

**TOWN OF SELMA
REGULAR COUNCIL MEETING
JERNIGAN BUILDING
110 EAST ANDERSON STREET
AUGUST 11, 2015**

PRESENT: Mayor Cheryl Oliver, Mayor Pro-Tem Jackie Lacy, Councilmembers Eric Sellers, Tommy Holmes and William Overby, Town Manager Jon Barlow, Attorney Chip Hewett, and Town Clerk Cynthia Richardson.

OTHERS PRESENT: Planning Director Julie Maybee, Finance Director Kim Batten, Police Chief Richard Cooper, Fire Chief Phillip McDaniel, Parks and Recreation Director Joe Carter, Electric Utility Director Donald Baker, and Deputy Town Clerk Brenda Thorne.

CONVOCATION: Mayor Oliver called the meeting to order at 6:00 p.m. in the 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: Mayor Oliver stated that item 10a needed to reflect ESA instead of ECA. A motion was made by Councilmember Eric Sellers and seconded by Councilmember Tommy Holmes to approve the agenda. Motion carried unanimously as amended.

CONSENT AGENDA:

Minutes

Special Meeting – June 16, 2015

Regular Meeting – July 14, 2015

Work Session Meeting – July 27, 2015

Councilmember Sellers stated that Council needed to figure out a way to reduce the Agenda package.

Mayor Oliver stated that would be a good topic for a work session.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to approve the consent agenda as presented. Motion carried unanimously.

**RECOGNITIONS/
PRESENTATIONS –
Recognition of Sammie
Collier – Collier’s Car
Care:**

Mayor Oliver stated that Sammie Collier had been the owner/manager of Collier’s Car Care, and his recent retirement marked the end of over 30 years of service to the community. Mayor Oliver stated that during that time, he has been a role model for all business owners. She said that he consistently went the second mile for his customers. Mayor Oliver presented Mr. Collier with a plaque entitled “Some People,” and a key to the Town of Selma.

Mr. Collier stated that it has been a pleasure. He said that he had been

in business almost 33 years, which seemed to be a short time. Mr. Collier stated that he appreciated everyone's business and thanked everyone.

**Recognition of New
Police Officer Charles
Eason:**

Police Chief Richard Cooper introduced new Police Officer Charles Eason. He said that Officer Eason is going to be an asset to the Town of Selma. Chief Cooper stated that Officer Eason finished number one in his Basic Law Enforcement Training class. He said that Officer Eason is married with two children and they reside in Wilsons Mills. Chief Cooper stated that Officer Eason was 28 years old and had served four tours of duty in Afghanistan as an Army Ranger.

**Recognition of New
Customer Service
Representative Kristina
Evans:**

Finance Director Kim Batten introduced new Customer Service Representative Kristina Evans. Ms. Batten stated that Mrs. Evans comes to Selma from Cato's in Dunn. She said that Mrs. Evans and her husband, Selma Senior Police Officer Brandon Evans, live in Smithfield, and are expecting their first child in January.

**OPEN FORUM/
CITIZENS' REQUESTS:**

No one present wished to address Council.

**PUBLIC HEARINGS –
Public Hearing and
Consideration of a
Selma Municipal
Ordinance Text
Amendment (TA
#5.1.15), Request Filed
on the Behalf of Selma
Middle School:**

Planning Director Julie Maybee stated that before Council this evening was a text amendment request that was submitted on behalf of Selma Middle School.

Ms. Maybee stated that the protocol for the meeting was the announcement of the request, open public hearing, staff report, applicant comments, receive public comments for and against request, staff recommendation, close public hearing, Council deliberation, and Council decision.

Planning Director Julie Maybee stated that Selma Middle School was seeking a text amendments to:

- Selma Municipal Code Chapter 17, Article XI, Section 17-285 to exempt signs from regulation, and a proposed text amendment with signs erected upon governmental or public school property shall be exempt from these rules.
- Chapter 17, Article XI, Section 17-289, Signs in Residential Districts, (4) revising the language to increase the size of the sign allowed in the residential zoning district from 16 square feet to 32 square feet.
- Chapter 17, Article VI, Section 17-67(c)(1) to allow the school as a permitted use in the R-8 zoning district.

Ms. Maybee stated that the request was initially reviewed by the Planning Board in January 2015. She said that the Planning Board was looking at the Town's ordinance regarding electronic changeable message boards. She said that this is not addressed in the R-8 zoning

district. Ms. Maybee stated that the only place electronic changeable message boards are addressed is in the Interstate Business zoning district as an outdoor advertising sign. She said that this text amendment would apply to all properties in the R-8 zoning district. Ms. Maybee stated that if Council exempts a sign from regulation, it would be exempt from all the zoning districts for any governmental or public school property.

Ms. Maybee reviewed with Council the sign that Selma Middle School had proposed to install. She said that it was approximately 16 feet tall, and the area of the sign was 32 square feet.

Ms. Maybee reviewed with Council the zoning map for the R-8 zoning district. She said that she believed that it was an oversight for schools not to be listed as a permitted use since churches were listed as a permitted use.

Ms. Maybee stated that that this text amendment as it is proposed would apply to all government properties and school properties in regards to the sign provisions. She said that when you look at the Future Land Use Map, it shows the area as residential. Ms. Maybee stated that there was not a lot of residential development in the immediate area of the school, it lends itself to residential zoning in the R-8 zoning district or the R20 zoning district surrounding the school.

Ms. Maybee stated that the Planning Board discussed the fact that if the electronic changeable sign was allowed, that provisions be in place for its operation. She said that the lighting of the sign, how often the message changed, and that the sign does not become distracting.

Ms. Maybee asked Council to look at treating churches, civic organizations, and educational facilities consistently so that they would comply with Religious Land Use and Institutionalized Persons Act (RLUIPA) requirements. She said that if Council allows something in a residential zoning district, they would need to take into consideration properties in historic districts.

Ms. Maybee stated that the Planning Board considered this specific text amendment request that they determined as proposed in this text amendment that it is not consistent with the Town's Future Land Use Plan. She said that the Planning Board felt that each sign could not be considered on an individual basis. Ms. Maybee requested that the staff report along with the power point presentation be incorporated into the record.

OFFICIAL TEXT AMENDMENT APPLICATION
TA# 5.1.15
TOWN COUNCIL MEETING
August 11, 2015

**REQUEST: PUBLIC HEARING/CONSIDERATION OF AN
ORDINANCE TEXT AMENDMENT REQUEST BY
SELMA MIDDLE SCHOOL**

REQUEST:

A request to amend the Town's Municipal Code was filed with the Planning Director (Exhibit #1) on the behalf of Selma Middle School to amend the Town's Municipal Code of Ordinances. As proposed, the amendments will: (1) allow a school as a permitted use in the R-8 Zoning District; (2) exempt signs erected upon government property, including schools, from regulations; and (3) increase the size of signs allowed in a residential zoning district from 16 sq. ft. to 32 sq. ft.

The proposed zoning ordinance amendments pertaining to signage would apply to all government owned properties (i.e., owned by Johnston County, Town of Selma, Johnston County Board of Education, State and Federal Government, etc.) in all zoning districts.

PUBLIC HEARING PROVISIONS:

Chapter 17, Article XVII, Section 17-453(e) states: "Public Hearing. After it receives the Planning Director's report and the Planning Board recommendation. The Town Council shall hold a hearing on the application at the next available regularly scheduled public hearing for amendments..."

INTENT OF ORDINANCE AMENDMENTS:

Chapter 17, Article XVII, Section 17-451 states:

- (a) In order to establish and maintain sound, stable and desirable development within the planning jurisdiction of the Town it is intended that this chapter *shall not be amended except*:
- (1) To correct a manifest error in this chapter;
 - (2) Because of changed or changing conditions in a particular area of the jurisdiction generally; or
 - (3) To achieve the purposes of the comprehensive plan.
- (b) It is further intended, that if amended, this chapter be amended only as reasonably necessary as to the promotion of the public health, safety or general welfare, and in conformance with the comprehensive plan."

INITIATION OF ZONING ORDINANCE AMENDMENT:

As stated in Chapter 17, Article XVII, Section 17-452 of the Town's Municipal Ordinance:

“(A) A request to amend this chapter may be initiated by:

- (1) The Town Council, on its own motion;
- (2) The Planning Board, on the submittal of a request to the Town Council;
- (3) The Town Manager, on the submittal of a request to the Board of Commissioners; or
- (4) Any property owner or citizen, or agent thereof, on submittal of an application to the Planning Director.”

TOWN'S COMPREHENSIVE PLAN:

Consistency with the Town's comprehensive plan and adopted plans will be further discussed at the meeting.

BACKGROUND INFORMATION:

On January 26, 2015, staff relayed to the Planning Board that a school principal wanted to replace the existing freestanding/monument school sign with a digital display board (electronic changing message board). At the meeting, staff asked for direction from the Planning Board of on the use of electronic message boards and outdoor advertising signs. Any proposed ordinance provisions would need to be researched and carefully drafted since electric message boards could negatively impact residential areas. After discussion with Planning Board members in attendance, staff relayed additional information would be brought back to the Planning Board for consideration.

On April 26, 2015, the Planning Board (See Exhibit #2 – Planning Board Minutes Excerpt/power point slides presentation) discussed electronic changing message boards. After deliberation, a majority of Planning Board voted to leave the current ordinance regarding changing electronic messaging signs as is.

The outcome of the Planning Board's April 26, 2015, meeting was relayed to Selma Middle School Principal John Bell. Subsequently, Principal Bell asked staff for further direction; and staff suggested that a specific text amendment request be submitted for consideration by the Planning Board and Town Council.

STAFF RECOMMENDATION:

Staff concurs with the Planning Board recommendation denying the text amendment as requested by the applicant. (See Exhibit #1).

PLANNING BOARD RECOMMENDATION:

On June 29, 2015, the Planning Board considered the text amendment request. After deliberation, the Planning Board voted unanimously to deny the proposed text

amendment as presented (See Exhibit #1) upon finding that: the proposed action is inconsistent with the Town of Selma's Future Land Use Plan, and the amendments are not reasonable or in the public interest for the follow reasons: each sign cannot be considered on an individual basis.

REQUESTED TOWN COUNCIL ACTION:

Staff respectfully requests that the Town Council conduct a public hearing on the proposed text amendment (Exhibit #1); and Council deliberate/make consistency statement finding (See Exhibit #3 – Draft Consistency Statement), and that Council deny the proposed text amendment (Exhibit #1) as proposed by the applicant.

TOWN OF SELMA, NC
Amendment (Ordinance/Official Zoning Map) Application

Applicant Name: SELMA MIDDLE SCHOOL

Applicant Mailing Address: 1533 HWY. 301 N
SELMA NC 27576

Telephone: (919) 965-2555 Email: johnbell@johnston.k12.nc.us

STATEMENT OF JUSTIFICATION

Please state why this text change is needed/being requested. (Attach additional sheets if necessary):

FOR ALLOWANCE OF A DIGITAL SIGN FOR SELMA
MIDDLE SCHOOL.

FOR ORDINANCE TEXT CHANGE ONLY: Please provide your proposed text change by citing precisely the affected ordinance section, current text/words to be deleted, and/or text of those words or phrases to be added (attach additional sheets if necessary):

SEE ATTACHMENT

FOR OFFICIAL ZONING MAP CHANGES ONLY:

Street Address of Affected Properties: 1533 HWY. 301 N, SELMA NC 27576

Johnston County TAG Nos.: _____

Total Acreage of All Property: _____ Total Acreage to be Rezoned: _____

Current Zoning Classification(s): R-8 Proposed Zoning Classification(s): _____

I certify that on this date that all the information presented in this petition/application is accurate to the best of my knowledge, information, and belief. Further, I understand that should this application be approved by the Town Council, no site activity can take place until a site plan and/or any other land development permits are issued.

SIGNATURE: [Signature] DATE: 6/5/15

Exhibit #1

**TOWN OF SELMA
PLANNING BOARD MINUTES
REGULAR MEETING
APRIL 27, 2015**

<p>CALL TO ORDER:</p>	<p>Members Present: Chairman Jennifer Edwards, Mr. Ronnie Lee, Mr. Jody Duggins, Ms. Dina Flowers, Mr. Jim Phillips, and Mr. Roger Diegele.</p> <p>Also present Planning/Economic Director Julie Maybee.</p> <p>Chairman Edwards called the meeting to order at 6:00 p.m. in the Selma Jernigan Building and declared a quorum present.</p>
<p>APPROVAL OF MINUTES:</p>	<p>Chairman Edwards stated that the amended minutes from December 15, 2014 were being presented for their approval.</p> <p>A motion was made by Mr. Ronnie Lee and seconded by Mr. Roger Diegele to approve the December 15, 2014 Planning Board minutes as amended. Motion carried unanimously.</p> <p>Chairman Edwards stated the amended minutes from January 26, 2015 were being presented for their approval.</p> <p>A motion was made by Mr. Ronnie Lee and seconded by Ms. Dina Flowers to approve the January 26, 2015 Planning Board minutes as amended. Motion carried unanimously.</p> <p>Chairman Edwards stated that the March 2, 2015 minutes were being presented for their approval.</p> <p>Chairman Edwards stated that on page 12 of the minutes, it states that Chairman Jennifer Edwards was talking about green space and actually should be Planning Director Julie Maybee.</p> <p>A motion was made by Ms. Dina Flowers and seconded by Mr. Jim Phillips to approve the March 2nd Planning Board minutes as amended. Motion carried unanimously.</p> <p>Chairman Edwards stated that there is a request that the February 3, 2015 minutes be tabled until the next meeting.</p>
<p>COMMITTEE REPORTS AND/OR REQUESTS FOR ADDITIONS TO THE AGENDA:</p>	<p>The Planning Board members had nothing to address at this time.</p>
<p>UNFINISHED BUSINESS – Electronic Message Signs:</p>	<p>Planning Director Julie Maybee stated that Selma Middle School wants to place an electronic changing messaging board at their location on Highway 301 North. She said that according to Selma's Development Ordinance, the only place that allows an electronic changeable message sign is in the Interstate Business zoning district. Ms. Maybee stated that are requesting that it be allowed in this district, which is zoned residential. She said that the majority of the property is zoned R-20 with a section zoned R-8. Ms. Maybee stated that if they were looking at allowing this in a residential area, she would recommend that the sign only lit between the hours of 7:00 a.m. and 10:00 p.m., and equipped with an automatic timer. Ms. Maybee stated that she has reviewed other town ordinances and their provisions. She said that in the Interstate Business district, the sign can change every seven seconds; however, in a residential district, it would be eight seconds to change, which is an industry standard. Ms. Maybee also recommended having provisions in place to control</p>

Exhibit #2

	<p>the light emission. She said that in a residential area, you would want to limit the excessive glare onto other properties.</p> <p>Ms. Maybee stated that if the Board wanted to allow an electronic changeable sign for educational use, they would also need to look at allowing it for churches and other civic organizations. She said that they need to treat everyone the same. Ms. Maybee stated that if someone is going to have an electronic changeable sign, they need to look at the zoning district and not be able to exceed 50% of it. She said that you also would not want an electronic message sign in a historic overlay district, and not add it to any non-conforming sign.</p> <p>Ms. Maybee also recommended looking at the zoning ordinance since part of the property is zoned R-8, that they make a school or educational use a permitted use in that zoning district.</p> <p>Ms. Maybee asked that when they look at the ordinance and having an electronic changeable message board, do they want to allow it in residential areas or do they need to look at the other districts such as commercial, something other than the interstate?</p> <p>Ms. Maybee stated that she would recommend if they were inclined to allow an electronic changeable message board that they look at allowing it in the other districts. She said that if they were inclined to make that change, she could place that text change in the rest of the ordinance.</p> <p>Chairman Edwards asked what pros and cons she saw in having an electronic sign.</p> <p>Ms. Maybee stated that electronic signs have their place. She said that she would rather see them instead of portable signs. Ms. Maybee stated that it allows for the message to be changed, and they did not need to have scrolling letters or flashing lights. She said that the ordinance needed to be drafted. Ms. Maybee stated that if they allow this in a residential district for educational and civic organizations, or for a church, they need to be consistent in allowing other districts within parameters to have these signs. She said that they needed to be sensitive to residential zoning districts.</p> <p>Mr. Phillips stated that his thoughts were that they were fixing to open a can of worms. He said that if it is allowed in residential districts, they would see all kinds of signs pop up. Mr. Phillips stated that these signs could be annoying to some and okay with others. He said that they have a place to advertise a business or service, but not in a residential district.</p> <p>Chairman Edwards asked if there was any data regarding these signs being a distraction to drivers?</p> <p>Ms. Maybee stated that she talked with a sign contractor. She said that generally when they are obtaining permits from DOT the speed of the message was a distraction. Ms. Maybee stated that they would have to obtain a sign permit for those and that industry standard is to hold the message for at least eight seconds. She said that not only do they have to have a sign permit, but would also require a site plan review. Ms. Maybee stated that if this was allowed in a residential district that schools, institutional uses, and club organizations trying to treat that type of business consistently.</p> <p>Mr. Duggins stated that if you look at the location of Selma Middle School, it sits in the country in a residential area with no one that would be affected by lights. He asked if this</p>
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Minutes – April 27, 2015
 Page 3

	<p>could be done with a special use permit. Mr. Duggins stated that as a parent, he would see this as better communication and would possibly increase participation at events such as PTA meetings.</p> <p>Chairman Edwards asked if any churches in the area would fall into that request.</p> <p>Ms. Maybee stated that a church recently requested the same type of usage, and it was not permitted. She said that other areas that have allowed these signs for schools have tight parameters.</p> <p>A motion was made by Mr. Ronnie Lee and seconded by Mr. Roger Diegele to leave the current ordinance regarding electronic changing messaging signs as is. Voting Yes: Chairman Jennifer Edwards, Mr. Ronnie Lee, Mr. Jim Phillips, Ms. Dina Flowers, and Mr. Roger Diegele. Voting No: Mr. Jody Duggins. Motion carried.</p> <p>Ms. Maybee asked if they were finding that the electronic changing message sign as not being consistent with the land use plan because it was predominately a residential area and that you want to maintain that residential integrity?</p> <p>The Planning Board was in agreement.</p>
<p>NEW BUSINESS – Rezoning Request at US Hwy 301 North, Selma, NC – Ms. Diane Hatcher Narron, North Webb Solar, LLC:</p>	<p>Planning Director Julie Maybee stated that a rezoning request is being presented for property located at Highway 301 North, Selma. She said that North Webb Solar, LLC is proposing the installation of a solar farm. Ms. Maybee stated that the majority of the property is zoned R-20 with a small portion zoned General Business (GB) and a small section zoned R-10. She said that when you look at the future land use map, the majority is zoned residential with the front part being zoned commercial. Ms. Maybee stated that with this request, they are asking for the property to be rezoned to a R20 special use district. She said that with a special use district, it was for the purpose of installing a solar farm.</p> <p>Ms. Maybee stated that the Planning Board may hold, but it is not required, a public hearing on this request. She said that a public hearing would be held by the Town Council. Ms. Maybee stated that when you look at the R-20 zoning district, it is intended to encourage the continuance of agriculture activities as well as to insure residential development of appropriate intensities that are consistent with the suitability of land, accessibility to the major activity centers and transportation systems that are compatible for the surrounding development at the appropriate density to provide a helpful environment.</p> <p>Ms. Maybee stated that she included in their packet the site that they are looking at. She said that they are providing a vegetative buffer around the perimeter of the site including the setback requirements of the R-20 zoning district. Ms. Maybee stated that the site is not located in a protective watershed, and the entrance is subject to a DOT approval.</p> <p>Ms. Maybee stated that in the agenda material, she included the applicant's statements and their brief support of the application. She said at this time, this is a consideration of the rezoning application only. Ms. Maybee stated that the special use permit would be considered separately. She said that the staff report would be included in the record along with the exhibits.</p> <p>Chairman Edwards stated that the proposal to rezone this property into one zoning is before them.</p>

Town of Selma, North Carolina

Town Council Meeting
August 11, 2015

PUBLIC HEARING

Agenda Item 7a
Selma Middle School Text Amendment - Solar Farms
TA# 5.1.15

APPLICANT'S PROPOSED TEXT AMENDMENT

Selma Municipal Ordinance Text Amendments filed on behalf of Selma Middle School as follows:

- Amend Selma Municipal Code, Chapter 17, Article XI, Section 17-285 - Signs Exempt from Regulation
 - Add Subsection 14, "Signs erected upon governmental or public school property shall be exempt from these ordinances."
- Amend Selma Municipal Code, Chapter 17, Article XI, Section 17-289 - Signs in Residential Districts, Subsection (4): revise language to increase the size of the sign allowed from 16 sq. f.t to the overall size of the proposed sign (32 sq. ft.)
- Amend Selma Municipal Code, Chapter 17, Article III, Section 17-67 (c) (1) to allow a school as a permitted use in the R-8 Zoning District.

Protocol

- ▶ Public Hearing Announcement
- ▶ Open Public Hearing
- ▶ Staff Report
- ▶ Applicant Comments
- ▶ Receive Public Comments
 - ▶ For the Request
 - ▶ Opposed to the Request
- ▶ Staff Recommendation
- ▶ Close Public Hearing
- ▶ Council Deliberation
- ▶ Council Decision (Findings for Consistency Statement/Decision/Other)

Electronic Changeable Message Board



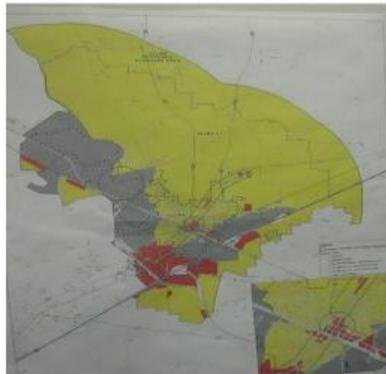
Zoning Map



Electronic Changeable Message Sign

- ▶ Currently only allowed in Interstate Business Zoning District (aka Interstate Highway Interchange). Listed as an “Outdoor Advertising Sign”.
- ▶ That it be allowed at Selma Middle School under provisions as “Government Properties and Public Schools” exempt from ordinance provisions
- ▶ Selma Middle School located in R-20 and R-8 Zoning District. Request ordinance be amended to allow school in R-8 Zoning District.

Future Land Use Map



Future Land Use Plan

A. Future Land Use Categories:

Residential – If developed, land designated as “residential” is intended and expected to be primarily residential in nature. Mixed use and other innovative development trends should also be considered, but in a way which supports a predominance of residential uses. Dwelling density and other factors should be considered on a case-by-case basis to ensure that they are compatible with the suitability of land, availability of public services, accessibility to major activity centers and transportation systems, and are compatible with surrounding development.

Commercial – Land designated as “commercial” has been identified as being particularly well-suited to support a multitude of commercial and commercially related uses. Specific land uses may primarily provide goods and services for the immediate area or region, as well support, promote, and nurture the Town’s heritage as a family-oriented community which values tradition and service.

Industrial – Land designated as “industrial” are areas which may be uniquely positioned for the development of wholesale, manufacturing, processing/production, and other industrial activities. Proposed industry should provide numerous and diverse employment

Discussion at Early Meetings - Electronic Changeable Message Sign

«Minimum should include:

- ▶ Any Electronic Changeable Message Sign (ECMS) located within a Residential Zoning Districts shall be operated or lit only between the hours of 7:00 a.m. and 10:00 p.m. and shall be equipped with an automatic timer control that assures compliance with this restriction.
- ▶ Each ECMS message shall be continuously displayed for a minimum of **eight (8)** seconds before changing to another message. No ECMS message (copy and/or image) shall be allowed to flash, animate, scroll, or otherwise move, or transition from one message to another in a moving manner except LED signs with electronically scrolled messages shall be allowed subject to the following restriction. Transition between scrolled messages shall be a period of no greater than two (2) seconds.
- ▶ Each ECMS or other sign employing the use of light emitting diodes (LED) for display shall be equipped with a control system that automatically adjusts light emission level to ambient light conditions so as to not cause glare or excessive brightness.
- ▶ Churches, Civic Organizations, Educational Facilities
- ▶ ECMS not exceed 50% of the total allowed sign area
- ▶ Not permitted in Historic District overlay.
- ▶ Not add to non-conforming sign
- ▶ Amend ordinance to allow for a school as a permitted principal use. (Allowed R-20 , not R-8)

Consistency Statement

- ▶ The Town of Selma Planning Board has reviewed the request to amend the Zoning provisions pertaining to solar farms.
- ▶ The Selma Planning Board has determined that the proposed action is **inconsistent** with the Town of Selma's Future Land Use Plan, and the Board's recommendation the amendments are reasonable or in the public interest for the follow reasons: each sign cannot be considered on an individual basis

Town Council Consistency Statement

- ▶ Consistency Statement to be incorporated into motion, as to whether to recommend approval, conditional approval or denial of text amendment

Town Council Consistency Statement

Refer to Exhibit #3

AN ORDINANCE TO AMEND THE SELMA MUNICIPAL CODE, CHAPTER 17 (Slide not presented at 8.11.15 meeting. Item Tabled until 9.8.15 meeting)

BE IT ORDAINED BY THE SELMA TOWN COUNCIL as follows:

Section 1: Amend Selma Municipal Code, Chapter 17, Article XI, Section 17-285 - Signs Exempt from Regulation,

Add Subsection 14, "Signs erected upon governmental or public school property shall be exempt from these ordinances.

Section 2: Amend Selma Municipal Code, Chapter 17, Article XI, Section 17-289 - Signs in Residential Districts, Subsection (4):

Revise language to increase the size of the sign allowed from 16 sq. ft. to the overall size of the proposed sign (32 sq. ft.)

Section 3: Amend Selma Municipal Code, Chapter 17, Article III, Section 17-67 (c) (1) to allow a school as a permitted use in the R-8 Zoning District.

DULY ADOPTED THIS THE 11TH DAY OF AUGUST 2015

Cheryl L. Oliver, Mayor

ATTEST:

Cynthia Richardson, Town Clerk

PUBLIC HEARING

Agenda Item 7b
Planning Board Text Amendment - Solar Farms
TA# 5.2.15

Protocol

- ▶ Public Hearing Announcement
- ▶ Open Public Hearing
- ▶ Staff Report
- ▶ Applicant Comments
- ▶ Receive Public Comments
 - ▶ For the Request
 - ▶ Opposed to the Request
- ▶ Staff Recommendation
- ▶ Close Public Hearing
- ▶ Council Deliberation
- ▶ Council Decision (Findings for Consistency Statement/Decision/Other)

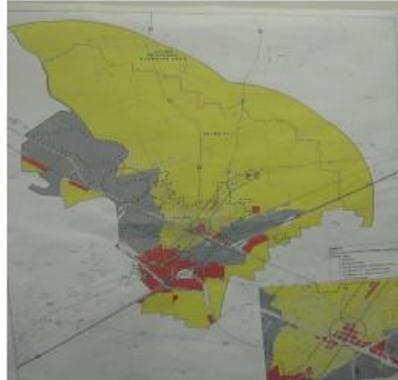
Consistency Statement TA#5.2.15 - Solar Farm

The Selma Town Council has determined that the proposed action is consistent with the Town of Selma's Future Land Use Plan, as amended, since the revised text would not permit solar farms in an R-20 zoning district. Moreover, it is Council's determination that the amendments to the Future Land Use Plan and Selma Municipal Code are reasonable or in the public interest for the following reasons: areas designated as "Residential" in the Future Land Use Plan are predominately for a residential land use. There are other zoning districts where solar farms are permitted as a special use special use.

Zoning Map



Future Land Use Map



Solar Farm

- ▶ Permitted as a special use in R-20, I-1 and I-2 Zoning District
- ▶ R-20 = 8,477 Acres (50.29%)
- ▶ I-1 = 238.4 Acres (1.38%)
- ▶ I-2 = 2,126.6 Acres (12.61%)

- ▶ Total Acreage in City and ETJ = 16,855.5 acres

Future Land Use Plan

A. Future Land Use Categories:

Residential – If developed, land designated as “residential” is intended and expected to be primarily residential in nature. Mixed use and other innovative development trends should also be considered, but in a way, which supports a predominance of residential uses. Dwelling density and other factors should be considered on a case-by-case basis to ensure that they are compatible with the suitability of land, availability of public services, accessibility to major activity centers and transportation systems, and are compatible with surrounding development.

Commercial – Land designated as “commercial” has been identified as being particularly well-suited to support a multitude of commercial and commercially related uses. Specific land uses may primarily provide goods and services for the immediate area or region, as well as a sustainable source of employment. Furthermore, land uses are encouraged which support, promote, and nurture the Town’s heritage as a family-oriented community which values tradition and service.

Industrial – Land designated as “industrial” are areas which may be uniquely positioned for the development of wholesale, manufacturing, processing/production, and other industrial activities. Proposed industry should provide numerous and diverse employment.

Future Land Use Plan

opportunities which benefit the local economy, and reflect the Town's commitment to attract and retain high-paying jobs. Industries which encourage innovation, responsible growth, and community involvement are considered particularly valuable.

Areas/Corridors of Strategic Importance – Land near or within these areas identified on the Future Land Use Map substantially influence health, safety, and general welfare or contribute significantly to the Town's identity. These areas may be considered historically, culturally, or environmentally significant, Town "gateways", important commercial thoroughfares, etc. Certain policies have been specifically applied to these areas, to ensure that they are preserved, improved, and properly managed.

Consistency Statement

- Consistency Statement to be incorporated into motion, as to whether to recommend approval, conditional approval or denial of text amendment

Town Council Consistency Statement

Refer to Exhibit #2

**AN ORDINANCE TO AMEND THE SELMA
MUNICIPAL CODE, CHAPTER 17 AND
FUTURE LAND USE PLAN, ARTICLE III**

BE IT ORDAINED BY THE SELMA TOWN COUNCIL as follows:

Section 1: Amend Selma Municipal Code, Chapter 17, Article IV, Section 17-66 (2), f and text; and

Section 2: Revise the 2nd sentence in paragraph one of Article III of the Future Land Use Plan to read as follows:

Mixed use and other innovative development trends should be considered, but in a way which supports predominately residential uses and excludes commercial/industrial solar farm operations.

DULY ADOPTED THIS THE 11TH DAY OF AUGUST 2015.

Cheryl L. Oliver, Mayor

ATTEST:

Cynthia Richardson, Town Clerk

Mayor Oliver called for a motion to open the public hearing.

A motion was made by Councilmember William Overby and seconded by Councilmember Eric Sellers to open the public hearing to receive citizen comments regarding a proposed text amendment regarding electronic changeable message board by the Selma Middle School. Motion carried unanimously. 6:17 p.m.

Dr. Dicky Parrish:

Dr. Dicky Parrish, 110B East Waddell Street, Selma, NC

Dr. Parrish stated that he was present to show his support of this special use permit. He said that he supports the school, and they have an outstanding principal who has worked very hard. Dr. Parrish stated that Selma Middle School is an outstanding school with an outstanding staff. He said that they continue to make progress each and every year. Dr. Parrish stated this was another step to enhance the community.

Principal John Bell:

Principal John Bell, Selma Middle School, 1533 North US Highway 301, Selma, NC

Principal Bell stated that the reason and purpose behind this sign is effective communication with the public and parents. He said that the school does have an automated call system; however, many of the parents at the school have changing phone numbers. Principal Bell stated that many do not have internet. He said that the sign would be a critical means for the school to communicate with the public. Principal Bell stated that he also believes in transparency, and advised Council that they were welcome to visit the school at any time. He said the purpose of the sign would take the school into the 21st century. Principal Bell stated that the sign would send not only a message inside the school, but outside the school that they are changing with the times. He said that strong schools build strong communities. Principal Bell stated that he understood Town Council's and Planning Director Maybee's positions, and being fair with the ordinance. He said that he was fine with the sign request being considered as a

special use permit. Principal Bell stated that what Council deemed as necessary to help with Selma Middle School's sign endeavor would be appreciated.

Ms. Susanne Poté:

Ms. Susanne Poté, 101 South Raiford Street, Selma, NC

Ms. Susan Poté stated that she has a son that attends Selma Middle School and, she is a downtown business owner. Ms. Poté agreed that the Town should not make a blanket statement that would allow anyone to erect a digital sign. She said that she did not agree that it was an eye sore to residential communities. Ms. Poté stated they want to move the Town forward. She said that one of the things that people look at when moving to a community are the schools. Ms. Poté stated that according to demographics, Selma has lost one-third of its population from the community and schools. She said that as a community, Selma needed to be doing everything that it could to attract those people back. Ms. Poté stated that one of those ways was advertising the area schools that says that they are moving forward.

Ms. Tracy Taylor:

Ms. Tracy Taylor, 333 Old Beulah Road, Selma, NC

Ms. Tracy Taylor stated that she was a parent of a student at Selma Middle School, serves as PTO President, President of the Music Boosters, and was a member of the Advisory Council. She said that over the years of her children's education, she has served on the PTA and Advisory Council of Selma Elementary and now at Selma Middle School. Ms. Taylor stated that one of the lessons she had learned during her service, was to look at the bigger picture, and what was in the best interest of the school and student body. Ms. Taylor stated that they have grown by leaps and bounds inside the school with staff and students to be the best in every aspect that they could. She said that they need to take it outside of the walls to the community and County. Ms. Taylor stated these students would be in the community soon. She said they wanted the kids in the community making Selma a bigger and better place.

Mr. Scot Rorabaugh:

Mr. Scot Rorabaugh, 412 East Rose Street, Smithfield, NC

Mr. Rorabaugh stated that in a few days, he would be starting his third year at Selma Middle School. He thanked Council for giving him the opportunity to speak. Mr. Rorabaugh stated that he said that he was heavily involved in athletics. He said that information provided would not just school only, it is community. Mr. Rorabaugh stated that more than one message could be displayed versus the current sign. He said that messages could range from games, physicals, tryout dates, book fairs, progress reports, concerts, parent involvement nights, emergency items, cancellations, updates, changes to the schedule, and two hour delays. He said that since phones get cut off, this would be an important tool to convey messages. Mr. Rorabaugh stated that Selma Middle School was leading the way to being technologically advanced. He said that this sign would not be an eyesore. Mr. Rorabaugh stated the sign would better the community, better the school, better our kids, and the services that they are providing.

**Assistant Principal
Maritsa Rosado:**

Assistant Principal Maritsa Rosado, 121 Biltmore Drive, Clayton, NC
Assistant Principal Rosado stated that she is starting her second year at Selma Middle School. She said the sign would be a great tool to let the community know about student achievement, recognizing them, and building their pride. Ms. Rosado stated that they have a great issue with phones being disconnected. She said this would be a great way for parents to be aware of what is going on at the school. Ms. Rosado stated that paper resources are limited. She said that parents dropping off or picking up students could see the information to be distributed. Ms. Rosado stated that she thought it would strengthen school pride. Ms. Rosado thanked Council for their time.

Ms. Evonne Weaver:

Ms. Evonne Weaver, 1875 Highway 39, Selma, NC
Ms. Evonne Weaver stated that this would be her tenth year as a Teacher's Assistant at Selma Middle School. She said that she interacts with many of the kids. She said that kids in the past have felt like they were on the bottom of the totem pole in Johnston County. Ms. Weaver stated that the kids were excited about the Chromebooks and smart boards. She said that the custodians have won the Sparkle Award several years consecutively. Ms. Weaver stated visitors have talked about how clean the school was. She said the sign would be an asset to the school and community. Ms. Weaver stated this sign would show what is going on inside, and that the school is up-to-date in technology.

Ms. Dorothy Finiello:

Ms. Dorothy Finiello, 803 North Sharpe Street, Selma, NC
Ms. Finiello stated that she has been the art teacher at Selma Middle School since 2007. She said that if anyone visited the Library, Fire Department, Harrison Center, or Hula Girls, she did the murals in or on those buildings. Ms. Finiello stated that she has purchased a home in Selma, and has made Selma her home. She said that Selma Middle School is a 21st century learning school. Ms. Finiello stated that they have in place the one-to-one initiative with a Chromebook for each student at Selma Middle School. She said that students are now able to connect learning in a way that is highly beneficial to them. Ms. Finiello stated connection would go farther with the addition of a digital sign. She said that with a digital sign, there would be more room for messages to parents, as well as letting the community know what is going on at Selma Middle School. Ms. Finiello stated that Selma Middle School has a partnership with Selma Parks and Recreation, which could be used for their events and information as well. She said that with a digital sign, quick updates and emergency messages could be displayed instantly. Ms. Finiello stated that the technology in schools is constantly changing, as well as the way students learn, and it is working. She said that as a teacher, it is important to constantly promote school technology from the inside out.

Planning Director Julie Maybee stated that as required by ordinance, the Town has to have a public hearing on a text amendment. Ms.

Maybee advised Council that RLUIPA requires that the Town treat everyone consistently, including churches, other religious assemblies, or institutions consistent with other institutions. Ms. Maybee asked that the request by Selma Middle School be tabled so that she could look at it as a special use permit and bring provisions back for Council's consideration at the next meeting.

A motion was made by Councilmember Eric Sellers and seconded by Councilmember William Overby to close the public hearing. Motion carried unanimously. 6:39 p.m.

Councilmember William Overby asked Principal Bell if the sign would be similar to what Riverdale has at its school.

Principal Bell stated that it was similar. He said that it was just something to get messages out to the public.

Councilmember Overby stated that a special use permit should take care of the need for this sign at the school.

Councilmember Eric Sellers stated that some things have been misconstrued. He said that Council could not write a text amendment. He said that he was in favor of Selma Middle having a sign; however, he said that Council was being asked to exempt signs on any government property, which he was not in favor of. Councilmember Sellers stated that they could not treat a government entity any different from any citizen or commercial business. Councilmember Sellers stated that he could not approve the ordinance text amendment as presented, and questioned Attorney Hewett about what action needed to be taken to get this presented as a special use permit.

Attorney Hewett stated that the issue needed to be tabled so that the special use permit language could be presented and adopted at the next Council meeting in September.

Mayor Pro-Tem Jackie Lacy stated that she had looked at the old sign, and every time the message needed to be changed, a staff person would have to walk out and manually change the sign. She said that she was in favor of the digital sign.

Mayor Oliver stated that favorable comments have been received from Council, but wanted everyone to know that it needed to be done right. Mayor Oliver thanked the staff that was present from Selma Middle School. She said that the reputation of the school continues to improve, which does not happen without effort.

Councilmember Tommy Holmes stated that he would be in favor of the sign once the special use permit was presented.

A motion was made by Councilmember Eric Sellers and seconded by

Mayor Pro-Tem Jackie Lacy to table the ordinance text amendment request, and to allow the applicant to submit a special use permit request at the September 8, 2015 Council meeting. Motion carried unanimously.

Public Hearing and Consideration of a Selma Municipal Ordinance Text Amendment (TA #5.2.15), Land Use Plan Amendment Request Filed by the Selma Planning Board:

Planning Director Julie Maybee stated that in accordance with Selma's Municipal Code, Chapter 17, Article XVII, Section 17-453(e), the Planning Board requests an amendment to the Town's development regulations prohibiting future solar farms in the R-20 zoning district, and for clarification purposes, revisions to the Future Land Use Plan, Article III, to clarify the "Residential" designation.

Ms. Maybee stated that the protocol for the meeting was the announcement of the request, open public hearing, staff report, applicant comments, receive public comments for and against request, staff recommendation, close public hearing, Council deliberation, and Council decision.

Ms. Maybee stated that the Planning Board felt that there had been a change meriting an amendment to the Development Regulations. Ms. Maybee reviewed with Council a map identifying the R-20 zoning district. She said that this area is where Selma could see potential growth. Ms. Maybee stated that the Future Land Use Map overlays the R-20 zoning district, which is a residential designation. Ms. Maybee advised Council that the R-20 zoning district contained approximately 8,477 acres, which was 50.29% of the land in the Town and its extraterritorial jurisdiction (ETJ). She said that the Light Industrial (I-1) zoning district contained approximately 238.4 acres at 1.38%, and the Heavy Industrial (I-2) contained 2,126.6 acres at 12.61%. Ms. Maybee stated that the total area in the Town and ETJ consisted of approximately 16,855.5 acres. She said that the text amendment would apply to the percentage of land that was zoned R-20. She said that the related area should be predominately residential. Ms. Maybee stated that this year, the Town had received five special use permit applications for solar farms in the R-20 zoning district. She said that four of the applications were for properties located in an R-20 zoning district or an R-20 special use district.

Ms. Maybee stated that when a text amendment is done to the Town's ordinance, it is for the correction of a manifest error due to changes or changing conditions in a particular area. She said that a text amendment might also be done to achieve the purposes of the comprehensive plan.

Ms. Maybee conveyed that the Planning Board recommended not allowing solar farms in the R-20 zoning district and to revise the Future Land Use Plan..

Ms. Maybee requested that Council conduct a public hearing on the proposed Selma Municipal Code text amendment and Future Land Use

Plan amendment; deliberate/make consistency statement findings based upon those findings; and approve the proposed Selma Municipal Code text amendment and Future Land Use Plan amendment as referenced.

A motion was made by Councilmember Eric Sellers and seconded by Councilmember William Overby to open the public hearing. Motion carried unanimously. 6:50 p.m.

With no one wishing to address Council, a motion was made by Councilmember Eric Sellers and seconded by Councilmember Tommy Holmes to close the public hearing. Motion carried unanimously. 6:51 p.m.

Planning Director Julie Maybee stated that staff concurs with the Planning Board's recommendation on June 29, 2015 to support the proposed text amendment. Ms. Maybee presented Council with the following consistency statement:

The Selma Town Council has determined that the proposed action is consistent with the Town of Selma's Future Land Use Plan, as amended, since the revised text would not permit solar farms in an R-20 zoning district. Moreover, it is Council's determination that the amendments to the Future Land Use Plan and Selma Municipal Code are reasonable or in the public interest for the following reasons: areas designated as "Residential" in the Future Land Use Plan are predominately for a residential land use. There are other zoning districts where solar farms are permitted as a special use.

A motion was made by Councilmember Eric Sellers and seconded by Mayor Pro-Tem Jackie Lacy to approve a text ordinance amendment and a Land Use Plan amendment prohibiting future solar farms in the R-20 zoning district, and to approve the consistency statement as presented by staff. Motion carried unanimously.

Consideration of a Resolution to Set a Public Hearing Date for a Selma Municipal Ordinance Amendment (TA #7.1.15) filed by Barbara Cotton, DMV/For Pet's Sake Animal Hospital:

Planning Director Julie Maybee stated that a request to amend the Town's Municipal Code was filed with her on July 2, 2015 by Veterinarian Barbara Cotton owner of For Pet's Sake Animal Hospital. She said that the amendment would allow "Veterinary Services" as a permitted use in the Central Business (CB) zoning district.

Ms. Maybee stated that the proposed zoning ordinance amendment pertaining to veterinary services would apply to all properties located in the CB zoning district. She said that the Planning Board recommended approval of the text amendment at its July 27, 2015 meeting, and the findings of fact would be presented at this meeting.

Ms. Maybee requested that a public hearing on the text amendment request be scheduled by resolution for the next regularly scheduled

Council meeting.

A motion was made by Councilmember Eric Sellers and seconded by Councilmember Tommy Holmes to approve by resolution the scheduling of a public hearing for Tuesday, September 8, 2015, at 6:00 p.m. in the Jernigan Building to receive citizen comments regarding the text amendment change to allow veterinary services as a permitted use in the Central Business (CB) zoning district. Motion carried unanimously.

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

WHEREAS, upon receipt of a request from Barbara Cotton, DVM/For Pet’s Sake Animal Hospital, 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, September 8, 2015, starting at 6:00 p.m. in the Selma Jernigan Building.

DULY ADOPTED THIS THE 11TH DAY OF AUGUST 2015.

**PLANNING & ZONING
REPORT AND
RECOMMENDATIONS -
Consideration of Written
Decision for Narenco/
Michael Cox and
Property Owner Roberts
and Wellons Special Use
Permit for a Solar Farm
on Yelverton Grove
Road, Smithfield, NC:**

Planning Director Julie Maybee stated that in accordance with Town Council’s Rules of Procedure, which were adopted on July 14, 2015, written findings of fact are being submitted for Council’s consideration for the solar farm for Narenco/Michael Cox and property owner Roberts and Wellons. Ms. Maybee requested that Council approve the written findings of fact. She said that once the written findings of fact were approved, they would be recorded in the Register of Deed’s Office.

A motion was made by Councilmember William Overby and seconded by Councilmember Eric Sellers to approve the written findings of fact as presented. Motion carried unanimously.

**Consideration of Written
Decision for Red Toad
5840 Buffalo Road LLC,
Reynaldo Rodriguez and
Property Owners
Roberts and Wellons
Special Use Permit for a
Solar Farm at 5840**

Planning Director Julie Maybee stated that in accordance with Town Council’s Rules of Procedure, which were adopted on July 14, 2015, written findings of fact are being submitted for Council’s consideration for the solar farm for Red Toad 5840 Buffalo Road LLC and property owner Roberts and Wellons. Ms. Maybee requested that Council approve the written findings of fact. She said that once the written findings of fact were approved, they would be recorded in the Register of Deed’s Office.

**Buffalo Road, Selma,
NC:**

A motion was made by Councilmember William Overby and seconded by Councilmember Eric Sellers to approve the written findings of fact as presented. Motion carried unanimously.

**TOWN MANAGER'S
REPORT &
RECOMMENDATIONS -
Consideration of
Resolution Adopting the
Town of Selma
Personnel Policy:**

Town Manager Barlow stated that in the Council packet for this meeting, the revised Personnel Policy was included for Town Council's consideration. He said that the model for this Policy was originally presented to Council as part of the Pay and Classification Study performed by the MAPS Group and presented by Ms. Becky Veazy.

Mr. Barlow stated that the new Personnel Policy represents all of the changes/modifications that have resulted from several Town Council reviews.

Mr. Barlow presented a Resolution for Council's consideration for approval of the new policy. He said the policy would be effective beginning today, August 11, 2015.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to adopt a resolution approving the new Personnel Policy for the Town of Selma. Motion carried unanimously.

**RESOLUTION ADOPTING TOWN OF SELMA
PERSONNEL POLICY**

WHEREAS, the Mayor and Town Council of the Town of Selma recognize the importance of its municipal employee in meeting the service needs of town residents; and

WHEREAS, it is the desire of the Mayor and Town Council to maintain a municipal work force composed of qualified, competent, dedicated employees; and

WHEREAS, the Mayor and Town Council recognize the necessity of equitable rates of pay and reasonable conditions of employment in the maintenance of such a work force; and

WHEREAS, it is the desire of the Mayor and Town Council to establish a system of personnel administration that will assure equity of compensation and fair and reasonable employee treatment.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SELMA that the following guidelines shall cover the appointment, classification, salary, promotion, demotion, dismissal, and employment conditions of the employees of the Town of Selma, North Carolina replacing where appropriate the existing articles and section on personnel, salary plans,

class specifications and benefits.

ADOPTED THIS THE 11TH DAY OF AUGUST 2015.

**Procurement for
Engineering Services
for CDBG:**

Town Manager Jon Barlow stated that the Town is proposing to submit a CDBG grant application seeking funds to upgrade and redirect the Preston Street pump station and provide municipal sewer to Ricks Trailer Park located on Ricks Road, Selma, NC. He said that the Town was in need of professional engineering services to prepare and submit an application. Mr. Barlow stated that staff recently mailed a request for quote package to a number of qualified firms; however, the Town received only one submission. He said a second advertisement is being planned for this week in an effort to get at least one more bid. Mr. Barlow advised that if that failed, the Town would consider the one bid.

Mr. Barlow stated that this appears to be a very strong project, and it was likely that it would be nearly 100% grant funded. He said that income surveys were being collected to determine if that was the case.

Mr. Barlow stated that there would be no cost for the Town to submit an application. He said the engineering firm that prepares the application would be paid for their services only if the project is funded.

Mr. Barlow stated that the timeline to submit an application is September; thus, the window is fast approaching. He said that in the event the Town could not move forward with one firm, then it would be necessary for Council to have a special meeting in late August or early September to consider awarding a contract. Mr. Barlow stated that the September meeting would be used to adopt the official meeting showing the award of the contract.

It was the consensus of Council to continue to seek additional bids and for Town Manager Barlow to offer a recommendation to award a contract for the preparation of a CDBG application late August/early September.

**Review of Boarded Up
Structures Abatement:**

Town Manager Barlow stated that in response to inquiries from Council concerning boarded up structures in Selma, the Town has the authority to put regulations in place to address both residential and non-residential properties.

Mr. Barlow stated that boarded structures and neglected properties have a negative impact on neighborhoods, businesses, industries, and the community. He said that staff recently conducted a survey of boarded or partially boarded structures in Town, and found seven (7) structures (residential and commercial) in this condition.

Mr. Barlow stated that revisions could be made to the Town's existing

minimum housing code, and a property maintenance code developed to address neglected non-residential properties. He said that maintenance codes and code enforcement could be a catalyst for community revitalization, as well as protect public health, safety and general welfare.

Mr. Barlow stated that additional research could be done by staff to see how other communities address these concerns. He said that input would also be solicited from applicable Boards, etc. Mr. Barlow stated that staff findings and a draft ordinance could be prepared for Council's consideration.

Mr. Barlow requested that further direction from Council be given for staff. He asked Council if they were looking for draft language for Code Enforcement to take action against boarded-up houses.

Councilmember Overby asked of the seven houses that were boarded up, how many had active permits.

Planning Director Julie Maybee stated that two of the homes had active permits. She said that 310 Brevard Street and 510 West Noble Street had active permits.

Councilmember Overby stated that the Town's Charter contained information regarding boarded up houses. He said that if the house is unsafe, they have to protect anyone in the neighborhood from getting hurt. He said that it could be boarded up to keep people out of a house.

Mr. Barlow stated that the Town has the right to enforce the minimum housing code, which the Town has. He said from the Building Inspector's perspective, does it fall below minimum housing codes, which it does not. Mr. Barlow stated that just because a house is boarded-up does not mean that it does not meet minimum housing codes. He said that additional language needed to be added to amend that code for Code Enforcement to have the capability to take action.

Councilmember Overby asked how many houses of the seven do not meet the Town's minimum housing code.

Town Manager Barlow stated that he did not think any of the houses were a dilapidated structure.

Councilmember Overby asked what was the procedure in condemning the structures or getting the boards taken down.

Planning Director Maybee stated that when the structure becomes an unsafe condition. She said that if someone was living in the house with boarded-up windows that would be different, but these are unoccupied houses that are boarded-up.

Mayor Oliver stated that one structure is located on Brevard Street near the Harrison Alumni Building. She said that Habitat for Humanity has invested in two new homes near the structure as well. Mayor Oliver stated that the Town had invested in the Harrison Senior Center. She said that there were two boarded-up houses stymieing for economic development.

Mayor Pro-Tem Lacy stated that there were three in that area. She said that there was another near the basketball court.

Town Manager Barlow stated that the Town of Durham has a lot of the same issues, but on a much larger scale. He said that property owners have to use Plexiglas to stop anyone from entering the home, but makes a big difference in appearance.

Councilmember Overby stated that he wanted to know why the property owners have these houses boarded-up, and what their intention is.

Mr. Barlow stated that adding language to the minimum housing code would give staff the opportunity to investigate the situation, and would give the property owner some remedies. He said that the Town does not currently have that tool. Mr. Barlow asked Council if they would like staff to move forward with providing draft language to address the minimum standard for boarded-up houses.

It was the consensus of Council for Town Manager Barlow to provided options regarding boarded-up houses.

Police Chief Cooper stated that the boarded-up house on West Preston Street on two different occasions over the year had the windows busted out.

**Review of Grass/Weeds
Nuisance Abatement:**

Town Manager Barlow stated that Town staff was recently asked to investigate the feasibility of reducing the amount of time violators were given to abate a nuisance once a notice is served. He said that Town Attorney Hewett researched the question and determined that the Town has the legal authority to reduce the time period so long as the time period is reasonable. Mr. Barlow stated that the current Town Code gives the Town the authority to issue nuisance abatement orders as found in Section 13-56(1). He said that it states that an order to abate must be satisfied within 15 days. Mr. Barlow stated that Section 7 states that if the order is not satisfied within the time period, the Town would abate the nuisance and assess the cost against the person.

Mr. Barlow advised Council that since Police Officer Tomeka Moore had taken over the position as Code Enforcement Officer in November, she has had 191 nuisance cases with 164 cleared. Mr. Barlow stated that she is clearing 85% of the cases.

Mr. Barlow stated that the Town has the authority to amend the time to abate so long as it is reasonable. He said that what is reasonable could have a wide range, and that there were a number of factors that would make reducing the time period difficult. Mr. Barlow stated that compliance did not appear to be the Town's biggest obstacle any longer. He said that it appeared that the time to make notice, discuss the issue with the proper contact person, and arrange for abatement takes at least 15 days.

Mayor Oliver stated that from staff's prospective, the 15 days seemed about right in getting things done in the communication process.

Town Manager Barlow stated that if the Town was looking for compliance and they were able to clear that number of cases within a reasonable time period, he was not sure how much more they could do with less time.

Planning Director Maybee stated that there was pending legislation regarding repeat nuisance offenders.

**Resolution to Adopt the
Johnston County Parks
and Recreation Master
Plan:**

Town Manager Jon Barlow presented to Council for their consideration a Resolution supporting the Johnston County Parks and Recreation Master Plan. He said the Plan was headed by the Johnston County Sports Council, a committee of the Johnston County Tourism Authority.

Mr. Barlow stated that the Plan is essentially a guide for towns within Johnston County to use as they plan their respective recreation services. He said that it does not replace or supersede any authority of the Town of Selma to make decisions relating to Recreation services it provides.

Mr. Barlow stated that there were some potential benefits down the road especially if Johnston County offers a bond referendum for parks and recreation. He said that Selma Parks and Recreation has its own 10-Year Master Plan, which would soon expire; however, a number of things in that plan have been completed.

Parks and Recreation Director Joe Carter stated that items completed in the Town's Master Plan included updating of Brack Wilson Park (added a playground system, resealed the parking lot, resurfaced the basketball court, and added covered dugouts to the baseball field), updating of playground system at Raiford Street Park, renovation of Harrison gymnasium, and walking trail on Harrison Campus. Mr. Carter stated that on the Harrison Campus, a building had extensive renovation done, and was converted into the Johnston County Senior Center. He said that a lot had been accomplished with Selma's 10-Year Parks and Recreation Master Plan.

Mr. Carter stated that Johnston County has taken a positive step in trying to adopt its Recreation Master Plan. He said that Johnston County has many unincorporated areas that are growing quickly. Mr. Carter stated that there was no plan to save open space. He said that Johnston County has an opportunity now to look at how they want development to progress. Mr. Carter stated that schools were an important part to why someone relocates to an area, as well as recreational opportunities. He said that Johnston County was making a positive step by getting this Recreation Master Plan into place. Mr. Carter stated one of the initial steps for Johnston County was to hire a Parks and Recreation Director to help some of the unincorporated areas.

Councilmember Overby stated that he was for the Johnston County Recreation Master Plan; however, the last bond that was done was based on population and high schools. He said that because Selma did not have a high school, Selma had to split funds with Smithfield-Selma High School. Councilmember Overby stated that the Recreation Master Plan did not make any recommendations for Selma.

Mr. Carter stated that the Recreation Master Plan includes an inventory of all the Parks and Recreation facilities, which includes golf courses and other facilities that would bring people to Johnston County.

Mr. Carter stated that he and the Recreation Advisory Board wanted to review the Town's Master Plan and make recommendations for updates since it was ten years old. Mr. Carter stated that a complete copy of the Johnston County Recreational Master Plan could be found at www.johnstoncountync.org/masterrecreationplan. He said that Town staff had reviewed the Master Plan and recommended its approval.

A motion was made by Councilmember William Overby and seconded by Mayor Pro-Tem Jackie Lacy to adopt the resolution supporting the Johnston County Parks and Recreation Master Plan. Motion carried unanimously.

***RESOLUTION ADOPTING THE
JOHNSTON COUNTY PARKS AND RECREATION
MASTER PLAN***

WHEREAS, the Johnston County Sports Council, a committee of the Johnston County Tourism Authority, recognized the potential for sports and recreation to drive community growth and provide services to residents through the County, and

WHEREAS, all local municipalities and civic groups engaged in recreation pursuits may use the Johnston County Parks and Recreation Master Plan for planning purposes and individual grant applications to

improve and develop recreation facilities in their perspective communities, and

WHEREAS, all local municipalities and civic groups may use the Johnston County Parks and Recreation Master Plan as a tool to promote Parks and Recreation in the area, to direct priorities for Parks and Recreation services, to guide planning for expected growth, to provide a general plan policy guiding land use and public services, to understand the public’s issues and desires, and to identify funding gaps and directly meeting them, and

WHEREAS, the community partners may use the Johnston County Parks and Recreation Master Plan to determine needs for facilities/programs, have a policy framework for partnerships with the Johnston County Planning Department, and compare services to avoid duplication, and

WHEREAS, the Johnston County Parks and Recreation Master Plan may be adopted as part of the Johnston County Land Use Plan as it pertains to public lands, and development of future County recreational facilities, and in particular the completion of the Mountains to Sea Trail, and

WHEREAS, the Johnston County Parks and Recreation Master Plan has several immediate, short, and long-term recommendations of value that require a County representative to facilitate.

NOW, THEREFORE, BE IT RESOLVED that the Selma Town Council adopts the Johnston County Parks and Recreation Master Plan as the official document of record for County recreation planning and development, and encourages the Johnston County Commissioners to pursue key recommendations in the plan for the betterment of recreation in Johnston County.

Duly Adopted this 11th day of August, 2015.

Review of Financial Reports:

Town Manager Barlow stated that the July 2015 financial reports were included in Council’s agenda packet. He said that he wanted to make Council aware of funds that were trending in the right direction, as well as any funds that were not.

Mr. Barlow stated that auditing firm, Mauldin & Jenkins, LLC, would be in Town Hall next week. He said that they must have their report of the Town’s finances filed with the Local Government Commission by October 31, 2015.

Review of Budget Ordinance Amendment 1 for Fiscal Year 2015/2016:

Finance Director Kim Batten stated that the temporary maintenance position approved for the Public Works Department and the Cemetery Department was funded in the expenditure account for contracted services, and should have been funded in the expenditure account for

salaries in both departments. She said that Budget Amendment #1 for fiscal year 2015/2016 represents the expenditure associated with that request.

A motion was made by Councilmember Eric Sellers and seconded by Councilmember William Overby to approve budget amendment one for fiscal year 2015/2016. Motion carried unanimously.

**TOWN OF SELMA
BUDGET ORDINANCE AMENDMENT # 1
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 11th day of August 2015 that the Town Budget adopted on June 16th 2015, for FY 2015/2016 is hereby amended and adopted:

Section I. 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:

<u>Account No.</u>	<u>Debit</u>	<u>Credit</u>
10-5600-1210 Salaries (E)	4000	Increase
10-5600-3990 Contracted Services (E)		4000 Decrease
10-6400-1210 Salaries (E)	4000	Increase
10-6400-3990 Contracted Services (E)		4000 Decrease

Section II. Copies of this Budget Ordinance Amendment # 1 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 11th day of August 2015.

**Review of Budget
Ordinance Amendment
2 for Fiscal Year
2015/2016:**

Finance Director Kim Batten stated that each year, the Sheriff’s Journal Group seeks donations and organizes an annual calendar for our Selma Police Department. She said that the Police Chief recently received a donation from the Group for the excess funds after the calendar expenditures were finalized. Mr. Barlow stated that budget amendment #2 represents the revenues and expenditures associated with the donation of \$1,500.

A motion was made by Councilmember William Overby and seconded by Councilmember Eric Sellers to approve budget amendment two for fiscal year 2015/2016. Motion carried unanimously.

**TOWN OF SELMA
BUDGET ORDINANCE AMENDMENT # 2
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 11th day of August 2015 that the Town Budget adopted on June 16th 2015, for FY 2015/2016 is hereby amended and adopted:

Section I. To amend the General Fund (Fund 10) for unanticipated/unbudgeted revenues and expenses during FY 2015. The Town’s General Fund (Fund 10) accounts are to be amended as follows:

<u>Account No.</u>	<u>Debit</u>	<u>Credit</u>
10-5100-4990 Equipment/Non-Capital (E)	1,500	Increase
10-3833-4300 Donations/Police Department (R)		1,500 Increase

Section II. Copies of this Budget Ordinance Amendment # 2 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 11th day of August 2015.

Strategic Plan Update:

Town Manager Barlow stated that there were a couple of items that he wanted to make Council aware of. He said that the Town has been given a “Notice to Proceed” by the Local Government Commission for renovations on the new Town Hall building. He said that the project would take about 250 days.

Mayor Oliver questioned the I & I Wastewater Project for fiscal year 2015/2016.

Town Manager Barlow stated that funds were included in the fiscal year 2015/2016 budget for some isolated infrastructure improvements. He said that he would change the verbiage to reflect that funding is available for fiscal year 2015/2016.

Town Manager Barlow stated that a contract was entered into with VC3, which took over the Town’s information technology support services on August 3, 2015.

Mayor Oliver stated that on page two, the one red item listed should read May 2015, and is duplicated in the section for Economic Development.

**TOWN ATTORNEY’S
REPORT –
Review of
Interconnectivity
Agreement with ESA
for New Solar Farm:**

Town Attorney Chip Hewett stated that after the Councilmembers’ Reports and Recommendations, he would be asking Council to go into closed session.

Town Attorney Chip Hewett stated that the Interconnection Agreement is before Council with two proposed changes. He said that Mr. Hunter Strader, Finance Manager for Hill Stone Energy was present tonight. Attorney Hewett stated that he would briefly present what was being amended, and then have Mr. Strader address Council.

Attorney Hewett stated that in the agreement that was adopted in August 2013, information on page 6 was left blank. He said that also on page 17 of that agreement, there would be a technical striking to eliminate the first sentence of 13b while keeping the rest of the paragraph as is.

Mr. Hunter Strader, Finance Manager for Hill Stone Energy of Chapel Hill, NC, stated that he was in the process of updating the interconnection agreement from two years ago. He said that he was working with the solar farm located on Ricks Road, which was approximately 95% complete. Mr. Strader stated that he has been working with Electric Utility Director Donald Baker regarding the agreement. He said the size of the system was still a 1.98 MW system, but the equipment being used to tie into it would be different.

Mr. Strader stated that item 3c. on page 6 of the interconnection agreement would change to:

The output of the Generating Facility to the municipality Electric System is 1,980 kW/AC in the form of 3 phase, 4 wire alternating current of 60 hertz frequency and generating at 12.47 Kvolts.

Attorney Hewett asked Electric Utility Director Donald Baker if he had any objections to that change.

Mr. Baker stated that everything was correct.

Mr. Strader stated that the first sentence of item 13b. on page 17 has been recommended to be removed. (Sentence read: Municipality, in addition to all other legal remedies, may suspend interconnection with Generator at any time upon written notice to the Generator.)

Mr. Baker stated that he had no issue with the removal of that sentence from item 13b.

Mr. Strader stated that in Exhibit II describes in more detail item 3c. He said that the information was updated to reflect what was currently being constructed.

Items that changed in Exhibit II – Page 1:

Generator Name: Blank to ESA Selma NC 1, LLC

Service Address: Blank to 339 Ricks Road, Selma, NC 27576

No. of Generators: 2 to 3

Manufacturer: SMA to Solectria

Model No.: 800kW CP VS to 1x SGI 500XTM & 2x SGI 750XTM

kW Rating: 800 to 1,980 kW AC

kVA Rating: 880 to 2,000

Power Factor: 1 to Adjustable, -0.8 to+0.8, factory set at 1

Voltage Rating: 360 to 380

Page 2:

An updated signature from the Chief Operating Officer of Baywa

Page 4 - Inverter:

Qty. to Install: 2 to 3

Manufacturer: SMA to Solectria

Model No.: 800 CP VS to 1x SGI 500XTM & 2x SGI 750XTM

Type: PWM to Blank

Output Rating: 360 to 380

KVA Current: 880 to 500 and 750

Power Factor: 1 to Adjustable, -0.8 to+0.8, factory set at 1

Maximum Single Harmonic Distortion: 3% to Blank

Maximum Total Harmonic Distortion: 3% to <3%

Mr. Baker stated that he had no problem with what was being presented.

Attorney Hewett asked Mr. Strader if Council approved the changes, would he be resubmitting the agreement.

Mr. Strader stated that he only needed some kind of written approval from the Town.

Councilmember Sellers asked if Council could approve having Mayor Oliver sign the agreement with the changes that were made.

Attorney Hewett recommended Council consider a motion to authorize the Mayor to sign or initial the fill-in-the-blank changes made to paragraph 3c on page 6, striking of the first sentence of 13b on page 17, and approval of Exhibit II as presented.

A motion was made by Councilmember Eric Sellers and seconded by Councilmember William Overby to authorize the Mayor to sign or initial the fill-in-the-blank changes made to paragraph 3c on page 6, striking of the first sentence of 13b on page 17, and approval of the new Exhibit II to the original agreement. Motion carried unanimously.

Town Manager Barlow stated that there was a letter dated December 2, 2013, from R. L. Willoughby that talk about the potential design increasing by 4 MW. He said that 6MW would be the maximum that the Town's system would be able accept. Mr. Barlow questioned by reference if the Town was agreeing to that capacity.

Mr. Strader stated that they were only installing a 1.98MW system. He said that the other 4MW would be something to consider in the future.

Mr. Sonny Howard asked Council if they were limiting the system to 6MW.

Town Manager Barlow stated that what was being discussed was a 1.98MW system.

Electric Utility Director Donald Baker stated that where that station is, 6MW is the maximum limit.

Mr. Howard asked how does he stand with the buffering.

Planning Director Maybee stated that according to the special use permit and zoning permit, the landscape buffering has to be installed compliant to the ordinance provisions per the site plan that was given with the zoning plan before power is turned on to that site. She said that today she received an update on the planting schedule. Ms. Maybee stated that was something that she would have to discuss with them. She said that the buffering has to be in place.

**MAYOR’S REPORT
AND
RECOMMENDATIONS –
Removal of “Citizens’
Advisory Committee”
from Inactive Committee
List:**

Mayor Oliver stated that at a previous meeting, Council discussed updating the committee list. She said that discussion of the Citizens’ Advisory Committee was deferred to a work session. She said that at the work session, Council was leaning towards not reinstating the Citizens’ Advisory Committee at this time. Mayor Oliver stated that because Council could not vote in a work session, it was brought forward to be discussed in a regular meeting.

Mayor Oliver advised the public that this in no way meant that Council was not interested in citizen input. She said that there were other avenues to promote citizen interests.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to remove the Citizens’ Advisory Committee from the list of active Town boards and committees. Motion carried unanimously.

**State of the
Communities and State
of the Town Events:**

Mayor Oliver stated that the Town was involved in a State of the Communities event at Sysco. She said that Sysco does a wonderful job for gatherings of this type. Mayor Oliver stated that a State of the Town message would be presented at the Harrison Senior Center sometime in September.

Schedule Next Work Session:

Mayor Oliver stated that the Town was awaiting a date from the ElectriCities to present their rate study presentation.

Town Manager Barlow stated that ElectriCities was looking for guidance from Council with a date from late August to early September. He said that they would also be presenting to the Town of Smithfield, and would like to present both at about the same time.

Councilmember Sellers stated that he could meet on September 8th or September 14th.

It was the consensus of Council to meet on September 8, 2015 at 4:00 p.m. in the Jernigan Building.

Mayor Oliver stated that there were items scheduled for an August work session. She asked if August 25th was a good date for everyone.

It was the consensus of Council to schedule the August work session for August 27, 2015 at 6:00 p.m. in the Jernigan Building.

General Comments:

Mayor Oliver stated that the Upper Coastal Plain Regional Planning Organization prioritizes and puts forth transportation projects. She said that there was an effort underway that would bring representatives together to do some regional planning for transportation.

COUNCILMEMBERS' REPORT AND RECOMMENDATIONS – Consideration of Lowering All Residential Electric Deposits to \$500 and Removal of Credit Check Requirements (Tommy Holmes):

Councilmember Holmes stated that last month, it was discussed to lower deposits to \$500 straight across the board for residential customers. He said that the Town's properties were 60% rental. Councilmember Holmes stated that most renters do not have that kind of money. He said that if they wanted to see Selma move forward and grow, they would have to do something about the light bills and deposits. Councilmember Holmes stated that people cannot afford to move to Selma. He said that since the Town has gone to prepay meters, the Town was not losing as much as before prepay.

Councilmember Sellers stated that before the prepay process and credit checks were started, the Town was losing about \$120,000 a year. He said that last year, the Town lost \$38,000. He said that for people that have had good credit, they have lower deposits. Councilmember Sellers stated that the Town has cut its losses by two-thirds.

Electric Utility Director Donald Baker stated that the Town has a lot of money tied up in prepay meters so they try to keep the inventory to what the demand was. He said that the demand has been higher than inventory. Mr. Baker stated that they have had prepay meters ordered for three months and are expecting them to be delivered at any time. He said that when a person's deposit was \$1,000, the prepay meter was a great option.

Councilmember Sellers stated that he did not want to go back to a policy that lost the Town \$120,000.

Councilmember Holmes stated that he was concerned with someone coming in requesting a prepay meter, and there are none in stock. He asked if they are charged the \$1,000 utility deposit.

Mr. Barlow stated that if someone requested a prepay meter and there were none in stock, the customer would be charged a \$100 deposit and a regular meter would be put in temporarily.

Councilmember Overby asked if Pine View Mobile Home Park located at Highway 301 and Webb Street was in the Town limits.

Councilmember Holmes stated that the mobile home park was a satellite in the Town's jurisdiction.

Councilmember Overby stated that there were some code issues that needed to be looked at.

Councilmember Overby asked Mayor Oliver if the Wayfinding Committee was a subset of the Marketing Committee.

Mayor Oliver stated that the Wayfinding Committee was a subset of the Marketing Committee plus a representative from the NCDOT that have been deemed necessary to help move the committee forward.

Councilmember Overby stated that would make it a totally new committee. He said that based on that, some members would actually be serving on three committees instead of two.

Mayor Oliver stated that it should not be viewed as serving on a separate committee, because they are serving as a marketing representative. She said that the Wayfinding Committee would go away within the next two to three months and merge back into the Marketing Committee. Mayor Oliver stated that anything that comes from the Wayfinding meetings would go before Council in terms of a recommendation.

Councilmember Overby asked when the Wayfinding Committee was created.

Mayor Oliver stated that the committee was created in April 2015.

Mayor Pro-Tem Jackie Lacy stated that she was confronted by someone that lives on Ricks Road regarding the buffering not being in place, but understood that they would not be allowed to make any connection until the buffering was complete.

CLOSED SESSION:

Town Attorney Chip Hewett advised Council that they needed to go

into closed session per N.C.G.S. §143-318.11(4) relating to potential matters of economic expansion, and §143-318.11(3) to discuss a pending litigation specifically the Town of Selma versus Ms. Sandra Lemon. He said that no action was anticipated to be taken.

A motion was made by Mayor Pro-Tem Jackie Lacy and seconded by Councilmember Eric Sellers to go into closed session. Motion carried unanimously. 8:28 p.m.

Council returned to regular session at 9:20 p.m. with a motion being made by Councilmember Eric Sellers and a seconded by Councilmember William Overby to contact the American Legion to see if they were interested in a 60-day license.

ADJOURNMENT:

With no further business, a motion was made by Councilmember Eric Sellers and seconded by Councilmember Tommy Holmes to adjourn. Motion carried unanimously.

The meeting adjourned at 9:21 p.m.

BRENDA W. THORNE, Deputy Clerk