirements Bulk Power Supply;
- iii) coordinate, administer and, to the extent necessary, develop demand-side management and energy efficiency measures;
- iv) coordinate renewable resources and demand side management and energy efficiency measures owned, operated or undertaken by the Municipality with and into the REPS Compliance Program for the Municipality and for other municipalities entering into a Renewable Energy Development and Service Agreement, to the extent deemed feasible and appropriate by Power Agency;
- v) account for and document the Municipality's compliance with the REPS;
- vi) prepare and file annual Compliance Plans and Reports, on behalf of the Municipality, required to be filed with the North Carolina Utilities Commission (the "NCUC") pursuant to the rules and regulations promulgated by the NCUC pursuant to the Legislation; and
- vii) impose and collect a monthly fee, to the extent adopted by the Board of Directors, in the form of a billing rider (the "REPS Rider") to carry out its undertakings herein and the Municipality's obligations under the Legislation.

2. Municipality's Undertakings.

The Municipality shall:

- i) participate in all or a part of the REPS Compliance Program to comply with REPS;
- ii) permit Power Agency to coordinate, and assist Power Agency in its coordination of, renewable resources and demand side management and energy efficiency measures owned, operated or undertaken by the Municipality with and into the REPS Compliance Program for the

- Municipality and other municipalities entering into a Renewable Energy Development and Service Agreement;
- iii) permit Power Agency to allocate the Municipality's contract SEPA output in the manner deemed most efficient by Power Agency in connection with Power Agency's administration of the least cost REPS compliance on behalf of the Municipality and other municipalities entering into a Renewable Energy Development and Service Agreement;
 - iv) timely pay to Power Agency the monthly REPS Rider adopted by the Board of Directors;
 - v) not later than April 30 of each year during the term of this Agreement, report to Power Agency the number of its residential, commercial and industrial retail electric customer accounts that the Municipality served the previous calendar year;
 - vi) keep and maintain accurate records of, among other things, its annual retail sales of electric power (in MWhs), its number of residential, commercial and industrial electric customer accounts per year, and the savings (in MWhs) achieved by the Municipality as a result of its use of demand-side management and energy efficiency measures;
 - vii) account for and keep and maintain accurate records of all costs associated with the Municipality's efforts to comply with REPS, including, but not limited to, labor, materials, overhead, expenses and other miscellaneous costs; and
 - viii) provide Power Agency with any and all information reasonably requested by Power Agency in connection with Power Agency's obligation to prepare and file the annual Compliance Plans and Reports.

3. Power Agency is the Municipality's Agent.

The Municipality hereby appoints the Power Agency as its agent, to the fullest extent permitted by law, to develop, coordinate and administer a REPS Compliance Plan and to take all acts, on behalf of the Municipality, as are necessary to develop and implement a REPS Compliance Plan that will enable the Municipality to meet the REPS.

4. Modification and Uniformity of Agreements.

This Agreement shall not be amended, modified or otherwise changed, or rescinded, except by agreement of the parties hereto. If any other Renewable Energy Development and Service Agreement is amended or replaced so that it contains terms and conditions different from those contained in the Agreement, Power Agency shall notify the Municipality and, upon timely request by the Municipality, shall amend this Agreement to include such similar terms and conditions.

5. Term.

- (a) Except as provided in Section 5(b) hereof, the term of this Agreement shall be coterminous with the term of the Full Requirements Power Sales Agreement and the rights

of the Municipality and the Power Agency to terminate this Agreement shall be the same as the rights to terminate set forth in the Full Requirements Power Sales Agreement; provided, however, that, in the event of the expiration or termination of this Agreement pursuant to the terms of the Full Requirements Power Sales Agreement, Municipality shall comply with the provisions of Subsections 5(b)(i) and (ii) below.

(b) Municipality shall have the right to terminate this Agreement at any time during its Term, provided that:

(i) Municipality provides Power Agency with written notice of such termination at least eighteen (18) months prior to its effective date; and

(ii) Municipality has:

(A) entered into an agreement with Power Agency by which Municipality agrees to file, on its own behalf, the REPS compliance report required by North Carolina Utilities Commission Rule R8-67(c)(1), and such other reports or filings, if any, required by law or regulation to be filed, for the calendar year in which the date of termination of this Agreement occurs; and

(B) accepted an assignment from Power Agency of Municipality's REPS Share of REPS Compliance Resources held by Power Agency in its North Carolina Renewable Energy Tracking System ("NC-RETS") account as of the date of termination; and either

(C) entered into an agreement(s) with Power Agency by which Municipality accepts an assignment of its REPS Share of that portion of Power Agency's REPS Compliance Resources related to Power Agency's executory contracts, existing on the date of written notice of termination, for the purchase in the future of renewable resources; or

(D) (x) entered into an agreement(s) with Power Agency by which Power Agency agrees to sell, and Municipality agrees to purchase, Municipality's REPS Share of that portion of Power Agency's REPS Compliance Resources related to Power Agency's executory contracts, existing on the date of written notice of termination, for the purchase in the future of renewable resources; and (y) provided a letter of credit in favor of the Power Agency, or such other form of security as is agreeable to Power Agency, to secure Municipality's obligations existing under this Agreement at the time of its termination, provided that Municipality shall have the right but not the obligation, in lieu of providing security, to purchase its remaining obligations under such an agreement with Power Agency on terms mutually agreeable to Municipality and Power Agency.

(iii) For purposes of this Section 5(b), Municipality's "REPS Share" shall mean Municipality's pro rata share of the aggregate retail sales of MWhs of all of Power Agency's participating members, which shall be determined from the aggregate retail

sales of MWhs reported by Power Agency, on behalf of all of its participating members, on its annual REPS Compliance Report filed with the North Carolina Utilities Commission for the calendar year immediately preceding the date of termination of this Agreement, and “REPS Compliance Resources” shall mean Power Agency’s rights and obligations under contracts for the purchase by Power Agency of renewable resources (including Renewable Energy Certificates held by Power Agency in its NC-RETS account) and demand side management and energy efficiency measures with which to meet Power Agency’s obligations to its participating members, including Municipality, with respect to the REPS Compliance Program.

6. Applicable Law; Construction.

This Agreement is made under and shall be governed by the law of the State of North Carolina. Headings herein are for convenience only and shall not influence the construction hereof.

7. Severability.

If any section, paragraph, clause or provisions of this Agreement shall be finally adjudicated by a court having jurisdiction over the parties hereto and the subject matter to be invalid, the remainder of this Agreement shall be unaffected by such adjudication and all of the remaining provisions of this Agreement shall remain in full force and effect as though such section, paragraph, clause or provision, or any part thereof so adjudicated to be invalid, had not been included herein. In the event of any such invalidity, the parties hereto shall promptly negotiate in good faith valid and new provisions, if necessary, to restore the agreement to its original intent and effect.

8. Assignment of Agreement.

This Agreement shall inure to the benefit of, and shall be binding upon, the respective successors and assigns of the parties to this Agreement; provided, however, that neither this Agreement nor any interest herein shall be assigned or transferred or sold by the Municipality without the written consent of Power Agency.

9. Entire Agreement.

This Agreement shall constitute the entire understanding of the parties hereto, superseding any and all previous undertakings, oral or written, pertaining to the subject matter contained herein. No party hereto has relied, or will rely, upon any oral or written representations or oral or written information made or given to such party by any representative of the other party or anyone on its behalf.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have executed this Amended and Restated Renewable Energy Development and Service Agreement all by authority of their respective governing bodies duly given.

Executed the ____ day of _____, _____.

City (Town) of _____

By: _____

ATTEST:

City (Town) Clerk
(SEAL)

Executed the ____ day of _____, _____.

NORTH CAROLINA EASTERN
MUNICIPAL POWER AGENCY

By: _____

ATTEST:

Assistant Secretary-Treasurer



Request for City Council Action

**Consent
Agenda
Item:** **Advisory
Board
Appointments**

Date: 04/04/2017

Subject: Advisory Board Appointments
Department: General Government
Presented by: Shannan Williams
Presentation: Consent Agenda

Issue Statement

The Town Council is asked to consider the new appointments to the Appearance Commission, the Historic Properties Commission and the Board of Adjustment.

Financial Impact

N/A

Action Needed

The Town Council is asked to consider and approve the new appointments of Carter Rabil to the Historic Properties Commission and the Appearance Commission. Also, consider and approve the new appointment of Davis Johnson to the Board of Adjustment.

Recommendation

Approve these appointments

Approved: City Manager City Attorney

Attachments:

Carter Rabil – Board Application
David Johnson – Board Application



Staff Report

**Consent
Agenda
Item** **Advisory
Board
Appointments**

Current Board vacancies are as follows:

Appearance Commission – 3 positions

Board of Adjustments

- In-Town Member – 1 position

Historic Properties – 3 positions

Library Board of Trustees – 1 position

Parks and Recreation Advisory Commission

- 1 In-Town Member
- 2 High School student positions (2 year term)

Planning Board

- ETJ Alternate – 1 position

Board Appointments/Reappointment

1. Carter Rabil has submitted an application for consideration to be appointed to a first term on the Historic Properties Commission
2. Carter Rabil has submitted an application for consideration to be appointed to a first term and the Appearance Commission.
3. David Johnson has submitted an application for consideration to be appointed to a first term on the Board of Adjustment.



Town of Smithfield
Board, Commission, or Committee
Application

Name: Rabil Mitchell Carter
Home Address: 202 West Wilson St
Business Name & Address: SRS 504 E. Market St
Telephone Numbers: 919-934-0202 catterrabil@gmail.com

Please check the Board(s) that you wish to serve on:

- Appearance Commission
Board of Adjustment In Town Resident
Board of Adjustment ETJ Member
Historic Properties Commission
Library Board of Directors
Parks/Recreation Advisory Commission
Planning Board In-Town Resident
Planning Board ETJ Resident
Other:

Interests & Skills: History, Photography, Genealogy, Research
Written a book - Johnston County Trivia

Circle highest level of education completed: (High School) 10 11 12 GED College 1 2 3 4 5 6

Recent Job Experiences: TRONIS (Bank of America) Major Network 7 years
Photojournalist 30 yrs
Yellow Cab Checker Cab 46 years

Civic or Service Organization Experience: Smithfield EMS - Treasurer
St. Guides Children's Hospital - Contemporary Methodist Usher 50 years

Town Boards previously served on and year(s) served: Chairman - Appearance Commission 1980s-90s

Please list any other Boards/Commissions/Committees on which you currently serve: None

Why are you interested in serving on this Board/Commission/Committee? *Love a history, Smithfield of Johnston County - Born here & spent all but 15 years here - 1973-1988 - College of Bank*

Affirmation of Eligibility:

Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes No If yes, please explain disposition: _____

Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council? Yes No If yes, please explain: _____

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate and if necessary. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and, accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the Town Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Printed Name: *N. Carter Rabitz*

Signature: *NCR*

Date: *2/21/17*

Return completed for to:

Shannan Williams
Town Clerk
P. O. Box 761
Smithfield, North Carolina 27577
Phone: (919) 934-2116 Fax: (919) 989-8937 E-Mail: shannan.williams@smithfield-nc.com

Applicants are required to be a resident of the Town of Smithfield for In-Town positions and within the Town's ETJ for ETJ positions



Town of Smithfield
Board, Commission, or Committee
Application

Name: JOHNSON (Last) DAVID (First) P (MI)

Home Address: 125 CYPRESS PT. SMITHFIELD, NC 27577

Business Name & Address: RETIRED

Telephone Numbers: (Home) 919-915-1963 (Mobile) dpjglass@icloud.com (Email)

Please check the Board(s) that you wish to serve on:

- Appearance Commission
Board of Adjustment In Town Resident
Board of Adjustment ETJ Member
Historic Properties Commission
Library Board of Directors
Parks/Recreation Advisory Commission
Planning Board In-Town Resident
Planning Board ETJ Resident
Other:

Interests & Skills:

Circle highest level of education completed: (High School) 10 11 12 GED College 1 2 3 4 5 6

Recent Job Experiences: RAN INTERSTATE GLASS, INC FOR 30 YEARS. I SOLD THE BUSINESS IN 2015

Civic or Service Organization Experience: UNITED WAY CHAIRMAN 1999, JAYCEE PRESIDENT 1995, SMITHFIELD SELMA CHAMBER CHAIRMAN 2005, NEUSE CHARTER SCHOOL BOARD MEMBER 2007-2010

Town Boards previously served on and year(s) served: BOARD OF ADJUSTMENTS 2006 ?

Please list any other Boards/Commissions/Committees on which you currently serve: NONE

Why are you interested in serving on this Board/Commission/Committee? PREVIOUS EXPERIENCE

Affirmation of Eligibility:

Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes No If yes, please explain disposition: _____

Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council? Yes No If yes, please explain: _____

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate and if necessary. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and, accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the Town Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Printed Name: DAVID JOHNSON

Signature:  Date: 3/7/17

Return completed for to:
Shannan Williams
Town Clerk
P. O. Box 761
Smithfield, North Carolina 27577
Phone: (919) 934-2116 Fax: (919) 989-8937 E-Mail: shannan.williams@smithfield-nc.com

Applicants are required to be a resident of the Town of Smithfield for In-Town positions and within the Town's ETJ for ETJ positions



Staff Report

**Consent
Agenda
Item:** **New
Hire /
Vacancy
Report**

Date of Meeting: April 04, 2017

Date Prepared: March 27, 2017

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.

In addition, please find the following current vacancies:

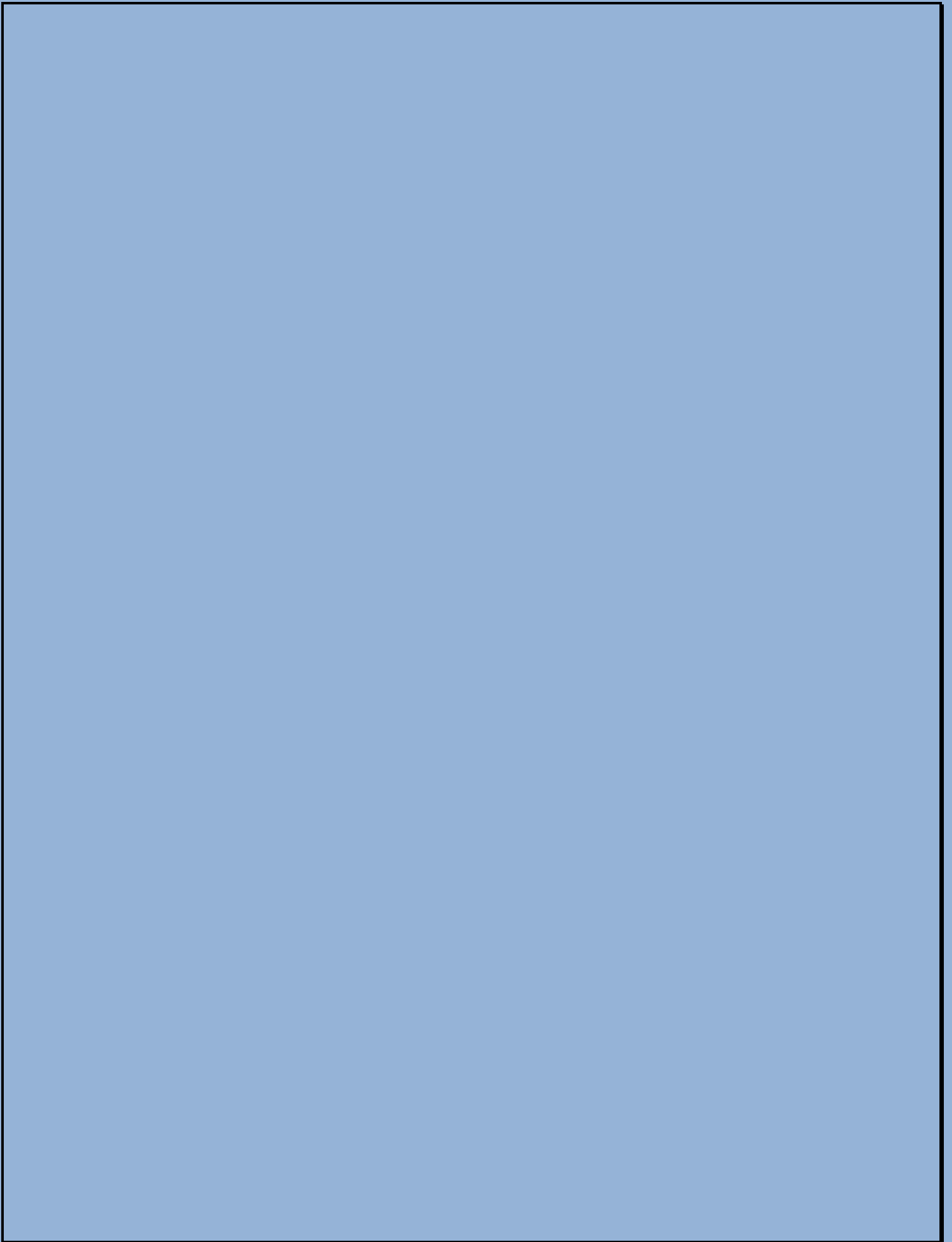
<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Police Officer	Police	10-5100-0200
Water Plant Operator I	PU – Water Plant	30-7200-0200

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>
Sanitation Worker	PW – Sanitation	10-5800-0200	\$10.75/hr (\$22,360.00/yr.)
Facility Maintenance Spec.	PW – Appearance	10-5500-0200	\$10.75/hr (\$22,360.00/yr.)

Business Items





Request for City Council Action

Business	16/17
Agenda	Resurfacing
Item:	Project
Date:	04/04/2017

Subject: FY 16/17 Resurfacing Project
Department: Public Works
Presented by: Lenny Branch, Public Works Director, Bill Dreitzler, City Engineer
Presentation: Agenda

Issue Statement

The Public Works Department is proposing the FY 16/17 Resurfacing project be awarded to Garris Grading & Paving.

Financial Impact

If approved by council the 16/17 Resurfacing Project will utilize the budgeted \$300,000.00 in Powell Bill funds.

Action Needed

Council approval to award the 16/17 Resurfacing Project to Garris Grading & Paving.

Recommendation

Staff recommends awarding the 16/17 Resurfacing Project to the lowest bidder Garris Grading & Paving.

Approved: City Manager City Attorney

Attachments:

1. Street listing
2. Bid tabulations sheets



Staff Report

Business 16/17
Agenda Resurfacing
Item: Project

This year's resurfacing project consist of 17 streets that will receive an 1" ½ overlay. Three (3) of the streets will require to be milled down an 1" ½ below the gutter line before paving can be done. Approximately 1.53 mile of city streets will be paved.

Our Powell bill fund has \$300,000 in the FY16/17 budget for street resurfacing. Fourteen (14) BID packets for the project were sent out to area contractors. We received proposals from Four (4) companies and are as follows;

- | | |
|----------------------------|--------------|
| 1. Garris Grading & Paving | \$334,727.82 |
| 2. Turner Asphalt | \$335,656.17 |
| 3. James Paul Edwards | \$372,995.54 |
| 4. Barnhill Contracting | \$473,042.53 |

Our contract allows us the right to increase or decrease the various amounts of work up to 25% with no increase in unit pricing. The Public Works department is requesting to remove two (2) streets from the 16/17 Resurfacing Project in order to stay within budget. If approved by council this move will allow us to pave 15 city streets, approximately 1 mile of city streets will receive an **1" ½ overlay.**

Staff recommends awarding the 16/17 Resurfacing Project to the lowest bidder Garris Grading and Paving. Staff also recommends removing two streets from the 16/17 Resurfacing Project which allows us to stay within our budget of 300,000.00 in Powell Bill funds. Attached is a copy of the streets on this year's project.

**2016-2017
Street Resurfacing Project – Street Listing**

				Segment	
				From:	To:
Street Name					
1.	S	Second	ST	E Davis Street	E Rose Street
2.		Caswell	ST	N 5 th Street	N 4 th Street
3.		Bridge	ST	N 4 th Street	N 5 th Street t
4.	N	5 th	ST	Caswell Street	Hancock Street
5.	S	5th	ST	Johnston Street	Market Street
6.		Front	ST	Johnston Street	Market Street
7.	E	Holt	ST	S 5 th Street	South Bright Leaf
8.	S	Second	ST	Sanders Street	Wellons Street
9.	S	Crescent		Bingham Street	Sanders Street
10.	W	Holding	ST	Crescent Street	Walnut Drive
11.	E	Holt		S 4 th Street	S 5 th Street
12.		Broadway		Ward Street	Martin Street
13.		Martin Luther King	DR	Collier Street	Lemay Street
14.		Martin Luther King		Lemay Street	Fuller Street
15.		Martin Luther King	DR	Fuller Street	Harris Street

- Contractor will be required to provide all traffic control devices and comply with all DOT standards in and around work zones.
- Contactor is responsible for notifying 911 communications on all temporarily closed streets. Please provide location of street closing as well as estimated time frame. Contact # 919-934-9411
- Contactor will be required to address drainage issues within newly paved areas. Do not block the flow of water in intersection that requires water to fall from gutter line to gutter line. Hand work maybe required in certain areas.
- Contractor will be responsible for keeping construction areas clean. All scraped areas along roadway edges will need to backfilled and raked down for positive drainage.
- All track-based equipment is required to be transported on trailers from site to site. Track equipment is not allowed on town-paved streets outside of construction areas.
- Contractor will be required to assist citizens in and out of driveway areas that fall within construction zones. This may require but not limited to flaggers designated at each end of intersections
- **Streets Highlighted in yellow will be milled down 1”1/2 below the gutter line**
- **Do not pave over gutter areas. Taper edges at gutter line.**



Request for City Council Action

**Business
Agenda
Item:** **Budget
Amendments**
Date: 04/04/2017

Subject: Various Budget Amendments
Department: Finance
Presented by: Greg Siler
Presentation: Business

Issue Statement – Various Budget Amendments

- 1) To move beaver relocation expense to correct department
- 2) To fund the cost associated with the 10/19/2016 accident on I95 with insurance reimbursements
- 3) To change the funding source on a garbage truck purchase from fund balance (\$66,000) and loan proceeds (\$104,000) completely to loan proceeds of \$170,000

Financial Impact – Interest cost associated with borrowing approximately \$66,000 more to purchase garbage truck

Action Needed – Approve as presented

Recommendation – Approve Amendments

Approved: City Manager City Attorney



Staff Report

**Business
Agenda
Item:** **Budget
Amendments**

Three budget amendments are requested for April, 2017.

- 1) Move \$13,000 from the Streets line item 10-5600-3500 to the Powell Bill line, 10-5700-3501 for proper accounting.
- 2) Adjust the revenue line item, 10-3420-0002 Motor Vehicle Accident (MVA) Cost Recovery to account for \$54,385 recently received for the Town's **response to the HAZ-Mat** incident on I-95 on October 19, 2016.
- 3) The Town allocated \$66,000 for the purchase of a trash truck with the balance of \$170,000 being financed (\$104,000). In order to begin equipping and upgrading the West Side Fire station, we are recommending the Town Finance the entire purchase of the Trash Truck, thus allocating \$66,000 of the anticipated \$100,000 needed to equip the West Side Fire Station from the current budget.



Request for City Council Action

**Business
Agenda
Item:** Lake Park
Circle
Date: 04/04/2017

Subject: Lake Park Circle
Department: Street Department
Presented by: Michael Scott, Town Manager, Lenny Branch, Public Works
Director
Presentation: Business

Issue Statement:

The Home Owners Association located at Lake Park Circle in Smithfield requests the Town of Smithfield assume ownership of the road identified as Lake Park Circle.

Financial Impact:

The road will be repaired to a standard condition, prior to the Town assuming responsibility for future road repairs. Financial impact would occur in future years when the road warranted repair. The road would be added to the Town's Powell Bill Map, if accepted.

Action Needed:

Approve or deny the Home Owner Association's Request.

Recommendation:

Approve only upon completion of road repairs as explained by GeoTechnologies and as accepted by Lenny Branch, Public Works Director for the Town of Smithfield. If approved, the Town should demand an agreement with the HOA explaining the Town is not responsible for areas other than the paved portion and curb and gutter of the road. Right-of-way issues would remain the responsibility of the HOA or adjacent property owner.

Approved: City Manager City Attorney

Attachments: Staff Report

1. Lake Park Circle Support Information
2. GeoTechnologies Report



Staff Report

**Business Lake
Agenda Park
Item: Circle**

The Home Owners Association of Lake Park Circle have approached the Town of Smithfield and is requesting the Town assume ownership of the road that travels through the subdivision. The street, Lake Park Circle, is a two lane street that culminates in a cul-de-sac at the end. The street is approximately fourteen years old. The street is currently the responsibility of the Home Owners Association. The subdivision and street are within the Town limits of Smithfield within District 1, and the properties located on Lake Park Circle pay Smithfield Property taxes.

During the construction of Lake Park Circle, the developer chose not to conform to the **Town of Smithfield's set back requirements** for assuming the road, thus requesting subdivision approval with the understanding the street would be privately maintained. This has been a stumbling block for the Town to accept the street and assume responsibility over its future repairs, as well as any additional street maintenance needed, such as curb and gutter, snow removal, or street cleaning.

GeoTechnologies completed a series of borings to identify the condition of Lake Park Circle, **as well as made a recommendation as to the Town's feasibility of assuming responsibility** and ownership of the road. (See attached evaluation) Several areas were identified as needing repairs prior to the Town assuming any liability over the street. **The Home Owner's Association** has agreed to make these repairs, consistent with the recommendation of GeoTechnologies, prior to the Town assuming responsibility for the street.

Should the Town elect to assume control and ownership over the roadway following the required repairs made by the Home Owners Association, the Town should require an

agreement with the Home Owners Association explaining the Town's responsibility does not extend into the areas outside of the street surfaces and curb and gutter. Because of the decreased setbacks, the Town of Smithfield does not want to be placed into a position where it is becoming responsible for areas adjacent to the street that is currently the responsibility of the home owner's association, or the adjacent property owner.

Town of Smithfield

North Carolina

919-934-2116
919-989-8937 (Fax)



350 East Market Street
Post Office Box 761
Smithfield, NC 27577

January 9, 2002

Lakeside Properties and Development, LLC
P.O. Box 119
Smithfield, NC 27577

Re: SUP-01-18

Dear Property Owners,

At the Town Council meeting held on Tuesday, January 8, 2002, the Smithfield Town Council voted unanimously to approve your request for a special use permit to allow the construction of 35 townhome units on property totaling 8.29± acres in a R-6 (Residential) zoning district. The property is located on the western corner of Country Club Road and Quail Run. The property is identified as being NCPIN# 1682-06-8302.

If you have any questions, please do not hesitate to contact me at 934-2116.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Guthrie".

Randy Guthrie, AICP
Planning Director

CC: File Copy

**TOWN OF SMITHFIELD
Town Council
Action Form**

Case Nos. SUP-01-18, S-01-04 Lakeside Properties The petitioner is requesting a special use permit to allow the construction of 35 townhome units on property totaling 8.29± acres in a R-6 (residential) zoning district. The property is located on the western corner of Country Club Road and Quail Run. The petitioner is also requesting preliminary subdivision approval for the construction of a private street. The property is further identified as being NCPIN# 1682-06-8302.

Date of Meeting: January 8, 2002

Date Prepared: December 26, 2002

Staff Work By: Randy Guthrie

Presentation By: Randy Guthrie

Petition Description:

The petitioner is requesting special use permit approval to construct 35 townhome units on 8.29 acres of property located in a R-6 zoning district. The property is located on the western corner of the intersection of Country Club Road and Quail Run. The 35 townhome units will be served by a private street that will be required to be constructed to Town of Smithfield standards. Maximum allowable density for multifamily development is 9.68 units per acre. This project is proposed to be developed at 4.22 units per acre.

This property contains flood plain that appears to affect the 3 units located on the northwestern corner of the property. Typically multifamily development in flood areas is discouraged, however the density for this project is less than what could be allowed utilizing single family development standards. All structures located within the 100 year flood plain will have to be elevated 2 feet above base flood elevation. All structures will have to be located outside any Neuse River buffers as required under state law.

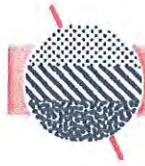
The applicant is requesting to provide a fee in lieu to comply with Town recreational requirements. This project will have to comply with all landscaping and storm water drainage requirements. The applicant is requesting preliminary subdivision approval to locate the street as shown. The applicant is requesting to utilize valley gutter instead of standard curb and gutter to construct their private drive that will serve the townhomes.

Planning Board Recommendations:

The Planning Board, at its December 6, 2001 meeting, recommended approval of this special use and subdivision request.

Action Requested:

The Town Council is requested to review this special use permit and subdivision request and take the appropriate action considering the recommendations of the Planning Board.



December 9, 2016

Mr. Lenny Branch
Public Works Director
Town of Smithfield, North Carolina
P. O. Box 761
Smithfield, North Carolina 27577

Re: Report of Pavement Evaluation
Lake Park Circle
Smithfield, North Carolina
GeoTechnologies Project No. 1-16-0972-CA

Dear Mr. Branch,

GeoTechnologies, Inc. has completed the authorized evaluation of pavement and subsurface conditions on Lake Park Circle in Smithfield, North Carolina. The purpose of this report is to present the findings of our field investigation and to make recommendations regarding acceptance of the street by the Town of Smithfield.

OBSERVATIONS

Lake Park Circle is a two lane street which terminates in a cul-de-sac. Residences on the street consist of triplex homes. There are presently seven existing structures and new construction was underway at the time of our investigation. There appears to be sufficient room for a total of 10 or 11 triplex structures on the street.

Three types of distress were observed in the pavements on the street. The first is separation at paving joints. The second is block cracking. Both crack types are due to shrinkage of the pavement due to oxidation over time. The pavements are about 14 years old and some cracking of this type is not unusual. The third type of cracking is the parallel and connecting cracks along the joint separation and block cracks. These cracks are technically low severity alligator cracking but are not due to subgrade issues. Several larger isolated areas of alligator cracking which expand beyond the cracks were observed. Water is getting into the cracks and is softening the top inch or so of stone during rain events. As the asphalt warps and curls along the cracks, there is a loss of support due to the increase in moisture which results in these cracks.

TEST BORINGS

A total of five (5) test borings were performed on the street. Approximate location of the borings is provided on the attached Figure 1. All borings were patched prior to leaving the site.

Thickness of the asphalt ranged from 3 to 4 inches with an average thickness of 3.5 inches. The base consists of crushed aggregate base course with thickness ranging from 8 inches to more than 18 inches. The base course is dry and well compacted. Moisture contents throughout the depth of the stone base appeared to be fairly uniform. Geogrid (Tensar BX-1100) was encountered at boring B-3. Woven fabric was encountered at the bottom of the base course at boring B-5 in the cul-de-sac.

The soil subgrades consist of sandy clays and clayey sands. The in-place CBR values at borings B-1 through B-3 ranged from 3 to 4 percent. The site was undercut during the original construction based on our discussions with personnel in our office who are familiar with the original construction of the street. The subgrade soils in borings B-1 through B-3 are wet of optimum but are not overly saturated. The elevated moisture is confirmed by the lower CBR values. The subgrades in borings B-4 and B-5, including the cul-de-sac, are very stiff with subgrade CBR values around 22 percent. No water was encountered in the borings.

CONCLUSIONS

Based on the age of the subdivision, it appears that the pavements are in good condition with isolated areas of distress. The cracking is primarily environmental related with isolated areas of alligator cracking propagating along the edges of the shrinkage cracks. There are several areas of isolated alligator cracking which are separate from the cracking along shrinkage cracks. Making some spot repairs of the worst areas would be beneficial as well as sealing of the cracks to help keep water out. There appear to be several more units to be constructed but it does not appear that that traffic will greatly impact the pavements.

Overall, considering the age of the pavements, we feel that the Town can accept them with a reasonable level of confidence that you will not have wholesale failures and exorbitant repair costs. Again, we do recommend that the areas of more significant alligator cracking (3 or 4) be removed and patched and that the cracks in the pavements be sealed.

GeoTechnologies, Inc. appreciates this opportunity to be of service to the Town of Smithfield. If you have any questions concerning this submittal, please do not hesitate to contact us. We will be glad to meet with you to discuss any questions you might have regarding rehabilitation of the road.

Sincerely,

GeoTechnologies, Inc.



David R. Harris
Senior Inspector



Conrad E. Harris, P.E.
NC Reg. No. 039768





Lake Park Circle

Country Club Road

LAKE PARK CIRCLE, SMITHFIELD, NC

Project No: 1-16-0972-CA

FIGURE: 1

Google Earth

TABLE 1

TEST BORING SUMMARY

Lake Park Circle
 Smithfield, North Carolina
 GeoTechnologies Project No. 1-16-0972-CA

Boring	Depth (in.)	Description	In-Place CBR (%)
B-1	0 - 4	Asphalt	4 @ SG - 0.5"
	4 - 14	CABC	4 @ SG - 1'
	14 -	Brown Clayey SAND	15 @ SG - 2'
B-2	0 - 3.5	Asphalt	3 @ SG - 0.5"
	3.5 - 23+	CABC - Appears to extend to ~24 to 25" based on DCP	4 @ SG - 1'
			3 @ SG - 2'
B-3	0 - 3.5	Asphalt	3 @ SG - 0.5"
	3.5 - 17	CABC - BX-1100 Geogrid at ~14"	3 @ SG - 1'
	17 -	Tan Clayey SAND to Sandy CLAY	4 @ SG - 2'
B-4	0 - 3.5	Asphalt	22 @ SG - 0.5"
	3.5 - 16	CABC	13 @ SG - 1'
	16 -	Orange Tan Clayey SAND	10 @ SG - 2'
B-5	0 - 3	Asphalt	22 @ SG - 0.5"
	3 - 11.5	CABC - Woven Fabric at Base-Subgrade Interface	
	11.5 - 15	Brown Clayey SAND	
	15 -	Light Gray to White Slightly Silty Fine SAND	



Request for City Council Action

Business **Property**
Agenda **Code**
Item: **Violations**
Date: 04/04/2017

Subject: Property Code Violations
Department: Planning and Zoning and Police
Presented by: Michael Scott, Town Manager, Paul Embler, Planning Director
Presentation: Business

Issue Statement:

The following presentation will update the Town Council and community regarding the efforts and progress toward identifying and issuing code enforcement violations regarding abandoned properties, unsafe properties, and major code violations.

Financial Impact:

Unknown at this time. Condemnations and demolitions of residential properties will likely cost between \$5,000 and \$10,000 each, depending on the size of the property and potential asbestos removal.

Action Needed:

Consensus to move forward with staff recommended plan of action.

Recommendation:

Move forward with staff plan of action.

Approved: City Manager City Attorney

Attachments:

Staff Report



Staff Report

**Business Property
Agenda Code
Item: Violations**

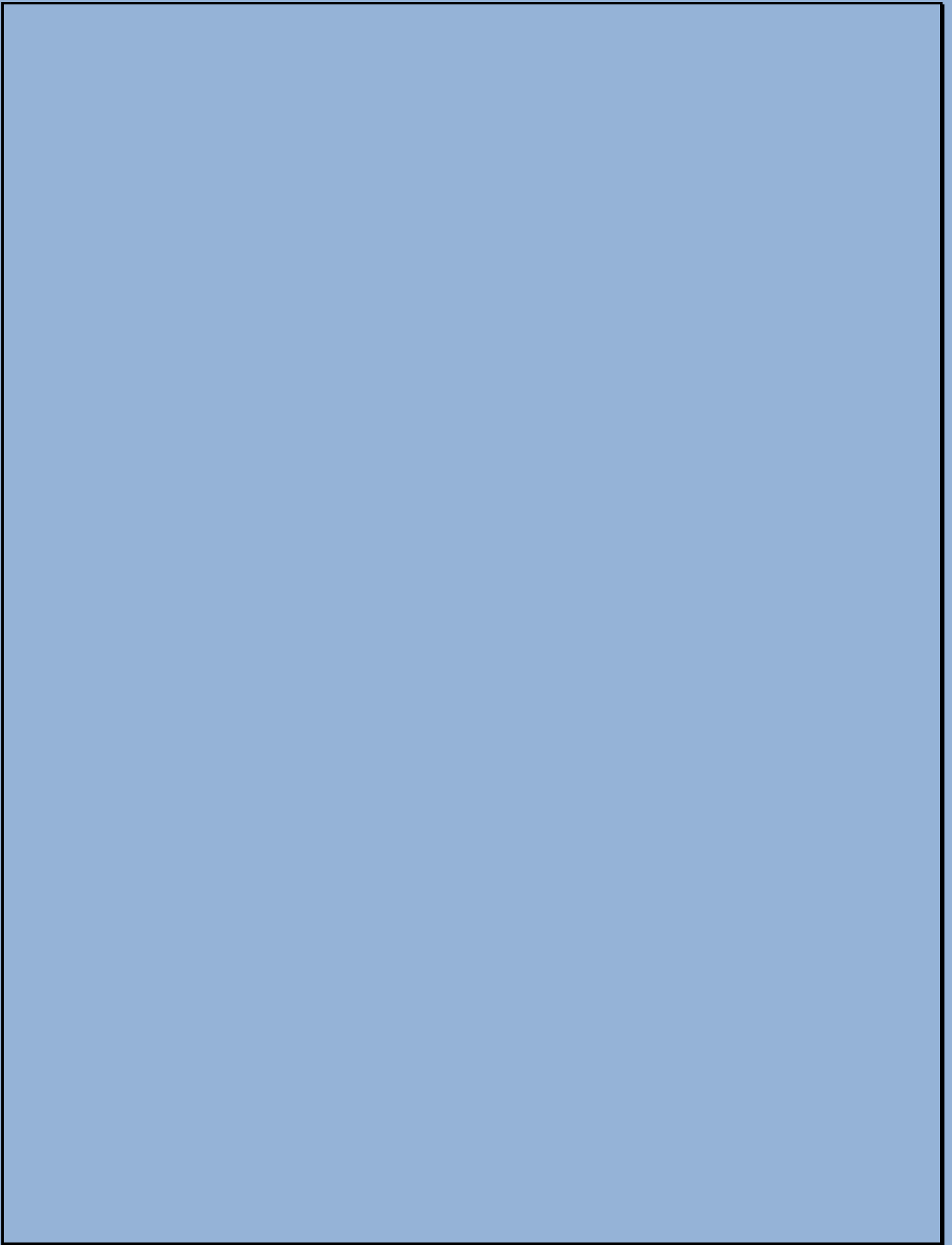
The Planning Department, Code Enforcement Officer, Town Manager, Town Attorney, and Councilmen, Rabil, Harris and Lee met to discuss an action plan to evaluate and bring into compliance, several properties throughout Smithfield that have major code violation issues. The Town has already identified two car lots in town that have major code violations. These car lots are coming into compliance. If compliance is not attained, further violations and fines will be issued, followed by recommended court orders to force the organizations into compliance.

The Town continues to work with the County Building Department to resolve the unsafe building located at North Second and Hospital Road. We are fast approaching the fining stage with potential court orders to follow. Two residential properties are also being addressed in District 2.

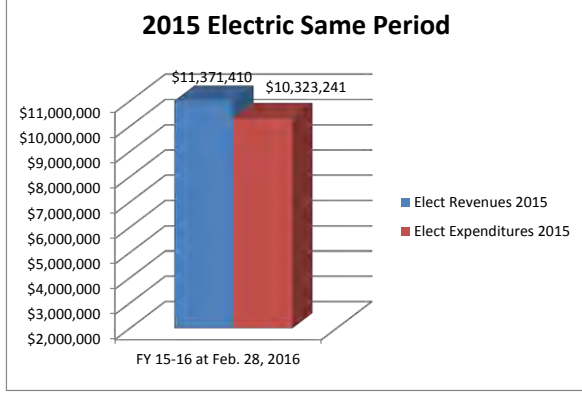
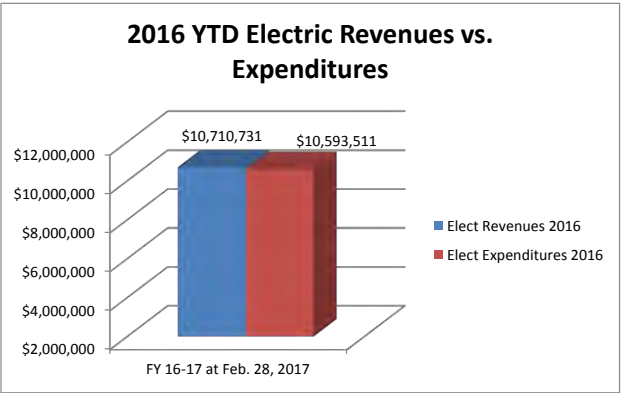
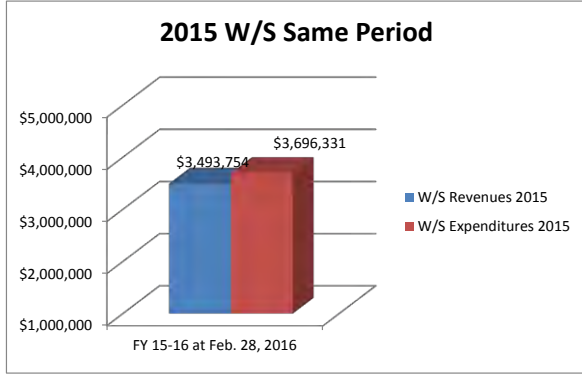
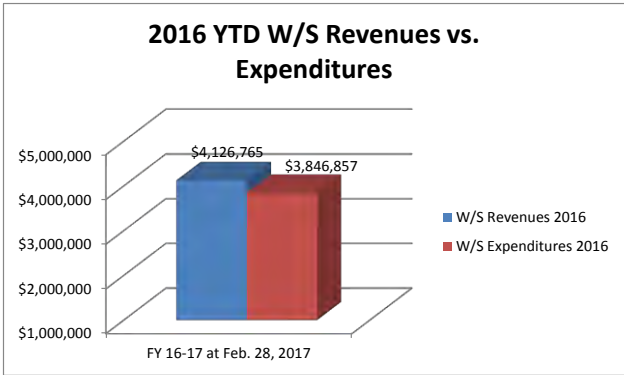
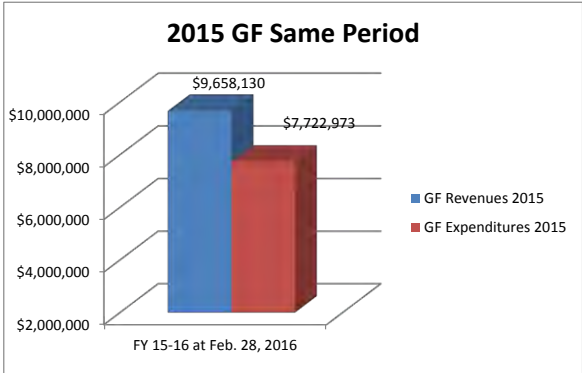
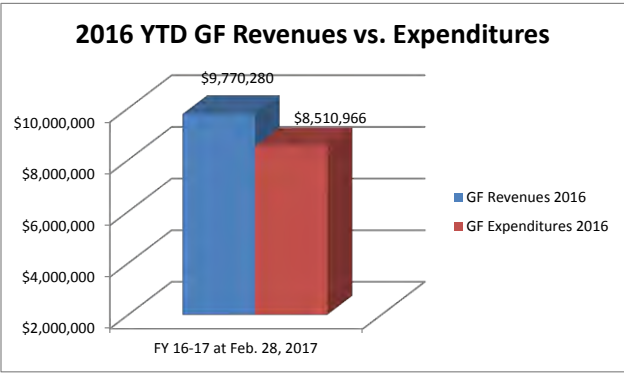
The Towns Code Enforcement Officer located 26 properties in District One that are in some form of unsafe condition. Of these properties about 33% are rental, while 66% are privately owned. Several of the property owners do not reside in state. Ten of these properties have been identified as requiring immediate attention. Code Violation Letters have sent to the property owners. A series of three code violation letters will be sent with ten days observed between each letter. If the property owner does not take appropriate action, the Town Attorney will begin **issuing fines through the Town's Code Enforcement Officer**. If fines to do not create compliance, the Town Attorney recommends the Town seek a judgement for the fines in court. If resistance remains, the Town Attorney will seek a condemnation order on the property at which time the Town will have to demolish the building and place a lien on the property for the cost of the demolition.

Currently the Town has \$25,000 in the Planning Department budget for court ordered condemnations.

Financial Report



Town of Smithfield Revenues vs. Expenditures



TOWN OF SMITHFIELD
MAJOR FUNDS FINANCIAL SUMMARY REPORT
February 28, 2017
66.67 Percent

66.67%

GENERAL FUND

	Frequency	Actual	Budget	Actual to Date	YTD %
		FY '15-16	FY '16-17	FY '16-17	Collected
Revenues					
Current & Prior Year Property Taxes	Monthly	\$ -	\$ 5,528,779	\$ 5,431,132	98.23%
Motor Vehicle Taxes	Monthly	-	470,000	332,900	70.83%
Utility Franchise Taxes	Quarterly	-	1,000,000	503,446	50.34%
Local Option Sales Taxes	Monthly	-	2,064,700	1,203,052	58.27%
Aquatic and Other Recreation	Monthly	-	753,300	456,124	60.55%
Sanitation	Monthly	-	1,306,500	791,904	60.61%
All Other Revenues		-	1,307,825	1,051,722	80.42%
Loan Proceeds		-	104,000	-	0.00%
Transfers (Electric and Fire Dist.)		-	261,614	-	0.00%
Fund Balance Appropriated		-	803,343	-	0.00%
Total		\$ -	\$ 13,600,061	\$ 9,770,280	71.84%

	Actual	Budget	Actual to Date	YTD %
	FY '15-16	FY '16-17	FY '16-17	Spent
Expenditures				
General Gov.-Governing Body	\$ -	\$ 389,407	\$ 259,155	66.55%
Non Departmental	-	919,709	618,877	67.29%
Debt Service	-	1,283,352	967,064	75.35%
Finance	-	159,792	117,040	73.25%
Planning	-	367,698	200,641	54.57%
Police	-	3,608,768	2,016,394	55.87%
Fire	-	1,498,722	993,519	66.29%
EMS	-	-	-	#DIV/0!
General Services/Public Works	-	483,940	266,802	55.13%
Streets	-	1,251,604	1,056,295	84.40%
Motor Pool/Garage	-	91,880	55,848	60.78%
Powell Bill	-	348,225	74,055	21.27%
Sanitation	-	1,237,219	822,805	66.50%
Parks and Rec	-	858,580	488,854	56.94%
SRAC	-	927,613	573,617	61.84%
Contingency	-	173,552	-	0.00%
Appropriations/Contributions	-	-	-	0.00%
Total	\$ -	\$ 13,600,061	\$ 8,510,966	62.58%

YTD Fund Balance Increase (Decrease)

- -

66.67%

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	\$ 1,499,674	51.89%
Water Sales (Wholesale)	-	715,210	555,619	77.69%
Sewer Charges	-	3,270,000	2,041,255	62.42%
Tap Fees	-	16,000	22,454	140.34%
All Other Revenues	-	-	7,763	#DIV/0!
Loan Proceeds	-	316,000	-	0.00%
Fund Balance Appropriated	-	-	-	#DIV/0!
Total	\$ -	\$ 7,207,210	\$ 4,126,765	57.26%

	Actual	Budget	Actual to Date	YTD %
	FY '15-16	FY '16-17	FY '16-17	Spent
Expenditures				
Water Plant (Less Transfers)	\$ -	\$ 1,631,097	\$ 989,441	60.66%
Water Distribution/Sewer Coll (Less Transfers)	-	4,045,521	1,951,925	48.25%
Transfer to General Fund	-	-	-	#DIV/0!
Transfer to W/S Capital Proj. Fund	-	930,000	630,000	67.74%
Debt Service	-	495,361	275,491	55.61%
Contingency	-	105,231	-	0.00%
Total	\$ -	\$ 7,207,210	\$ 3,846,857	53.38%

ELECTRIC FUND

	Actual	Budget	Actual to Date	YTD %
	FY '15-16	FY '16-17	FY '16-17	Collected
Revenues				
Electric Sales	\$ -	\$ 16,894,747	\$ 10,354,746	61.29%
Penalties	-	400,000	314,012	78.50%
All Other Revenues	-	90,463	41,973	46.40%
Loan Proceeds	-	-	-	
Fund Balance Appropriated	-	-	-	
Total	\$ -	\$ 17,385,210	\$ 10,710,731	61.61%

	Actual	Budget	Actual to Date	YTD %
	FY '15-16	FY '16-17	FY '16-17	Spent
Expenditures				
Administration/Operations	\$ -	\$ 2,105,522	\$ 1,533,895	72.85%
Purchased Power	-	13,600,000	8,560,344	62.94%
Debt Service	-	359,972	359,184	99.78%
Capital Outlay	-	255,000	140,088	
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	\$ 10,593,511	60.93%

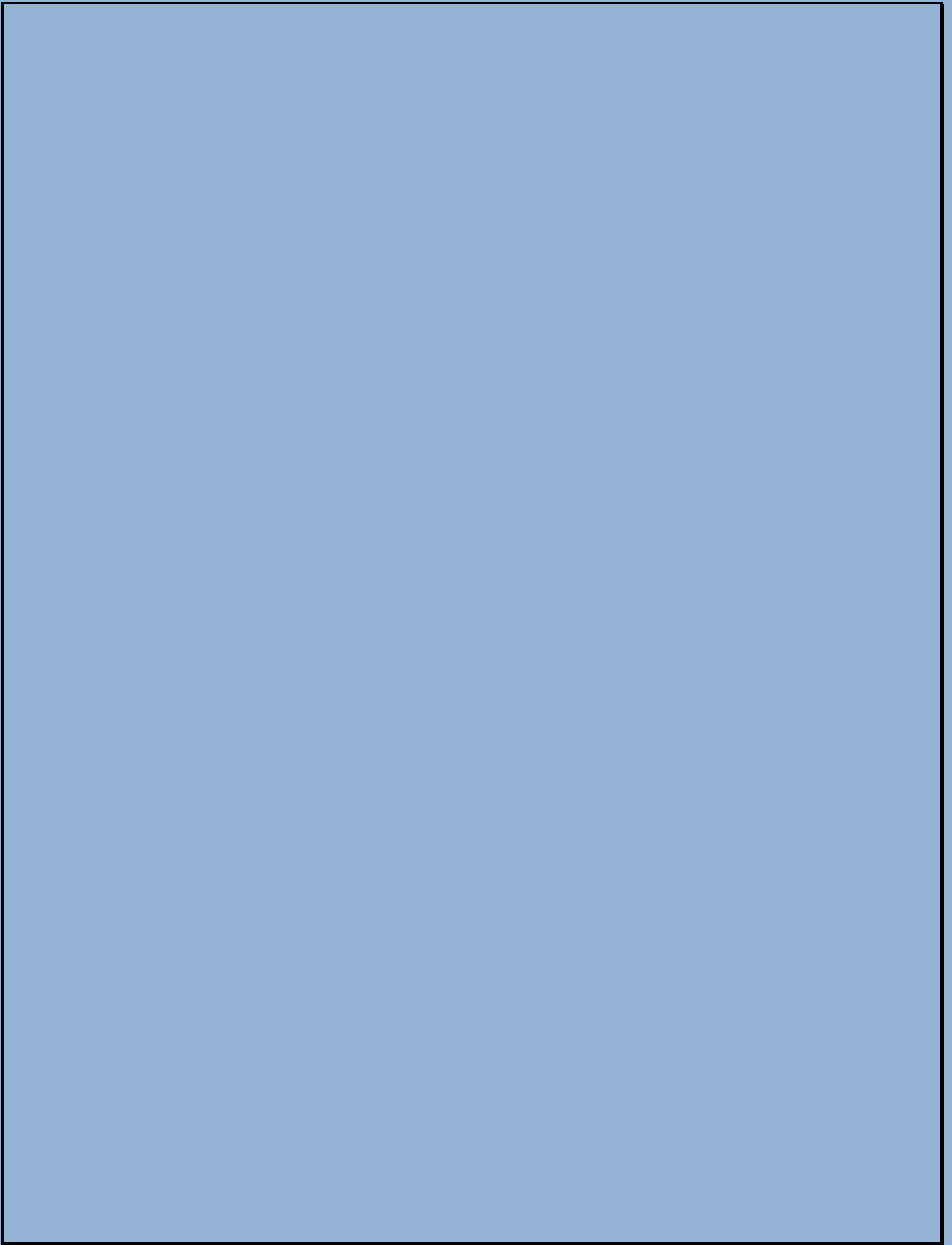
CASH AND INVESTMENTS

General Fund (Includes P. Bill)	9,223,994			
Water and Sewer Fund	4,259,755			Interest Rate
Electric Fund*	9,952,901			
Capital Project Fund: Wtr/Sewer (45)	750,877	1st CITIZENS	17,842,137	0.20%
Capital Project Fund: General (46)	144,380	NCCMT	2,254,194	0.500%
Capital Project Fund: Electric (47)	337,828	STIFEL	-	Market
Firemen Relief Fund (50)	168,203	KS BANK	3,753,284	.2, .65, &.7
Fire District Fund (51)	168,088	FOUR OAKS	1,290,135	0.60%
JB George Endowment (40)	133,724	PNC BANK	-	0.00%
Total	\$25,139,750		\$ 25,139,750	

*Plug

Account Balances Confirmed By Finance Director on 3/20/2017

Department Reports





Staff Report

Business Agenda Item: Economic Development Update

Date of Meeting: April 04, 2017

Date Prepared: March 27, 2017

Staff Work By: Tim Kerigan, Economic Development Liaison

Update

In August 2016, upon request of Economic Development Liaison Tim Kerigan along with Rocky Lane of Sanford Holshouser, Council approved a Scope of Work with Sanford Holshouser for Implementation of the Strategic Economic Development Update Action Items.

Since that time, the Town has been able to make steady progress on implementing the identified action items **from the Town's Economic Development Strategic Plan that was updated in 2014.**

Please see the attached most recent Implementation Matrix .

Going further, at the request of Council, staff will provide similar monthly summary and matrix updates.

Action Requested

No action requested.

Smithfield Economic Development Implementation Activities February, 2017

1. Conference call with Tim Kerigan, Mike Fleming and Rocky Lane to discuss a potential strategy to increase and enhance the housing stock, primarily near the downtown area, to attract young families. This initiative was generated by the SEDAC Redevelopment Committee. Mike had made several attempts to contact the NC State College of Architecture to identify any potential support to develop a strategy to address the issue. Rocky contacted a former colleague at the UNC System to identify the best contact for such a project. Subsequently Lane contacted a professor at UNC-CH. The professor referred him to another professor whose expertise more closely fits the project profile. The conference call was to discuss the results of the conversation with the first professor. It was decided that we would tour the area on the same day of the meeting with ElectriCites-22FEB17 and decide on next steps.
2. Tim Kerigan and Rocky Lane met with Brenda Daniels and the new VP of Marketing, Michelle Vaught of ElectriCities on 22FEB17. Others attendees were Sarah Edwards from DSDC, Mike Fleming, David Mills, from the SEDAC. Items discussed were a visioning/branding process, marketing materials and a logo. It was agreed that no one really knows what or who Smithfield is, no one has a handle on a single identity. Further, there is no clear idea as to whom that message should be directed. The meeting also included a discussion on media relations and how stories needed to be developed and disseminated to promote a positive image for the Town. It was decided that the first step should be the development of a strategic communications plan, and from that all other elements would order themselves. It was agreed that Brenda and Michelle would make a presentation to Town Council at the 07MAR17 meeting to get their concurrence to move forward on the process.
3. Sarah Edwards, Mike Fleming, Tim Kerigan, and Rocky Lane toured the residential areas close to downtown to identify potential areas for a redevelopment project.
4. Met with the SEDAC Redevelopment Committee to discuss the potential project. Several different project boundaries were discussed, as well as other issues that may come into play in the effort. It was suggested that young families that had purchased and renovated homes in Town should be interviewed for testimonials, and why they invested in Smithfield. Other issues discussed were the Johnston County Schools, the Charter School, transportation corridors, and other items that would be attracting and/or detracting factors for young families seeking a new home. The next step is for Rocky to contact the UNC-CH professor to explore the potential of her class taking on developing a redevelopment strategy for the town.
5. Met with Chris Johnson to discuss the Town's lack of economic development product. The status of the properties in the potential industrial park were discussed. Additionally, another property was identified as having potential to be developed as an industrial site.

Rocky will follow up with the property owners to determine their interest to have the property promoted as an industrial site. It was agreed that the quickest way to put product back in the Town's inventory would be to recertify the Wellons-Howell property. Rocky will contact Allen Wellons to determine if it is possible to move forward on this.

6. Tim Kerigan and Rocky Lane discussed the progress of the program and updated the Performance Matrix and the associated To Do list. Actions related to these areas are contained in the Strategic Plan Implementation Progress Matrix 26FEB17.

SMITHFIELD STRATEGIC PLAN IMPLEMENTATION- FEBRURAY 2017

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
Develop overall support for the Economic Development Program						
		Develop and increase support for the Town's economic development efforts	Smithfield-Selma Chamber of Commerce			Organization is in transition. Will schedule a meeting with the Economic Development Committee in January for a progress update.
			Commercial Realtors		Maintaining on-going contact with realtors.	
			SEDAC		Maintaining on-going contact with SEDAC.	
			East Smithfield		Met with Crystal Roberts to discuss collaborative efforts.	Follow-up meeting to be scheduled.
			Business Community		Meeting with business community via BRE program.	Additional meetings with the business community are being scheduled via BRE activities.
Existing Business & Industry Support						
	Reestablish the Existing Industry Outreach Program					
		Develop a contact directory of Existing Industries			Initial Directory completed and will be updated regularly.	
		Developing an introductory letter to be mailed by January 2017			First batch of letters mailed 19JAN17.	
		Schedule visitations			Visitations have begun and will be on-going.	
		Determine Recognition Activities			Options discussed and being considered.	

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
New Business Recruitment						
	Attract new business investment and jobs	Identify needs of major companies in the County that Smithfield can capitalize on	JCED		Scheduling a meeting with Chris Johnson to discuss approaching existing industries to discuss future needs/opportunities.	The needs/opportunities may include sites and/or buildings for vendors and suppliers, and housing needs for employees.
Town Image/Gateways						
	Gateways					
		Identify areas for improvement	SEDAC		Meeting to be scheduled to more fully discuss the issue and develop a strategy moving forward.	Additional input will be gathered from the Visioning/Branding, a strategic communications plan, and marketing materials initiatives.
			East Smithfield-Crystal Roberts		Follow-up meeting with Crystal Roberts and other members of the community to discuss the issue.	
			Business Community			
	Conduct a Visioning/Branding process					
			ElectriCities/ Business Community/ SEDAC/East Smithfield		Met with Michelle Vaught and Brenda Daniels to discuss a visioning/branding process, a strategic communication plan, and marketing materials.	Vaught and Daniels will make a presentation to Town Council at their 07MAR17 meeting to get their concurrence to move forward on the items discussed.
Product Development						

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
	Industrial Sites and Buildings	Increase the Town's product inventory	County and SEDAC		Met with Chris Johnson to discuss the Town's lack of product and potential solutions.	Identified two properties that have strong potential to be developed as industrial sites. The recertification of the Wellons-Howell site was discussed and strongly recommended.
Downtown Redevelopment						
	Renovation and redevelopment of Downtown properties	Redevelopment of the former Town Hall			Met with Sarah Edwards and discussed the status of the Town Hall initiative.	A potential strategy that was employed by another municipality was discussed for possible application in Smithfield.
Internal/External Marketing						
	Internal	Identify the Economic Development Program Spokesman			Tim Kerigan is the spokesperson for the Economic Development Program.	
		Develop a newsletter			Exploring options for newsletter.	
	External	Develop Marketing Materials			Discussed the development of marketing materials, a strategic communications plan, and the timing of each, during meeting with Brenda Daniels and Michelle Vaught.	A direction as to how to move forward on these items will be developed after Vaught and Daniel's presentation to Town Council on 07MAR17, and their concurrence to proceed.

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
Johnston Community College						
	Identify JCC needs that can be translated into economic development activities	Convene a meeting with JCC leadership to discuss opportunities for collaboration	JCC		Met with Dr. David Johnson to discuss areas of needs and partnership opportunities.	Follow-up meeting will be scheduled in April.
Incentives						
		Review the Town's Incentives to assess the Town's competitiveness			Best Practices Analysis on-going.	
Retirement Development						
		Determine interest in advancing this initiative				
Residential Development						
		Assess Housing Stock	Tax Office Planning Department Local Realtors		Working with the SEDAC Redevelopment Committee to explore options of increasing/enhancing the housing stock in the town limits, primarily near downtown.	Identified a resource at UNC that may be able to provide assistance in formulating a redevelopment strategy.

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
Retail Development						
		Expanding the Retail offerings of the Town	ElectriCities-Retail Strategies		Conducted an informational conference call with ElectriCities and Retail Strategies. Requested and received reference materials.	Reviewed reference materials and discussed the companies performance with other communities. The feedback was positive. Lacy Beasley from Retail Strategies will make a presentation to the Town Council at their 07MAR17 meeting.
Public Education						



FINANCE DEPARTMENTAL REPORT FOR FEBRUARY, 2017

SUMMARY OF ACTIVITIES:

Daily Collections/Property Taxes/Other	\$2,958,261
Franchise Tax.....	0
Sales & Use Tax.....	214,106
Powel Bill.....	0
Total Revenue	\$3,172,367

Expenditures: General, Water, Electric and Firemen’s Fund..... \$3,005,081

FINANCE:

- Compiled and submitted monthly retirement report on 2/28/2017
- Issued 54 purchase orders
- Processed 590 vendor invoices for payment and issued 369 accounts payable checks
- Prepared and processed 2 regular payrolls. Remitted federal and state payroll taxes on 2/10/2017 and 2/24/2017
- Issued 0 new privilege licenses (new law change in effect 7/1/2015)
- Collected \$0 on past due privilege license fees. **NOTE:** Total collected now at \$10,291. 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 to date is \$6,657
- Processed 13 NSF Checks (Utility and SRAC)
- Bad debt calendar year-to-date collections total \$2,795 (EMS = \$781; SRAC = \$248; Utility=\$1,766; and Other = \$0).
- Invoiced two (2) grave openings for a total of \$1,400
- Invoiced Smithfield Housing Authority and Johnston Community College for Police Security

FINANCE DIRECTOR

- Attended Town Council Meeting on February 7, 2017
- Participated in biweekly Tyler Technologies meeting on 2/1/2017 and 1/15/2017 to discuss records management system
- Reviewed Booker Dairy Rd Project financing bids and prepared Action Form on 2/7/17 for Council meeting on same date
- Completed and submitted application to LGC for Booker Dairy Rd Project financing consideration on 2/8/2017
- Jay Godwin and Fin. Dir. Participated in Tyler’s Software Fundamental Review on 2/14/2017
- Prepared and entered Fund Transfers as approved in FY17 Budget on 2/21/2017
- Prepared budget amendment to move Booker Dairy Rd Power Line Relocation back to Electric Capital Project Fund on 2/23/2017
- Attended Fire Relief Fund Board meeting on 2/21/2017



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 - 2017

	February	Calendar Year to date
Town Council		
Rezoning	0	1
Conditional Use	0	0
Ordinance Amendment	0	0
Major Subdivisions	0	0
Annexations	0	0
Special Events	0	0
Planning Board		
Rezoning	0	1
Condition Use	1	1
Ordinance Amendment	2	2
Subdivisions	0	0
Annexations	0	0
Board of Adjustment		
Variance	0	0
Admin Appeal	0	0
Historic Properties Commission		
Certificate of Appropriateness	0	0
Historic Landmarks	0	0



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Permit Issued for February 2017

		Permit Fees	Permits Issued
Site Plan	Major Site Plan	200.00	2
Site Plan	Minor Site Plan	375.00	12
Zoning	Land Use	\$1,050.00	12
Zoning	Sign	\$100.00	2
Report Period Total:		\$1,725.00	28
Fiscal YTD Total:		\$13,800.00	206

Z17-000032	Zoning	Land Use	Simple Twist Tap Room	228 East Market Street
Z17-000035	Zoning	Land Use	Little Brown Jug	101 West Market Street
SP17-000004	Site Plan	Minor Site Plan	Detached Accessory Structure	180 GALILEE Road
SP17-000003	Site Plan	Minor Site Plan	project	3146 SWIFT CREEK Road
Z17-000033	Zoning	Land Use	Cracker Barrel	1109 Outlet Center Drive
Z17-000034	Zoning	Land Use	Cell Co-Location	2317 South Brightleaf Boulevard
Z17-000037	Zoning	Land Use	Single Family Dwelling	70 Business Highway
Z17-000027	Zoning	Land Use	In Ground Swimming Pool	402 WILSON'S MILL Road
Z17-000036	Zoning	Sign	Great Clips	1202 North BRIGHTLEAF Boulevard
Z17-000038	Zoning	Sign	Zaxby's	1703 East MARKET Street
SP17-000005	Site Plan	Major Site Plan	of Johnston County	600 BOOKER DAIRY Road
SP17-000006	Site Plan	Major Site Plan	Partnership for Children Park	600 BOOKER DAIRY Road
Z17-000039	Zoning	Land Use	Simple Twist Tap Room	228 East MARKET Street
Z17-000040	Zoning	Land Use	Sno-Daze	527 South Brightleaf Boulevard
SP17-000007	Site Plan	Minor Site Plan	New Single Family Home (Lot 2)	23 Bella Square
SP17-000008	Site Plan	Minor Site Plan	New Single Family Home (Lot 3)	35 Bella Square
SP17-000009	Site Plan	Minor Site Plan	New Single Family Home (Lot 4)	45 Bella Square
SP17-000010	Site Plan	Minor Site Plan	New Single Family Home (Lot 5)	57 Bella Square
SP17-000011	Site Plan	Minor Site Plan	New Single Family Home (Lot 6)	69 Bella Square
SP17-000012	Site Plan	Minor Site Plan	New Single Family Home (Lot 8)	91 Bella Square
SP17-000013	Site Plan	Minor Site Plan	New Single Family Home (Lot 9)	103 Bella Square
SP17-000014	Site Plan	Minor Site Plan	New Single Family Home (Lot 10)	117 Bella Square
SP17-000015	Site Plan	Minor Site Plan	New Single Family Home (Lot 1)	11 Bella Square
SP17-000016	Site Plan	Minor Site Plan	New Single Family Home (7)	81 Bella Square
Z17-000041	Zoning	Land Use	Boat Dock	1262 Country Club Road
Z17-000042	Zoning	Land Use	Crossfit Smithfield	259 Venture Drive
Z17-000043	Zoning	Land Use	Popcorn Haven	1025 Outlet Center Drive
Z17-000044	Zoning	Land Use	Alijade's Hair Salon	2320 South BRIGHTLEAF Boulevard



**TOWN OF SMITHFIELD
POLICE DEPARTMENT
MONTHLY REPORT
MONTH ENDING February 29, 2017**

I. STATISTICAL SECTION

Month Ending Feb. 29, 2017	Feb-17	Feb-16	Total 2017	Total 2016	YTD Difference
Calls For Service	1685	1709	3421	3482	-61
Incident Reports Completed	151	177	299	310	-11
Cases Closed	108	173	199	302	-103
Accident Reports	60	79	130	134	-4
Arrest Reports	118	126	234	216	18
Burglaries Reported	5	14	14	16	-2
Drug Charges	52	33	87	41	46
DWI Charges	4	12	13	11	2
Citations Issued	230	349	432	618	-186
Speeding	85	135	179	179	0
No Operator License	26	56	76	156	-80
Registration Violations	26	9	62	81	-19

II. PERSONNEL UPDATE

Currently have 3 vacant positions at the police department. One conditional is outstanding at this time so hopefully we will only have two vacancies shortly. One position was created when Captain Choe retired. Captain's assessment was held in February to fill Captain Choe's vacant position. This will also bring on additional promotions in the months to come.

III. MISCELLANEOUS

The Police Department held its Coffee with a Cop during February at Starbucks, it was a huge success and the Highway Patrol joined us during the event as well. Dontrell Khali McDonald was arrested during February for the murder of Adolphus Bryant that occurred in 2015. Three new patrol cars have been stripped and will be ready for the road in a few more weeks.

REPORTED UCR OFFENSES FOR THE MONTH OF FEBRUARY 2017

PART I CRIMES	February	February	+/-	Percent	Year-To-Date		+/-	Percent
	2016	2017		Changed	2016	2017		Changed
MURDER	0	0	0	N.C.	0	0	0	N.C.
RAPE	0	0	0	N.C.	0	0	0	N.C.
ROBBERY	3	2	-1	-33%	3	5	2	67%
Commercial	0	1	1	N.C.	0	1	1	N.C.
Individual	3	1	-2	-67%	3	4	1	33%
ASSAULT	2	6	4	200%	5	8	3	60%
* VIOLENT *	5	8	3	60%	8	13	5	63%
BURGLARY	12	5	-7	-58%	21	13	-8	-38%
Residential	6	3	-3	-50%	11	10	-1	-9%
Non-Resident.	2	1	-1	-50%	4	1	-3	-75%
Commercial	4	1	-3	-75%	6	2	-4	-67%
LARCENY	46	38	-8	-17%	98	82	-16	-16%
AUTO THEFT	2	1	-1	-50%	3	1	-2	-67%
ARSON	1	0	-1	-100%	1	0	-1	-100%
* PROPERTY *	61	44	-17	-28%	123	96	-27	-22%
PART I TOTAL:	66	52	-14	-21%	131	109	-22	-17%
PART II CRIMES								
Drug	39	34	-5	-13%	63	63	0	0%
Assault Simple	6	13	7	117%	24	23	-1	-4%
Forgery/Counterfeit	3	8	5	167%	11	11	0	0%
Fraud	5	10	5	100%	16	13	-3	-19%
Embezzlement	1	1	0	0%	4	2	-2	-50%
Stolen Property	2	1	-1	-50%	3	1	-2	-67%
Vandalism	12	6	-6	-50%	16	17	1	6%
Weapons	2	3	1	50%	4	6	2	50%
Prostitution	0	0	0	N.C.	0	0	0	N.C.
All Other Sex Offens	1	2	1	100%	1	3	2	200%
Gambling	0	0	0	N.C.	0	0	0	N.C.
Offn Agnst Faml/Chld	1	0	-1	-100%	1	0	-1	-100%
D. W. I.	11	4	-7	-64%	20	12	-8	-40%
Liquor Law Violation	1	0	-1	-100%	1	0	-1	-100%
Disorderly Conduct	0	0	0	N.C.	1	1	0	0%
Obscenity	0	0	0	N.C.	0	0	0	N.C.
Kidnap	0	0	0	N.C.	1	0	-1	-100%
All Other Offenses	7	8	1	14%	17	15	-2	-12%
PART II TOTAL:	91	90	-1	-1%	183	167	-16	-9%
===== GRAND TOTAL:	157	142	-15	-10%	314	276	-38	-12%

N.C. = Not Calculable



**Town of Smithfield
Fire Department
February, 2017**

I. Statistical Section

Responded to	2017 Feb.	FEB. IN	FEB. OUT	2016 Feb.	2017 IN	2017 OUT	2017 YTD	2016 YTD
Total Structure Fires Dispatched	12	6	6	8	14	11	25	19
Confirmed Structure Fires (Our District)	4	2	2	1	5	1	6	4
Confirmed Structure Fires (Other Districts)	3	0	0	0	0	0	13	1
EMS/Rescue Calls	138	119	19	148	244	23	267	287
Vehicle Fires	0	0	0	4	0	0	0	4
Motor Vehicle Accidents	16	13	3	13	23	3	26	31
Fire Alarms (Actual)	8	5	3	12	17	5	22	19
Fire Alarms (False)	5	5	0	7	10	1	11	14
Misc./Other Calls	21	18	3	28	31	6	37	46
Mutual Aid (Received)	6	0	0	4	0	0	12	14
Mutual Aid (Given)	8	0	0	10	0	0	18	15
Overlapping Calls (Calls at the same time)	24	0	0	45	0	0	38	68
TOTAL EMERGENCY RESPONSES	200	166	34	220	339	49	388	420

* Denotes the breakdown of calls, these are not calculated into the totals *
IN/OUT denotes in and out of the Town, not outside the fire district. When we respond to another fire district (Mutual Aid), which is outside of our total fire district boundaries that is reported in (**Other Districts**).

	Feb.	YTD
Fire Inspections/Compliance Inspections	30	57
Public Fire Education Programs	3	3
Children in Attendance	75	137
Adults in Attendance	9	30
Plans Review Construction/Renovation Projects	2	2
Fire Code Citations	0	0
Fire Lane Citations	0	0
Consultation/Walk Through	21	51
Re-Inspections	38	47

II. Major Revenues

	Feb.	YTD
Inspections	\$1,350.00	\$2,575.00
False Alarms	\$0.00	\$0.00
Fire Recovery USA	\$1140.00	\$1,452.00
EMS Debt Setoff	\$781.50	\$980.19

Major Expenses for the Month:

III. Personnel Update:

- The Fire Dept. opened a hiring process for an available position of Firefighter to close March 3rd at 4 pm.

IV. Narrative of monthly departmental activities:

- We participated in a fire prevention program at West Smithfield Elementary and had several groups visit the Fire Station.
- On Feb. 7th the Fire Dept. responded to 4 confirmed Structure Fires, two in our District: (1- in Town 316 Stancil St., 1- out of Town 128 Old Mallard Rd.); (1-Wilson's Mills, 1-Selma)
- On Feb. 9th the Fire Dept. responded to a confirmed Structure Fire in Town at 411 Caswell St.
- On Feb. 17th the Fire Dept. responded to a confirmed Structure Fire out of Town at 123 Hillcrest Rd.
- The status has been updated of the upcoming NCDOI ISO rating inspection, the inspection has been rescheduled for November 20th, 2017.

**Town of Smithfield
Public Works Department
Feb. 28, 2017**



196 Total Work Orders completed by the Public Works Department

2 Burials, at \$700.00 each = \$1,400

0 Cremation Burial, \$400.00 each = \$0

\$1,000.00 Sunset Cemetery Lot Sales

\$10,000.00 Riverside Extension Cemetery Lot Sales

376.78 tons of household waste collected

132 tons of yard waste collected

6.86 tons of recycling collected

Town of Smithfield
Public Works Appearance Division
Cemetery, Landscapes, and Grounds Maintenance
Buildings, Facilities, and Sign Division
Monthly Report
Feb. 28, 2017



I. Statistical Section

2 Burials

6 Works Orders – Buildings & Facilities Division

43 Work Orders – Grounds Division

53 Work Orders – Sign Division

II. Major Revenues

Sunset Cemetery Lot Sales: \$1,000.00

Riverside Ext Cemetery Lot Sales: \$10,000.00

Grave Opening Fees: \$1,400.00

Total Revenue: \$12,400.00

III. Major Expenses for the Month:

\$628.000 to SPC for new wireless thermostat at Public Works 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. Sandy Altman with Wellness Works Johnston Health conducted the Public Works safety meeting on "Blood Borne Pathogens".

**Town of Smithfield
Public Works Drainage/Street Division
Monthly Report
Feb. 28, 2017**



I. Statistical Section

- a. All catch basins in problem areas were cleaned on a weekly basis
- b. 7 - Work Orders – 10.80 Tons of Asphalt was placed in 4 utility cuts and 3 overlays.
- c. 25 - Work Orders – 2,190lbs. of Cold Patch was used for 61 Potholes.

II. Major Revenues

None for the month.

III. Major Expenses for the Month:

\$2,630.00 to Sherwin Industries for crack seal material.

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

Sandy Altman with Wellness Works Johnston Health conducted the Public Works safety meeting on "Blood Borne Pathogens".

**Town of Smithfield
Public Works Department
February 2017 Drainage Report**

Location: 1200BLK North Street, S 2nd and Davis, 400BLK of E Lee, E Davis and S 5th, 504 E Rose Street, 200BLK of S 6th, 200BLK of S 6th, 231 Hospital Rd, 250-809-633-388-259 Venture Drive, 10 Woodsdale Drive, 9 Eden, 55 Brookwood, Afton and Brookwood, Hamilton Drive, 512 Dundee, 703 E Johnston, Town Hall parking lot, 409 N 2nd Street, Turner and NBL, 328 Peedin, 103 N 4th, 110 Caroline, 125 W Underwood, 735-275-250-230-110 N Equity, N Equity and Outlet Center Drive.

Starting Date: 2/1/2017
 Completion Date: 2/20/2017
 Description: Repaired 61 Potholes
 Man-hours: 12.92hrs.
 Equipment: 401 pickup plus hand tools.
 Materials: 36.5 bags of Perma patch asphalt.

Location: S Bright Leaf (ARI)
 Starting Date: 2/3/2017
 Completion Date: 2/3/2017
 Description: Removed pallets and obstructions that washed in ditch due to Hurricane Matthew.

Man-hours: 6hrs.
 Equipment: 420 Cat backhoe plus hand tools.
 Materials: N/A

Location: 1400blk of Old Goldsboro Road.
 Starting Date: 2/10/2017
 Completion Date: 2/10/2017
 Description: Repaired two low shoulder areas in right of way.
 Man-hours: 2 yards of fill dirt.
 Equipment: 420 Cat backhoe, 905 pickup plus hand tools.
 Materials: 2 yards of fill dirt.

Location: Downtown district.
 Starting Date: 2/15/2017
 Completion Date: 2/15/2017
 Description: Took down Christmas stars and garland light.
 Man-hours: 15.75hrs.
 Equipment: 905 pickup plus ladder.
 Materials:

Location: 7th and Church.
 Starting Date: 2/16/2017
 Completion Date: 2/16/2017
 Description: Repaired damaged drain line in middle of street for positive drainage.
 Man-hours: 2hrs.
 Equipment: 401 pickup plus hand tools.
 Materials: 50lbs.of concrete and 1 bag of Perma Patch asphalt.

Location: Ava Museum Parking Lot.
Starting Date: 2/21/2017
Completion Date: 2/21/2017
Description: Removed 25 bushes planted beside building and repainted no parking zone near above ground power box.
Man-hours: 16.5hrs.
Equipment: 420 Cat backhoe, 408 flatbed, 401 pickup plus hand tools.
Materials: One gallon of yellow traffic paint. Hauled off two loads of debris to Spain Farms dump site.

Location: Daughtry Street and Wilson Mills Road, 806 North Street, 409 N 2nd Street, 805 Second Ave, 118 Stephenson Drive, 231 Hospital Road, 735 N Equity Drive.
Starting Date: 2/22/2017
Completion Date: 2/23/2017
Description: Repaired 4 utility cuts and 3 overlays.
Man-hours: 27hrs.
Equipment: 420 Cat backhoe, 408 flatbed plus hand tools.
Materials: 10.80 tons of I2 asphalt.

Location: 407 S 2nd Street.
Starting Date: 2/24/2017
Completion Date: 2/24/2017
Description: Repaired Meadow Creek ditch bank that washed out during Hurricane Matthew.
Man-hours: 16.5 hrs.
Equipment: 420 Cat backhoe, 405 dump truck and Bob cat tractor.
Materials: 7.58 tons of Rip Rap rock, hauled off 1 load of vegetation from location for positive drainage.

Location: 520 North Street.
Starting Date: 2/28/2017
Completion Date: 2/28/2017
Description: Repaired ditch bank washout for positive drainage.
Man-hours: 3.25hrs.
Equipment: 401 pickup plus hand tools.
Materials: 1 yard of 3000psi concrete.

Town of Smithfield
Public Works Fleet Maintenance Division
Monthly Report
Feb. 28, 2017



I. Statistical Section

- 1 Preventive Maintenances
- 1 North Carolina Inspections
- 42 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. Sandy Altman with Wellness Works Johnston Health conducted the Public Works safety meeting on "Blood Borne Pathogens".

**Town of Smithfield
Public Works Sanitation Division
Monthly Report
February 28, 2017**



I. Statistical Section

The Division collected from approximately 4100 homes, 4 times during the month

- a. Sanitation forces completed 32 work orders
- b. Sanitation forces collected 376.78 tons of household waste
- c. Sanitation forces disposed of 66 loads of yard waste and debris at Spain Farms Nursery
- d. Recycled 0 tons of clean wood waste (pallets) at Convenient Site Center
- e. Town's forces collected 3.78 tons of construction debris (C&D)
- f. Town disposed of 0 scrap tires that was collected at Convenient Site Center
- g. Recycling forces collected 2.61 tons of recyclable plastic
- h. Recycled 1820 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 3060 lbs. of plastics & glass (co-mingle) from the Convenient Site Center

II. Major Revenues

- a. Received \$69.29 from Sonoco Products for cardboard material
- b. Sold 0 lbs. of aluminum cans for \$0
- c. Sold 2160 lbs. of shredder steel for \$102.60 to Omni Source

III. Major Expenses for the Month:

Spain Farms Nursery was paid \$2112.00 for disposal of yard waste and debris.
Equipment repairs paid to Truck #311 Diesel Repair \$3,494.51

IV. Personnel Update:

Mitchel's temporary employee is working due to lack of Manpower

V. Narrative of monthly departmental activities:

Sandy Altman with Wellness Works Johnston Health conducted the Public Works safety meeting on "Blood Borne Pathogens". Feb.1, 2017
Christmas lights were taken down from Downtown area on Feb. 15, 2017
Work Orders on pot holes around the community and streets were met.
Vacuum Truck is back and running we are addressing the streets and areas on all routes.
We are committed to meeting the public's needs to ensure great service for the Town.
Total hours of community service 31 hours



PARKS AND RECREATION

MONTHLY REPORT FOR FEBRUARY, 2017

PROGRAMS STATISTICS

NUMBER OF PROGRAMS	16
TOTAL ATHLETICS PARTICIPANTS	190
TOTAL NON/ATHLETIC PARTICIPANTS	235
NUMBER OF GAMES PLAYED	53
TOTAL NUMBER OF PLAYERS (GAMES)	1164
NUMBER OF PRACTICES	58
TOTAL NUMBER OF PLAYER(S) PRACTICES	580

	FEBRUARY, 2017	16/17 FY YTD	FEBRUARY, 2016	15/16 FY YTD
PARKS RENTALS	9	132	17	192
USERS (PARKS RENTALS)	290	9301	535	5633
TOTAL UNIQUE CONTACTS	2,459			

FINANCIAL STATISTICS

	FEBRUARY, 2017	16/17 FY YTD	FEBRUARY, 2016	15/16 FY YTD
PARKS AND RECREATION REVENUES	\$ 7,524.93	\$ 42,912.59	\$ 8,484.60	\$ 54,797.20
PARKS AND RECREATION EXPENDITURES (OPERATIONS)	\$ 43,848.09	\$ 407,474.77	\$ 44,886.88	\$ 392,378.05
PARKS AND RECREATION EXPENDITURE (CAPITAL OUTLAY EQUIP)	\$ -	\$ 81,379.04	\$ 9,178.88	\$ 17,861.32

HIGHLIGHTS

YOUTH BASKETBALL PROGRAMS (7 AGE GROUPS)
 HOSTED THE ANNUAL DADDY DAUGHTER DANCE
 HOSTED THE 6TH ANNUAL HIGH SCHOOL SCRIMMAGES FOR MIRACLE LEAGUES



**SMITHFIELD RECREATION
AND AQUATICS CENTER**

SRAC MONTHLY REPORT FOR FEBRUARY, 2017

PROGRAMS STATISTICS

NUMBER OF PROGRAMS	28
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	1785

	FEBRUARY, 2017	16/17 FY YTD	FEBRUARY, 2016	15/16 FY YTD
SRAC MEMBER VISITS	5299	40586	5411	43328
DAY PASSES	452	5739	444	11979
RENTALS (SRAC)	46	547	34	384
USERS (SRAC RENTALS)	2094	28302	1548	17793
TOTAL UNIQUE CONTACTS	9,630	87,376	8,394	76,369

FINANCIAL STATISTICS

	FEBRUARY, 2017	16/17 FY YTD	FEBRUARY, 2016	15/16 FY YTD
SRAC REVENUES	\$ 47,587.83	\$ 419,255.36	\$ 53,971.20	\$ 437,856.46
SRAC EXPENDITURES	\$ 63,297.48	\$ 573,617.67	\$ 60,816.19	\$ 557,916.49
SRAC MEMBERSHIPS	2959			

HIGHLIGHTS

HOSTED ELECTRICITIES / TOWN ELECTRIC DEPARTMENT TRAINING
LIFE GUARD TRAINING CLASSES
ALLIGATOR STEPS PROGRAM TOPPED 300 ATTENDEES
MARLINS SWIM CLINICS TOPPED 200 SWIMMER.



- **Statistical Section**

- Electric CP Demand 20,313 Kw relative to January's demand of 26,563 Kw.
- Electric System Reliability for was 100.00%, with zero recorded outages; relative to January's 99.9984%.
- Raw water treated on a daily average was 3.328 MG relative to 3.305 MG for January; with maximum demand of 3.791 MG relative to January's 3.731 MG.
- Total finished water to the system was 89.723 MG relative to January's 97.236 MG. Average daily for the month was 3.204 MG relative to January's 3.137 MG. Daily maximum was 3.479 MG (February 13th) relative to January's 3.487 MG. Daily minimum was 2.884 MG (February 1st), relative to January's 2.531 MG.

- **Miscellaneous Revenues**

- Water sales were \$190,977 relative to January's \$204,676
- Sewer sales were \$257,590 relative to January's \$287,889
- Electrical sales were \$1,324,655 relative to January's sales of \$1,476,158
- Johnston County Water purchases were \$79,473 for 52.982 MG relative to January's \$75,017 for 50.012 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$915,351 relative to January's \$1,113,814
- Johnston County sewer charge was \$154,025 for 51.541 MG relative to January's \$184,230 for 61.609 MG.

- **Personnel Changes –**

- There were no changes in the month of February



**Town of Smithfield
Electric Department
Monthly Report
February , 2017**

I. Statistical Section

- Street Lights repaired –26
- Area Lights repaired -18
- Service calls – 26
- Underground Electric Locates –79
- Poles changed out or installed 4
- 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 Safe Lifting Practices.

V. Miscellaneous Activities:

- Installed the First round of Nexgrid House Meters.



WATER & SEWER FEBRUARY 2017 MONTHLY REPORT

● DISCONNECT WATER	5
● RECONNECT WATER	2
● TEST METER	1
● TEMPORARY METER SET	0
● DISCOLORED WATER CALLS	1
● LOW PRESSURE CALLS	2
● NEW/RENEW SERVICE INSTALLS	0
● LEAK DETECTION	10
● METER CHECKS	13
● METER REPAIRS	3
● WATER MAIN/SERVICE REPAIRS	0
● STREET CUTS	3
● REPLACE EXISTING METERS	0
● INSTALL NEW METERS	0
● FIRE HYDRANTS REPAIRED	1
● FIRE HYDRANTS REPLACED	0
● SEWER REPAIRS	20
● CLEANOUTS INSTALLED	5

- SEWER MAIN CLEANED 14425LF
- SERVICE LATERALS CLEANED 405LF
- SERVICE CALLS 134
- LOCATES 90
- FLUSHED ALL DEAD END LINES ONE TIME
- FLUSHED ALL HYDRANTS ON HYDRANT LIST
- SERVICE AND MAINTAINED ALL 18 LIFT STATIONS 2 TIMES PER WEEK
- INSPECTED ALL AERIAL SEWERS ONE TIME
- INSPECTED HIGH PRIORITY MANHOLES WEEKLY
- BURNOUT STARTED FLUSHING ALL DEAD ENDS BEGAN.

MAJOR EXPENSES FOR THE MONTH

- TRUCK FOR SUPERINTENDENT CAME IN.
- NEXGRID METERS INSTALLATION BEGINS.

PERSONEL UPDATES

EXTENDED MICHAEL QUAYLE PROBATION PERIOD BY 3 MONTHS.

UP COMING PROJECTS FOR THE MONTH OF MARCH

- Braswell will be starting the rebuild of Pump Station #7. Still waiting on wet well to be delivered.
- Sewer manhole survey (Hydrostructures) has started.
- Mizelle is continuing the work on SLS #3.
- Waiting on Bill and Braswell for plans for SLS #12 pumps.



MONTHLY WATER LOSS REPORT

February 2017

1- Meters with slow washer leaks

6-Water leaks on customer side of meter

Smithfield Water Plant
Distribution Sampling Site Plan

Hydrant Flushing
1,073,750

Street Name	Date	Chlorine	Time	Gallons	Psi	Street Name	Date	Chlorine	Time	Gallons	PSI
Stephson Drive	02/09/17	1	15	5310	10	North Street	02/09/17	3.2	15	15930	
Computer Drive	02/09/17	2	15	5310	10	West Street	02/09/17	3.4	15	17620	50
Castle Drive	02/09/17	2.4	15	5310	10	Regency Drive	02/01/17	1	30	39000	60
Parkway Drive	02/13/17	2	15	15930	40	Randers Court	02/13/17	1	30	31860	40
Garner Drive	02/09/17	3	15	7965		Noble Street	02/01/17	1	30	15840	
Hwy 210 LIFT ST.	02/09/17	2.8	15	7965		Fieldale Dr#1(L)	02/01/17	1	30	31860	40
Skyland Drive	02/09/17	2.8	15	5310	10	Fieldale Dr#2(R)	02/01/17	1	30	31860	40
Braford Street	02/08/17	1.4	15	7965		Heather Court	02/13/17	1	30	15930	40
Kellie Drive	02/08/17	2	15	7965		Reeding Place	02/13/17	1	30	15930	40
Edgewater	02/08/17	1	15	7965		East Street	02/08/17	3.4	15	15930	40
Edgecombe	02/08/17	0.6	15	159480	40	Smith Street	02/08/17	3	15	15930	
Valley Wood	02/08/17	0.6	15	15930	40	Wellons Street	02/13/17	2.4	15	15930	40
Creek Wood	02/08/17	0.6	15	15930		Kay Drive	2/20/17	3.2	15	9750	15
White Oak Drive	02/08/17	1	15	5310	10	Huntington Place	2/21/17	1	15	10095	
Brookwood Drive	02/08/17	1	15	5655	5	N. Lakeside Drive	2/21/17	1.6	15	9435	15
Runnymede Place	02/13/17	1.6	15	5310	10	Cypress Point	2/21/17	1.6	15	8715	12
Nottingham Place	02/13/17	1.6	15	5310	10	Quail Run	2/21/17	1.4	15	10095	
Heritage Drive	02/13/17	1	15	5310	10	British Court	2/21/17	1.6	15	11550	
Noble Plaza #1	02/13/17	1.2	15	5310	10	Tyler Street	2/20/17	2.4	15	19500	60
Noble Plaza #2	02/13/17	1.2	15	5310	10	Yelverton Road	2/20/17	2.4	15	15930	40
Pinecrest Street	02/13/17	1.2	15	5310	10	Ava Gardner	2/20/17	1	30	47990	
S. Sussex Drive	02/13/17	1.4	15	7965		Waddell Drive	02/13/17	2	15	5310	10
Elm Drive	02/13/17	1.4	15	5310	10	Henly Place	02/13/17	3.5	15	8715	12
Braford Street	02/13/17	1.4	15	7965		Birch Street	2/15/17	3	15	8715	12
Coor Farm Supply	02/13/17	2	15	5080		Pine Street	2/15/17	3	15	9750	15
Old Goldsboro Rd.	02/13/17	2	15	10620		Oak Drive	2/15/17	3	15	9430	14
Hillcrest Drive	02/09/17	3	15	10620	10	Cedar Drive	2/15/17	2.8	15	5310	10
Eason Street	02/09/17	1.4	15	15930	40	Aspen Drive	2/15/17	2.9	15	8715	12
Magnolia circle	02/01/17	1.8	15	7965		Furlonge Street	02/13/17	2	15	8715	12
Rainbow Drive	02/01/17	1.6	15	19500	60	Golden Corral	2/20/17	3	15	10080	16
Rainbow Circle	02/01/17	1.4	15	19500	60	Holland Drive	02/13/17	1.1	15	9750	15
Moonbeam Circle	02/01/17	1.4	15	19500	60	Davis Street	02/13/17	3	15	8715	12
Ray Drive	02/13/17	2	15	31860	40	Caroline Ave.	02/13/17	3	15	5310	10
Will Drive	02/13/17	2.2	15	31860	40	Johnston Street	02/13/17	3	15	7965	15
Michael Lane	02/01/17	3.2	15	7965	40	Ryans	2/20/17	1	30	31860	
Ward Street	02/08/17	3.2	15	15930	40					545020	

**Town of Smithfield
Water Treatment Plant**

All figures are in MGD.

Feb-17
Plant Totals

Date	Rate of Flow	Hrs. Operated	Raw Treated	Finish Metered	Plant Useage	Finish to Dist. System	% of RAW TREATED TO SYSTEM
1	3.70	19.5	2.883	2.987	0.1030	2.884	100.03
2	3.50	23.0	3.344	3.460	0.1040	3.356	100.36
3	3.50	22.0	3.382	3.233	0.0990	3.134	92.67
4	3.50	22.0	2.846	3.020	0.0960	2.924	102.74
5	3.50	22.0	3.169	3.105	0.1030	3.002	94.73
6	3.50	22.0	3.188	3.372	0.0990	3.273	102.67
7	3.50	21.5	3.791	3.451	0.1030	3.348	88.31
8	4.00	22.5	3.503	3.313	0.0970	3.216	91.81
9	4.00	22.0	3.580	3.442	0.1030	3.339	93.27
10	3.75	21.0	3.294	3.322	0.1020	3.220	97.75
11	3.75	19.5	3.084	3.147	0.0940	3.053	98.99
12	3.75	21.5	3.385	3.185	0.1010	3.084	91.11
13	4.00	21.5	3.559	3.575	0.0960	3.479	97.75
14	3.75	22.0	3.453	3.107	0.1010	3.006	87.05
15	3.75	22.0	3.417	3.399	0.0980	3.301	96.61
16	3.75	21.0	3.249	3.345	0.0990	3.246	99.91
17	3.75	22.0	3.415	3.334	0.0930	3.241	94.90
18	3.75	20.0	3.114	3.071	0.1020	2.969	95.34
19	3.75	20.0	3.178	3.152	0.0540	3.098	97.48
20	3.75	21.5	3.351	3.281	0.0870	3.194	95.31
21	3.75	21.5	3.332	3.404	0.0930	3.311	99.37
22	3.75	22.5	3.521	3.442	0.1100	3.332	94.63
23	3.75	19.5	3.091	2.996	0.0860	2.910	94.14
24	3.75	22.0	3.413	3.410	0.0920	3.318	97.22
25	3.75	22.0	3.487	3.446	0.1020	3.344	95.90
26	3.75	22.0	3.416	3.460	0.0970	3.363	98.45
27	3.75	21.5	3.391	3.498	0.1090	3.389	99.94
28	3.75	21.5	3.348	3.487	0.0980	3.389	101.22
29						0.000	#DIV/0!
30						0.000	#DIV/0!
31						0.000	#DIV/0!
Total	104.20	601.0	93.184	92.444	2.721	89.723	96.29
Avg	3.72	21.5	3.328	3.302	0.097	2.894	
Max	4.00	23.0	3.791	3.575	0.110	3.479	
Min	3.50	19.5	2.846	2.987	0.054	0.000	