

The Smithfield Town Council met in regular session on Tuesday, May 1, 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
Dr. David Barbour, District 4
Emery Ashley, At-Large
John A. Dunn, At-Large
Stephen Rabil, At-Large

Councilmen Absent

David Stevens, District 2

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
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

Tim Kerigan, Human Resources/PIO

CALL TO ORDER

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

INVOCATION

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

APPROVAL OF AGENDA:

Mayor Pro-Tem Scott made a motion, seconded by Councilman Ashley, to approve the agenda with the following amendments:

1. *Add a Close Session Pursuant to NCGS 143.318-11 (a)(3):To consult with the Town attorney on a legal matter*
2. *Add: Consent Agenda Item# 9: Special Event: Marlon Lee is requesting to allow amplified sound for community pick-up softball, baseball or kickball games at Smith Collins Park Saturdays or Sundays from now through September during the hours of 4:00 pm – 9:00 pm. Staff is requesting this be approved as an annual event.*
3. *Add: Consent Agenda Item #10: Special Event – Heidi Rittenhouse owner of Heidi's Two Wheel Café is seeking approval of a temporary use permit to have Jim Quick & Coastline Band at 1475 W. Market Street on May 13th, 2018. Amplified sound is requested from 2:00 pm – 6:00 pm.*
4. *Add: Consent Agenda Item #11: Consideration and Approval to renew the Memorandum of Understanding with the East Smithfield Improvement Organization to utilize the concession stand at Smith Collins Parks*
5. Remove Business Item #1 **Consideration and approval for amendments to the Downtown Smithfield Development Corporation's Bylaws**

Unanimously approved.

PRESENTATIONS:

1. Police Department's 2017 Officer of the Year

Captain James Grady addressed the Council on the Smithfield Police Department's 2017 Officer of the

Year. The award is given to the officer who shows great professionalism, community service, and dedication to the Police Department and The Town of Smithfield. The officer was nominated by secret ballot, completed by every member of the department. The officer receiving the most votes is then reviewed by a recognition committee consisting of four Lieutenants and the Captain of Patrol. The committee then makes a recommendation for Officer of the Year to the Police Chief, who makes the final decision. The Officer of the Year for the Smithfield Police Department, 2017 is Officer Joey Wheeler.

Officer Wheeler holds a Bachelors Degree in Criminal Justice Studies from Mount Olive College. Officer Wheeler has obtained his Advanced Law Enforcement Certification. Officer Wheeler has been with the Smithfield Police Department for 8 years. He has worked in the Patrol Division and is currently assigned to the Support Services Division.

Mayor Moore presented Officer Joey Wheeler with a plaque identifying him as the 2017 Police Officer of the Year.

2. American Public Power Association (APPA) Award: 2018 Platinum Member

Public Utilities Director Ted Credle informed the Council that the Electric Department head received the APPA's platinum designation. Mr. Credle explained the Reliable Public Power Provider, or "R-P-3", program is a national designation given by the American Public Power Association. Currently, more than 243 of the nation's more than 2,000 public power utilities hold an RP3 designation; recognizing these utilities for providing communities with the highest degree of reliable and safe electric service. The designation recognizes community-owned, not-for-profit, public power utilities that exhibit operational excellence and demonstrate leading practices in 4 distinct areas: Reliability, Safety, Workforce Development and System Improvement. Through the RP3 program, utilities have a chance to learn, grow, and improve, as well as serve as an example for others striving for excellence. Designees complete a demanding application, over the course of several months. Applications are then reviewed by an 18-member panel comprising of national utility experts in safety, transmission and distribution, and system planning. Applicants must meet a minimum score to even be granted a designation. The RP3 designation will last for three years, starting on April 30, 2018 through April 30, 2021. With an earned score of 97 points out of a possible 100 points, the Town of Smithfield was designated a "Platinum" community.

Mayor Moore presented the American Public Power Award to Electric Superintendent Rodney Johnson and Public Utilities Director Ted Credle.

PUBLIC HEARINGS:

- 1. Special Use Permit Request – Combine Mindz Tattoo Studio (SUP-18-04):** The applicant was requesting a special use permit to allow for a tattoo studio on property located within a B-3 (Business) zoning district. The property considered for approval is located on the southeast side of the intersection of Venture Drive and Peedin Road and further identified as Johnston County Tax ID# 15L11008V.

Councilman Dunn 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 Zach Rabil and Matt Wilkins of Combine Mindz Tattoo Productions seeking a special use permit to operate a tattoo studio within the existing Venture Drive Plaza located at 141 Venture Drive. In accordance with Town of Smithfield Unified Development Ordinance (UDO) Article 6, Section 6.5 Table of Uses and Activities, tattoo and body piercing establishments within the B-3 (Highway Business Entrance) zoning district are permitted with a valid special use permit issued by Town Council. The UDO does not list any additional performance standards for the use. Combine Mindz Tattoo Productions is proposing to occupy a twenty foot wide bay within the existing shopping center which was the former location of the Hooka House. Venture Place was constructed in 2001 appears to meet development regulations that were in place at the time of its approval and construction. Adequate parking and access exists on the site and the landscaped yards appear to be healthy and well maintained. Combine Mindz Tattoo Productions will qualify for a wall mounted sign at a rate of 1 square foot per linear foot of wall

or 25 square feet whichever is greater. The proposed use will also qualify for a sign permit to modify the existing ground mounted shopping center marquee sign located on the site.

The Planning Department recommends approval of the special use permit request for a tattoo studio on property located within a B-3 (Highway Entrance Business) zoning district.

Planning Director Stephen Wensman has incorporated his entire record and provided it to Council in written form in the May 1, 2018 agenda packet.

Mayor Moore asked the applicant if they were in agreement with the testimony provided by Mr. Wensman. Mr. Rabil and Mr. Wilkins stated they were in agreement with the testimony provided.

Mayor Moore asked if there were any questions from the Council

Mayor Pro-Tem Scott questioned the hours of operation. Mr. Rabil responded the hours would be Monday – Saturday from 11:00 am until 8:00 pm and closed on Sunday.

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

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

The Written Finding

Councilman Ashley made a motion, seconded by Councilman Dunn, 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-18-04

Councilman Ashley made a motion, seconded by Councilman Rabil, 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-18-04. Unanimously approved.

- 2. Special Use Permit Request Classic Touch Automobile Sales (SUP-18-05):** The applicant was requesting a special use permit to allow for an automobile sales lot on property located within a B-3 (Business) zoning district. The property considered for approval is located on the east side of Computer Drive approximately 250 feet northeast of its intersection with Fairway Drive and further identified as Johnston County Tax ID# 15O99006I.

Councilman Dunn 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 Danny Moowad seeking a special use permit to allow for used auto sales. The property was originally constructed as a self-serve car wash and was later converted into an auto repair business with one repair garage and associated office. A small addition was added onto the rear of the structure. The owner would like to close the auto repair business and conduct his auto sales business from the property. In accordance with Town of Smithfield Unified Development Ordinance (UDO) Article 6, Section 6.5 Table of Uses and Activities, car dealerships within the B-3 (Highway Business Entrance) zoning district are permitted with a valid special use permit issued by Town Council. The UDO does provide any additional performance standards for car dealerships. The existing site contains numerous non-conformities. The parking area currently encroaches on the Computer Drive right-of-way. The distance between the curb and the parking lot is 4' feet. New development or redeveloped sites with building or site expansions would be required to maintain a 15' front bufferyard in addition to rear and side bufferyards. The change in use does not involved any increase in parking, building area any other expansion, therefore, the change in use is exempted from other improvements such as curbing and landscaping (UDO Section 10.8.2). Staff does not see the existing parking lot encroachment creating an impact on health, safety, or welfare as it has been in existence since the site was originally constructed. The existing parking lot is large enough to support 5 cars for sale, a handicapped parking stall and two employee/guest parking spaces in the remaining two carwash bays. An existing vacuum island located in the proposed drive lane will need to be dismantled. A pickup truck topper is being used as a trash shelter in the north east corner of the parking lot behind the building. Any new signs for the proposed car dealership will require a separate sign permit issued by the Planning Department. None have been proposed at this time.

Planning Director Stephen Wensman has incorporated his entire record and provided it to Council in written form in the May 1, 2018 agenda packet.

Mayor Moore asked if there were any questions from the Council

Councilman Ashley questioned the Town's recourse in the event the property has more than the allowable vehicles on the lot. Mr. Wensman responded in that instance, it would be a violation of the of the Special Use Permit and staff would bring the matter to the Town Council recommending the permit be revoked. The process could take several months.

Mr. Wensman explained that special use permits run with the property as long as operations does not cease in 180 days. Town Attorney Bob Spence responded that Town staff has sent car dealers letters with civil penalties, but he could not recall a special use permit ever being revoked.

Mayor Moore explained he had seen some car lots blocking their entrances with parked cars after business hours. He questioned if a condition should be placed on car lots stating that blocking entrances after hours was not permitted. Town Manager Michael Scott responded that he and Fire Chief John Blanton have discussed those issues and it was determined that the practice was a Fire Code violation. The Fire Inspectors have spoken with the property owners to remove the cars blocking the entrances. Mr. Wensman responded he didn't see a need for that condition.

Mayor Pro-Tem Scott stated there were currently problems in that area with junk cars. He questioned if the applicant had plans to have inoperable cars on the proposed lot. Mr. Wensman responded that the applicant planned to discontinue the auto repair business even though it is a permitted use in the zoning district. Mr. Wensman further explained that when you have auto repairs and auto sales on the same property it is usually an indication there will be junk cars. The property in question is not large enough to allow for many vehicles thus the reason staff is requesting the condition of only allowing 8 total cars to be on the property.

Mayor Moore questioned if the Council could put a condition whereby the applicant could not repair vehicles on the property. Mr. Wensman responded that condition could be made, but the sites wasn't conducive for an auto repair and auto sales business, but with that condition, no auto repairs of any kind could be conducted.

Councilman Ashley questioned if the applicant could do even minor maintenance to vehicles on site with the condition stated by Mayor Moore. Mr. Wensman responded the applicant would have to do perform any auto repairs off site.

Danny Moowad, the applicant, stated that the site was not large enough for more than five cars. He explained that he would not be dismantling cars and would not have junk cars on the lot. Mr. Moowad explained that potential buys did not want to see junk cars next to sales that were for sale.

Mayor Moore explained that he hoped Mr. Moowad would understand the Council's concerns because there was a car lot in the area that did have junk cars on its site. Mr. Moowad responded that customers do not have confidence in a business if they are coming to buy a car and there are junk cars on the lot. He further explained that was not how he would do business.

Councilman Ashley questioned if Mr. Moowad would need to do light maintenance to a vehicle before they were sold. Mr. Moowad replied that there was an enclosed bay that could accommodate any maintenance or repairs and no work would be conducted on any cars outside that bay.

Councilman Barbour inquired if Mr. Moowad would cease doing repairs on other people's vehicles and only work on vehicles he intended to sell. Mr. Moowad responded that there would be no public repair work completed on the site.

Councilman Ashley questioned if the applicant was agreeable to removing the vacuum island. Mr. Moowad responded the island had already been removed.

Mayor Moore asked the applicant if he was in agreement with the testimony provided by Mr. Wensman. Mr. Moowad testified he agreed with the testimony offered by Mr. Wensman

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

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

The Written Finding

Councilman Barbour made a motion, seconded by Councilman Dunn, 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-18-05

Councilman Barbour made a motion, seconded by Councilman Dunn 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-18-05 with the following conditions:

1. That the vacuum island be removed from the parking lot.
2. That no more than 5 vehicles for sale are on the property at any given time and no more than 8 vehicles in total including customers and employees.
3. Cease operation of outside auto repairs

Unanimously approved.

CITIZENS' COMMENTS:

1. Sarah Edwards Executive Director of the Downtown Smithfield Development Corporation informed the Town Council that the Ham and Yam Festival would be held this weekend. The festivities begin with the Kiwanis Supper on Thursday evening followed by the Ham and Yam Jam on Friday night. Ms. Edwards expressed her appreciation to Town Staff for preparing for the festival. Ms. Edwards announced that the Town of Smithfield is a quarterfinalist in the American Main Street Contest. The Town could potentially win \$25,000 for downtown revitalization. She encouraged everyone to vote.

CONSENT AGENDA:

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

1. Approved the following Minutes:
 - April 3, 2018 – Regular Meeting
2. Special Event – Spring Carnival: Approval was granted to allow Powers and Thomas Midway Entertainment to hold a Spring Carnival at the Carolina Premium Outlets.
3. Special Event – Ham and Yam Jam: Approval was granted to allow Andrew Wagner, owner of the Little Brown Jug, to hold the second annual concert to benefit the Johnston Community College Foundation on Friday, May 4, 2018 from 6:00 pm until 11:00 pm at 101 West Market Street. The event will require a street closure and will have amplified sound. The event was also approved as an annual event.
4. Approved the renewal of an Agreement with Southern Corrosion, Inc. for Water Tank Management.

{Attached by reference and made a part of these official minutes is a copy of the Agreement between the Town of Smithfield and Southern Corrosion, Inc. which is on file in the Office of the Town Clerk}

5. Approved Resolution # 617 (04-2018) Authorizing the disposition of certain surplus property and auctioning of that property by the electronic auction service of GovDeals.com

**TOWN OF SMITHFIELD RESOLUTION # 617 (04-2018)
AUTHORIZING THE SALE OF CERTAIN
PERSONAL PROPERTY AT PUBLIC AUCTION**

WHEREAS, the Town Council of the Town of Smithfield desires to dispose of certain surplus property of the Town in accordance with NC GS 160A-270; and

WHEREAS, the Town Council of the Town of Smithfield desires to utilize the auction services of a public electronic auction service.

NOW, THEREFORE, BE IT RESOLVED by the Town Council that:

- The following described property is hereby declared to be surplus to the needs of the Town:

Dept.	Vin/Ser.#	Description
Police	2G1WS553X81262170	2008 Chevrolet Impala
Police	2G1WS553081262257	2008 Chevrolet Impala
Police	2B3KA43VX9H597270	2009 Dodge Charger
Police	2B3CL1CT5BH556479	2011 Dodge Charger
Police	2B3CL1CT7BH556484	2011 Dodge Charger
Police	2B3CL1CT5BH556482	2011 Dodge Charger
Police	28031	MPH, Inc. K55 Radar Single Antenna
Police	26538	MPH, Inc. K55 Radar Single Antenna
Police	11717	Kustom Signals Pro-1000
Public Works	1GBHC24U63Z190460	2003 Chevrolet 2500 HD
Public Works	1GCGC24UXYZ244213	2000 Chevrolet 2500
Public	1HTSHAAR2YH689804	2000 Navistar International Garbage

Works		Truck
Public Works	IFVABTDC54DN35719	2004 Freightliner Street Sweeper
Public works	5HK72384	1997 Caterpillar 416C backhoe
Public Works	0506121TD	2006 Morris Trailer Asphalt Hotbox
Planning	2G1WS55R279253693	2007 Chevrolet Impala

- The Town Manager or his designee is authorized to receive, on behalf of the Town Council, bids via public electronic auction for the purchase of the described property.
- The public electronic auction will be held beginning no earlier than May 14, 2018.
- The Town Council further authorizes the disposal of Town surplus property by use of a public electronic auction system provided by GovDeals Inc. The property for sale can be viewed at www.govdeals.com. Citizens wanting to bid on property may do so at www.govdeals.com. The terms of the sale shall be: All items are sold as is, where is, with no express or implied warranties; All items will be sold for cash or certified check only; Payment must be received for all items sold before they may be removed from the premises; All items sold must be paid for and removed from the site of the sale within 5 business days of the sale, or they will be subject to resale.
- The Town Clerk shall cause a notice of the public auction for surplus property to be noticed by electronic means in accordance with G.S. 160A-270(c), available on the Town of Smithfield website www.smithfield-nc.com
- The highest bid, if it complies with the terms of the sale, may be accepted by the Finance Director or his designee and the sale consummated.

6. Approved Various Budget Amendments

	<u>BEFORE</u>	<u>ADJ.</u>	<u>AFTER</u>
<u>GENERAL FUND</u>			
1. Expenditure			
10-10-4900-5300-4500 Planning - C.S. / Storm Water Planning	\$ 70,000	\$ 30,000	\$ 100,000
10-10-4900-5300-4501 Planning - Service Contracts	<u>\$ 45,000</u>	<u>\$ (30,000)</u>	<u>\$ 15,000</u>

To move monies budgeted for Storm Water Action Plan in service contracts to a designated Storm Water expense line

GENERAL CAPITAL PROJECTS FUND

2. Expenditure			
46-30-5600-5700-7407 Backhoe	\$ 100,000	\$ 24,000	\$ 124,000
46-40-5800-5700-7403 Street Sweeper	<u>\$ 250,000</u>	<u>\$ (24,000)</u>	<u>\$ 226,000</u>

To fund additional cost for backhoe with savings from street sweeper purchase

ELECTRIC FUND

3. Expenditure			
31-72-7230-5300-3100 Electric - Vehicle Supplies/Maintenance	\$ 18,000	\$ 20,000	\$ 38,000
31-72-7230-5300-4501 Electric - Service Contracts	<u>\$ 213,000</u>	<u>\$ (20,000)</u>	<u>\$ 193,000</u>

To fund additional truck maintenance

4. Expenditure			
31-72-7230-5300-4800 Electric - Non Demand Electric	\$12,800,000	\$ (6,406,175)	\$ 6,393,825

Purchase			
31-72-7230-5300-4801 Electric - Demand Electric	\$ -	\$ 5,250,000	\$ 5,250,000
Purchase			
31-72-7230-5300-4802 Electric - Debt	\$ -	\$ 1,156,175	\$ 1,156,175
	<u>\$12,800,000</u>	<u>\$ -</u>	<u>\$ 12,800,000</u>

To fund and separate NCEMPA electric cost

J B GEORGE FUND

5. REVENUE

40-61-3900-3900-0000 Fund Balance Appropriation	\$ -	\$ 1,018	\$ 1,018
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Expenditure

40-61-4100-5300-3400 J.B. George Projects	\$ 1,346	\$ 615	\$ 1,961
40-61-4100-5300-3410 J.P. George Projects	-	403	403
	<u>\$ 1,346</u>	<u>\$ 1,018</u>	<u>\$ 2,364</u>

To bring forward balances not spent from last fiscal year

7. The following Advisory Board Appointments were approved:

- Peggy Scott was reappointed to serve a second term on the Appearance Commission
- Scott Wright was reappointed to serve a third term on the Parks and Recreation Advisory Commission
- Paul Worley was appointed to serve a first term on the Historic Properties Commission

8. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
P/T Lifeguard	P & R – Aquatics	10-60-6220-5100-0220	\$7.50/hr.
P/T Lifeguard	P & R – Aquatics	10-60-6220-5100-0220	\$7.50/hr.
P/T Lifeguard	P & R – Aquatics	10-60-6220-5100-0220	\$7.50/hr.
P/T Temp. Animal Control Ofc.	Police	10-20-5100-5100-0200	\$20.35/hr.
Water Plant Operator Trainee	PU – Water Plant	30-71-7200-5100-0200	\$13.62/hr. (\$28,329.60/yr.)

Current Vacancies

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Firefighter I	Fire	10-20-5300-5100-0200
Police Officer I	Police	10-20-5100-5100-0200
P/T Lifeguard	P & R – Aquatics	10-60-6220-5100-0220
Utility Line Mechanic	PU – Water / Sewer	30-71-7220-5100-0200
P/T Zoning Compliance Asst.	Planning	10-10-4900-5100-0200

9. Special Event – Community Games: Approval was granted to allow Marlon Lee to have amplified sound for community pick-up softball, baseball or kickball games at Smith Collins Park Saturdays or Sundays from May through September during the hours of 4:00 pm – 9:00 pm. This was also approved as an annual event.

10. Special Event – Jim Quick and the Coastline Band: Approval was granted to allow Heidi Rittenhouse, owner of Heidi’s Two Wheel Café, to have Jim Quick & Coastline Band at 1475 W. Market Street on May 13th, 2018. Amplified sound was approved from 2:00 pm – 6:00 pm.

11. Approval was granted to renew the Memorandum of Understanding with the East Smithfield Improvement Organization to utilize the concession stand at Smith Collins Parks

{ Attached by reference and made a part of these official minutes is a copy of the Memorandum of Understanding between the Town of Smithfield and the East Smithfield Improvement Organization which is on file in the Office of the Town Clerk }

Unanimously approved.

BUSINESS ITEMS:

1. Acceptance of the Golden Leaf Foundation Grant & Approval of the Proposed Contractor

Public Utilities Director Ted Credle informed and updated the Council on a Golden Leaf Foundation grant application. Mr. Credle explained the Golden Leaf Foundation issued the FY 2018 Community Based Grants Making Initiative to assist economic development in rural North Carolina. The Town of Smithfield submitted "Smithfield Water Delivery Initiative" for consideration in October of 2017. This initiative was to assist with the engineering, permitting and construction of a 16" water line along Durwood Stephenson Highway. This line would extend from the Jones Brothers water tank down Booker Dairy Road to Durwood Stephenson Highway extending to US Highway 70. As part of the approved Capital Improvement Plan (CIP), the survey, design & permitting for the proposed 16" water line connecting US-70 highway and Wilson's Mills Road was approved in the Town budget for FY 2017- 2018. To obtain approval from the North Carolina Department of Environmental Quality (NCDEQ) and the North Carolina Department of Transportation (NCDOT), design plans will have to be created and submitted for approval. To assist the Town in this process, a qualified contractor was selected and the proposed contract is included. After going through the grant application process, the Golden Leaf Foundation notified the Town on April 11, 2018 that the grant application was approved for the entire \$500,000 amount. The grant also requires a \$250,000 match from the Town, which brings the total value of the project to \$750,000. The funds for design & permitting of this project were approved as part of the FY 2017-2018 Town budget. Vision, NC submitted a proposal in the amount of \$42,100 for design of plans, detailing of specifications, permitting submittal, and bidding assistance. Town Manager Michael Scott explained that the \$250,000 matching funds from the Town have been included in the FY 2018-2019 draft water/ sewer fund budget.

Councilman Ashley made a motion, seconded by Councilman Rabil, to accept the Golden Leaf Foundation Grant and approve the contract with Vision, NC in the amount of \$42,100. Unanimously approved.

Councilmembers Comments

- Councilman Ashley suggested that a committee be formed to meet with members of the Downtown Smithfield Development Corporation to review and discuss proposed changes to the DSDC by-laws. This would allow the Council to gain a better understanding of the changes. Councilman Ashley and Mayor Pro-Tem Scott agreed to serve on the committee. The committee will schedule a meeting with DSDC officials after the budget works session have been completed. Councilman Ashley stated at the last meeting Mr. Clancy petitioned the Council to have the white vinyl fencing extended on Outlet Center Drive. He questioned if any progress had been made on the request. Town Manager Michael Scott responded that no action had been taken because he assumed this would be discussed during the Public Works Department budget session. Mr. Ashley stated if the original committee needed to be reconvened to discuss this issue, they would revive the committee.
- Councilman Lee informed the Council that Mayor Andy Moore and East Smithfield Improvement Organization Chairman Tony Nixon were inducted into the Smithfield Selma High School's Hall of fame. Councilman Lee stated that a championship team is no greater than its weakest link. All of Smithfield is a team. While visiting a friend in South Smithfield, he discovered the difference between East Smithfield and South Smithfield. With the South Smithfield Elementary School's Annual Walk to School event coming up, he encouraged everyone to take time to walk through and visit other areas of Town. He explained he'd received calls complaining about the Police. Councilman Lee explained

that Mrs. Lucy Washington has attended the Council meetings for years and she talks about the flooding on Birch Street and nothing has been done to rectify that situation. He further stated that Smithfield is one team and they need to make things right for everyone who lives in Smithfield.

- Councilman Barbour informed the Council that he attended the SSS Strong Day which was a great event. That same day, he attended the dedication of Fire Station 2 which was a great event for West Smithfield. Another topic was the installation of sidewalks on Wilson's Mills Road. Dr. Barbour explained that the roadway was dangerous for pedestrians, but it appeared that since the Town does not own the road, there was nothing that the Town could do. He vowed to continue working on this project.

Councilman Barbour further informed the Council that there were a lot of great things happening in West Smithfield such as: construction of the new storage facility at the site of the old Wendy's and construction of the new Dollar General next to Wallace Welding. There is also still a need for a local newspaper which he and others are continuing to pursue.

Town Manager's Report:

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

- Walk to School Event: Reminder to those who are interested, the South Smithfield Walk to School event is scheduled for May 8th to begin at 7:45 am at Civitan Park.
- Ham and Yam: Town Staff will be taking part in hosting a booth during the Ham and Yam event this Saturday. Representatives from our transportation engineering firm and our comprehensive planning engineering team will be present to solicit input from citizens on these extremely important issues
- Budget Meeting: The next budget meeting is tentatively scheduled for Monday, May 7th at 6:00
- Bella Square: The developer came in to obtain the necessary permits to continue building out the project. The developer informed staff that he is selling houses as fast as he can build them.

Department Reports

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

Close 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 Ashley made a motion, seconded by Councilman Rabil, to enter into Close Session pursuant to the aforementioned statute. Unanimously approved at 7:55 pm.

Reconvene in Open Session

Councilman Dunn made a motion, seconded by Councilman Rabil to reconvene in Open session. Unanimously approved at 8:45 pm.

Recess

Councilman Dunn made a motion, seconded by Councilman Barbour, to recess the meeting until May 7, 2018 at 6:00 pm in the Town Hall Council Chambers. The meeting recessed at approximately 8:47 pm.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk