

**TOWN OF SELMA
REGULAR COUNCIL MEETING
JANUARY 12, 2016**

PRESENT: Mayor Cheryl Oliver, Mayor Pro-Tem Jackie Lacy, Councilmembers Tommy Holmes, William Overby and Mark Petersen, Town Manager Jon Barlow, and Town Attorney Alan “Chip” Hewett.

OTHER STAFF PRESENT: Planning Director Julie Maybee, Fire Chief Phillip McDaniel, Police Chief Richard Cooper, Finance Officer Karen Johnson, Electric Director Donald Baker, and Interim Town Clerk Brenda Thorne.

CONVOCATION: Mayor Oliver called the meeting to order at 6:00 p.m. in the Selma Jernigan Building and declared a quorum present.

Steve Reed of *The Selma News* offered the invocation.

PLEDGE TO FLAG: Mayor Pro-Tem Jackie Lacy led in the pledge of allegiance to the flag.

APPROVAL OF AGENDA: A motion was made by Councilmember William Overby and seconded by Mayor Pro-Tem Jackie Lacy to approve the agenda as presented. Motion carried.

CONSENT AGENDA: Minutes
Regular Council Meeting – December 8, 2015

A motion was made by Councilmember William Overby and seconded by Mayor Pro-Tem Jackie Lacy to approve the Consent Agenda as presented. Motion carried unanimously.

OPEN FORUM/CITIZENS’ REQUEST: No one was present to address the Council.

PUBLIC HEARINGS – Review and Consideration of a Special Municipal Code Text Amendment for Maintenance Yards and Outside Storage – Stancil: Mayor Oliver stated that the next item was a public hearing for review and consideration of a special Municipal Code text amendment for maintenance yards and outside storage.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to open the public hearing. Motion carried unanimously. 6:02 p.m.

Planning Director Julie Maybee stated that a request to amend the Town’s Municipal Code was filed with her by Warren Stancil, Interstate Outdoors, Inc. Ms. Maybee requested that the staff report, cover letter, and exhibits be included in the record. (Which

is attached hereto and incorporated herein as Exhibit A.) She said that she included a copy of the application, Exhibit 1 and Exhibit 2. Ms. Maybee stated that Exhibit 2 requests that the text amendment be revised to require a maintenance yard and buildings with outdoor storage as a special use permit, and in the General Business (GB) Zoning District in a Special Use District Overlay. She said that this was specific to the General Business Special Use District Overlay. Ms. Maybee stated that would be the only use allowed in that zoning designation. She said that this would be similar type of situation to the solar farm that was proposed for Highway 301 North. Ms. Maybee stated that the request would be subject to a separate public hearing as a special use permit. She said that as with other text amendments, they could come before Town Council to consider a text amendment to correct an error in the chapter, because of a change or changing conditions, or to achieve the purposes of the Comprehensive Land Use Plan. Ms. Maybee stated that the applicant indicated that this was to reflect changing conditions in the area.

Ms. Maybee stated that there was approximately 31 acres of land in the Town and in the extraterritorial jurisdiction (ETJ) is zoned GB. She said that a majority of the land is located along the community gateways, along the corridors of strategic importance. Ms. Maybee stated that in a GB Zoning District, it is to provide for the development of commercial and service centers that are accessible to the general public from the surrounding neighborhoods. She said that businesses in the district are intended to serve the daily convenience and personal needs of an immediate area or regional commercial and service needs. Ms. Maybee stated that with this Special Use Overlay District, the only thing that is going to be requested is that the text be amended to allow this use as a Special Use Permit in a General Business Special Use District. Ms. Maybee reviewed the Town's strategic corridors on the Future Land Use Plan, and the Town's commercial designations on the Zoning Map. Ms. Maybee stated that this request was being submitted concurrently with a rezoning request and Future Land Use Map. She said that this text amendment would also apply to other areas if it were in a General Business and Special Use District.

Ms. Maybee stated that for permitted uses in this district as it is being proposed would be the storage yards and storage buildings. She said that in considering this text amendment, Council needed to look at whether this text amendment was going to be consistent with the Town of Selma's Future Land Use Plan. Ms. Maybee stated that the text amendment was a reasonable and in the public interest.

Ms. Maybee stated that maintenance yards and buildings with outdoor storage is a special use in the General Business Special Use Overlay District.

Councilmember Peterson questioned that the text amendment was not specific to this particular parcel.

Planning Director Maybee stated that if the text amendment was not approved, the following rezoning request would not be applicable, because they are asking to be rezoned to a Special Use Overlay District General Business. She said that this could apply to another piece of land in this Overlay District, which could be a permitted use as a special use.

Mayor Oliver stated that this would set a precedent in terms of special uses within that overlay district.

Ms. Maybee stated that it would.

Mayor Pro-Tem Lacy asked if that would include all the land.

Ms. Maybee stated that it could potentially.

Mayor Pro-Tem Lacy asked about the land across from the railroad track, and if it could be used for the same purpose.

Ms. Maybee stated that right now, they would go back to the 809 South Raiford Street. She said that what they have been looking at is just the overall zoning district, which is the General Business Special Use Overlay District. Ms. Maybee stated that this was the text amendment just for that, and not specific to this property. She said that the following request, this text amendment would be necessary for that property to be utilized for what they are proposing.

Ms. Maybee stated that when the Planning Board considered this request, they looked at it as it was initially proposed to allow maintenance yards and/or building with outside storage as a permitted use in the General Business Zoning District. She said that the Planning Board recommended against that. Ms. Maybee stated that when they had discussion at the December Council meeting, the applicant felt it would be best to revise the request to make it a special use with a Special Use Overlay District so that the only thing that would be permitted would be storage.

Warren Stancil of 587 Holly Berry Lane, Selma, stated that he did not have a lot of comments other than a request to allow general

Berry Lane, Selma:

outside storage in a maintenance yard in the General Business.

Councilmember Holmes asked Mr. Stancil to explain to the people when it says maintenance yard and outside storage that the outside storage was only for poles, and was not for outside storage buildings.

Mr. Stancil stated that it was not for outside storage buildings. He said that it was basically steel poles.

Mayor Pro-Tem Lacy asked if there would be a building for other storage.

Mr. Stancil stated that they would not be renting storage to anybody.

Mayor Pro-Tem Lacy asked Mr. Stancil if he was going to put a building for additional storage.

Mr. Stancil stated that the property has a building there.

Councilmember Holmes stated that was going to be the only building. He said everything else would be steel poles for the sign company, and was not going to be storage units.

Mr. Stancil stated that there was not going to be a lot of traffic in and out. He said that there are three employees, 8 to 5. Mr. Stancil stated that they go out and work in the field, it is just basically storage.

Councilmember Overby asked if his understanding was correct that they would have no more than what CP&L had, and would have less traffic that CP&L had.

Mr. Stancil stated that would be correct.

Mayor Oliver asked if there would be any cutting of the steel or any kind of operations, as opposed to storage in and storage out.

Mr. Stancil stated that there would be some welding, but it would not be every day. He said that this would not be a welding yard or business.

Councilmember Overby asked if he lived in that neighborhood, would he know that he was on the property.

Mr. Stancil stated that he did not think that he would.

James Weaver, 818 South Raiford Street:

James Weaver of 818 South Raiford Street stated that he was wondering what it was all about. He said that he had seen all these pipes come in. Mr. Weaver stated that it looked like a snake bed to him; a place for snakes and animals to hide out in. He said that they did not need that over there, because they are going to have snakes all over the neighborhood. Mr. Weaver stated that when they cleaned up the yard, the bats and snakes went away.

Jenny Weaver:

Jenny Weaver stated that she would not be speaking.

Shirley Holder:

Shirley Holder stated that she would not be speaking.

Winston Whitley, 816 South Raiford Street:

Winston Whitley of 816 South Raiford Street stated that he did not have that much concern, but asked that they put up a fence to hide that stuff. He said that way it would not be bothering anyone.

Helen Bagley, 802 South Webb Street:

Helen Bagley of 802 South Webb Street stated that she was against it. She said that one thing was the poles, and that she did not want to hear all that.

Councilmember Overby stated that the poles would be lying flat. He said that most of his work is done on I-95. Councilmember Overby stated that nothing would be upright.

Ms. Bagley stated that they have all this on Highway 301, and asked why they couldn't put all this on 301.

Mayor Oliver stated that was something that they could not answer, but the applicant could speak to that. She said that any other viable property that is zoned appropriately could be available for that. May Oliver stated that this would not be the sole piece of land for it.

Ms. Bagley stated that she not want it down in that area. She said that there was enough down there now, and the Town wasn't trying to clean it up. Ms. Bagley stated that they needed to clean up what was down there before talking about putting something else down there.

Harry James, Jr.,

Harry James, Jr. of 706 South Webb Street stated that he had talked to a number of people who lived close to this facility. Mr. James presented a petition to Town Council with 39 names (Which is attached hereto and incorporated herein as Exhibit B). He said that all these people live within a quarter of a mile, and live adjacent to this site.

Mr. James stated that his first concern was safety. He said as he talked to the people of the community, there is a playground right there. Mr. James stated that they have enough problems as it is monitoring the kids at the playground when it is close to a highway. He said that there is traffic that goes flying through there. Mr. James stated that now there would be a vehicle that would make even more noise. Mr. James stated that there is a possibility of a young child running into the street and get hurt. He said that was one of his concerns, the safety area.

Mr. James stated that this second concern was the noise. He said that there were some people that lived right across street from this yard that are having trouble at night with noise coming from the train, but there was nothing they could do about that. Mr. James stated that the noise was a problem, and was going to cause stress on the individuals. He said that there was a concern about the elderly in the community.

Mr. James stated that it was hard to get tenants to rent properties, and it was had to sell the land in Selma. He said that this would add to the problem, and would add to the financial problem.

Mr. James stated that the most important problem was the appearance of the site itself. He said that it was his understanding that no one should be on that site right now. Mr. James stated that the site doesn't look neat right now. He said that there is stuff laying all around right now. Mr. James stated that when they talk about using the site for storage, they could put anything out there. He said that this was a main street, and the first thing people are going to see is a junk yard. Mr. James stated that they are not going to keep that neat.

Mr. James stated that if Council would look at the number of names on the petition that he presented earlier, he said that they should give some consideration, because they are the ones that live there. He said that most people like to have pride in their neighborhood. Mr. James stated that there was a problem with how the site is already being managed before receiving permission to use it. Mr. James asked Town Council to consider the elders.

**Louella Lewis, 804 South
Webb Street:**

Louella Lewis of 804 South Webb Street stated that she lives at the dead end of South Webb Street. Ms. Lewis thanked Council for their part in helping her get a new home. She said that her home maybe new, but what was being done on that end seemed to be a dumping ground. She said that she could stand in her yard and throw a rock to where this building is. Ms. Lewis stated that the did not know who owns it or what they were going to use it

for, but it is already a dumping ground. Ms. Lewis asked what Winnebagos had to do with steel. She said that the property is crowded already, and there was more and more steel coming every day. Ms. Lewis stated that she thought another storage building had been added. She said that her concern was before you let other people come in there was the snakes, rodents, and it was beginning to be an eye sore.

Mayor Oliver stated that they would be addressing that at their upcoming budget work sessions.

Ms. Lewis stated that the property abuts her property, and it is so close to the housing. She said that it was discussed to rezone the property. Ms. Lewis stated that she was not allowed to rezone her property, because it had been rezoned to not allow mobile homes. She said that she could not utilize her property for years because she did not have the money to build a new home. Ms. Lewis asked why now would they rezone property that is residential.

Mayor Oliver stated that the Town accepts a variety of rezoning requests, but is not a daily event.

Ms. Lewis stated that she did not agree. She said that there was so much junk down there she could not see the railroad track. Ms. Lewis stated that it was not fair.

Mr. Stancil stated that they were not assuming anything. He said some steel was moved over there so people could see what it was and what it would be like. Mr. Stancil stated that they are not in and out of there every day. He said that there are only three employees with one being part-time, and there would not be a lot of traffic in or out. Mr. Stancil stated that he would be glad to plant bushes in front of the fence. He said that when Progress Energy left the property, they had places for the poles, which was ideal for his business. Mr. Stancil stated that they would store it as neatly as they could. He said that there would be a couple of trucks on the property. Mr. Stancil stated that property was used in that capacity for the past 100 years.

Councilmember Overby asked how many entrances there were to the property.

Mr. Stancil stated that there was only one, which was located towards Ricks Road.

Councilmember Overby asked Mr. Stancil how far he was from the park.

Mr. Stancil stated the entrance of his property to the park was about 300 feet.

Councilmember Peterson questioned the violation of the Town's Code requirements as show and tell.

Mr. Stancil stated that he wouldn't say it was show and tell, but there was concern.

Councilmember Peterson questioned Mr. Stancil again about being in violation of code.

Mr. Stancil stated that he was.

Councilmember Overby advised Mr. Stancil that if his request passes, there was code that still had to be maintained. He said that there could be citations given if it was not maintained.

Mr. Stancil stated that he understood.

Mayor Pro-Tem Jackie Lacy asked about planting shrubbery.

Mr. Stancil stated that there was a chain-linked fence on the property and some bushes. He said that he was willing to plant bushes solid all the way down the fence.

Planning Director Julie Maybee stated that this was a text amendment and was not specific to the property at 809 South Raiford Street. She said that in order for them to utilize it as a maintenance yard and buildings with outdoor storage, this text amendment is necessary. Ms. Maybee stated that there were a couple of steps if that property was utilized. She said that the text amendment was the first step. Ms. Maybee stated that the next step would be the rezoning request, because this specific property was zoned R-10. She said that the next thing would be a special use permit, where they would submit a site plan, have a quasi-judicial public hearing, come before the Town Council, and present testimony to support those findings of fact. Ms. Maybee stated that would be the process. She said that in looking at the proposed text amendment, they are requesting it be designated as a special use permit in a General Business Special Use Overlay District. Ms. Maybee stated that if the property is going to be rezoned from R-10, this would offer the most protection to the neighborhood if it is going to a commercial designation. She said that the text amendment is a special use permit, which would apply to any other property that is going to be zoned this

designation.

Mayor Oliver stated that at the beginning, she gave the definition of General Business. She said that this does not meet those criteria, which was a concern. Mayor Oliver stated that her goal in trying to update the Town's Code, they want to Code to be orderly, and wants to understand what they have within it, and abide by it.

Councilmember Overby asked if there were any pictures of the location.

Planning Director Maybee reviewed with Council a couple of photos of the property. She said that this property was utilized by the utility company. She said that once the use is discontinued for more than 180 days, it reverts back to the residential zoning designation. Ms. Maybee stated that immediately abutting that property was the railroad tracks on the backside. She said that if this comes up for the rezoning, this is when it is looked at to require a special use permit, and would look at the buffering at that time.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to close the public hearing. Motion carried unanimously. 6:51 p.m.

After discussion by Town Council, a motion was made by Mayor Oliver to accept the Planning Board's rejection of the text amendment, would like it to be reconsidered by the Planning Board, and bring back to Council at their February meeting.

Planning Director Julie Maybee stated that the Planning Board rejected it as a permitted use. She said that the applicant amended their request after that to make it a special use permit in a General Business Special Use District. Ms. Maybee asked if that was what Council wanted to be considered by the Planning Board at the January meeting.

Mayor Oliver stated a recommendation of a different zone where it is more in line with the definition of the zone.

Planning Director Maybee stated that she would probably recommend to the Planning Board an industrial zoning district, and the use would be a permitted use in the zoning district.

Councilmember William Overby stated that since there was no second, he would like to make a motion to approve the text

amendment. The motion was seconded by Councilmember Tommy Holmes. Voting Yes: Councilmember William Overby, Councilmember Tommy Holmes and Mayor Pro-Tem Jackie Lacy. Voting No: Mayor Cheryl Oliver and Councilmember Mark Petersen. Motion carried.

Planning Director Maybee stated with that it was her understanding that Council finds that the proposed text amendment is consistent with the Town of Selma's Future Land Use Plan, and that it is reasonable and in the public interest for the following reason: that it will be subject to a special use permit, and that the property abuts the railroad.

A motion was made by Councilmember Overby and seconded by Councilmember Tommy Holmes to approve the findings of fact as presented. Voting Yes: Councilmember William Overby, Councilmember Tommy Holmes, and Mayor Pro-Tem Jackie Lacy. Voting No: Mayor Cheryl Oliver and Councilmember Mark Petersen. Motion carried.

**Review and Consideration
of a Request for Rezoning/
Future Land Use Plan
Amendment for Property
Located at 809 South
Raiford Street – Stancil:**

Planning Director Julie Maybee stated that this public hearing was for the specific rezoning of property at 809 South Raiford Street. She said that the property is currently zoned R-10 and is requested to be rezoned to General Business Special Use District for maintenance yards and/or buildings with outdoor storage. Ms. Maybee stated that the request also includes an amendment to the Town's Future Land Use Plan in a residential area, and to amend the map to have it as commercial.

Planning Director Maybee requested that the staff report be incorporated into the record. (Which is attached hereto and incorporated herein as Exhibit C.)

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to open the public hearing. Motion carried 7:10 p.m.

Planning Director Maybee stated that the property was 2.75 acres with a commercial area abutting it along with a railroad and industrial area to the back of it and the Residential R-10 Zoning District. She said that the property was on a strategic corridor. Ms. Maybee stated that on the Future Land Use Plan map, the property is designated as residential. She said that the applicant was requesting that the commercial designation be extended over to this property and doing a consistency statement that it is consistent with the Future Land Use Plan. Ms. Maybee stated if the map were not amended, it would not be consistent with the

Future Land Use Plan. Ms. Maybee stated that when you look at the rezoning of the property, directly across the street is zoned residential with General Business on the opposite side, and industrial on the backside.

Mr. Stancil stated that he had provided information in the previous hearing, but would be glad to answer any questions.

No one present wished to address Council.

Planning Director Maybee stated that in considering this request, she felt that rezoning this property to General Business Special Use Overlay District affords the property owners the most protection if this goes to a commercial land use. She said that staff recommended that approval.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to close the public hearing. Motion carried unanimously. 7:14 p.m.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to accept the rezoning request as presented. Voting Yes: Councilmember William Overby, Councilmember Tommy Holmes, and Mayor Pro-Tem Jackie Lacy. Voting No: Mayor Cheryl Oliver and Councilmember Mark Petersen. Motion carried.

Planning Director asked Town Council if they find that it is consistent with the Future Land Use Plan. She asked if they were approving the rezoning request and the map amendment because it abuts a commercial designation, and also the rezoning that abuts a commercial zoning district.

Councilmember Overby stated that was correct, and he wanted to make that part of the motion.

A motion was made by Councilmember Overby and seconded by Councilmember Tommy Holmes to approve the findings of fact as presented. Voting Yes: Councilmember William Overby, Councilmember Tommy Holmes, and Mayor Pro-Tem Jackie Lacy. Voting No: Mayor Cheryl Oliver and Councilmember Mark Petersen. Motion carried.

**PLANNING & ZONING
REPORT AND
RECOMMENDATIONS –
Request to Set a Public
Hearing Date for a**

Planning Director Julie Maybee requested that Town Council set a public hearing for an amendment to the Town's ordinance pertaining to sidewalks. She requested that the resolution be approved to set the public hearing for February 9, 2016.

**Municipal Code Text
Amendment Regarding
Sidewalks – Eason:**

A motion was made by Councilmember Mark Petersen and seconded by Councilmember William to approve the Resolution as presented to set a public hearing for February 9, 2016 for a Municipal Code text amendment regarding sidewalks. Motion carried unanimously.

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON
AMENDMENT TO
SELMA’S MUNICIPAL ORDINANCE, CHAPTER 17**

WHEREAS, upon receiving ordinance text amendment request (TA #12.1.15) on behalf of Wade Eason, and

WHEREAS, the request was considered pursuant with Selma’s Municipal Code, Article VII, Section 17-453.

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

Section 1. A public hearing on the request be held at the Town Council Meeting on Tuesday, February 9, 2016, starting at 6:00 p.m. in the Selma Jernigan Building.

DULY ADOPTED THIS THE 12TH DAY OF JANUARY 2016.

**Discussion of Minimum
Housing Code Revision
Addressing Boarded Up
Windows/Doors:**

Town Manager Barlow stated that in the Council package was a copy of a draft amendment to Chapter 11 of the Town code. He said that recently, Council asked staff to look at ways of if staff had the power to take enforcement action on residential dwellings that might have boarded up windows. He said that this was a power that Towns could give themselves to take enforcement action on homes that have boarded up windows. Mr. Barlow stated that Council has authorization to amend Chapter 11. He said that a whole separate chapter in the Town’s code could be created pertaining to boarded up windows. Mr. Barlow stated that he felt this was the cleanest and simplest way for how the Town could handle it with the size of its staff. He said that they are using the framework of something that is already in place, which is the minimum housing code. Mr. Barlow stated that the minimum housing code gives the Town the authority to take action of other things on residential dwellings. He said that this would add a piece to allow Code Enforcement to take action on boarded up windows. He said that Johnston County Building Inspections enforces the Town’s minimum housing since it takes a certain building inspector to do the work write ups. Mr. Barlow stated that the Town handles the administrative end of it, while they do the work for us. He said that the structure is in place for enforcement, appeals, etc.

Mr. Barlow stated that this was one way for addressing residential structures; however, commercial structures was something entirely different. He said that 90 percent of the Town's boarded issues were residential. Mr. Barlow stated that this was one way to define it: *Boarded Up means the boarding up of any means of egress or ingress, without limitation, windows and doors to unoccupied or occupied dwellings or dwelling unit.* Mr. Barlow also reviewed the maintenance standards: *Windows and doors. Every dwelling or dwelling unit window, exterior door, basement or cellar door and hatchway shall be substantially weathertight, watertight and rodent proof, and shall be kept in sound working condition, and good repair. Furthermore, no window or door shall be either partially or totally boarded up. Any owner who has a boarded up dwelling or dwelling unit prior to the effective date of this ordinance section shall comply with the regulations contained herein by July 1, 2016.*

Town Manager Barlow stated that there were some circumstance that were talked about such as if something unusual happened like a natural disaster, fire, or other emergency.

Councilmember Overby asked about the ordinance that is in place that states that if your house is unsafe you have to board it up. Councilmember Overby stated that this was restrictive to housing only. He questioned what would be done to commercial properties.

Town Manager Barlow stated that they would have to come up with some other standards for commercial and industrial sites.

Councilmember Overby stated that they both needed doing at the same time.

Mayor Oliver stated that she wanted to make sure that if it is put in minimum housing that it affects both occupied and unoccupied housing. She said this was something that she wanted to see enforced.

Town Manager Barlow stated that there were somethings if it were unoccupied that the minimum housing code would not apply.

Planning Director Maybee stated that having the clarification in the ordinance would be helpful, because in minimum housing, it talks about light ventilation and what those requirements are.

Mayor Oliver asked why July 1st was picked.

Planning Director Maybee stated that it would give citizens a reasonable opportunity to comply. She said that the Town does have sixteen residences that are boarded up, and it was her understanding that was a concern of Councilmembers.

Councilmember William Overby questioned if a house could be condemned because a house was boarded up and unsafe.

Planning Director Maybee stated that there was a separate process for a building code condemnation.

Mayor Oliver stated that she thought something should be added for emergency situations. She said that she understood why the houses were being boarded up, but it becomes the circle. Mayor Oliver stated that no one wants to buy real estate next to a boarded up house. She said that they were devaluing the neighborhood by if they allow it to continue.

Councilmember Overby stated that he understood; however, if the home is left open, homeless people move in and it becomes the same thing.

Mayor Oliver stated that when Council was first discussing this, Mr. Barlow stated that another town required a certain grade of Plexiglas.

Councilmember Overby asked what was being asked of Council.

Town Manager Barlow stated that he wanted Town Council to look at this and provide some feedback to staff. He said that if they were talking about residential properties, this would fit good in the minimum housing code, but some more work was needed to tighten it up a bit.

Councilmember Overby stated that is was interested in going forward with this, but wanted to make sure they did not have double standards.

Town Attorney Hewett stated that instead of including “don’t allow”, he would recommend to allow it and limit the time. He said that the Town would not have to get into all the exceptions. He said that if the house was boarded up after the time limit, it would be noncompliant.

Mayor Oliver requested that this be brought back to the February meeting along with a code revision for commercial properties.

Town Manager Barlow stated that he would see if that was possible.

**TOWN MANAGER'S
REPORT AND
RECOMMENDATIONS-
Review and Consideration of
a Contract for
Implementation of the
Employee Merit Program:**

Town Manager Barlow stated that before Town Council was a contract with the North Carolina League of Municipalities for the implementation of a merit based employee evaluation program. He said that staff recently requested RFP's seeking consulting services to assist the Town with the implementation of this new performance evaluation system. Mr. Barlow stated that the Town did receive one proposal from Springsted, Inc. out of Richmond, VA. He said that they were a similar company as the Maps Group, which is a Human Resource specialist group. Mr. Barlow stated that they have a working relationship with the North Carolina League of Municipalities (NCLM). He said that this contract would be under the direction of the League. Mr. Barlow stated that he has not worked with them, but included references from other counties and towns.

Mr. Barlow stated that in the Town's budget for this year, \$15,000 was allocated for this project. He said that the proposal was for \$12,500 plus expenses, up to \$1,200, to be completed within 120 days. Mr. Barlow stated that this includes a lot of the training. Mr. Barlow presented sample evaluations on how they would train staff. He said that it was important that we all understand the process in how the evaluation system works. Mr. Barlow stated that the contract includes eight training sessions. He said that they would come down and work with those that do write evaluations, and how to do it properly.

Councilmember Overby stated that he would like for Town Council to be included on one of those, because they have to evaluate the Town Manager. He said that some people won't have that experience of doing that.

Town Manager Barlow stated that his evaluation was a little bit different process.

Councilmember Overby stated that he did not see where it was a different process.

Town Manager Barlow stated that it could be done.

Councilmember Overby questioned the scale of the evaluation system that was presented in the package (4, 3, 2, 1, and 0).

Town Manager Barlow stated that what was presented was a

model. It is a sample.

Councilmember Overby stated that in his opinion the 0 and 1 were the same thing. He said the only difference in it was wording, but it meant the same thing.

Mayor Oliver stated that it does mean the same thing in terms of productivity, but 0 meant that the person was simply not skilled to do the job. She said that the other was the person was skilled, but was not meeting the performance matrix.

Councilmember Holmes questioned that in 2015 the Town spent \$15,000 for classification.

Mayor Oliver stated that was the classification of the job. She said that this was classification of performance.

Councilmember Holmes questioned how someone from outside come in and tell how the employees are doing their job. He said that should be the Town Manager's job.

Mayor Oliver stated that this company would be setting the structure. She said this would be the process by which the staff and managers would do the evaluations. Mayor Oliver stated that when you are talking about merit pay, it needed to be done correctly. She said that she agreed with the training. Mayor Oliver stated that it was critical that everyone hear the same words and move forward.

Mayor Pro-Tem Jackie Lacy stated that she agreed with Councilmember Overby's comments that Town Council needed to be included in the training.

Councilmember Petersen asked what kind of delivery they were going to get with this, if it was going to be an electronic version of the forms, or if it was all going to be paper.

Town Manager Barlow referred to Page 5 first paragraph of the contract, and he said that both paper and electronic copies of the performance evaluation would be provided.

Councilmember Petersen stated that what they were paying for was the system.

Mayor Oliver stated that they were paying for the training and the system.

Councilmember Overby stated that Councilmember Petersen needed to be brought up to speed. He said that Council agreed sometime back that there would not be any more across the board raises, and would go to a merit system in 2016-2017. He said for that to work, this has to be in place before the first raise is given in the new budget.

A motion was made by Mayor Cheryl Oliver and second by Mayor Pro-Tem Jackie Lacy to approve entering into a contract with the League authorizing Springsted, Inc. to perform a personnel service project for the Town of Selma at a cost of \$12,500 plus expenses up to a maximum of \$1,200.

Councilmember Overby stated that he would like to understand the \$1,200.

Mayor Oliver that was for expenses such as travel.

Councilmember Overby asked that it was not to exceed \$1,200.

Mayor Oliver stated that was correct.

Voting Yes: Mayor Cheryl Oliver, Mayor Pro-Tem Jackie Lacy, Councilmember William Overby, and Councilmember Mark Petersen. Voting No: Councilmember Tommy Holmes. Motion carried.

**Review and Consideration of
a Contract from ADS for a
Microphone System and
Monitors for Council
Chambers:**

Town Manager Barlow stated that as requested by Town Council, staff was requested to look into ways to improve the microphone system in the Town Council chambers. He said that they went to a firm that the Town has already had experience with, ADS, for a quote. Mr. Barlow stated that he quoted an eight microphone wireless system with its own rechargeable stand and one lapel microphone with transmitters. He said that another thing he was asked was to look at improving the video in the Jernigan Building especially for those sitting in the audience. Town Manager stated that in talking with Electric Director Donald Baker, his staff could run the wire and cable instead of having to pay someone else to do it.

Mayor Oliver stated that the televisions could also be cheaper.

Town Manager Barlow stated that this could be broken down anyway if Council wanted to go forward with any part of this.

Councilmember Petersen suggested taking the requirements and put it out for an RFP. He said the he and Councilmember Overby

looked at the internet, and could get it much cheaper than what they were offering.

Councilmember Overby stated that this would have to be done as a budget amendment. He said that he would to see staff go out for some bids. Councilmember Overby stated that this item could be planned for in the 2016-2017 budget.

A motion was made by Mayor Oliver and seconded by Councilmember Mark Petersen to advertise for RFPs for a microphone system for the Town Council chambers. Motion carried unanimously.

**Review and Consideration of
CP Rider for Large General
Service:**

Town Manager Barlow stated that this was related to the recent implementation of the new electrical rates in November 2015. He said that the new rates went in very smoothly. Mr. Barlow stated that they did have one incidence where the design affected a couple of customers heavily. He said that rate increased 4.99% on average, and 3% to 7% was the range. Mr. Barlow stated that the Town has nine customers in the Large General Service CP Rate category. He said that their minimum base customer charge went up from \$120.98 to \$500. Mr. Barlow stated that most of these were large companies that have very large bills, but some have very low energy usage to take advantage of the CP rate timed to high demand. He said that the overall affect was a couple customers, specifically churches that do not have cogeneration power, that do not have a lot of energy use, but have some high demand have been dinged by this increase from \$120.98 to \$500 in the base charge, whether they use any power or not.

Town Manager Barlow stated that the Town has come up with a rider that would not change any fee structure, create a new class of customers, or move anyone from a class. He said this would give them time to evaluate their particular system to see if there were improvements they could make over the next four years to work into that \$500 a month fee by giving them an adjustment of \$300 the first year, \$200 the second year, \$100 the third year. Mr. Barlow stated that by the fourth year, they would be back at the \$500 base charge.

Electric Director Donald Baker stated that when the Town created its new rate structure, the Town had a few customers that were taking advantage of the CP Rate based on the way they do business. He said that the CP Rate was designed for customers that could do load shedding, which means they would be billed at

the same time that the Town of Selma is billed on its energy bill based on a certain time of day during a certain day of the month. Mr. Baker stated that was created by Duke Energy's portfolio. He said that when Duke Energy peaks is when the Town gets billed. Mr. Baker stated that there was a lot of sophisticated equipment at Electricities, and they can determine the peak every month and every time. He said that most of all the Town's CP customers are billed at that exact moment of time during the month when that happens. Mr. Baker stated to take advantage of that rate, the customer must shed their load, or take their load off line. He said that customers do that by generation. Mr. Baker used Sysco as an example. He said that there are switches that turn generators on during that certain time of the month, and are not on the Town of Selma's power system. Mr. Baker stated that when they get billed, it looks like they were not online during that moment of time during that month, and they have zero for usage during that month. He said that most of the Town's customers could not do that. Mr. Baker stated that the CP Rate was based on the time of use.

Councilmember Petersen asked if the customer knew when this was going happen.

Mr. Baker stated that the customer knows when it is going to happen.

Councilmember Overby asked what areas are the CP Rates are and where were they setup.

Mr. Baker stated that it was a rate that the Town has that is for the Large General Customer. He said that the Town has very few rate designs. Mr. Baker stated that with a few customers, they are not online during the Town's peak times. He said that this only effects the customer that uses over 30kW per month of demand at one given time.

Mr. Baker stated that the Town only has two customers at the time that this would affect, which is the Harrison Alumni and Edgerton United Methodist Church. He said that they have load management devices on their facilities. Mr. Baker state that when Electricities turns those switches on, it would not allow their heat pump or air conditioners to come on during that period-of-time, which is their main use of energy.

Councilmember Overby stated that businesses out there now that

is over \$500 a month electric could come in and request this as well.

Mr. Baker stated that they have to have over 30kW.

Councilmember Overby asked how they get to over \$500 if they are not on 30k.

Mr. Baker stated that they have a base rate of \$500 now, which was put in the new rate schedule. He said that they were trying to get those rates tied down because they were not using \$500 electricity per month.

Councilmember Petersen asked if they could be removed from the Large General Service.

Mr. Baker stated that they could be removed, but if you have a customer using 70kW per month for one hour a day for that one month, they would be billed about \$9.00 per kW or \$630 for one hour. He said that this rate is offered to get these large customers off the Town's system.

Town Manager Barlow stated that in the draft rider, there were three criteria that any Large Customer Service customer must meet. He said that a customer must meet those three criteria to be eligible.

Town Manager Barlow stated that these two customers are paying \$380 more a month just to have the service, which is a significant increase. He said that they are still going to get a rate increase on the base charge with the energy usage charge on top of that. Mr. Barlow stated that this gives the customer the notice that the \$500 base charge is coming, and that they need to work on their operation to do something different.

Mayor Oliver stated that the consultant for the rate adjustment advised Council that they would have a few customers with high increases, which the Town would have to deal with individually. She asked Mr. Baker if the customer would see a big change if the Town did the adjustments in two years instead of three.

Mr. Baker stated that he did not see a big difference in that adjustment.

Councilmember Holmes stated that he would like to see it done within one year.

After further discussion by Council, a motion was made by Councilmember Tommy Holmes and seconded by Councilmember Mark Petersen to approve the CP Rider change with a \$300 adjustment for the first viable bill cycle and continuing for the next 12 months. Voting Yes: Mayor Cheryl Oliver, Mayor Pro-Tem Jackie Lacy, Councilmember Tommy Holmes, and Councilmember Mark Petersen. Voting No: Councilmember William Overby. Motion carried.

**Review and Consideration of
Draft Finance Policy:**

Town Manager Barlow stated that staff has prepared a Town Council's consideration a draft Finance Policy. He said that this was a culmination of policies and procedures that are currently done today by the Finance Department, but have never been put in one place. Mr. Barlow stated that as we try to improve our financial management systems and improve our audit, the Town's auditors suggested that the Town have a written Financial Policy in place. He said that expectation of the LGC were increasing all the time. Mr. Barlow stated that he was there last week having a discussion with the LGC, and they asked about the Financial Policy. He said that they were pleased that it was being presented to Town Council tonight.

A motion was made by Councilmember William Overby and seconded by Councilmember Mark Petersen to approve the Financial Policy as presented. Motion carried unanimously.

**Review and Consideration of
Fiscal Year 2016-2017
Budget Calendar:**

Town Manager Barlow presented Town Council with the 2016-2017 Town of Selma Budget Calendar. He said that this was a general outline on how to proceed with the budget process over the next six months.

**Review of Budget
Amendments 3 - 7:**

Town Manager Barlow stated that Finance Director Karen Johnson had a few budget amendments to review with Town Council.

Finance Director Johnson presented budget amendment #3.

Town Manager Barlow stated that in last year's budget, a project was budgeted for the Water Plant, but was not completed. He said that the money was returned to the fund balance. Mr. Barlow stated that the project was still in process; therefore, they are putting it back into the budget.

Councilmember Overby asked that a statement be included so that

they know what they are doing.

A motion was made by Councilmember William Overby and seconded by Mayor Pro-Tem Jackie Lacy to approved budget ordinance amendment #3. Motion carried unanimously.

TOWN OF SELMA
BUDGET ORDINANCE AMENDMENT #3
FISCAL YEAR 2015/2016

Be it ordained by the Town Council of the Town of Selma, County of Johnston, State of North Carolina, and meeting in Budget Session this 12th day of January 2016 that the Town Budget adopted on June 16, 2015, for FY 2015/2016 is hereby amended and adopted:

Section 1. To amend the Water Fund (Fund 60) for unanticipated/unbudgeted revenues and expenses during FY 2016. The Town’s Water Fund (Fund 60) accounts are to be amended as follows:

Account No.	Debit	Credit	
60-7110-5000 Capital Outlay(E)	26,400		Increase
60-3990-0000 – Fund Balance Appropriated (R)		26,400	Increase

Section II. Copies of this Budget Ordinance Amendment shall be furnished to the Town Clerk, the Budget Officer and the Finance Officer, and shall be available for public inspection and audit.

Adopted this 12th day of January 2016.

Finance Director Karen Johnson stated that Budget Amendment #4 was to the General Fund for non-capital equipment and donations to the Police Department and Fire Department.

A motion was made by Councilmember William Overby and seconded by Councilmember Mark Petersen to approve budget ordinance amendment #4. Motion carried unanimously.

TOWN OF SELMA
BUDGET ORDINANCE AMENDMENT #4
FISCAL YEAR 2015/2016

Be it ordained by the Town Council of the Town of Selma, County of Johnston, State of North Carolina, and meeting in Budget Session this 12th day of January 2016 that the Town Budget adopted on June 16, 2015, for FY 2015/2016 is hereby amended and adopted:

Section 1. To amend the General Fund (Fund 10) for unanticipated/unbudgeted revenues and expenses during FY 2016. The Town’s General Fund (Fund 10) accounts are to be amended as follows:

Account No.	Debit	Credit	
10-5100-4990 Equipment/Non-Capital (E)	100		Increase
10-5300-4990 Equipment/Non-Capital (E)	100		Increase
10-3833-4300 Donations/Police Department (R)		100	Increase

10-3833-4340 Donations/Fire Department (R) 100 Increase

Section II. Copies of this Budget Ordinance Amendment shall be furnished to the Town Clerk, the Budget Officer and the Finance Officer, and shall be available for public inspection and audit.

Adopted this 12th day of January 2016.

Finance Director Karen Johnson stated that Budget Amendment #5 was to the General Fund for drainage improvements at the Rudy Theater.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to approve budget amendment #5.

Councilmember Overby stated that they did not do what they said. He said that the sidewalks were not done as they said, and the grading was not done so that water would not run into the back door.

Councilmember Holmes stated that there was to be an eight-foot walkway, but it is only four-foot.

Motion carried unanimously.

TOWN OF SELMA
BUDGET ORDINANCE AMENDMENT #5
FISCAL YEAR 2015/2016

Be it ordained by the Town Council of the Town of Selma, County of Johnston, State of North Carolina, and meeting in Budget Session this 12th day of January 2016 that the Town Budget adopted on June 16, 2015, for FY 2015/2016 is hereby amended and adopted:

Section 1. To amend the General Fund (Fund 10) for unanticipated/unbudgeted revenues and expenses during FY 2016. The Town’s General Fund (Fund 10) accounts are to be amended as follows:

Account No.	Debit	Credit
10-6200-3990 Drainage Improvement – Rudy (E)	1437	Increase
10-5600-4100 Drainage Improvement – Rudy (E)		1437 Decrease

Section II. Copies of this Budget Ordinance Amendment shall be furnished to the Town Clerk, the Budget Officer and the Finance Officer, and shall be available for public inspection and audit.

Adopted this 12th day of January 2016.

Finance Director Karen Johnson stated that Budget Amendments #6 and #7 were requested by the LGC to show transfers to the

Town’s sinking funds.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to approve budget amendment #6. Motion carried unanimously.

TOWN OF SELMA
BUDGET ORDINANCE AMENDMENT #6
FISCAL YEAR 2015/2016

Be it ordained by the Town Council of the Town of Selma, County of Johnston, State of North Carolina, and meeting in Budget Session this 12th day of January 2016 that the Town Budget adopted on June 16, 2015, for FY 2015/2016 is hereby amended and adopted:

Section 1. To amend the Water Fund (Fund 60) for unanticipated/unbudgeted revenues and expenses during FY 2016. The Town’s Water Fund (Fund 60) accounts are to be amended as follows:

Account No.	Debit	Credit	
60-7110-7600 Transfer to Bond Reserve Acct.(E)	3405		Increase
60-3990-0000 Fund Balance Appropriated (R)		3405	Increase

Section II. Copies of this Budget Ordinance Amendment shall be furnished to the Town Clerk, the Budget Officer and the Finance Officer, and shall be available for public inspection and audit.

Adopted this 12th day of January 2016.

A motion was made by Councilmember William Overby and seconded by Councilmember Mark Petersen to approve budget amendment #7. Motion carried unanimously.

TOWN OF SELMA
BUDGET ORDINANCE AMENDMENT #7
FISCAL YEAR 2015/2016

Be it ordained by the Town Council of the Town of Selma, County of Johnston, State of North Carolina, and meeting in Budget Session this 12th day of January 2016 that the Town Budget adopted on June 16, 2015, for FY 2015/2016 is hereby amended and adopted:

Section 1. To amend the Sewer Fund (Fund 61) for unanticipated/unbudgeted revenues and expenses during FY 2016. The Town’s Sewer Fund (Fund 61) accounts are to be amended as follows:

Account No.	Debit	Credit	
61-7110-7600 Transfer to Bond Reserve Acct.(E)	4920		Increase
61-3990-0000 Fund Balance Appropriated (R)		4920	Increase

Section II. Copies of this Budget Ordinance Amendment shall be furnished to the Town Clerk, the Budget Officer and the Finance Officer, and shall be available for public inspection and audit.

Adopted this 12th day of January 2016.

Appointment to Planning Board by Johnston County Commissioners:

Town Manager Barlow advised Town Council that their recommendation to the Johnston County Board of Commissioners to appoint Ms. Donna Hatcher to the Town of Selma Planning Board as an ETJ member was approved on December 7, 2015.

Councilmember William Overby requested that a new committee list be sent out.

Financial Statements:

Town Manager Barlow reviewed with Council the month ending December 2015 report. He said that things looked good for the General Fund. Mr. Barlow stated that taxes were coming in, and would see a big jump in January.

Town Manager Barlow stated in the General Fund expenditures, the Town Hall project had thrown off the Public Building fund. He said that as the Town gets reimbursed for the loan, the revenues would increase and the expenditures would balance out. Mr. Barlow stated that the project had been fully encumbered.

Town Manager Barlow stated that in the Water Fund, water revenues were right where they were predicted to be at 50% through this year through December with 47% total revenues and 47% expenditures. He said that water sales were down; however, on the Sewer side, December was a really wet month and paid for it in wastewater treatment expenses. Mr. Barlow stated that the Sewer Revenues were on target at 50%. He said that the Sewer Fund was to the good at about \$267,000.

Town Manager Barlow stated that electric sales were way down for the year. He said that was basically because the rates were down with the change in the fee schedule. Mr. Barlow reminded Council that the sewer and electric bills are paid a month in arrears.

Town Manager Barlow stated that compared to last year, the General Fund was definitely ahead this year. He said that as far as expenditures, a lot of departments in the general fund spent less than they did the prior year, with the exception again of Public Buildings (Town Hall Project).

Town Manager Barlow stated that the Water Revenues for this year were down; however, the Sewer Revenues were up due to the rate increase. He said that there was a direct collation when it rains, the wastewater treatment cost increases. Mr. Barlow stated that the Town needed to deal with the I & I problem that it has.

Town Manager Barlow stated that the Electric Fund was looking good by comparison for this year. He said that revenues – expenditures for this year were about \$400,000 greater than last year, which was \$4,000.

Town Manager Barlow stated that at this time, he did not have any concerns that he needed to make Town Council aware of at this time.

**TOWN ATTORNEY'S
REPORT –**

**Update on Lemon
Condemnation:**

Attorney Chip Hewett stated that on the Lemon condemnation for the most part, she has been compliant, and has satisfied Johnston County. He said that Ms. Lemon has made enough progress where the Town would not have to take any enforcement action against her.

Attorney Hewett advised Council that they would need to go into closed session at the end of this meeting.

**MAYOR'S REPORT &
RECOMMENDATIONS –
General Comments:**

Mayor Oliver thanked those that participated in the first Dr. Martin Luther King, Jr. parade.

Mayor Oliver reviewed the following date reminders:

January 18, 2016 – Dr. Martin Luther King, Jr. Selma Service will be at the Richard B. Harrison Alumni Building at 11:00 a.m., followed by the Johnston County Service in Smithfield at 1:00 p.m. at the First Missionary Baptist Church.

January 21, 2016 – Work session beginning at 6:00 p.m. in the Jernigan Building.

**COUNCILMEMBERS'
REPORTS &
RECOMMENDATIONS –
VA Facility Options:**

Councilmember Mark Petersen stated that he went to the coffee event with Senator Burr. He said that Congressman Rouzer was also there. Councilmember Petersen stated that the big push was jobs. He said that Senator Burr had attended a ribbon cutting at a new VA hospital in Fayetteville, which is privately owned. He said that the VA was leasing the hospital at approximately \$10,500,000 a year with a lease for 20 years. Councilmember Petersen stated that Senator Burr mentioned that there were about 1,000 jobs created during the three-year construction phase, and once it is manned, it would be 650 jobs. He said that Senator Burr wanted to have another facility similar to this maybe up to 300,000 square feet constructed somewhere within the Raleigh area. Councilmember Petersen stated that he was thinking why not Johnston County or Selma. He said that there was land available that this would fit right into this. Councilmember Peterson stated that the Town was strategically located. He said that there were

over 14,000 veterans in Johnston County that this would serve with more in Wake County, and more in Wayne County, which is the home to Seymour Johnson Air Force Base. Councilmember Petersen stated that the Town is strategically placed on I-95, and can pick up Wilson and Harnett Counties, and the Raleigh area via Highway 70. He said that the Town needed to come up with a basic presentation for Senator Burr. He said that this facility, if located closer to Raleigh, would not service the veterans in Goldsboro.

After further discussion, Councilmember Holmes recommended that this be followed up at a work session.

Mayor Pro-Tem Jackie Lacy stated that there were no signs on Preston Street that referenced “No Trucks”.

A motion was made by Mayor Pro-Tem Jackie Lacy and seconded by Councilmember William Overby to approve the installation of a “No Thru Trucks” street sign.

Town Manager Barlow stated that this would have to come back before Town Council as a draft ordinance amendment. He said that he would draft the ordinance amendment for the February meeting.

Mayor Pro-Tem Jackie Lacy withdrew her motion.

Mayor Pro-Tem Jackie Lacy stated that she would like to offer Mr. Barlow names for the steering committees.

Mayor Oliver recommended that she contact the people wanting to serve on these steering committees, and have them fill out a committee application form.

CLOSED SESSION:

Town Attorney Hewett stated that the Town Council needed to go into closed session per North Carolina General Statute 143-318.11(4) to consider a matter regarding economic expansion, and 143-318.11(6) a personnel matter.

A motion was made by Councilmember William Overby and seconded by Councilmember Mark Petersen to go into closed session. Motion carried unanimously. 8:42 p.m.

Town Council returned to regular session at 9:58 p.m. with no action taken.

ADJOURNMENT:

With no further business, a motion was made by Councilmember

William Overby and seconded by Councilmember Tommy Holmes to adjourn. Motion carried unanimously.

The meeting adjourned at 9:59 p.m.

BRENDA W. THORNE, Interim Town Clerk