

The Smithfield Town Council met in regular session on Tuesday, March 6, 2018 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

Travis Scott, Mayor Pro-Tem
Marlon Lee, District 1
David Stevens, District 2
Dr. David Barbour, District 4
Emery Ashley, At-Large
John A. Dunn, At-Large
Stephen Rabil, At-Large

Councilmen Absent

Administrative Staff Present

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

Present:

Bob Spence, Town Attorney

Administrative Staff Absent

Mayor Moore called the meeting to order at 7:00.

The invocation was given by Mayor Pro-Tem Scott followed by the Pledge of Allegiance.

APPROVAL OF AGENDA:

Councilman Ashley made a motion, seconded by Councilman Dunn, to approve the agenda with the following change:

- Remove Public Hearing 1. RZ-18-04 and SUP-18-02: *The applicant is requesting approval of a Planned Unit Development Special Use District rezoning, rezoning an R-8 Single, Two, and Multi-Family Residential District to R-8 PUD (rezoning) and approval of a special use permit for the PUD master site plan*

Unanimously approved.

PRESENTATION:

1. Administering the Oath of Office to New Police Officer David George

Mayor Moore administered the Oath of Office to new Smithfield Police Officer David George and welcomed him to the Town.

PUBLIC HEARINGS:

- 1. Text Amendment Request Town of Smithfield (ZA-18-01):** The applicant was requesting an ordinance amendment to Appendix A, Planned Unit Development definition that removes the minimum development size and encourages a mix of uses within a Planning Unit Development that may include commercial and noncommercial uses.

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

Planning Director Stephen Wensman addressed the Council on a request by the Planning Department on text amendments to Appendix A and Article 6 of the Town of Smithfield Unified

Development Ordinance (UDO) that removes inconsistencies within the text and clarifies development standards as they pertain to Planned Unit Developments (PUD). Mr. Wensman explained the purpose of the zoning text amendment would: Eliminate an inconsistency concerning the minimum PUD size requirement and remove the requirement that a PUD must contain a mixed of residential and non residential land uses. The definition of PUD in Appendix A. stipulates a minimum development size of 25 acres, where as in Section 6.3.6, the minimum size is 5 acres. The 25 acre requirement is leftover from the old UDO and should have been update to match the new UDO requirements. Staff recommends a minimum of 5 acres which offers the greatest flexibility in using the PUD provisions in the UDO. The definition of PUD in Appendix A. requires a mix of residential and nonresidential uses. Section 6.3.6 allows for a mix of uses, but does not mandates such a mix. Staff recommends greater flexibility, encouraging mixed use, but not mandating it. This will allow PUDs in residential districts where commercial uses are not an allowed use, but allow for flexible design options of a PUD.

Staff finds the application consistent with Town Plans and Policies:

- Consistency with the Comprehensive Growth Management Plan - The zoning text amendment will support the Comprehensive Growth Management Plan for the Town such that PUDs are a flexible zoning district that reflect the land use guidance of the Plan.
- Consistency with the Unified Development Code – The zoning text amendment will be consistent with the Town of Smithfield Unified Development Ordinance in that the amendment is removing inconsistencies within the UDO and allowing PUDs to occur as intended.
- Compatibility with Surrounding Land Uses - The zoning text amendment will not impact surrounding land uses. The amendment will allow for PUDs more complementary to the district and uses in them, preserving existing character of the area.

The Planning Department and Planning Board recommend approval of the proposed amendments to Appendix A and Article 6 of the UDO with a statement declaring the request is consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Planning Director Stephen Wensman has incorporated his entire record and provided it to Council in written form in the March 6, 2018 agenda packet.

Mayor Moore asked if there were any questions from the Council.

Councilman Ashley stated in the past the purpose of a PUD was to allow for multiple uses. He questioned if PUDs allowable use was a residential mixed used. Mr. Wensman responded that the uses could be commercial or residential. Councilman Ashley stated that the 5 acres seemed to be a small area for a single family home and multifamily home development. Mr. Wensman explained that a mixed use could be offices on a first floor and retail uses on the second floor.

Mayor Moore asked if there was anyone in attendance that wished to speak on this matter. There were none.

Councilman Ashley made a motion, seconded by Councilman Rabil, to close the Public Hearing. Unanimously approved.

Councilman Ashley made a motion, seconded by Councilman Rabil, to approve the Text Amendment Request ZA-18-01 as submitted. Unanimously approved.

Councilman Ashley made a motion, seconded by Mayor Pro-Tem Scott, declaring that the Text Amendment was consistent with the Town of Smithfield Comprehensive Growth Management Plan and it was reasonable and in the public interest. Unanimously Approved.

2. **Rezoning Request Stephen (Tom) Medlin (RZ-18-01):** The applicant was requesting to rezoning two tracts of land totaling approximately 1 acre from the OI (Office-Institutional) zoning district to the B-2 (Business) zoning district. The properties considered for rezoning are located on the southeast side of the intersection with North Brightleaf Boulevard and Hancock Street and further identified as Johnston County Tax ID# 15015036 and 15015047.

Councilman Ashley made a motion, seconded by Councilman Stevens, to open the Public Hearing. Unanimously approved.

Planning Director Stephen Wensman addressed the Council on a request by Stephen T. Medlin seeking approval of a zoning map amendment to rezone approximately 1.02 acres of land from O/I (Office / Institutional) zoning district to the B-2 (General Business) zoning district.

Mr. Wensman explained that in 2001, Stephen Medlin received site plan approval for the construction of Brightleaf Business Center which is a multi-phased project spanning across two properties. The properties contain two free standing buildings with a combined total of 8,800 square feet of leasable space. The property was developed as a strip center using modern zoning standards that were in place at the time of plan approval and includes 33 parking spaces with standard landscape yards. With the existing configuration, there are 6 leasable units between the two buildings with three of them currently occupied by Allstate Insurance, Labcorp and Avada Hearing Care Center. Most professional office uses are permitted within the requested B-2 (General Business) zoning district and no nonconformities will be created if the property is rezoned. However, retail uses are not permitted uses in the existing OI (Office-Institutional) zoning district. The applicant was seeking to attract a wider range of tenants and uses that are permitted within B-2 (General Business) zoning district in hopes of reducing vacancy rates. Some of the permitted uses in the requested B-2 (General Business) zoning districts as identified by Article 6 of the Town of Smithfield Unified Development Ordinance include; convenience stores, floral and gift shops, hardware stores, barber and beauty shops, and restaurants.

Planning Staff considers the action to be consistent and is reasonable:

- Consistency with the Comprehensive Growth Management Plan -The Future Land Use Map has identified this property as guided for industrial uses, however, the area is zoned a mix of O/I and B-2, none of which are consistent with the land use plan. Similar rezoning's have occurred in the area despite of the land use designation. Adjacent properties within this corridor are currently zoned and developed as commercial so the use of this site for commercial is contextually consistent and appropriate.
- Consistency with the Unified Development Code - The rezoning will be consistent with the Town of Smithfield Unified Development Ordinance as all existing land uses on the subject property are permitted in the B-2 (General Business) and, all future land uses will be permitted in accordance with Article 6 of the Town of Smithfield Unified Development Ordinance.
- Compatibility with Surrounding Land Uses - The property considered for a rezoning is immediately adjacent to other B-2 (General Business) zoned properties. Compatibility issues are unlikely provided that any future redevelopment in the area is non-residential in nature.

The Planning Department and Planning Board have determined that the application is consistent with applicable adopted plans, policies and ordinances and recommends approval of the rezoning request.

Planning Director Stephen Wensman has incorporated his entire record and provided it to Council in written form in the March 6, 2018 agenda packet.

Mayor Moore asked if there were any questions from the Council.

Councilman Barbour reminded the Council that at the last meeting, restaurants were approved in the O/I zoning district.

Mayor Moore asked if there was anyone in attendance that wished to speak on this matter. There were none.

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

Mayor Pro-Tem Scott made a motion, seconded by Councilman Stevens, to approve the rezoning request RZ-18-01 as submitted and declared that the rezoning to be consistent with the Town of Smithfield Comprehensive Growth Management Plan and it is reasonable and in the public interest. Unanimously approved.

- 3. Rezoning Request TIMA LLC (RZ-18-02):** The applicant was requesting to rezone two parcels of land totaling approximately 26.57 acres from a B-3 (Business) to HI (Heavy Industrial) zoning district. The properties considered for rezoning are located on the west side of the intersection of Brogden Road and Wal-Pat Road and further identified as Johnston County Tax ID# 15K11012 and 15K11012C

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

Planning Director Stephen Wensman addressed the Council on a request by Frank Lee to rezone approximately 26.57 acres of land from B-3 Highway Entranceway Business District to HI Heavy Industrial Zoning.

Mr. Wensman explained that a Conditional Use Permit (CUP) was approved on February 1, 2010 to allow an outdoor storage area in association with a materials handling facility over both properties. The 7.03 acre property was later split off from the larger parcel and was used for outdoor storage in association with the adjacent industrial business located at 1420 Wal-Pat Road. With the CUP approval, the applicant was required to submit site development plans including landscaping, lighting and parking to comply with the Uniform Development Ordinance (UDO) prior to issuance of a zoning permit. No such plans were ever submitted and the zoning permit was never issued. The larger parcel has been vacant since the CUP approval and the smaller parcel has been used for outdoor storage in violation of the CUP conditions. Therefore, prior to issuance of a zoning permit for the use of the site for outdoor storage, the required landscaping, lighting and parking will be required.

Planning Staff considers the action to be consistent and is reasonable:

- Consistency with the Strategic Growth Plan - The Future Land Use Map guides this property as Industrial.
- Consistency with the Unified Development Code - The rezoning will be consistent with the Town of Smithfield Unified Development Ordinance as all proposed future land uses and site specific development plans must meet the minimum development standards of the Town of Smithfield Unified Development Ordinance.
- Compatibility with Surrounding Land Uses - The property considered for a rezoning is adjacent to heavy industrial uses on the north and west and land zoned as B-3, but guided as industrial across Brogden Road. There could be some compatibility issues in the short term between the proposed industrial zoned properties and the existing residential properties along Brogden Road until the time they redevelop to industrial uses as guided.

The Planning Department and Planning Board recommend approval of the Zoning Map Amendment; and recommend that the Town Council approve a consistency statement declaring the request to be consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the

request is reasonable and in the public interest.

Planning Director Stephen Wensman has incorporated his entire record and provided it to Council in written form in the March 6, 2018 agenda packet.

Mayor Moore asked if there were any questions from the Council.

Councilman Barbour stated he was concerned about the residential properties adjacent to the site stating that the residents would not be happy with the proposed zoning. Mr. Wensman explained that the properties to the east are zoned B-3 even though there are residential uses.

Councilman Lee questioned if there were plans for the widening of Brogden Road or plans for a stop light. Mr. Wensman responded that any development would have to be submitted to NCDOT. They would address any roadway issues.

Mayor Moore asked if there was anyone in attendance that wished to speak on this matter.

Ken Langston of 2255 Buffalo Road questioned if the proposed Johnston County Jail could be located on this site if it was rezoned. Mr. Scott responded that it was a permitted use in the HI district. Mayor Moore clarified that the proposed jail could currently be constructed on this site under its current B-3 zoning.

Tony Nixon of 8 Cedar Drive pointed out that there was only one commercial use and the rest were residential uses. Adjacent to the property, the homes are 80%- 90% occupied. Rezoning to Heavy Industrial would greatly impact these homes. Mr. Nixon cautioned the Council on this rezoning.

Paul Embler, representing Frank Lee, stated that in 2010, the residents in the area petitioned to have their properties rezoned to B-3. On the north side of Brogden Road, only two properties were not zoned B-3.

Councilman Ashley questioned the buffer yard and setback requirements off Brogden Road. Mr. Embler responded that he didn't think there would be any buffer yard requirements adjacent to commercial property, but there would be a forty foot buffer adjacent to any residential property. As far as the set back, Mr. Embler stated that was determined by district. Mr. Wensman responded there would be a 15 foot landscape yard and a 40 foot setback.

Councilman Dunn made a motion, seconded by Councilman Rabil, to close the Public Hearing. Unanimously approved.

Councilman Dunn made a motion, seconded by Councilman Stevens, to approve the rezoning request RZ-18-02 as submitted and declared the rezoning to be consistent with the Town of Smithfield Comprehensive Growth Management Plan and it was reasonable and in the public interest. Councilman Dunn, Councilman Stevens, Mayor Pro-Tem Scott, Councilman Ashley, Councilman Barbour and Councilman Rabil voted in favor of the motion. Councilman Lee voted against the motion. Motion passed 6 to 1.

4. **Rezoning Request W. Frank Lee (RZ-18-03):** The applicant was requesting to rezone four tracts of land totaling approximately 2.26 acres from the R-20A (Residential-Agricultural) zoning district to the B-3 (Business) zoning district. The properties considered for rezoning are located on the east side of Buffalo Road approximately 160 feet south of its intersection with Booker Dairy Road and further identified as Johnston County Tax ID# 14075030G, 14075030F, 14075027 and 14075028

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

Planning Director Stephen Wensman addressed the Council on a request by Frank Lee seeking approval of a zoning map amendment to rezone approximately 6.8 acres of land from R20A Residential-Agricultural to B-3 Highway Entranceway Business District Zoning.

Mr. Wensman explained the proposed rezoning will be inconsistent with the Town of Smithfield's Growth Management Plan.

- Consistency with the Strategic Growth Plan

The Future Land Use Map guides this property and the surrounding properties as a Commercial Service Node. In the Comprehensive Growth Management Plan, a Commercial Service Node is envisioned as a mixed use - limited commercial focus area to service the neighborhood. The Town has no "mixed use district", but does allow PUD zoning to allow for mixed use development (a form of conditional zoning). In order to ensure consistency with the Comprehensive Growth Management Plan, only a mixed use PUD rezoning with a master plan should be approved for these nodes. B-3 PUD would likely be consistent with the Comprehensive Growth Management Plan.

The Growth Management Plan guides these Commercial Service Nodes as follows:

- Are intended to be buffered from surrounding areas by office/institutional/high density residential land uses. The exact size of the required buffer should be determined when the ultimate extent of the commercial node is known.
- Shall have Pedestrian connections developed between sites within.
- Shall be compatible in size and scale with surrounding development.
- Shall encourage shared vehicular access between adjacent commercial businesses.
- Shall have specific area development plans prepared prior to the initiation of development.

The Comprehensive Growth Management Plan's Implementation Strategies also provide guidance relevant to this rezoning request:

Objective 3: Preserve and enhance Smithfield's land use form.

Implementation Strategy b) Establish a mixed use district. A Mixed Use District is intended to provide for the coordinated development of office, commercial, and residential uses and their necessary support functions in the vicinity of key highway intersections in Smithfield. They should be designed to facilitate stated public policies to encourage design which emphasizes lively, people oriented environments and compatible, visually interesting development. This district provides areas where moderate scale mixed use centers can locate with an emphasis on development of a balance of residential, office, and commercial uses. It is further intended that the Mixed Use Districts shall encourage development within which mutually supporting residential, commercial, and office uses are scaled, balanced, and located to reduce general traffic congestion by providing housing close to principal destinations, and convenient pedestrian circulation systems and mass transit to further reduce the need for private automobile usage. Mixed Use Districts are intended to encourage development that allows multiple destinations to be achieved with a single trip. When such districts adjoin residential development or residential zoning districts, it is intended that arrangement of buildings, uses, open space, and vehicular or pedestrian access shall provide appropriate transition and reduce potentially adverse effects. The service nodes which are delineated on the Future Land Use Map (Map 18) should be mixed use districts. Mixed use can only be accomplished with PUD development.

Implementation Strategy h) Office/Institutional/Multi-family development should be used as a buffer between light industrial and commercial development and adjacent residential land uses.

Objective 4: Discourage strip commercial development on major and minor thoroughfares that allows each lot to have direct vehicular access to the highway.

Implementation Strategy c) Commercial development should be encouraged at the intersections of major roads (i.e., in a nodal fashion) consistent with the town's future land use map.

The Comprehensive Growth Management Plan also provides an illustration of a Commercial Service Node. The Comprehensive Growth Management Plan also discourages strip development in these node areas.

Therefore, the proposed rezoning will be inconsistent with the Town of Smithfield's Growth Management Plan. A straight B-3 zoning will allow all the commercial uses within a B-3 district, but will not ensure the commercial node's serve the neighborhood, buffers the adjacent residential, nor provide for the access or connectivity envisioned in the Comprehensive Growth Management Plan.

- Consistency with the Unified Development Code

The rezoning will be consistent with the Town of Smithfield Unified Development Ordinance as all proposed future land uses and site specific development plans must meet the minimum development standards of the Town of Smithfield Unified Development Ordinance.

- Compatibility with Surrounding Land Uses

The property considered for a rezoning is adjacent to a low density residentially zoned property to the north. A commercial property exists to the northeast of Booker Dairy Road which is physically disconnected from the proposed commercial site. Without the buffers and access control as guided by the Comprehensive Plan, there may be compatibility issues.

The Planning Department and Planning Board recommend denial of the Zoning Map Amendment; and recommend that the Town Council approve a consistency statement declaring the request to be inconsistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is not reasonable and not in the public interest.

Planning Director Stephen Wensman has incorporated his entire record and provided it to Council in written form in the March 6, 2018 agenda packet.

Mayor Moore asked if there were any questions from the Council

Councilman Ashley questioned if the staff was in favor of the PUD and if the recommendation was conveyed to the applicant. Mr. Wensman responded that staff did have those discussions with the applicant, but he was against that recommendation.

Mayor Pro-Tem Scott questioned the impact the rezoning would have on the adjacent Community Park and the amount of buffer that would be required. Mr. Wensman responded that he was unsure about the exact width of the buffer, but thought it would be minimal.

Mayor Moore asked if there was anyone in attendance that wished to speak on this matter.

Paul Embler, representing Frank Lee, stated that there were multiple ways to rezone this property. One way was as proposed by Planning Staff and the other way was to rezone the property straight B-3. Mr. Lee chose to petition the Council for the B-3 rezoning because he does not have an intended plan for the property. Mr. Embler stated that the land has been undeveloped and on the market for over ten years. Mr. Lee was investing in the Town with the intent of future development. Mr. Embler stated that interconnectivity of this site could be achieved through sidewalks that would have to be installed during development. Mr. Embler further stated that the Buffalo Road widening project would happen in the very near future. Once completed, NCDOT would be very selective on ingress and egress onto Buffalo Road. Mr. Embler reminded the Council that anything allowable in a B-3 district will also be allowable in a B-3 PUD.

Councilman Ashley stated that this was four separate parcels and he didn't believe NCDOT would only allow one access for the entire area. Mr. Embler responded that it was premature to ask for a recombination until it was rezoned. Once the rezoning takes place, the four parcels would be recombined into one.

Mayor Moore questioned if there was access from this property to Booker Dairy Road. Mr. Embler responded that it does not have access. Mayor Moore mentioned that there was some discussion that NCDOT would turn over the piece of property they own back to the Town. Mr. Embler responded NCDOT has indicated the piece of property would not be returned to the Town.

Councilman Dunn questioned the age of the Comprehensive Plan. Mr. Wensman responded that it was twenty years old.

Councilman Barbour stated that the mixed use can only be accomplished with a PUD. Mr. Wensman responded that was correct.

Councilman Stevens made a motion, seconded by Councilman Barbour, to close the Public Hearing. Unanimously approved.

Councilman Barbour made a motion, seconded by Mayor Pro-Tem Scott to take the recommendation of the staff and deny the rezoning request RZ-18-03 based on the information provided in staff's findings. Councilman Barbour, Mayor Pro-Tem Scott, Councilman Lee, Councilman Rabil and Councilman Stevens voted in favor of the motion. Councilman Ashley and Councilman Dunn voted against the motion. Motion carried 5 to 2

Town Clerk Shannan Parrish administered affirmations to those that wished to offer testimony during the Public Hearing

5. **Special Use Permit Request George's Barns (SUP-18-03):** The applicant was requesting a special use permit to allow for a U-Haul rental business on property located within a B-3 (Business) zoning district. The property considered for approval is located on the south side of US Highway 210 approximate 630 feet west of its intersection with US Highway 70 Business and further identified as Johnston County Tax ID# 15076019.

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

Planning Director Stephen Wensman addressed the Council on a request by Jorge Cuevas seeking a special use permit to rent U-Haul trucks and trailers on the property. The property is currently used for sales of storage sheds. A special use permit was issued in 2016 (SUP-16-07) to allow outdoor sales and storage on the property. The original special use permit did not include truck rental which is identified as a special use in the B-3 zoning district.

Mr. Wensman explained that the existing sales business consists of a 20 x 20 ft. sales building with a 17-stall parking lot. The storage sheds for sale are stored in the lawn area adjacent to the parking lot and behind the sales building. Access to the site is from a single 30' driveway accessing NC Highway 210. The site currently meets all site plan requirements including required parking and landscaping/buffering. The current use requires 2 parking stalls and a handicap accessible stall, so there is excess parking capacity. There are no specific site improvements required by the UDO for the additional use of the property for truck rental. The parking area is not curbed and the lawn areas have been used for parking on and off since approval of the SUP-16-07. Staff believes the expansion of the business for U-Haul rental would damage the grass areas of the site if trucks and trailers were frequently moved on and off the grass; therefore, staff recommends several conditions be attached to the an approval of the request.

The Planning Department recommends the following conditions of approval:

1. That the rental trucks and trailers be stored on the paved parking lot.
2. That the rental use occupy no more than 14 of the 17 parking stalls at any time.
3. That there shall be no parking of vehicles/trailers on the lawn or landscaped areas.

Planning Director Stephen Wensman has incorporated his entire record and provided it to Council in written form in the March 6, 2018 agenda packet.

Mayor Moore asked if there were any questions from the Council

Mayor Pro-Tem Scott questioned the zoning of the parcel adjacent to the site as it is a residential use. Mr. Wensman responded that it should be zoned B-3, but it is not. The applicant resides on the property in question.

Mayor Moore stated the applicant was not present and no one was administered an affirmation to testify in the hearing.

Councilman Barbour made a motion, seconded by Councilman Ashley, to close the Public Hearing. Unanimously approved.

The Written Finding

Councilman Ashley made a motion, seconded by Councilman Rabil, to vote in the affirmative to all of the below eight Findings of Fact. Unanimously approved.

The Town Council shall issue a special use permit if it has evaluated an application through a quasi-judicial process and determined that:

1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
2. The special use will be in harmony with the existing development and uses within the area in which it is to be located.
3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.
7. Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.
8. The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council.

Record of Decision: Approval of Conditional Use Permit Application Number SUP-18-03

Councilman Ashley made a motion, seconded by Mayor Pro-Tem Scott, based upon satisfactory compliance with the above eight 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 Special Use Permit Application # SUP-18-03 with the following conditions:

1. That the rental trucks and trailers be stored on the paved parking lot.
2. That the rental use occupy no more than 14 of the 17 parking stalls at any time.
3. That there shall be no parking of vehicles/trailers on the lawn or landscaped areas

Unanimously approved.

CITIZENS' COMMENTS: None

CONSENT AGENDA:

Councilman Ashley made a motion, seconded by Councilman Rabil, to approve the following items as listed on the Consent Agenda. Unanimously approved.

1. Approved the following Minutes:
 - February 6, 2018 – Regular Meeting
 - February 6, 2018 – Close Session
 - February 12, 2018 – Recessed Meeting
 - February 12, 2018 – Close Session
 - February 20, 2018 – Recessed Meeting
 - February 20, 2018 – Close Session
2. Approved a Career Ladder promotion in the Police Department. The officer was promoted from the rank of Police Officer II to the rank of Master Police Officer.
3. Approved a bid award to Servco Construction in the amount of \$17,000 for the Public Works Locker Room Renovation. Bids received are as follows:
 - Rhodes Construction \$56,446.50
 - SOHN, Inc. \$21,500.00
 - Servco Construction \$17,000.00
 - Talon Construction Did not submit a bid
4. Approved the purchase of a new 420 Cat 420F2 Backhoe from Gregory Poole in the amount of \$116,097.00 for use by the Public Works Department.
5. Approved a bid award to JLP Carpentry in the amount of \$14,850 for renovations to the Civitan Field Concession Building. Bids received are as follows:
 - Griswold Construction \$17,982.00
 - JLP Carpentry \$14,850.00
6. The following Advisory Board Appointments were approved:
 - Monique Clark was appointed to serve a first term on the Parks and Recreation Advisory Committee
7. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Facility Maintenance Specialist	P & R – Recreation	10-60-6200-5100-0200	\$11.86/hr. (\$24,668.80/yr.)
Utility Line Mechanic	Public Utilities – W/S	30-71-7220-5100-0200	\$12.46/hr. (\$25, 916.80/yr.)
Utility Line Mechanic	Public Utilities – W/S	30-71-7220-5100-0200	\$12.46/hr. (\$25, 916.80/yr.)
<u>Current Vacancies</u>			
<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	
Electric Line Technician	PU – Electric	31-72-7230-5100-0200	
P/T Lifeguard	P & R – Aquatics	10-60-6220-5100-0220	

BUSINESS ITEMS:

1. **Consideration and Approval to enter into the following service agreements:**
 - a. **Stewart Inc. to prepare the Comprehensive Growth Management Plan in the amount of \$93,400**

b. Kimley-Horn to prepare the Comprehensive Transportation Plan in the amount of \$100,412.25

Planning Director Stephen Wensman addressed the Council on a request to enter into a contract with Stewart Inc. in the amount of \$93,400 to prepare the Comprehensive Growth Management Plan and to enter into a contract with Kimley-Horn in the amount of \$100,412.25 to prepare the Comprehensive Transportation Plan. A budget amendment will be required. Funds from the sale of the Ava Gardner Blvd right of way will pay for these needed plans.

Mr. Wensman explained these projects were originally lets as two separate projects, but through the interview process, it became apparent that there was a need and opportunity to have a coordinated or unified approach to both planning processes. The approach included coordination and sharing in three areas: Land use, demographic socio-economic data analysis, branding and theming and public engagement. The unified approach will result in documents that reflect the interconnectedness of land use planning and transportation. A unified branding and theming will simplify the process as it is presented to the public who may or may not differentiate various planning initiatives. It will allow for a single engagement process to eliminate planning fatigue in residents, businesses leaders and staff by having a single steering committee, and unified public engagement events. The consultants will also coordinate with the stormwater planning process under contract with Jewell Engineering as it pertains to land use or transportation planning. Public Engagement will include : Steering Committee, stakeholder interviews, public workshops, Social Media/Website, Surveys, Community Events and Council Communication

The unified planning process is expected to be completed over a 14-month time line. The consultants have prepared a draft timeline with key milestones identified. The actual time line may be adjusted as needed to ensure adequate public input and review by stakeholders.

Mayor Pro-Tem Scott questioned if staff had checked references of these two firms. Town Manager Michael Scott responded the committee checked references and work history for both firms. The committee was confident that both firms selected would do a good job for the Town.

Councilman Dunn made a motion, seconded by Mayor Pro-Tem Scott, to approve the following: Contract with Stewart Inc. in the amount of \$93,400 to prepare the Comprehensive Growth Management Plan, Contract with Kimley-Horn in the amount of \$100,412.25 to prepare the Comprehensive Transportation Plan and the budget amendment. Unanimously approved.

Budget Amendment

	<u>BEFORE</u>	<u>ADJ.</u>	<u>AFTER</u>
<u>GENERAL FUND</u>			
1. REVENUE			
10-00-3900-3900-0000 Fund Balance Appropriation	<u>\$ 238,083</u>	<u>\$ 193,813</u>	<u>\$ 431,896</u>
Expenditure			
10-10-4900-5300-4504 Planning - Comprehensive Growth Mgmt Plan	\$ -	\$ 93,400	\$ 93,400
10-10-4900-5300-4505 Planning - Comprehensive Transportation Plan	<u>-</u>	<u>100,413</u>	<u>100,413</u>
	<u>\$ -</u>	<u>\$ 193,813</u>	<u>\$ 193,813</u>

To fund a comprehensive growth management plan study and a comprehensive transportation plan study using proceeds from the sale of Ava Gardner Blvd.

Councilmembers Comments

- Mayor Pro-Tem Scott informed the Council that he was approached by some citizens that were very complimentary of the Town's Utilities and Sanitation Staff. He expressed his appreciation to the staff for all they do.
- Councilman Barbour informed the Council that he and members of the community were trying to generate interest in reestablishing a local newspaper. He explained that Smithfield is the only community with its population that does not have one. He complimented staff for the Town's newsletter. During the budget process, he suggested that the Council consider a communications person.
- Councilman Dunn expressed his appreciation to the citizens that attend the Council meetings every month.

Town Manager's Report:

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

- Police Accreditation: Chief Powell will be travelling to Frisco, Texas from March 21 to March 24, to defend the department's National Accreditation with the Commission on Accreditation for Law Enforcement Agencies (CALEA). This will be the department's first reaccreditation which will remain in effect three additional years.
- Boat Ramp: The newly renovated boat ramp is complete and open for business. Some additional plantings will be added yet this Spring
- Community Clean Up: Community clean up continues. Lenny Branch has used community service workers to clean up debris on Highway 210, Wilsons Mills Road, Outlet Center Drive and Brogden Road.
- Sarah Yard Center: On March 17th from 6:30 to 8:30 pm, there will be a free speaking event hosted by Ms. Liz Alexander who has a consulting business called "She Dreams of Freedom" located in New York. Ms. Alexander will be speaking and facilitating a conversation hearing the perspective of #ME TOO in the voice of girls in Raleigh, Sunday, March 18th at an event, part of a three year initiative of Shaw University, The Souls of Black and Brown Girls. Through the work of Dr. Beverly Wallace, Liz Alexander has agreed to speak at the Sarah Yard Center on Saturday, March 17th from 6:30 to 8:30 pm. Grand opening is scheduled for March 26th.

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 an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.*

Councilman Dunn made a motion, seconded by Councilman Rabil, to enter into closed session pursuant to NCGS 143.318-11 (a)(3). Unanimously approved at 8:33 pm

Reconvene in Open Session:

Mayor Pro-Tem Scott made a motion, seconded by Councilman Rabil, to reconvene in open session. Unanimously approved at 8:53 pm.

Adjourn

Councilman Barbour made a motion, seconded by Councilman Dunn, to adjourn the meeting. The meeting adjourned at approximately 8:54 pm.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk