

**TOWN OF SELMA
REGULAR COUNCIL MEETING
SEPTEMBER 8, 2015**

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

OTHER STAFF PRESENT: Planning Director Julie Maybee, Finance Director Kim Batten, Fire Chief Phillip McDaniel, Police Chief Richard Cooper, Public Works Director Alex Fuller, Electric Utilities Director Donald Baker, and Deputy 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.

Johnston County Commissioner Ted Godwin 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 requested that Committee Appointments be added to the end of her section as item 11e.

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

CONSENT AGENDA: Minutes
Regular Council Meeting – August 11, 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.

**RECOGNITIONS/
PRESENTATIONS –
2015 Constitution Week
Proclamation:** Mayor Oliver read and presented the following Proclamation Declaring Constitution Week September 17th thru 23rd, 2015 in the Town of Selma.

**PROCLAMATION DECLARING CONSTITUTION WEEK
SEPTEMBER 17TH – 23RD, 2015
IN SELMA, NORTH CAROLINA**

WHEREAS, September 17, 2015 marks the two hundred and twenty-eighth anniversary of the drafting of the Constitution of the

United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

WHEREAS, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW, THEREFORE, I, Cheryl L. Oliver, Mayor of the Town of Selma do hereby proclaim September 17 through 23, 2015 to be

“CONSTITUTION WEEK”

in Selma, North Carolina, and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the Town of Selma on this eighth day of September in the year of our Lord two thousand fifteen.

Councilmember Overby stated that the proclamation was presented as only coming from the Mayor. He asked why the Town Council was not included.

Mayor Oliver stated that was the way the proclamation came from the Daughters of the American Revolution. She said that when the Town does its own proclamations, she includes all of the Councilmembers.

A motion was made by Councilmember Eric Sellers and seconded by Mayor Pro-Tem Jackie Lacy to approve the Proclamation Declaring Constitution Week in the Town of Selma, September 17 thru September 23, 2015. Voting Yes: Mayor Cheryl Oliver, Mayor Pro-Tem Jackie Lacy, Councilmember Eric Sellers, and Councilmember Tommy Holmes. Voting No: Councilmember William Overby. Motion carried unanimously.

**Introduction of Two
New Firefighters by Fire
Chief Phillip McDaniel:**

Fire Chief Phillip McDaniel introduced new Firefighter Josh Long. He said that Mr. Long had been a volunteer firefighter with the Town for eight years. Chief McDaniel stated that Mr. Long was a resident of Selma and was a certified firefighter, EMT, and

technical rescuer.

Fire Chief Phillip McDaniel also introduced Firefighter Hunter Rogers. He said that Mr. Rogers was 19 years old and has three years of experience as a volunteer with the Wake Forest Fire Department.

Chief McDaniel stated that both applicants went through an extensive interview process, and the Town was fortunate to have both men.

**OPEN FORUM/
CITIZENS' REQUESTS:**

No one present wished to address Council.

**PUBLIC HEARINGS –
Presentation and
Consideration of a
Resolution for the Town
of Selma to Apply for
CDBG Funding for the
Wastewater Collection
System Project for
Sewer Line Extension
and Pump Station
Improvements in the
Ricks Road Area:**

Town Manager Barlow stated that the purpose of this public hearing was for the presentation and consideration of a resolution for the Town of Selma to apply for CDBG funding for the Wastewater Collection System Project for sewer line extension and pump station improvements along Ricks Road. He said that this was the first required public hearing that the Town has to have prior to getting authorization to submit an application for funding. Mr. Barlow presented Council with some background information on the project. He said that this was information required to be in the Town's minutes to prove that the public hearing was conducted.

Mr. Barlow introduced Ms. Monica Chevalier as a CDBG Specialist with the Wooten Company.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to open the public hearing to receive citizen comments. Motion carried unanimously.
6:11 p.m.

Ms. Chevalier read the following information to Council.

General CDBG

- Required public hearing for FY 2015/2016 Small Cities Community Development Block Grant (CDBG) application.
- Purpose of the public hearing is to allow citizens an opportunity to express views concerning the proposed project and activities, community development priorities of the Town, and review of program compliance prior to the Town's grant application.
- This federal funding comes from the United States Department of Housing and Urban Development.
- CDBG program activities must meet one of the national

objectives: (1) benefit low and moderate income (LMI) persons; (2) prevent or eliminate slum and blight; or (3) address an urgent need.

- Eligible locations (non-entitlement communities): All NC small cities except the 24 entitlement cities and all NC counties except for Cumberland, Mecklenburg, and Wake.
- Available funding in North Carolina – Economic Development (job creation/retention) and Infrastructure (water and sewer for LMI persons).
- Economic Development – Administered by NC Department of Commerce (DOC), Rural Development Division (RDD). Grants are presented by DOC to the NC Rural Infrastructure Authority for approval.
- Infrastructure – Administered by NC Department of Environment & Natural Resources (NCDENR) Division of Water Infrastructure (DWI). Grants are presented by DENR-DWI to the State Water Infrastructure Authority (SWIA) for approval.
- The state receive approximately \$43.7 million in 2013 and \$42.1 million in 2014.
- The estimated FY 2015, 2016, and 2017 Program Funding Years include about \$26 million for public infrastructure and about \$16 million for economic development.
- De-obligated/recaptured funding from current CDBG projects will be reserved for Capacity Building grants administered by DOC.

Infrastructure Funding

- Town is applying to DENR for CDBG – Infrastructure grant funds.
- Approximately \$13 million of FY 2015 CDBG-I grants were awarded in May 2015.
- Approximately \$13 million more of FY 2015 funding is available – Application deadline is 5:00 p.m., September 30, 2015.
- Awards in FY 2015 are contingent on the State receiving the HUD grant, anticipated after finalization of the state budget.
- Applicants can request and receive up to \$2 million over three years, consistent with N.C.G.S. 159G and SWIA rules.
- Purposes of the CDBG-I program:
 - Improve quality of life for LMI persons by providing a safe, clean environment and clean drinking water through water and sewer infrastructure improvements and service extensions.
 - Must benefit residential areas where at least 51% of beneficiaries are LMI as defined by HUD.
 - Perform activities eligible under federal guidelines and

- regulations.
- Provide displacement assistance as necessary.
- Water projects can include (but are not limited to):
 - Resolving water loss in distribution systems.
 - Extending public water to areas with contaminated/dry wells.
 - Assisting with low water pressure in public water systems.
 - Regionalization of two or more water systems.
 - Rehabilitation or replacement of a water treatment plant.
- Wastewater projects can include (but are not limited to):
 - Resolving inflow and infiltration to collection systems and surcharges from pump stations and manholes.
 - Extending public sewer to areas with failed septic tanks.
 - Rehabilitation of a wastewater treatment plant to allow for greater efficiency/compliance with regulations.

Proposed Project

- The Town may request up to \$2 million. It is proposed to request approximately \$1.15 million (99.95% of total project costs) for a wastewater project. The exact amount is to be calculated.
- The Town is considering a local match of \$5,000.
- Proposed project activities include: approximately 1,450 LF of 8” gravity sewer line to serve a trailer park, and associated pumping station improvements including 3,650 LF of 8” force main to reroute the pumping station discharge directly to Johnston County sewer system, generally along Ricks Road and Crocker Street.
- The project’s purpose is to rehabilitate or replace infrastructure and connect existing LMI homes to sewer service.
- Project activities will take place at Ricks Road Mobile Home Park along Ricks Road and Crocker Street.
- Project activities were identified in 2013 – 2018 Capital Improvement Plan adopted on June 12, 2012.
- A total of 100% of CDBG-I funding will be used to benefit LMI persons. The Town’s area-wide LMI is 84.6%. Income surveys of the proposed service area are still being analyzed, but LMI is estimated to be close to 95%.
- Grant funding includes costs for construction, environmental review, engineering reporting and design, construction administration and observations, legal activities, surveying and grant administration.

Compliance

- In October 2012, the Town received a \$500,000 CDBG Catalyst grant from DOC to rehabilitate the Middle Building of

the Richard B. Harrison School on Noble Street to create the Harrison Center for Active Aging. The Project, which benefits the entire Town, closed in October of 2014 and remains in compliance with all CDBG regulations and requirements.

- If awarded a CDBG-I grant, the Town will adopt a Program Manual with plans required by HUD that will govern fiscal management, efficient operation and maintenance, and program compliance. Plans included in the Program Manual:
 - Americans with Disabilities Act/Section 504 Plan to address non-discrimination in the treatment of and program access to handicapped/disabled persons.
 - Fair labor standards in accordance with the US Department of Labor (DOL) Davis-Bacon & Related Acts.
 - Citizen participation in and access to program information and implementation.
 - Equal opportunity and procurement through program implementation.
 - Fair Housing Plan to affirmatively further fair housing.
 - Language Access Plan to provide meaningful access to those with limited English proficiency.
 - Section 3 Plan to encourage job creation for local low-income persons.
 - Section 519 provision to prohibit the use of excessive force by law enforcement agencies within the jurisdiction against any individuals engaged in non-violent civil rights demonstrations.
 - Residential Anti-Displacement and Relocation Plan to ensure that no displacement/relocation of residents occurs during project implementation without public notification and just compensation.
 - The plan adopted for the FY 2013/2014 funding round is presented.
 - Anti-displacement and relocation is primarily applicable to housing-related projects; however, acquisition of public utility easements on private property also triggers the Uniform Relocation Act (URA).
 - No displacement of residents is anticipated during this infrastructure project; however, sewer service may be disrupted at times. Residents will be notified of any disruptions in service during project implementation.
 - Displacement assistance as necessary will be available for any legal fees and compensation.

Citizen Comments

- Application materials will be available at Town Hall upon request, between the hours of 7:30 a.m. and 5:30 p.m.

- For additional information or to submit written comments, please contact: Jon Barlow, Town Manager at 100 North Raiford Street, Selma, NC 27576, phone (919) 965-9841.
- Comments should be postmarked no later than September 15, 2015, and a written response will be made within ten (10) business days.

Mayor Oliver stated that the office business hours have changed to 8:00 a.m. to 5:00 p.m. She also questioned the plan adopted for FY 2013/2014 funding round as being presented for the Residential Anti-Displacement and Relocation Plan.

Ms. Chevalier stated that was one thing that she did not bring. She said that when the Town applied for a small water line replacement in the last round, it was the same plan that was used for the Harrison School Campus. Ms. Chevalier stated that the only change was the year.

Councilmember Sellers questioned the 3,650 LF of force main that was dumping directly into the Johnston County sewer system. He asked if that was going to cause any issues.

Ms. Chevalier stated that Mr. John Grey, Project Engineer with the Wooten Company, had not shared the designs with her and was not sure of the calculations.

Public Utilities Director Alex Fuller stated that the force main is going to be rerouted across US 70. He said that as far as the Sanitary Sewer Master Plan, the Town had discussions with Johnston County about the available capacity of that part of the system. Mr. Fuller stated that the capacity exists to accept the flow from pump stations four and five, which would serve the other side of the interchange. He said this would take some wastewater flow from East Preston Street, and would discharge on the other side of US 70.

Mayor Oliver asked if anyone from the public wished to speak.

With no one else wishing to speak, a motion was made by Councilmember Eric Sellers and seconded by Councilmember William Overby to close the public hearing. Motion carried unanimously. 6:23 p.m.

Mr. Barlow stated that there was a copy of a resolution included in Town Council's packages. He recommended that Council adopt the resolution so that staff could move forward with an application for the infrastructure project.

A motion was made by Councilmember Eric Sellers and seconded by Councilmember William Overby to approve the following Resolution for the Town of Selma to apply for CDBG funding for the Wastewater Collection System Project for Sewer Line Extension and Pump Station Improvements in the Ricks Road area.

Councilmember William Overby stated that he would like to have a third signature, Mayor Pro-Tem Jackie Lacy, on the resolution.

A motion was made by Councilmember Eric Sellers and seconded by Councilmember William Overby to approve a Resolution for the Town of Selma to apply for CDBG funding for the Wastewater Collection System Project for Sewer Line Extension and Pump Station Improvements in the Ricks Road area with the amendment that an additional signature, Mayor Pro-Tem Jackie Lacy, be added to the resolution. Motion carried unanimously.

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, Title 1 of the Federal Housing and Community Development Act of 1974, as amended, has established the U.S. Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program, and has authorized the making of grants to aid eligible units of government in funding the cost of construction, replacement, or rehabilitation of water and wastewater infrastructure, and that the North Carolina Department of Environment & Natural Resources (NCDENR) Division of Water Infrastructure (DWI) was delegated the authority by the state legislature to administer the water and wastewater infrastructure portion of the state grant monies received from the U.S. HUD CDBG program by Session Law 2013-363, and

WHEREAS, The Town of Selma has need for and intends to construct a wastewater collection system project involving sewer line extension and pump station improvements in the Ricks Road area, and

WHEREAS, The Town of Selma intends to request state grant assistance for the project.

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF SELMA: That the Town of Selma, the Applicant, will adopt and place into effect on or before completion of the project a schedule of fees and charges and other

available funds which will provide adequate funds for proper operation, maintenance, and administration of the system.

That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Cheryl L. Oliver, Mayor, and Jon Barlow, Town Manager, the Authorized Officials, and successors so titled, are hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a grant to aid in the construction of the project described above.

That the Authorized Officials and successors so titled, are hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this 8th day of September, 2015 at the Town of Selma, North Carolina.

**Presentation and
Consideration of a
Selma Municipal
Ordinance Text
Amendment
(TA#7.1.15) Request
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 on July 2, 2015, by Barbara Cotton, DVM, and owner of For Pet’s Sake Animal Hospital. She said the proposed amendment would allow “Veterinary Services” as a permitted use in the Central Business (CB) Zoning District.

Planning Director Maybee stated that according to Chapter 17, Article XVII, Section 17-451, Town Council could request amendments to the Town ordinance to correct a manifest error in the Chapter due to changing conditions in a particular area of a jurisdiction or to achieve the purposes of the comprehensive plan.

Planning Director Julie Maybee stated that “Veterinary Services” is not listed as a permitted or special use in the Central Business District, but is listed as a permitted use in the Interstate Business, Light Industrial, and Heavy Industrial Zoning Districts.

Planning Director Julie Maybee stated that kennel and pet grooming services were listed as permitted uses in the General Business and Interstate Business Zoning Districts. She said that

pet grooming, with no overnight boarding, was listed as a permitted use in the Central Business Zoning District. Ms. Maybee stated that staff's opinion was that this was an omission in the ordinance by not including veterinary services as a permitted use.

Planning Director Maybee stated that the Planning Board considered the text amendment at its July 27, 2015 meeting.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to open the public hearing to receive citizen comments. Motion carried unanimously. 6:25 p.m.

Planning Director Julie Maybee stated that at the Planning Board's July 27, 2015 meeting, members recommended approval and made an incorporated consistency statement findings as follows:

The Town of Selma Planning Board has reviewed the request submitted by Barbara Cotton, DVM/For Pet's Sake Animal Hospital. The Planning Board has determined that the proposed action is consistent with the Town of Selma's Future Land Use Plan, and the Planning Board's recommendations to amend the ordinance is reasonable, and in the public interest for the following reasons: it will provide goods and services for the immediate area as well as a sustainable source of employment; land use would reflect the wholesome, tasteful, family-oriented and traditional values of the community, and would make efficient use of space, where residential and commercial uses can exist harmoniously, especially since animals would not be boarded.

Planning Director Julie Maybee stated that those were goals identified in the Future Land Use Plan for the Central Business Zoning District.

With no one present wishing to speak, a motion was made by Councilmember William Overby and seconded by Mayor Pro-Tem Jackie Lacy to close the public hearing. Motion carried unanimously. 6:27 p.m.

Planning Director Julie Maybee stated that staff concurs with the Planning Board's recommendation, and recommends that Town Council consider a draft consistency statement and draft ordinance amendment.

Councilmember Eric Sellers stated that it has been noted that For Pet's Sake Animal Hospital would not have any overnight boarding. He asked if that would be part of the language that Council would approve.

Planning Director Maybee stated that pet grooming and overnight boarding were already a category in the Central Business Zoning District.

Councilmember Sellers stated Council's decision would affect all of the Central Business District, and he wanted to make sure that they did not set up a scenario where anyone could start boarding animals outside. He said that the language being presented did not prohibit that.

Planning Director Maybee stated that she could bring to the next Council meeting a text amendment, after discussing it with the Planning Board, to clarify that veterinary services would exclude boarding.

Councilmember Sellers stated that if it could be done tonight, he would like the restriction of no outside boarding of animals be added to the Central Business Zoning District.

A motion was made by Councilmember Eric Sellers and seconded by Councilmember William Overby to approve the consistency statement as presented by the Planning Board. Motion carried unanimously.

A motion was made by Councilmember Eric Sellers and seconded by Councilmember Tommy Holmes to approve an ordinance adding "Veterinary Services" as a permitted use in the Central Business Zoning District, and to include verbiage to the ordinance to not allow any outside boarding of animals. Motion carried unanimously.

**AN ORDINANCE TO AMEND THE SELMA TOWN CODE,
CHAPTER 17, ARTICLE IV, SECTION 17-67**

BE IT ORDAINED BY THE SELMA TOWN COUNCIL as follows:

Section 1. The Selma Municipal Code, Chapter 17, Article IV, Section 17-67(f) entitled "Central Business District (CB)" is hereby amended as described below:

Section one (1) revised to include "Veterinary Services

– no outside animal boarding” as a permitted land use under new subsection “ss.”

Section 2. This ordinance amendment shall be effective immediately upon adoption.

DULY ADOPTED THIS 8TH DAY OF SEPTEMBER 2015.

**PLANNING & ZONING
REPORT AND
RECOMMENDATIONS-
Adoption of Ordinance
– Solar Farm Text
Amendment:**

Planning Director Julie Maybee stated that at the August 11, 2015 meeting, Selma Town Council unanimously approved 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.

Ms. Maybee stated that for clarification and to correct a typographical error, the specific section of the Selma Municipal Code to be amended was Chapter 17, Article IV, Section 17-67(a)(2), f. She said that the amendment would prohibit solar farms in the R-20 Zoning District by deleting the use from the district provisions.

Ms. Maybee requested that Council approve this text amendment removing solar farms from the R-20 Zoning District.

A motion was made by Councilmember William Overby and seconded by Councilmember Eric Sellers to approve the removal of solar farms from the R-20 Zoning District in Chapter 17, Article IV, Section 17-67(a)(2)f. Motion carried unanimously.

**AN ORDINANCE TO AMEND THE SELMA TOWN CODE
CHAPTER 17, ARTICLE IV, SECTION 17-67 AND
TOWN OF SELMA LAND USE PLAN, ARTICLE III**

BE IT ORDAINED BY THE SELMA TOWN COUNCIL as follows:

Section 1. The Selma Municipal Code, Chapter 17, Article IV, Section 17-67 (a) entitled “R20 – Low Density Residential District” is hereby amended as described below:

Section two (2) f. “Solar farms” deleted in its entirety.

Section 2. In Section III of the Town of Selma Land Use Plan, entitled “Future Land Use” is hereby amended as described below:

Under Section A. “Future Land Use Categories,” first paragraph, “Residential,” revise second sentence 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.”

Section 3. This ordinance/plan amendment shall be effective immediately upon adoption.

DULY ADOPTED THIS 8TH DAY OF SEPTEMBER 2015.

**Consideration of a
Selma Municipal
Ordinance Text
Amendment (5.2.15)
filed on behalf of the
Selma Middle School
for the Installation of a
Digital Sign:**

Planning Director Julie Maybee stated that on August 11, 2015, the Selma Town Council conducted a public hearing on Selma Middle School’s text amendment request (TA#5.1.15) to: (1) allow a school as a permitted use in the R-8 Zoning District; (2) exempt signs erected on government property, including public schools, from regulations; and (3) increase the size of signs allowed in a residential zoning district from sixteen (16) square feet to thirty-two (32) square feet.

Ms. Maybee stated that after conducting the public hearing, the matter was tabled until the Council’s September meeting. She said that ordinance provisions have been drafted to permit electronic changeable message signs subject to special use permit requirements and in accordance with Religious Land & Institutionalized Person Act of 2000 (RLUIPA).

Ms. Maybee stated that she had included the proposed text in Exhibit #4, which has been discussed with Principal Bell.

Ms. Maybee stated that what is being proposed was that each non-residential electronic changeable message sign would require a special use permit, and would be considered on an individual basis in an R-8 Zoning District. She said that in order to accomplish this, Council needed to look at a revision to the special use permit requirements to address digital signs, and to look at allowing a school in a permitted use in the R-8 Zoning District. Ms. Maybee stated that each request would be subject to quasi-judicial public hearing requirements. She said that in order to comply with North Carolina General Statutes, public hearing notices would need to be published in the newspaper, notices sent to the property owner, applicant, adjacent property owners, and notices of public hearing would be posted on the property.

Ms. Maybee stated that in order to accomplish this, a few things needed to be done. She said that the first thing Council needed to

do was deny the applicant's initial request, make a consistency statement findings, and recommend approval of the proposed text amendment. Ms. Maybee stated that these provisions were more restrictive, which was why she was bringing it back to Town Council. She said that the Planning Board at its last meeting considered and approved the proposed revisions. Ms. Maybee stated that staff's recommendations and finding of fact were included in her report.

Ms. Maybee presented the Planning Board's consistency statement and revised text amendment to Council as follows:

The Selma Planning Board has determined that the proposed action is consistent with Town of Selma's Future Land Use Plan, and the Board recommends the amendments are reasonable or in the public interest for the following reasons: (1) the amendment pertains to property located in a R-8 Zoning District, and each sign can be reviewed for compatibility with the surrounding area through the quasi-judicial special use permit process; and (2) a school land use is in keeping with the spirit of the Town's Future Land Use Plan.

Ms. Maybee stated that last week, she did receive the School's special use permit application. She said that based on the outcome of this evening's meeting, it would be placed on the Planning Board's next agenda.

A motion was made by Councilmember Eric Sellers and seconded by Councilmember William Overby to deny the applicant's proposed text amendment (TA #5.1.15) finding the proposed action (text amendment) is inconsistent with the Town of Selma's Future Land Use Plan since the revised text would exempt certain signs from regulations without the ability to evaluate as to whether the land use is consistent with the future land use category, and it is the Council's determination that the amendments are not reasonable or in the public interest for the following reason since the proposed revisions would exempt certain land uses from regulation. Electronic changeable message sign (also known as digital sign) cannot be considered on an individual basis since being exempt, as proposed, from Chapter 17 of the Town's Municipal Code. Motion carried unanimously.

A motion was made by Mayor Pro-Tem Jackie Lacy and seconded by Councilmember Eric Sellers to approve the revised text amendment (see Exhibit #5) finding that the action is consistent with Town of Selma's Future Land Use Plan, and finds the revised amendments are reasonable or in the public interest for the

following reasons: (1) the amendment pertains to property located in a R-8 Zoning District, and each sign can be reviewed for compatibility with the surrounding area through the quasi-judicial special use permit process; and (2) a school land use is in keeping with spirit of the Town's Future Land Use Plan. Motion carried unanimously.

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

Councilmember Overby asked if the electronic sign could now go up. He said that this request has gone on way too long.

Mayor Oliver stated that Selma Middle School's request would need to come back before Town Council next month for approval of the special use permit request.

Councilmember Overby requested that a special meeting be held on September 29, 2015 at 6:00 p.m. in the Jernigan Building to consider the special use permit request.

Planning Director Julie Maybee stated that the adjacent property owners needed to be advised by certified mail at least 15 days prior to the meeting, as well as the property being posted and a public notice being advertised twice in the newspaper. She said that Council and staff needed to follow the ordinance for a special use permit. Ms. Maybee stated that this would be a quasi-judicial public hearing. She recommended that a joint meeting of the Planning Board and Town Council be held to hear the request of the special use permit.

Councilmember Overby stated that fifteen (15) days would be September 23, 2015.

After discussion by Council, a motion was made by Councilmember William Overby and seconded by Councilmember Eric Sellers to schedule a quasi-judicial public hearing for September 29, 2015 at 6:00 p.m. in the Jernigan Building. Motion carried unanimously.

**TOWN MANAGER'S
REPORT &
RECOMMENDATIONS –
Procurement of
Engineering Services to
Assist the Town in**

Town Manager Barlow stated that the Town was seeking engineering services to assist with the preparation of a CDBG application. He said this project would include approximately 1,450 linear feet of 8" gravity sewer line to serve Ricks' Mobile Home Park and improvements to the Preston Street pump station including 3,650 linear feet of 8" force main to reroute the pumping

**Preparing a CDBG
Application:**

station discharge directly to the Johnston County sewer system. Mr. Barlow stated that the proposed project would cost approximately \$1.15 million.

Mr. Barlow stated that two separate attempts were made to receive proposals seeking assistance with completing a CDBG grant application; however, only one proposal was submitted. He said that the Wooten Company has had a great deal of experience working with the Town of Selma. Mr. Barlow stated that the Wooten Company has prepared numerous CDBG applications, and were very familiar with the proposed project. Mr. Barlow stated the proposed cost to the Town for their services would be \$5,000 if funded.

Mr. Barlow requested Council to consider entering into a contract with the Wooten Company for the purpose of preparing a CDBG application on behalf of the Town of Selma.

A motion was made by Councilmember Eric Sellers and seconded by Councilmember Tommy Holmes to approve a contract with the Wooten Company to prepare a CDBG application for the Town of Selma for a sewer line to serve Ricks' Mobile Home Park and improvements to the Preston Street pump station at a cost of \$5,000 if funded. Motion carried unanimously.

**Reminder of Electric
Cost Study on
September 14, 2015 at
4:00 p.m.:**

Town Manager Barlow reminded Council of an upcoming special meeting on September 14, 2015 at 4:00 p.m. in the Jernigan Building. He said this meeting was being conducted for the consideration of an excerpt of minutes concerning the funding of a wastewater collection system project, and for Council to receive information regarding the electric cost study being conducted by Electricities.

Councilmember Overby requested copies of any documents be presented in advance to Council before the September 14, 2015 meeting.

**Board/Committee
Vacancies Update:**

Town Manager Barlow stated that in the Council package was a list of Boards and Committees that have member terms that have or are about to expire. He said that in some cases the seat was vacant for other reasons. Mr. Barlow stated that there were a number of seats that needed consideration.

Mr. Barlow stated that the current process to initiate appointment to a Board or Committee was to submit an application of interest to the Town Clerk. He said that those names were then presented to the Town Council for consideration.

Mr. Barlow stated that it was likely that many of those serving would like to be reappointed, and suggested that those members be contacted to determine their interest. He said that once a final list of vacant seats was known, then an open application period requesting interested citizens to submit an application needed to be conducted. Mr. Barlow stated that the names of those interested in serving or being reappointed would be submitted to Council for consideration.

Councilmember Overby stated that it was his understanding that it was recommended that the Chairperson of each committee would be responsible for the appointment or reappointment of those committee members. He said that staff would only get involved if the Chairperson could not provide future applicants.

Town Manager Barlow stated that staff needed to contact the Chairperson to see if he or she had received any applicants for any vacant positions on their board.

Councilmember William Overby questioned the subcommittee of the Marketing Committee, which was the Wayfinding Committee. He said that the Wayfinding Committee never came before Council for approval.

Mayor Oliver stated that the Wayfinding Committee was not an ongoing committee, and it would be dissolved in the next month or two. She said that the Wayfinding Committee would merge back into the Marketing Committee. Mayor Oliver stated that this was a group that set aside a few of its members to work on a special project, and bring the information back to the Marketing Committee.

Councilmember Overby stated that until it is approved by Council, it was not an official meeting.

Councilmember Holmes stated that a lot of their time was being spent on committees. He said that something needed to be done possibly at a special meeting or work session meeting to discuss appointments to those committees.

Financial Reports:

Town Manager Barlow stated that early in the year, the Town had to pay several bills up front such as property liability insurance, workers' compensation insurance, and debt service.

Town Manager Barlow stated that property taxes have not started coming in.

Mayor Oliver stated that the Water Fund was running a little high for only two months.

Town Manager Barlow stated that in the Water Fund, money was encumbered for chemicals, which was about \$50,000. He said that salaries were going to be a little higher due to the filling of an open position.

Town Manager Barlow stated that the Sewer Fund was looking better.

Mr. Barlow stated that in the Electric Fund, power purchases were down \$60,000 from last year.

Town Manager Barlow recognized Finance Director Kim Batten. He stated that she would be leaving at the end of September to begin work at the Town of Archer Lodge.

Strategic Plan Update:

Town Manager Barlow stated that under infrastructure, Council was aware of the CDBG application for the Preston Street/Ricks Mobile Home Park Project.

Town Manager Barlow stated that the Noble Street Sewer Project would soon be going out for bids. He said that everything has gone to USDA for approval, which should take about two weeks.

Town Manager Barlow stated that under personnel, the evaluation system implementation was deleted, but needed to be added back to spreadsheet.

Mayor Oliver stated that under infrastructure, I&I wastewater projects were not funded for fiscal year 2014/2015; however, \$50,000 was funded for fiscal year 2015/2016.

Town Manager Barlow stated that was for small point repairs that the Town staff could identify and repair themselves.

Mayor Oliver stated that the fiscal year 2015/2016 paving list was presented to Council in July 2015.

Mr. Barlow stated that a final draft should be presented in October so that the project could go out for bid.

Councilmember Overby asked if everything was on track with VC3.

Administrative Services Director Cynthia Richardson stated that VC3 had completed its site visit and inventory review. She said that that they would be getting all the information together and would come back with a recommendation on how and where they will start.

**Town Hall Project
Update:**

Town Manager Barlow stated that the new Town Hall project was well under way, which started in early August. He said that demolition was basically complete. Mr. Barlow stated that the HVAC, electrical, and plumbing were in process with some of the metal stud walls being installed. He said the project was on track, and he has not seen any issues that would derail the project from staying on course.

**TOWN ATTORNEY'S
REPORT:**

Town Attorney Chip Hewett stated that he did not have anything for Council tonight; however, he has three issues for Council to discuss in closed session.

**MAYOR'S REPORT &
RECOMMENDATIONS –
Business Updates:**

Mayor Oliver stated that everyone was aware of the activity on Highway 301 with Family Dollar and Auto Zone. She said that there would be a new business opening soon across from the Depot, Once in a Blue Moon Antiquities.

Mayor Oliver stated that at the I-95 corridor, efforts were being made to market the entire property from the gentlemen's club to Wendy's. She said that Ms. Teresa Daughtry with Partner's Realty is actively marketing the area.

Mayor Oliver stated that a new antique store would be opening soon near Platform Brand Design on South Raiford Street.

Mayor Oliver stated that she had received a letter from JR's Factory Outlet confirming that the store would be going from a general retail and tobacco store to strictly a tobacco and cigar store. She said that JR's has leased that store, and they would keep the tobacco products. Mayor Oliver stated that JR's would keep about 18,000 square feet of the building with the remainder being up for re-leasing. She said that there was activity underway to get an attractive company to take the extra space. Mayor Oliver stated that JR's would be laying off their non-tobacco related staff in three waves from November 2015 through December 2015 with about 50 employees being impacted. She said that JR's was purchased by a company in the United Kingdom that is a tobacco company, which does not do general retail. Mayor Oliver stated that any general retail left after December 15, 2015 would be moved to the Burlington store, which is actually owned by JR's.

**Moccasin Creek Service
District Board Vacancy:**

Mayor Oliver stated that she wanted to make everyone aware that there was a Johnston County Moccasin Creek District Service Board, which Mr. Donnie Parker has served on for many years. She said that Mr. Parker would like for someone else to assume this position. Mayor Oliver stated the position is advertised by the Johnston County Board of Commissioners. She said that this Board's website states that it meets monthly; however, they actually meet about twice a year. She said that the Board meets to approve the maintenance of Moccasin Creek.

Meeting Dates:

Mayor Oliver stated that Town Manager Barlow had already mentioned September 14, 2015 at 4:00 p.m., Council would meet with the ElectriCities rate consultant to discuss the Town's electrical rates.

Mayor Oliver stated that after the state of the communities address, she has done a state of the Town address at Harrison. She said that the next date available is September 29, 2015 at 11:00 a.m.

Mayor Oliver asked about having a work session after the special meeting that has been scheduled for September 29, 2015 in the Jernigan Building at 6:00 p.m.

Town Council agreed for a work session to be scheduled on September 29, 2015 immediately following the special meeting.

General Comments:

Mayor Oliver stated that the school letter grades came out last week. She said that the Selma schools had Ds and Fs as they have in the past. She said that this was a critical issue. Mayor Oliver stated that the schools were doing a tremendous job; however, something needed to be done about the dismal letter grades. She said that not only did the Concerned Citizens for Successful Schools need to be involved, but the Johnston County Board of Commissioners, and Johnston County Board of Education need to likewise.

Mayor Oliver stated that the Holiday Homes Tour and It's A Wonderful Life in Selma campaign would be held on December 12, 2015.

Mayor Oliver stated that she would be suggesting the idea "Gazebo Galleria" to the Marketing Committee since the Town now owns that property. She said that they could have various vendors the first Saturday of each month selling everything from fruits and vegetables to arts and crafts.

Mayor Oliver stated that she has been approached by someone who wants to start a PEG (Public Education Government) Channel in Selma. She said that she has asked the individual to put together a presentation for Council.

**Committee
Appointments:**

Mayor Oliver stated that the Town has received three applications for the Historic Properties Commission: Mr. Johnny Wheeler, Mr. Robert Crossgrove, and Ms. Susanne Poté. She said that Council would be voting on each of the applicants individually.

A motion was made by Councilmember William Overby and seconded by Mayor Pro-Tem Jackie Lacy to approve the appointment of Mr. Johnny Wheeler to the Historic Properties Commission. Motion carried unanimously.

A motion was made by Councilmember William Overby and seconded by Councilmember Eric Sellers to approve the appointment of Mr. Robert Crossgrove to the Historic Properties Commission. Motion carried unanimously.

A motion was made by Councilmember Tommy Holmes and seconded by Mayor Pro-Tem Jackie Lacy to approve the appointment of Ms. Susanne Poté to the Historic Properties Commission. Motion carried unanimously.

Mayor Oliver stated that an application had been received by Susanne Poté requesting appointment to the Marketing Committee.

A motion was made by Councilmember Tommy Holmes and seconded by Councilmember Eric Sellers to approve the appointment of Ms. Susanne Poté to the Marketing Committee. Motion carried unanimously.

**COUNCILMEMBERS'
REPORT &
RECOMMENDATIONS:**

Councilmember William Overby stated that all the lights along the walking trail at Harrison have an electrical box that is not covered. He asked Electric Utility Director Donald Baker to look into the matter.

Councilmember William Overby stated that Mr. Stacy Earp was questioning when the plaque that has been discussed by Council would be installed at the Barber Shop located at 101 West Railroad Street.

Mayor Oliver stated that the appointments tonight to the Historic Properties Commission would assist with this request. She said that Mr. Ray Jaklitsch has met with the son of Mr. Stacy Earp.

Mayor Oliver stated that Mr. Ray Jaklitsch wanted to get this Committee started so this project could get underway. She said that the Historic Properties Commission would be discussing a plaque design for that building.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to install a plaque identifying 101 West Railroad Street as the oldest building in Town by October 9, 2015. Voting Yes: Councilmember Tommy Holmes and Councilmember William Overby. Voting No: Mayor Cheryl Oliver, Mayor Pro-Tem Jackie Lacy, and Councilmember Eric Sellers. Motion denied.

Councilmember William Overby advised Council that on September 13, 2015, the Original Free Will Baptist Church located at North Pollock Street and Lizzie Street would be having a Fun Day from 4:00 p.m. to 6:00 p.m., and would be closing one block of Lizzie Street.

Councilmember Eric Sellers thanked the Department Heads for taking the time to attend the Council meetings. He said that it was very much appreciated.

Mayor Pro-Tem Jackie Lacy thanked Town Manager Barlow for having the tabs inserted into the Council packets.

**CLOSED SESSION –
Update on Pending
Litigation:**

Town Attorney Chip Hewett asked Council to go into closed session under N.C.G.S. 143-318.11(3) to discuss a pending litigation, Town of Selma vs. Ms. Sandra Lemon; 143-318.11(4) to discuss a matter dealing with economic expansion; and 143-318.11(6) to discuss a personnel issue. He advised that there probably would be no action taken.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to go into closed session. Motion carried unanimously. 7:44 p.m.

ADJOURNMENT:

With no further business, a motion was made by Councilmember Eric Sellers and seconded by Mayor Pro-Tem Jackie Lacy to adjourn. Motion carried unanimously.

The meeting adjourned at 8:30 p.m.

BRENDA W. THORNE, Deputy Clerk