

The Smithfield Town Council continued its January 7, 2020 regular meeting on January 15, 2020 at 6:30pm in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

John A. Dunn, Mayor Pro-Tem  
Marlon Lee, District 1  
Travis Scott, District 3  
Dr. David Barbour, District 4  
Stephen Rabil, At-Large  
Roger A. Wood, At-Large

Councilmen Absent

David Stevens, District 2

Administrative Staff Present

Michael Scott, Town Manager  
Gary Johnson, Parks & Rec Director  
Shannan Parrish, Town Clerk  
R. Keith Powell, Chief of Police  
Stephen Wensman, Planning Director

Also Present

Bob Spence, Town Attorney

**Reconvene January 7, 2020 Regular Meeting**

Mayor Moore reconvened the January 7<sup>th</sup> regular meeting at 6:33 pm.

**Business Items:**

- 1. Annexation Request- Johnston County (ANX-19-02):** Consideration and request for approval to adopt Resolution #654 (03-2020) setting the date of the Public Hearing for the annexation petition.

Town Manager Michael Scott informed the members of the Council this was a continuation of business item number 2. At the January 7<sup>th</sup> meeting, the Town Clerk was asked to research the sufficiency of the annexation petition made by Johnston County. She has done so and found the petition to be sufficient. Should the Council wish to proceed, you must approve Resolution #654 setting the date of the Public Hearing. The Town Manager was contact by the County Manager rick Hester to determine if he needed to be present at this meeting, it was the town Manager's opinion that Mr. Hester did not need to be present. Mr. Hester will attend the February meeting.

Councilman Barbour made a motion, seconded by Councilman Rabil, to adopt Resolution # 654. Unanimously approved.

TOWN OF SMITHFIELD  
RESOLUTION # 654 (03-2020)  
FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION  
PURSUANT TO G.S. 160A-58.2

WHEREAS, a petition requesting annexation of the non-contiguous area described herein has been received; and

WHEREAS, the Town Council has by Resolution # 653 (02-2020) directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD THAT:

Section 1: A public hearing on the question of annexation of the non-contiguous area described herein will be held in the Council Chambers of the Town Hall located at 350 East Market Street, Smithfield North Carolina at 7:00 pm on February 4, 2020.

Section 2: The area proposed for annexation is described as follows:

Lying and being situated in Johnston County, North Carolina and being more particularly described as follows:

17.045 ACRE PARCEL

BEGINNING AT A PK NAIL LOCATED IN THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301), AT THE SOUTHWESTERN CORNER OF THE PROPERTY OWNED BY RONNIE WAYNE GARDNER; THENCE SAID PK NAIL WITH THE SOUTHERN LINE OF RONNIE WAYNE GARDNER SOUTH 78 DEG. 41 MIN. 30 SEC. EAST 549.16 FEET TO AN EXISTING IRON STAKE; THE CORNER OF BEVERLY ALLEN SUTTON; THENCE WITH SAID PROPERTY LINE SOUTH 78 DEG. 40 MIN. 21 SEC. EAST 193.87 FEET TO AN EXISTING IRON STAKE; THENCE WITH THE WESTERN LINE OF LARRY COX SOUTH 01 DEG. 24 MIN. 14 SEC. WEST 1161.31 FEET TO AN EXISTING IRON STAKE IN THE NORTHERN RIGHT OF WAY OF U.S. HIGHWAY 70 BUSINESS; THENCE WITH SAID RIGHT OF WAY NORTH 69 DEG. 50 MIN. 28 SEC. WEST 760.39 FEET TO AN EXISTING IRON STAKE; THE 27 SOUTHEASTERN CORNER OF MARJORIE LANGSTON TRUST; THENCE WITH LINES OF MARJORIE LANGSTON TRUST NORTH 18 DEG. 16 MIN. 45 SEC. EAST 684.94 FEET TO AN EXISTING IRON STAKE AND NORTH 69 DEG. 52 MIN. 43 SEC. WEST 330.09 FEET TO AN EXISTING RAILROAD SPIKE IN THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301); THENCE WITH THE CENTER OF YELVERTON GROVE CHURCH ROAD NORTH 18 DEG. 16 MIN. 21 SEC. EAST 12.73 FEET TO A PK NAIL; THENCE NORTH 18 DEG. 54 MIN. 35 SEC. EAST 100.01 FEET TO A PK NAIL; THENCE NORTH 21 DEG. 14 MIN. 15 SEC. EAST 99.99 FEET TO A PK NAIL; AND NORTH 24 DEG 06 MIN. 40 SEC. EAST 88.56 FEET TO AN EXISTING PK NAIL, THE BEGINNING POINT, CONTAINING 17.045 ACRES, MORE OR LESS.

5.721 ACRE PARCEL

BEGINNING AT AN EXISTING PK NAIL LOCATED IN THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301); SAID PK NAIL LOCATED AT THE INTERSECTION OF THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301) AND THE INTERSECTION OF THE NORTHERN RIGHT OF WAY OF US HIGHWAY 70 BUSINESS; THENCE FROM SAID BEGINNING POINT WITH THE NORTHERN RIGHT OF WAY OF US HIGHWAY 70 BUSINESS NORTH 69 DEG. 51 MIN. 48 SEC WEST 334.17 FEET TO AN EXISTING IRON STAKE; THENCE WITH THE EASTERN LINE OF ROBERT AND WELLONS INC. NORTH 02 DEG. 24 MIN. 23 SEC. EAST 620.91 FEET TO AN EXISTING IRON STAKE; THENCE SOUTH 70 DEG. 28 MIN. 35 SEC. EAST 503.83 FEET TO A PK NAIL LOCATED IN THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301); THENCE WITH SAID ROAD SOUTH 18 DEG. 16 MIN. 09 SEC. WEST 597.12 FEET TO AN EXISTING PK NAIL, THE BEGINNING POINT, AND CONTAINING 5.721 ACRES, MORE OR LESS.

2.627 ACRE PARCEL

BEGINNING AT A PK NAIL LOCATED IN THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301), SAID NAIL BEING LOCATED IN THE EXTENSION OF THE SOUTHERN RIGHT OF WAY OF THE US HIGHWAY 70 BUSINESS; THENCE FROM SAID BEGINNING POINT WITH THE CENTER OF YELVERTON GROVE CHURCH ROAD SOUTH 10 DEG. 36 MIN. 12 SEC. WEST 67.26 FEET TO A POINT; THENCE SOUTH 07 DEG. 32 MIN. 24 SEC. WEST 94.83 FEET TO A POINT; THENCE SOUTH 06 DEG. 55 MIN. 05 SEC. WEST 265.24 FEET TO A PK NAIL LOCATED IN THE CENTER OF YELVERTON 28 GROVE CHURCH ROAD (SR 2301); THENCE LEAVING SAID ROAD NORTH 70 DEG. 02 MIN. 15 SEC. WEST 255.17 FEET TO AN EXISTING IRON STAKE; THENCE NORTH 02 DEG. 19 MIN. 34 SEC. EAST 439.01 FEET TO AN EXISTING IRON STAKE LOCATED IN THE SOUTHERN RIGHT OF WAY OF U.S. HIGHWAY 70 BUSINESS; THENCE WITH SAID RIGHT OF WAY SOUTH 69 DEG. 50 MIN. 33 SEC. EAST 296.97 FEET TO A PK NAIL, THE BEGINNING POINT, CONTAINING 2.627 ACRES MORE OR LESS

Section 3: Notice of the public hearing shall be published once in the Johnstonian News, a newspaper having general circulation in the Town of Smithfield, at least ten (10) days prior to the date of the public hearing.

## 2. Comprehensive Land Use Plan Discussion

Town Manager Michael Scott informed the Council this item was tabled at the January 7<sup>th</sup> regular meeting. The public hearing has been conducted.

Mayor Moore stated that Mike Fleming sent an email endorsing the Plan.

Planning Director Stephen Wensman stated there were some short-term items in the plan, but most were long-range plans for the Town. Mr. Wensman informed the Council if staff receives a rezoning request, they will look at the land use maps to determine if the rezoning is consistent with the Plan.

Councilman Scott stated the routing of the Greenway seemed to be contentious. He questioned if it could be included in the plan. Mr. Wensman responded it did not have to be a part of the plan even though it was already a part of the parks master plan. This was a suggestion, but Council will ultimately make the final decision on the routing of the greenway. Town Manager Michael Scott asked that it not be eliminated from the plan because greenway trails are important for economic development and residential development. Developers now like to incorporate trails into their designs. Mayor Moore stated the proposed routing of the greenway trail was consistent with the Parks and Recreation Master Plan.

Councilman Scott stated another concern was the fear that the downtown and the Municipal Service District (MSD) would encroach on the historic residential areas. Mr. Wensman responded it was never the intention of the MSD to encroach on the residential areas. One policy suggestion would be to expand the MSD in the future to encompass new commercial and multifamily residential into a Downtown Support Area. This area would be between the MSD and the historic residential neighborhoods. The Town Manager explained that commercial property owners choose to be in the MSD. They petition the Town to come into the MSD and benefit from the services provided to the MSD.

Councilman Barbour questioned if the DSDC was waiting for the Town's Comprehensive Plan to be approved before it moved forward with any plan for Downtown. DSDC Executive Director Sarah Edwards responded the DSDC cannot develop a Downtown Master Plan until the Town's Comprehensive Plan is adopted.

Councilman Barbour questioned if the Mountains to Sea Trail would connect West Smithfield with the rest of Smithfield. Mr. Wensman responded it was important to connect all of the Smithfield communities to each other through trail/greenway systems.

In Volume 2 of the plan, Mr. Wensman highlighted the following:

Allowing small commercial nodes in medium density residential. By allowing small commercial nodes, which would be approved with any plans, you allow for a mix of uses development. The small commercial businesses could be something such a coffee shop that would be easily accessible to the residential area.

Development incentives for implantation fees of infrastructure fees for residential developments. There was some question as to the legality of offering incentives. Mr. Wensman will investigate this matter further.

Accessory dwellings as a secondary dwelling on an existing property. There appeared to be some movement in other areas to allow for accessory dwellings or tiny houses as an accessory dwelling. It was the consensus of the Council to remove all references to accessory dwellings from the plan.

Mayor Pro-Tem Dunn stated the plan should be as close to what the Town wants before it was approved. He further questioned if all the concerns raised by the Planning Board had been addressed. Mr. Wensman stated all had been addressed.

Councilman Barbour suggested providing the Plan updates to the Council and then place approval of the plan on the consent agenda at the February meeting.

### **3. Park Planning Discussion**

Town Manager Michael Scott informed the Council this item was placed on the agenda by Councilman Barbour. Some of the items for discussion were park land in West Smithfield, the amphitheater and the splash pad in East Smithfield.

Councilman Barbour stated he felt it was important to have a strategic plan for all of the parks in Smithfield. Parks and Recreation Director Gary Johnson responded there was a Parks and Recreation Master Plan that was updated in 2017.

Before discussing any other park issues, Mr. Johnson provided an update of the splash park that would be constructed in East Smithfield. Mr. Johnson explained the Town Engineer investigated two sites for the splash park: one on East Lee Street and the other near the former Eva Ennis Pool site.

Mayor Pro-Tem Dunn made a motion, seconded by Councilman Rabil, to construct the splash park on the former Eva Ennis Pool site. Unanimously approved

Councilman Barbour questioned if the Council should be investigating the feasibility of constructing a Civic Center. This could be a multipurpose building. Mayor Moore stated indoor volleyball was very popular and there were limited venues to hold such tournaments. Sports tourism has a positive economic impact on the Town.

Councilman Barbour stated there has been a lot of conversation about the amphitheater. He questioned if there was any way the Town could upgrade the amphitheater without it costing the proposed \$1 million. Mr. Johnson responded he spoke with a contractor and to renovate the stage and the seating area would cost approximately \$250,000. This estimate does not address the drainage issues or the handicapped accessibility. Town Manager Michael Scott reminded the Council a low-rise study would be required before any further steps could be taken for the amphitheater project.

Councilman Barbour made a motion, seconded by Councilman Wood, to authorize staff to move forward with the low-rise study. Unanimously approved.

Councilman Barbour stated there had been some preliminary discussions about the Neuse Little Theater and how that building could have public restrooms at the bottom of the facility. The Town Manager explained the Town was in receipt of a \$25,000 donation from a private donor. This donor would like for those funds to be used to hire an architect to investigate renovations to the Theater. The private donor has also indicated that he/she would be willing to invest another \$250,000 to renovate the building.

**4. Discussion concerning Dilapidated Building Ordinance# 501**

This item was not discussed. Council asked staff to bring this forward at the February meeting.

**5. Consideration and request for amendments to the salary schedule**

This item was not discussed.

**Adjourn**

Being no further business, Mayor Pro-Tem Dunn made a motion, seconded by Councilman Wood to adjourn the meeting. The meeting adjourned at approximately 8:52 pm.

ATTEST:

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M. Andy Moore, Mayor

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Shannan L. Parrish, Town Clerk