

The Smithfield Town Council met in regular session on Tuesday, October 5, 2021 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

John Dunn, Mayor Pro-Tem
Marlon Lee, District 1
David Stevens, District 2
Dr. David Barbour, District 4
Stephen Rabil, At-Large
Roger Wood, At-Large

Councilmen Absent

Travis Scott, District 3

Administrative Staff Present

Michael Scott, Town Manager
Michael Brown, Fire Chief
Lawrence Davis, Public Works Director
Gary Johnson, Parks & Rec Director
Shannan Parrish, Town Clerk
R. Keith Powell, Chief of Police
Greg Siler, Finance Director
Stephen Wensman, Planning Director

Also Present

Bob Spence, Town Attorney

Administrative Staff Absent

Ted Credle, Public Utilities Director
Tim Kerigan, Human Resources/PIO

CALL TO ORDER

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

INVOCATION

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

APPROVAL OF AGENDA:

Prior to approval of the agenda, Mayor Moore asked Fire Chief Michael Brown about the Special Event request by Darci E.- Giloni which included fireworks at Mucho Mexico restaurant. Chief Brown responded he had spoken with Ms. Giloni and explained that she would need a permit. She was proposing to use 4 small fireworks which Chief Brown approved. The Fire Department would be on standby prior to the fireworks.

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

Add to the Presentations:

2. **Proclamation – Recognizing October as Fire Prevention Month in the Town of Smithfield**

Add to the Consent Agenda:

9. **Consideration and request for approval to appoint Tim Depp to the Downtown Smithfield Development Corporation's Board of Directors**

Move Business Item 2: Special Event: Mucho Mexico – Darci E. -Giloni is requesting to hold a private event at the restaurant to commemorate the one-year anniversary of the restaurant owner's death. The event is scheduled to take place at 712 East Market Street on November 6, 2021 from 1:00 pm until 8:00 pm. This request involves the use of fireworks in the Downtown District to Consent Agenda Item 10.

Unanimously approved.

PRESENTATIONS:

1. **Proclamation: Recognizing Public Power Week in the Town of Smithfield October 3rd through the 9th**

Mayor Moore presented the following proclamation to Electric Superintendent Rodney Johnson:

**PROCLAMATION
Recognizing Public Power Week
October 3-9, 2021
In the Town of Smithfield**

WHEREAS, public power is a crucial component in cities and towns across North Carolina, contributing to the overall health of communities by providing reliable electricity, excellent local service and prompt restoration; and

WHEREAS, North Carolina's more than 70 public power cities and towns are among

more than 2,000 across the country; and

WHEREAS, many of North Carolina's public power cities and towns have been electric providers for more than 100 years, assisting their communities through boom times as well as pandemics and economic downturns; and

WHEREAS, public power meets the electric needs of 40 million Americans, almost 15 percent of electricity consumers; and

WHEREAS, North Carolina's public power utilities are valuable community assets that contribute to the well-being of the community and provide economic development opportunities; and

WHEREAS, North Carolina's public power utilities are dependable institutions that provide excellent service and a commitment to community; and

WHEREAS, the Town of Smithfield recognizes Public Power Week and commends the public power cities and towns across our state for their outstanding contributions to our communities.

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield, along with the Town Council, do hereby proclaim October 3rd through 9th as **Public Power Week** in the Town of Smithfield.

2. Proclamation – Recognizing October as Fire Prevention Month in the Town of Smithfield

Mayor Moore presented the following proclamation to Fire Chief Michael Brown:

Proclamation Recognizing October As Fire Prevention Month

WHEREAS, the Town for Smithfield is committed to ensuring the safety and security of all those living in and visiting the Town; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed more than 2,770 people in the United States in 2019, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 339,500 home fires; and

WHEREAS, smoke alarms sense smoke well before you can, alerting you to danger in the event of fire in which you may have as little as 2 minutes to escape safely; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, residents should be sure everyone in the home understands the sounds of the alarms and knows how to respond; and

WHEREAS, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, first responders are dedicated to reducing the occurrence of home fires and injuries through prevention and protection education; and

WHEREAS, the 2021 Fire Prevention theme, "Learn the Sounds of Fire Safety™," effectively serves to remind us it is important to learn the different sounds of smoke and carbon monoxide alarms.

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield do hereby proclaim October 2021, as Fire Prevention Month in Smithfield, North Carolina, and I urge all citizens to "Learn the Sounds of Fire Safety" and to support the many public safety activities and efforts of fire and emergency services.

CITIZEN'S COMMENTS:

- Anthony Lee of Martin Luther King, Jr. Drive expressed concerns about a property located at 703 East Street. He explained the tenants had vacated the property over two weeks ago and there are large amounts of garbage at the house. He asked when the Town could have the garbage removed.
- Mary Moody of Austin Manor asked if Town staff could be directed to investigate what the City of Durham is doing for tenant rights and how they are combatting homelessness. She also explained to the Council about the Home Street Home Ministries This program not only assists with providing for the homeless, but they have created a program for homeless people or those without next of kin have a proper cremation burial/ scattering.

CONSENT AGENDA:

Councilman Barbour made a motion, seconded by Councilman Wood, to approve the following items as listed on the Consent Agenda:

1. The following minutes were approved:
 - September 7, 2021 – Regular Meeting
 - September 7, 2021 – Closed Session
2. Special Event: Boo Bash – The Smithfield Parks and Recreation Department gained approval to conduct a hold its annual Halloween party at the Sarah Yard Community Center at 909 East Lee Street on October 29, 2021 from 4:00 pm until 6:30pm. Use of amplified sound was approved. This event was also approved as an annual event.
3. Promotion: Approval was granted to promote an employee to the position of pump station mechanic.
4. Bid was award to Hydrostructures in the amount of \$77,710.00 to perform manhole inspection services. Bids received are as follows:

• Hydrostructures	\$77,710
• The Wooten Company	\$80,560
• Draper Aden Associates	\$116,260
• Bio-Nomic	\$157,850
• CES	\$168,070
• McKim & Creed	\$216,430
• HydroMax	\$256,000
5. Approval was granted to adopt Resolution No. 688 (16-2021) authorizing the electric department revenue bond modification

Resolution No. 688 (16-2021)
Approving an Agreement to Further Reduce the Interest Rate On the Town's Existing Electric System Revenue Bond

WHEREAS, The Town has previously issued its \$5,000,000 Electric System Revenue Bond, Series 2007 (the "Bond"), to Southern Bank and Trust Company (the "Bank") to provide financing for the construction of an electric substation. In 2014, the Bank agreed to lower the interest rate on the Bond from 4.03% to 3.25%. Subsequently, in 2015 the Bank agreed to lower the interest rate on the Bond from 3.25% to 2.89%.

WHEREAS, at the Town's request, the Bank has agreed to again reduce the annual interest rate on the Bond, this time from 2.89% to 1.95%. The other terms of the Bond will remain unchanged, except that the amount of future annual payments will go down to reflect the lower interest rate.

WHEREAS, there has been presented to this Council a draft of a Modification Agreement to be dated as of October 1, 2021, to carry out this rate reduction.

BE IT THEREFORE RESOLVED by the Town Council of the Town of Smithfield, North Carolina, as follows:

1. Approval of Rate Modification -- The Council approves the interest rate reduction described above.
 2. Approval of Modification Agreement -- The Mayor or the Town Manager is authorized to execute and deliver the Modification Agreement in its final form. The Modification Agreement in its final form must be in substantially the form submitted to this meeting, which is hereby approved, with such changes as the officer signing the final form agreement may approve.
 3. Ratification of Existing Proceedings -- Except as described in this resolution and the Modification Agreement, the Town ratifies and confirms the remaining provisions of the Bond and of the Bond Order and the Series Resolution, each adopted by the Council on August 7, 2007, which provided for the issuance of the Bond.
 4. Miscellaneous Provisions -- All Town officers and employees are authorized to take all further action as they may consider appropriate in furtherance of the purposes of this resolution. All such prior actions of the Town officers and employees are ratified. All other Council proceedings, or parts thereof, in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.
6. Approval was granted to bring forward budget encumbrances from the 2020-2021 budget year to the 2021-2022 budget year

GENERAL FUND

10-61-4110-5300-5710	Non-Departmental - Economic Development	\$ 15,000
10-61-4110-5300-5712	Non-Departmental - S.H.A.R.P Reimbursements	40,000
10-10-4900-5300-4501	Planning – Service Contracts (Engineering Standards Manual & Pedestrian Planning)	14,400
10-10-4900-5700-4502	Planning - Condemnation	25,000
10-60-5500-5300-3440	General Serv. - Appearance Commission	28,121
10-60-5500-5700-7400	General Serv. - Capital Outlay (Christmas Lights)	7,500
10-30-5600-5300-7300	Streets -Sidewalk & Curb Repair (NCDOT Sidewalk Agreement)	112,406
10-30-5600-5700-7400	Streets -Capital Outlay (I95 Bridge Lighting)	93,000
10-76-5800-5970-9110	Sanitation - Transfer to GFCapital Reserve Fund	80,000
		<u>\$ 415,427</u>

WATER FUND

30-71-7200-5700-7400	Water Plant - Capital Outlay	\$ 35,000
30-71-7220-5300-5710	Water Dist/Sewer Coll. - Economic Development	222,730
		<u>\$ 257,730</u>

Electric FUND

31-72-7230-5300-5710	Electric - Economic Development	\$ 222,730
31-72-7230-5700-7401	Electric - East River Infrastructure	30,000
31-76-7230-5970-9110	Electric - Transfer to Electric CRF	75,000
		<u>\$ 327,730</u>

J.B. GEORGE BEAUTIFICATION FUND

40-61-4100-5300-3400	J.B. George Projects	\$ 3,348
40-61-4100-5300-3410	J.P. George Projects	508
		<u>\$ 3,856</u>

ENCUMBRANCES FOR PURCHASE ORDERS ISSUED PRIOR TO 6/30/2021

G/L ACCOUNT	ACCOUNT DESCRIPTION	DEPARTMENT	VENDOR	PO#	AMOUNT ORIGINALLY REQUESTED	AMOUNT NEEDED
10-10-4100-5300-3302	Supplies/Council Meetings	Fire	Bound Tree Medical	20218836	\$1,324.00	\$1,324.00
10-10-4100-5700-7400	Capital Outlay	Gen Gov	Forms & Supply	20218754	\$986.20	\$0.00
10-10-4200-5300-3300	Supplies/Operations	Finance	Zones	20218731	\$495.00	\$0.00
10-20-5100-5300-1700	Equip Maintain & Repair	Police	Applied Concepts	20218823	\$1,872.75	\$1,872.95
10-20-5100-5300-3100	Vehicle Supplies	Police	Lawmen's Safety Supply	20218767	\$1,877.92	\$1,877.92
10-20-5100-5300-3300	Supplies/Operations	Police	Lawmen's Safety Supply	20218734	\$3,600.00	\$3,600.00
10-20-5100-5300-3300	Supplies/Operations	Fire	Bound Tree Medical	20218836	\$1,324.00	\$1,324.00
10-20-5100-5300-3600	Uniforms	Police	Lawmen's Safety Supply	20218663	\$13,199.95	\$13,199.95
10-20-5100-5300-3600	Uniforms	Police	Lawmen's Safety Supply	20218733	\$373.39	\$373.36
10-20-5100-5300-3600	Uniforms	Police	Lawmen's Safety Supply	20218824	\$732.00	\$732.00
10-20-5100-5300-4002	Drug Forfeiture	Police	NC State University	20218788	\$1,275.00	\$0.00
10-20-5100-5700-7400	Capital Outlay	Police	First Citizens Bank (NCDMV)	20218764	\$2,400.00	\$0.00
10-20-5300-5300-3300	Supplies/Operations	Fire	Bound Tree Medical	20218836	\$2,648.00	\$2,648.00
10-20-5300-5300-3600	Uniforms	Fire	Advanced Emergency Services	20218831	\$7,534.52	\$7,534.52
10-20-5300-5700-7400	Capital Outlay	Fire	Fulford & Jones Asphalt	20218835	\$3,500.00	\$3,500.00
10-20-5300-5700-7400	Capital Outlay	Fire	Larry Bradley	20218848	\$18,000.00	\$18,000.00
10-20-5300-5700-7400	Capital Outlay	Fire	Kelvin McArten Concrete	20218851	\$16,900.00	\$16,900.00
10-30-5700-5300-3100	Vehicle Supplies	Public Works	Southern Vac	20218826	\$2,319.83	\$2,319.83
10-30-5700-5300-7300	Sidewalk & Curb Repair	Public Works	David Hinton Construction	20218866	\$3,700.00	\$0.00
10-30-5700-5700-7310	Patch & Resurface	Public Works	Garris Grading	20218825	\$240,626.80	\$240,626.80

10-30-5700-5700-7310	Patch & Resurface	Public Works	Garris Grading	20208091-R1	\$4,365.60	\$4,365.60
10-40-5800-5300-3100	Vehicle Supplies	Public Works	Smithfield Diesel Repair	20218867	\$27,000.00	\$0.00
10-60-5500-5700-7400	Capital Outlay	Public Works	Acme Stone Company	20218470	\$16,004.00	\$0.00
10-60-5500-5700-7400	Capital Outlay	Public Works	Mark Gregory Roofing	20197362-R2	\$14,800.00	\$0.00
10-60-5500-5700-7400	Capital Outlay	Public Works	Dennis Evans	20197408-R2	\$10,000.00	\$0.00
10-60-6200-5300-3450	Recreation Special Projects	Parks & Rec	Hale Artificier Inc	20218317	\$3,750.00	\$3,750.00
10-60-6200-5700-7400	Capital Outlay	Parks & Rec	Deere & Company	20218558	\$10,103.22	\$10,103.22
10-60-6200-5700-7400	Capital Outlay	Parks & Rec	JLP Carpentry	20218749	\$9,500.00	\$9,500.00
10-60-6200-5700-7400	Capital Outlay	Parks & Rec	Southern Tide Homes	20218750	\$22,750.00	\$22,750.00
10-60-6200-5700-7400	Capital Outlay	Parks & Rec	Rodney S Blackmon	20218839	\$6,500.00	\$6,500.00
10-60-6200-5700-7400	Capital Outlay	Parks & Rec	JLP Carpentry	20218840	\$4,000.00	\$4,000.00
10-60-6200-5700-7400	Capital Outlay	Parks & Rec	Magic Murals	20218842	\$3,000.00	\$3,000.00
10-60-6200-5700-7400	Capital Outlay	Parks & Rec	JLP Carpentry	20218861	\$21,295.00	\$21,295.00
10-60-6220-5300-1301	Generator Fuel/Maintenance	Parks & Rec	Powersecure Inc	20218864	\$649.96	\$649.96
10-60-6220-5300-1700	Equip Maintain & Repair	Parks & Rec	Zones	20218791	\$1,481.00	\$1,481.00
10-60-6220-5300-1700	Equip Maintain & Repair	Parks & Rec	Powersecure Inc	20218838	\$1,463.66	\$1,463.66
10-60-6220-5300-3300	Supplies/Operations	Fire	Bound Tree Medical	20218836	\$1,324.00	\$1,324.00
10-60-6220-5700-7400	Capital Outlay	Parks & Rec	Duffield Aquatics	20218804	\$3,079.87	\$3,079.87
10-60-6220-5700-7400	Capital Outlay	Parks & Rec	Prosource Fitness Equipment	20218841	\$4,630.20	\$4,630.20
10-60-6240-5300-3300	Supplies/Operations	Fire	Bound Tree Medical	20218836	\$1,324.00	\$1,324.00
10-60-6240-5700-7400	Capital Outlay	Parks & Rec	Donald Sugg	20218837	\$4,920.00	\$0.00
TOTAL					\$496,629.87	\$415,039.84

WATER/SEWER FUND

30-71-7220-5700-7400	Capital Outlay	Water Sewer	RD Braswell Construction	20218874	\$173,578.00	\$0.00
TOTAL					\$173,578.00	\$0.00

ELECTRIC FUND

31-72-7230-5300-0800	Training/Conf	Fire	Bound Tree Medical	20218836	\$1,324.00	\$1,324.00
31-72-7230-5300-1700	Equip Maintain & Repair	Electric	Jackson Builders	20218784	\$3,300.00	\$3,300.00
31-72-7230-5700-7401	East River Electric Infrastructure	Electric	Wesco	20218721	\$1,819.50	\$1,819.50
					\$6,443.50	\$6,443.50

Attachment C

**BUDGET
AMENDMENTS
Sep-21**

1. Revenue

10-00-3900-3900-0000	Fund Balance Appropriation	<u>\$613,305.00</u>	<u>\$830,466.87</u>	<u>\$1,443,771.87</u>
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Expenditure

10-10-4100-5300-3302	General Gov. - Supplies / Council Meetings	\$5,000.00	\$1,324.00	\$6,324.00
10-61-4110-5300-5710	Non-Departmental - Economic Development	10,000.00	15,000.00	25,000.00
10-61-4110-5300-5712	Non-Departmental - S.H.A.R.P. Reimb	20,000.00	40,000.00	60,000.00
10-10-4900-5300-4501	Planning - C.S./Engineering Standards Manual	3,600.00	14,400.00	18,000.00
10-10-4900-5700-4502	Planning - Condemnation	25,000.00	25,000.00	50,000.00
10-20-5100-5300-1700	Police - Equip Maintain & Repair (Applied Concepts)	63,600.00	1,872.95	65,472.95
10-20-5100-5300-3100	Police - Vehicle Supplies (Lawmen's)	86,300.00	1,877.92	88,177.92
10-20-5100-5300-3300	Police - Supplies/Operations (Lawmen's)	85,290.00	3,600.00	88,890.00
10-20-5100-5300-3300	Police - Supplies/Operations (Bound Tree Medical)	88,890.00	1,324.00	90,214.00
10-20-5100-5300-3600	Police - Uniforms (Lawmen's)	32,100.00	13,199.95	45,299.95
10-20-5100-5300-3600	Police - Uniforms (Lawmen's)	45,299.95	363.36	45,663.31

10-20-5100-5300-3600	Police - Uniforms (Lawmen's)	45,663.31	732.00	46,395.31
10-20-5300-5300-3300	Fire - Supplies/Operations (Bound Tree Medical)	53,000.00	2,648.00	55,648.00
10-20-5300-5300-3600	Fire - Uniforms (Advanced Emergency Services)	33,700.00	7,534.52	41,234.52
10-20-5300-5700-7400	Fire - Capital Outlay (Fulford & Jones Asphalt)	75,305.00	3,500.00	78,805.00
10-20-5300-5700-7400	Fire - Capital Outlay (Larry Bradley)	78,805.00	18,000.00	96,805.00
10-20-5300-5700-7400	Fire - Capital Outlay (Kelvin Mcarten Concrete)	96,805.00	16,900.00	113,705.00
10-30-5600-5300-7300	Streets - Sidewalk & Curb Repair (NCDOT Sidewalk Agreement)	17,000.00	112,406.00	129,406.00
10-30-5600-5700-7400	Streets - Capital Outlay (I95 Bridge Lighting)	10,000.00	93,000.00	103,000.00
10-30-5700-5300-3100	Powell Bill - Vehicle Supplies (Southern Vac)	3,000.00	2,319.83	5,319.83
10-30-5700-5700-7310	Powell Bill - Patch & Resurface (Garris Grading)	234,275.00	240,626.80	474,901.80
10-30-5700-5700-7310	Powell Bill - Patch & Resurface (Garris Grading)	474,901.80	4,365.60	479,267.40
10-60-5500-5300-3440	General Serv. - Appearance Commission	15,000.00	28,121.00	43,121.00
10-60-5500-5700-7400	General Serv. - Capital Outlay (Christmas Lights)	90,130.00	7,500.00	97,630.00
10-60-6200-5300-3450	Parks & Rec - Recreation Special Project (Hale Artificier Inc)	15,000.00	3,750.00	18,750.00
10-60-6200-5700-7400	Parks & Rec - Capital Outlay (Deere & Company)	199,000.00	10,103.22	209,103.22
10-60-6200-5700-7400	Parks & Rec - Capital Outlay (JLP Carpentry)	209,103.22	9,500.00	218,603.22
10-60-6200-5700-7400	Parks & Rec - Capital Outlay (Southern Tide Homes)	218,603.22	22,750.00	241,353.22
10-60-6200-5700-7400	Parks & Rec - Capital Outlay (Rodney S Blackmon)	241,353.22	6,500.00	247,853.22
10-60-6200-5700-7400	Parks & Rec - Capital Outlay (JLP Carpentry)	247,853.22	4,000.00	251,853.22
10-60-6200-5700-7400	Parks & Rec - Capital Outlay (Magic Murals)	251,853.22	3,000.00	254,853.22
10-60-6200-5700-7400	Parks & Rec - Capital Outlay (JLP Carpentry)	254,853.22	21,295.00	276,148.22
10-60-6220-5300-1301	SRAC - Generator Fuel/Maintenance (Powersecure Inc)	20,000.00	649.96	20,649.96
10-60-6220-5300-1700	SRAC - Equip Maintain & Repair (Zones)	26,350.00	1,481.00	27,831.00
10-60-6220-5300-1700	SRAC - Equip Maintain & Repair (Powersecure Inc)	27,831.00	1,463.66	29,294.66
10-60-6220-5300-3300	SRAC - Supplies/Operations (Bound Tree Medical)	35,000.00	1,324.00	36,324.00
10-60-6220-5700-7400	SRAC - Capital Outlay (Duffield Aquatics)	33,800.00	3,079.87	36,879.87
10-60-6220-5700-7400	SRAC - Capital Outlay (Procourse Fitness Equipment)	36,879.87	4,630.20	41,510.07
10-60-6240-5300-3300	SYCC - Supplies/Operations (Bound Tree Medical)	12,000.00	1,324.00	13,324.00
10-76-5800-5970-9110	Sanitation - Transfer to GFCapital Reserve Fund	0.00	80,000.00	80,000.00
		<u>\$3,522,145.25</u>	<u>\$830,466.84</u>	<u>\$4,352,612.09</u>

To bring forward encumbrances from the 2020-2021 General Fund Budget to FY21-22

2. Revenue

30-71-3900-3900-0000	Fund Balance Appropriation	<u>\$0.00</u>	<u>\$257,730.00</u>	<u>\$257,730.00</u>
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Expenditures

30-71-7200-5700-7400	Water Plant - Capital Outlay	0.00	35,000.00	35,000.00
30-71-7220-5300-5710	Water Dist/Sewer Coll. - Economic Development	<u>100,000.00</u>	<u>222,730.00</u>	<u>322,730.00</u>
		<u>\$100,000.00</u>	<u>\$257,730.00</u>	<u>\$357,730.00</u>

To bring forward encumbrances from the 2020-2021 Water/Sewer Fund Budget to FY21-22

3. Revenue

31-72-3900-3900-0000	Fund Balance Appropriation	<u>\$155,000.00</u>	<u>\$334,173.50</u>	<u>\$489,173.50</u>
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Expenditures

31-72-7230-5300-0800	Electric - Training/Conf (Bound Tree Medical)	\$11,500.00	\$1,324.00	\$12,824.00
31-72-7230-5300-1700	Electric - Equip Maintain & Repair (Jackson Builders)	45,000.00	3,300.00	48,300.00
31-72-7230-5300-5710	Electric - Economic Development	50,000.00	222,730.00	272,730.00
31-72-7230-5700-7401	Electric - East River Infrastructure	200,000.00	30,000.00	230,000.00
31-72-7230-5700-7401	Electric - East River Electric Infrastructure (Wesco)	230,000.00	1,819.50	231,819.50
31-76-7230-5970-9110	Electric - Transfer to Electric CFR	<u>75,000.00</u>	<u>75,000.00</u>	<u>150,000.00</u>

\$611,500.00\$334,173.50\$945,673.50

To bring forward encumbrances from the 2020-2021 Electric Fund
Budget to FY21-22

4. Revenue

40-61-3900- 3900-0000	Fund Balance Appropriation	<u>\$0.00</u>	<u>\$3,856.00</u>	<u>\$3,856.00</u>
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Expenditures

40-61-4100- 5300-3400	J.B. George Projects	360.00	3,348.00	3,708.00
40-61-4100- 5300-3410	J.P. George Projects	<u>36.00</u>	<u>508.00</u>	<u>544.00</u>
		<u>\$396.00</u>	<u>\$3,856.00</u>	<u>\$4,252.00</u>

To bring forward encumbrances from the 2020-2021 J.B. George
Fund Budget to FY21-22

7. The following advisory board appointments were approved:
- Sarah Edwards was reappointed to serve a fifth term on the Board of Adjustments ETJ representative
 - Michael Johnson was reappointed to serve a second term on the Planning Board

8. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Customer Service Rep	Finance	31-72-7230-5100-0200	\$15.48/hr. (\$32,198.40/yr.)
Fire Chief (E)	Fire	10-20-5300-5100-0200	\$47.84/hr. (\$99,507.20/yr.)
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200	\$15.94/hr. (\$33,155.20/yr.)
P/T Equipment Mechanic	PW – Garage	10-30-5650-5100-0200	\$17.95/hr.
P/T SRAC Staff – General	P&R – Aquatics	10-60-6220-5100-0210	\$9.00/hr.
Sanitation Equipment Operator	Public Works	10-40-5800-5100-0200	\$15.48/hr. (\$32,198.40/yr.)

Current Vacancies

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Electric Line Technician	PU – Electric	31-72-7230-5100-0200
IT Support Specialist	General Government	10-10-4100-5100-0200
Police Officer I (4 positions)	Police	10-20-5100-5100-0200
P/T Collections Assistant	PU – Electric/CS	31-72-7230-5100-0200
P/T Firefighter I/Responders (Up to 8 positions)	Fire	10-20-5300-5100-0200
P/T Fire Inspector (2 positions)	Fire	10-20-5300-5100-0210
Pump Station Mechanic	PU – Water/Sewer	30-71-7220-5100-0200
Sanitation Equipment Operator	Public Works	10-40-5800-5100-0200
Sanitation Worker	Public Works	10-40-5800-5100-0200
Water Plant Operator	PU – Water Plant	30-71-7200-5100-0200

9. Approval was granted to appoint Tim Depp to serve on the Downtown Smithfield Development Corporation's Board of Directors

10. **Special Event: Mucho Mexico** – Darci E. -Giloni gained approval to hold a private event at the restaurant to commemorate the one-year anniversary of the restaurant owner's death. The event is scheduled to take place at 712 East Market Street on November 6, 2021 from 1:00 pm until 8:00 pm. Approval was also granted the use of 4 citizen grade fireworks at the restaurant.

Business Items:**1. Consideration and request for approval to revising an Economic Development Administration (EDA) grant application**

Town Manager Michael Scott explained that in July, staff came before the Council requesting permission to apply for an EDA grant for a sewer line in West Smithfield at an estimated cost of \$3.8 million. At that time, staff requested approval for a 20% match which was approximately \$740,000. The Council approved the grant application and the match amount. Since that time, staff has discovered a problem with the grant application. The grant application leveraged jobs from Amazon in order to fund the project and get the grant application approved. However, the average wage of Amazon doesn't meet the 20% requirement to be able to use the 20% match. If the Town still wants to apply for the grant, the Town's matching funds will need to increase to 25% or \$950,000.

The West Smithfield sanitary sewer improvements project has an estimated cost of \$3.8 million and includes the following: \$400,000 for survey, model & design, \$200,000 for wet well upsizing at pump station 3, \$600,000 for improvements along US-70 (including boring under US-70), and \$2.6 million for sewer line improvements along the outfall. The Town Manager was requesting approve to increase the grant match amount from \$760,000 to \$950,000. He explained the grant match amount would be expended from the water/sewer department budget. Previously, \$1.54 million was allocated for the Durwood Stevenson Water Line Extension Project, but Johnston County agreed to completely fund that project.

Mayor Moore questioned when the Town would receive notification of grant award. The Town

Manager responded the Town had not received approval to submit the application, but staff was meeting with the EDA on October 13th to discuss the project.

Mayor Moore questioned if staff was confident with the estimates provided. The Town Manager responded that staff was confident with the estimates today, but with construction costs as volatile as they are right now, costs could increase or decrease. Staff would bid out the project and if the received bids were higher than the estimates costs, staff would consult EDA. The Town Manager explained that staff would seek approval to accept the grant if awarded and also to approve any bid for the project.

Councilman Barbour questioned if this project would eventually need to be completed with or without grant funding. The Town Manager responded that with the growth in that area, this project will become important for additional connection throughout the area.

Councilman Barbour made a motion, seconded by Councilman Wood, to approve the additional funds for the EDA grant match. Unanimously approved.

2. Consideration and request for approval to hold utility security deposits until the account closes

Finance Director Greg Siler explained that the Finance Department was seeking approval to change the retention period for utility deposits. This change would be to new accounts and deposits collected on existing accounts that have been poorly paid. Mr. Siler explained that for decades the practice has been to refund the utility deposit back to the customer after 12 consecutive timely payments from residential customers and after 24 consecutive timely payments from commercial customers. Lately, Staff has become diligent in requesting new deposits for accounts that have become delinquent. The Town sends to collections about \$150,000 per year thus becoming a huge liability for the Town. Mr. Siler further explained that the Towns of Angier, Benson, Clayton and Kenly hold utility deposits until the account closes. The Town of Selma refunds the deposit after 24 consecutive timely payments.

Mayor Pro-Tem Dunn asked if a deposit was required for new accounts. Mr. Siler responded in the affirmative, but explained there was one exception to that rule. If a tenant vacates a rented property, the landlord which has a history of timely payments will request that the deposit be waved so they can clean the unit to make it rentable again.

Mayor Pro-Tem Dunn made a motion, seconded by Councilman Wood, to retain all utility deposits until the account closes. Unanimously approved.

3. Conditional Zoning Request – Marin Woods (CZ-21-06):

The applicant is requesting to rezone one parcel of land totaling 31.56 acres from the R-8 (Residential) and R-20A (Residential-Agricultural) zoning district to the R-8 CZ (Residential-Conditional Zoning) district for the construction of a 143-lot residential subdivision. The property considered for rezoning is located on the north side of NC Hwy 210 approximately 1,300 feet west of its intersection with Skyland Drive. The property is further identified as Johnston County Tax ID# 15077008

Planning Director Stephen Wensman explained this conditional zoning request was tabled at the September Town Council meeting due to some concerns expressed by the Council.

Mr. Wensman provided a summary of changes since the September Council meeting. They include the following:

The Town Council held a public hearing and reviewed the Marin Woods R-8 Conditional Zoning request on September 7, 2021, then tabled the item to provide the developer, StrongRock Engineering PPLC, time to address off-street parking and landscape screening concerns along NC Highway 210. The Master Plan has been updated to address these concerns as follows:

1. Adjusted Townhouse front setbacks to 30', keeping a 20' rear setback, that will allow 3 spaces per unit on-lot.
2. Provided 30 overflow off-site parking now shows gutter add curb, 45-degree spots, and added a few spots (3.41 spaces per unit offstreet or 4.16/unit with available on-street parking).
3. Adjusted single family setbacks to 25' to provide for a minimum of 3 spaces per unit per lot with the garage on lots with one car garage.
4. Standard B6-12 curb and gutter throughout the development except in front of townhouse buildings per detail.
5. The standard 5' utility strip between the curb and sidewalk has been provided throughout the site (except along Street A where only a 2' utility strip was provided to accommodate wider street section).
6. Added Hipped roof condition for townhomes and changed elevations.
7. Added a 6' privacy fence, 3' from interior buffer line along NC Highway 210
8. Clarified that townhome lots have a 2' side setback on end units leaving 16 feet of separation between buildings.

Consistency Statement – Staff's Opinion

- Consistency with the Comprehensive Growth Management Plan – The comprehensive plan supports flexibility in zoning regulations and the master plan complies with the medium density guidance.
- Consistency with the Unified Development Code – the conditional rezoning is a negotiated

- approach and the proposed UDO deviations are inconsistent with the UDO.
- Compatibility with Surrounding Land Uses - The property considered for rezoning will be compatible with the surrounding land uses.

Staff's Recommendation of Approval:

1. That the future preliminary plat and development plans for the subdivision be in accordance with the approved Master Plan, R-8 Zoning District, and UDO regulations with the with the following deviations:

SF Min. Lot Size	5,882 sq. ft.
SF Min. lot width	55 ft.
SF Min. front setback	25 ft.
SF Min. Side Setback	5 ft.
SF Min. Rear Setback	20 ft.
TH Min. front setback	30 ft.
Distance between townhouses	16 ft.
Curbing and gutter	Valley Curbs by townhouses
Cul-de-sac length	800 ft.

2. That a master sign plan be submitted for the development with decorative signs and landscaping as suggested in the master plan submittal.
3. That the trash and recycling roll-off containers in the townhouse units be stored within a garage or within the rear yards of each unit.
4. That decorative signs posts and street lighting be installed throughout the development.
5. That the entrance island shown on the master plan be landscaped with trees, shrubs and ground covers and maintained by the HOA.
6. That all structures be constructed outside and 2' above the 100-year flood plain elevation.
7. That the development be constructed in accordance with the architectural standards:
 - a) Townhomes shall be 2-story with a minimum width of 20 feet and a minimum 1,250 heated sq. ft. and a 1-car garage.
 - b) All homes (townhome and single family) shall have a combination of 2 or more of the following materials on the front facade: brick, stone, lap siding, shakes or board and batten.
 - c) All corner units shall contain a window with decorative trim or door for each 30 feet (or fraction of) of continuous side elevation. Any siding break on the side of the home, such as fireplace, side porch, or wall offsets may be used as an alternative to windows.
 - d) All garages shall have windows or decorative hardware.
 - e) All single family detached homes shall have a garage with a minimum of 80% having a two-car garage.
 - f) In order to promote variation in home appearance, no adjacent home may use the same color siding, and for single family detached homes, no front elevation shall be constructed adjacent to or across from an identical elevation. For corner lots, this shall apply to the lots catty-corner across the intersection.
 - g) A consistent color palette shall be used for both the townhomes and single-family homes.

Mayor Pro-Tem Dunn questioned the road width in the development. Mr. Wensman responded that the streets would be 34' wide back of curb to back of curb. The street entrance would be comprised of two 14' wide paved lanes with a 13' wide median and curbing.

Councilman Barbour stated he appreciated the changes made by the developer.

Councilman Barbour made a motion, seconded by Councilman Wood, to approve zoning map amendment, CZ-21-06, with seven conditions of approval as found in the staff report finding the rezoning consistent with the adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public interest. Unanimously approved.

PUBLIC HEARINGS:

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

1. **Preliminary Subdivision Request – Marin Woods (S-21-03):** The applicant requesting preliminary subdivision approval of a 31.56-acre tract of land for the creation of 143 residential lots to be located within an R-8 CZ (Residential-Conditional Zoning) district. The property considered for preliminary subdivision approval is located on the north side of NC Hwy 210 approximately 1,300 feet west of its intersection with Skyland Drive. The property is further identified as Johnston County Tax ID# 15077008

Councilman Wood made a motion, seconded by Councilman Stevens, to open the public hearing. Unanimously approved.

Planning Director Stephen Wensman testified the property was just rezoned to R-8 CZ with a master plan for a 49-lot detached single-family residential lots and 94 townhouse lots. The preliminary plat was consistent with the approved master plan

Mr. Wensman reviewed staff's opinion of the findings. They are as follows:

STAFF'S OPINION ON THE FINDINGS OF FACT

1. The plan is consistent with the adopted plans and policies of the town.
2. The plan complies with all applicable requirements of this ordinance and the R-8 Conditional Zoning District.
3. There is adequate infrastructure.
4. The plan will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

Mr. Wensman testified that a neighbor was concerned about drainage, but the concern can easily be addressed during the construction process. The developer is aware of the concern.

Planning Staff recommends the Town Council approve the preliminary plat of Marin Woods, S-21-03, with the following conditions based on finding of fact for preliminary subdivisions:

1. That the future preliminary plat and development plans for the subdivision be in accordance with the approved Master Plan, R-8 Zoning District, and UDO regulations with the with the following deviations:

SF Min. Lot Size	5,882 sq. ft.
SF Min. lot width	55 ft.
SF Min. front setback	25 ft.
SF Min. Side Setback	5 ft.
SF Min. Rear Setback	20 ft.
TH Min. front setback	30 ft.
Distance between townhouses	16 ft.
Cul-de-sac length	800 ft.

2. That a master sign plan be submitted for the development with decorative signs and landscaping as suggested in the master plan submittal.
3. That the trash and recycling roll-off containers in the townhouse units be stored within a garage or within the rear yards of each unit.
4. That decorative signs posts and street lighting be installed throughout the development.
5. That the entrance island shown on the master plan be landscaped with trees, shrubs and ground covers and maintained by the HOA.
6. That all structures be constructed outside and 2' above the 100-year flood plain elevation.
7. That the development be constructed in accordance with the architectural standards:
 - a. Townhomes shall be 2-story with a minimum width of 20 feet and a minimum 1,250 heated sq. ft. and a 1-car garage.
 - b. All homes (townhome and single family) shall have a combination of 2 or more of the following materials on the front facade: brick, stone, lap siding, shakes or board and batten.
 - c. All corner units shall contain a window with decorative trim or door for each 30 feet (or fraction of) of continuous side elevation. Any siding break on the side of the home, such as fireplace, side porch, or wall offsets may be used as an alternative to windows.
 - d. All garages shall have windows or decorative hardware.
 - e. All single family detached homes shall have a garage with a minimum of 80% having a two-car garage.
 - f. In order to promote variation in home appearance, no adjacent home may use the same color siding, and for single family detached homes, no front elevation shall be constructed adjacent to or across from an identical elevation. For corner lots, this shall apply to the lots catty-corner across the intersection.
 - g. A consistent color palette shall be used for both the townhomes and single-family homes.
8. That Park dedication fee-in-lieu be paid prior to final plat in accordance with UDO Section 10.114.8.
9. That public utility service fees be paid in full prior to final plat.
10. That the HOA declarations and covenants be submitted for Town Attorney review prior to final plat.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the October 5, 2021 agenda packet.

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

Mayor Moore asked the applicant if he agreed with the testimony provided by Mr. Wensman and if he had additional testimony to offer. Zack Anderson of 6801 Falls of Neuse Road, Raleigh, NC testified that he was in agreement with the testimony offer by Mr. Wensman. He expressed his appreciation to the Council for providing great feedback at the last meeting and for allowing the developers to work with the Town.

Mayor Moore asked if there was in attendance that was duly sworn in who wished to testify on the matter. There was no one in attendance who wished to testify on the matter.

Councilman Barbour made a motion, seconded by Councilman Wood, to close the public hearing. Unanimously approved.

Mayor Pro-Tem Dunn made a motion, seconded by Councilman Wood, to approve the Marin Woods Preliminary Plat, S-21-03, with 10 conditions based on the finding of fact for preliminary subdivisions. Unanimously approved.

2. **CZ-21-07 Whitley Townes:** J&J Flowers Finch Inc. is requesting a conditional rezoning request of 11.61-acres of land from the B-3 (Business) zoning district to the R-8 CZ (Residential-Conditional Zoning) district with a master plan for a planned development consisting of 70 attached single-family townhomes. The properties considered for rezoning is located on the northeast side of West Market Street approximately 300 feet southeast of its intersection with Britt Street. The properties are further identified as Johnston County Tax ID# 15084001 and a portion of 15084003A.

Councilman Stevens made a motion, seconded by Councilman Barbour, to open the public hearing. Unanimously approved

Planning Director Stephen Wensman explained there was a correction they were asking to rezone the property from B-3 to B-3 CZ. Mr. Wensman explained the property was located in West Smithfield next to the old Heilig Meyers and Kmart building.

The property considered for approval contains some wetland and a drainage ditch that crosses through the center of the property and along the south edge of the Twin States Farming parcel. The site has not been surveyed. There are no floodplain present.

The applicant was proposing a master plan consisting of 70 attached single-family townhomes fronting on private parking facilities and accessed by a public cul-de-sac.

The Town's land use plan guides the site for mixed use. This townhomes and adjacent commercial property would together be considered a mixed of uses consistent with the comprehensive plan.

The proposed density is 6 units per acre, well within the allowed density of the comprehensive plan.

The rezoning is predicated on the purchase of approximately 0.87 acres of the adjacent parcel with a shared driveway access. An access easement will be required for the shared use of the driveway.

About 58% of the site will be developed leaving the remainder to serve as a vegetative buffer from adjacent development, and containing passive recreation areas, stormwater management facilities and existing wetland/ditch areas.

The proposed development will access West Market Street with a new public cul-de-sac and through an existing driveway access to be shared with the future redevelopment of the former Heilig-Meyers. There is a median cross over on West Market Street at the shared driveway location.

A new public +/- 600-foot-long cul-de-sac is proposed with the development providing access to private parking lots with townhouses. The cul-de-sac will consist of 60' wide right-of-way, 30' wide street back of curb to back of curb. The proposed street curbing will be B6-12 type matching the Town's Standard Detail. They are proposing valley curbs within the parking lots.

Five foot wide public sidewalk will be constructed along the public right-of-way of West Market Street and along the side of the public cul-de-sac and throughout the development connecting the individual units, parking and other amenities.

A proposed mail kiosk is located adjacent to the public street and accessed by a pullout parallel parking area and sidewalk.

The applicant is proposing 20' wide x 80' townhouse lots with single car garages fronting on HOA owned parking lots. The townhouses front on private parking lots. The sides of the townhouses are setback from the public street approximately 26'. The townhouses will be setback over 50 feet from West Market Street in accordance with the UDO requirements. The Townhouses are situated on the individual lots such that the townhouses have minimal front yards (< 5 feet) with space for some landscaping, and 20-foot rear yards. The individual townhomes are accessed from parking lots with 20' long driveways. The driveways and parking lots will be on HOA property. All proposed structures will have a building height of 35 feet or less as permitted by R-8 zoning district standards. Target Sales Price would be \$230,000 (\$137/heated sq. ft.) and the space between the townhouses would be a 20' minimum.

Although no formal architectural standards have been presented, the applicant has shown images of a similar project with suggested changes that could be made to enhance the project. Suggestions include a mix of mix of siding types such as lap board and batten, shakes and brick and that end units be comprised of windows and other architectural details.

Each townhouse will have access to 4 parking spaces per unit. Parking will be available in a one-car garage, a driveway space, and two paved parking spaces in a parking lot. The parking lots will have standard 9x18 foot parking stalls, 24' wide drive lanes, valley curbs and 5' sidewalks located at the back of the curb. The parking lot driveways should be constructed in accordance with the Town's standard driveway detail.

A master sign plan will be submitted with the preliminary plat. The plan will include a lighted and landscaped 14' wide x 42" tall brick entrance sign with black and gold lettering adjacent to the main entry on West Market Street.

The applicant is proposing roughly 26,000 sq. ft. of unprogrammed open space to be owned by the HOA. There is no proposed structured playground. other recreational amenities as required by Section 7.35.1.5

25' landscaped buffer along the boundaries of the property – being encroached upon by unit #15. 40' Buffer required by UDO. Additional landscaping should be provided in this area to ensure a proper buffer comprised of existing vegetation, landscaping and or fencing to a minimal 60% opacity.

A landscaped berm is proposed along the West Market Street frontage. A sketch plan and detail were provided by the applicant. The landscaping should extend up and down the berm to provide a solid screen of rear yards from West Market Street. It is recommended that a landscape architect designed landscape and buffer plan be submitted with the preliminary plat in accordance with the sketch plan and staff comments.

It is recommended that the townhouse rear yards be screened with fences and landscaping and that there be at least 4 shrubs and one ornamental tree planted in front of each unit.

It is also recommended that at a minimum one overstory street tree be planted along every 50' of public right-of-way, within 15' of the edge of the right-of-way

No dumpster or trash/recycling facilities are shown on the plan. All lots will be served by roll out containers. Rollout containers can become a landscape feature in townhouse developments if not planned for. A condition is recommended requiring their storage in the garage or in the rear yard.

The development will comply with the Town's stormwater management ordinance. The stormwater pond is shown that will be accessible from the public right-of-way.

An HOA will provide common ownership and maintenance of the shared open space, landscaping, stormwater SCMs and amenities.

The developer is seeking deviations from the UDO as part of the rezoning. The purpose of conditional zoning is to provide flexibility from conventional zoning and to allow creative projects to occur through a negotiated (give and take) approach to achieve the desired project that both the developer and town mutually can be satisfied with. The applicant is seeking the following deviations from the following UDO Requirements:

Item	B-3/UDO	B-3 CZ
Street	34' wide back-to-back	30' wide back-to-back.
Parking Lot Curbing	B6-12 curbs	Valley curbs are proposed in the parking lots.
Recreational Amenities	66,000 sq. ft. open space with amenities	26,000 sq. ft. open space with no amenities.
Distance between buildings	30' +	Minimum 20'
Perimeter Buffer	40'	25'

Proposed Improvements Exceeding UDO requirements:

- Landscaped berm along West Market Street.
- Enhanced Street Lights
- Enhanced Street Signs
- Parking exceeding 2 per dwelling unit.
- Landscaped entrance monument

Planning Staff and the Planning Board recommend approval of CZ-21-07 with the following conditions:

1. That the future preliminary plat and development plans for the subdivision be in accordance with the approved Master Plan, R-8 Zoning District, and UDO regulations with the with the following deviations:

Item	R-8 CZ
Street	30' wide back-to-back.
Parking Lot Curbing	Valley curbs are proposed in the parking lots.
Recreational Amenities	26,000 sq. ft. open space with no amenities.
Distance between buildings	Minimum 20 feet
Perimeter Buffer	25'

2. That the trash/recycling rollouts be stored within garages or rear yards.
3. That the parking lot entrances be constructed in accordance with the town's standard driveway.
4. That a landscape architect designed landscape and buffer plan be submitted with the preliminary plat in accordance with the sketch plan and staff comments, including
 - a. landscaping should extend up and down the berm to provide a solid screen of rear yards from West Market Street
 - b. Rear yards be screened with fences and landscaping and that there be at least 4 shrubs and one ornamental tree planted in front of each unit.
 - c. A minimum one overstory street tree be planted along every 50' of public right-of-way, within 15' of the edge of the right-of-way.
 - d. That the 25' perimeter buffer planting be comprised of existing vegetation and landscaping/ and or fencing to ensure at least 60% opacity.
5. That an architectural plan be submitted for the townhouses with a mix of siding types such as lap board and batten, shakes and brick and that end units be comprised of windows and other architectural details.
6. That an easement be executed for the shared use of the driveway off of West Market Street.
7. That a master sign plan be submitted with the preliminary plat in accordance with the rezoning master plan.
8. That decorative street lights and signs be incorporated into the development and be submitted with the preliminary plat.

with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the request is reasonable and in the public interest.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the October 5, 2021 agenda packet.

Mayor Moore asked if there were any questions from Council.

Councilman Barbour stated the plan showed a private park open space. Mr. Wensman responded there was no structured playground proposed, but the development was in close proximity to Johnson Park and the new drone field.

Councilman Barbour questioned if the berm would have a fence. Mr. Wensman responded that the proposal was for a landscaped berm.

Councilman Barbour questioned if there would be sidewalks on West Market Street. Mr. Wensman responded there would be sidewalks on Market Street. Councilman Barbour stated if this area continued to be developed and sidewalks continued to be constructed, the Town could petition NCDOT for a cross walk to the Food Lion shopping center.

Mayor Pro-Tem Dunn questioned the proposed parking. Mr. Wensman responded there would be one space in the garage, one space on the parking pad outside the garage, and striped parking enough for everyone to have four parking spaces per unit.

Mayor Moore asked the developer, Josh Finch, if he was opposed to adding a fence. Mr. Finch responded he was not opposed to adding a fence to the berm.

Mayor Moore questioned the interior design of the townhomes. Mr. Finch responded there would be higher end cabinets, granite countertops, stainless steel appliances with approximately 1700 sq. ft. of living space.

Mayor Moore asked if there was anyone in attendance who wished to speak on the matter. There was no one in attendance that wished to speak on the matter.

Councilman Rabil made a motion, seconded by Councilman Wood, to close the public hearing. Unanimously approved.

Councilman Wood made a motion, seconded by Councilman Stevens, to approve zoning map amendment CZ-21-07, rezoning the property to B-3 CZ with the 8 conditions, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest. Unanimously approved.

Councilmembers Comments:

- Councilman Wood congratulated the Smithfield Selma High School football team and staff for their three consecutive victories. Councilman Wood expressed his appreciation to Councilman Lee and the Progressive Men's Club Board for using the building as a COVID-19 testing site. He explained he went to the Progressive Men's club for testing and he found it to be quick and efficient. Councilman Wood expressed his appreciation to the members of the Smithfield Fire Department who responded to an emergency call for his wife who had a seizure. Councilman Wood asked Chief Brown to express his gratitude to the team of firefighters that responded.

- Councilman Lee welcomed Fire Chief Michael Brown to Smithfield. Councilman Lee explained that the family of Reverend Doctor Beatrice Penny expressed their gratitude to the Town for everyone's attendance at Dr. Penny's 99th Birthday parade. Councilman Lee expressed his condolences to the family of Lina Mae Altman who recently passed away. Ms. Altman was a beacon in the community and she celebrated her 101st birthday on Juneteenth this year. Councilman Lee stated that Cedar Drive was almost finished. Councilman Lee stated that the ditch that backs up to Martin Luther King Jr. Drive needed to be cleaned out again. Finally, Councilman Lee stated he was still interested in meeting with the Town Manager and the Police Chief concerning police practices. He explained that with conflicting schedules, they were not able to meet last month.
- Councilman Barbour expressed his appreciation to Town Staff for removal of a bush that was obstructing view at the intersection of Whitley Drive and Wilson's Mills Road. Councilman Barbour informed the members of Council that the first annual drone fly in was held at the new Smithfield Drone Field at Gertrude B. Johnson Park. The event was well attended

Town Manager's Report:

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

- 700 bicyclists will arrive at Community Park on Thursday as part of the Cycle NC tour to the beach. They will camp at Community Park and leave in the morning to continue their trek east. Shuttles will be available to transport the cyclists around town for shopping and meals.
- Halloween Events
 - Thursday, October 28th: Egg Haunt 7:00 pm at Community Park
 - Friday, October 29th: Boo Bash 4:00 to 6:30 pm at Sarah Yard Center
 - Saturday, October 30th: Trunk or Treat, 10:30 am to 12:30 at Community Park.
 - Trick or Treat October 31st: Trick or Treat, 5:00 pm to 8:00 pm within Town Limits
- Parks and Recreation is planning a festive event to celebrate and thank our veterans on Veterans Day, Thursday, November 11th. This will include music, food and fireworks at Community Park from 4:00 to 7:30 pm.
- At this time, the Town is planning to have the 2021 Christmas Parade on December 2nd on Market Street. Please mark your calendars.
- Kick off on the construction of the Durwood Stephenson water line extension is set for October 18th. It is an estimated five-month construction project, with estimated completion in March of 2022.
- The final 2020 Census results were released in usable form last week. Staff has analysis of the data. If the redistricting process is complete and approved by the Council by November 17th then the filing period would be from noon, December 6th to noon December 17th. Otherwise, the Town must complete the redistricting process by December 17th in order to have a filing period from noon January 3rd through noon January 7th. The election for all district seats and the Mayor will be held on March 8th, 2022.

Adjourn

Being no further business, Councilman Barbour made a motion, seconded by Councilman Wood, to adjourn the meeting. Unanimously approved. The meeting adjourned at approximately 8:35 pm.

ATTEST:


Shannan L. Parrish, Town Clerk





M. Andy Moore, Mayor