

**TOWN OF BURGAW BOARD OF COMMISSIONERS
REGULAR MEETING**

DATE: June 12, 2018
TIME: 4:00 PM
PLACE: Burgaw Municipal Building
BOARD MEMBERS PRESENT: Mayor Kenneth Cowan
Mayor Pro-tem Wilfred Robbins
Commissioners Jan Dawson, Bill George, Vernon Harrell and James Murphy
STAFF PRESENT: Joseph Pierce, Town Manager
Sylvia W. Raynor, Town Clerk
Zachary Rivenbark, Town Attorney
Alan Moore, Director of Public Works
Louis Hesse, Building Inspector
Jim Hock, Chief of Police
Jim Taylor, Fire Chief
Wendy Pope, Finance Officer
Karen Dunn, Planning Administrator
Kristin Wells, Deputy Clerk
Zachary White, Parks/Recreation Coordinator
MEDIA PRESENT: None
INVOCATION: Nick Smith, Chaplain
PLEDGE OF ALLEGIANCE: All

The meeting was called to order by Mayor Kenneth Cowan at 4:00PM. The invocation was delivered by Chaplain Nick Smith. The Pledge of Allegiance was said by all.

Approval of Agenda

Commissioner Harrell made a motion to approve the agenda as presented. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Approval of Consent Agenda

Commissioner Dawson made a motion to approve the consent agenda as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote. The consent agenda and the following items were approved:

- Minutes of the May 15, 2018 Regular Meeting and Closed Session
- Minutes of the May 10 Budget Workshop

DEPARTMENTAL ITEMS

Parks and Recreation – Zachary White, Parks & Recreation Coordinator

Mobile Stage Rental Policy

Mr. White advised he has prepared a draft of the mobile stage rental policy. After a brief discussion it was requested to amend the draft policy to state that the stage could not be taken out of the town limits. Commissioner George made a motion to approve the Mobile Stage Rental Policy to include an amendment to not allow the stage to be taken out of the town limits. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Picnic Shelter Rental

Mr. White advised the picnic shelter and the special events application are one and the same. He said he would like for the picnic shelter applications to come through him. He said separating the two items into two separate applications would simplify the process. He also commented that currently the town manager must sign off on

picnic shelter rentals and this step should be eliminated. Commissioner Harrell made a motion to approve the revised Picnic Shelter Application as presented. The motion was seconded by Commissioner George and carried by unanimous vote.

Special Event Application

Mr. White advised he has drafted a Special Event Application that has been separated from the picnic shelter rental application but the information is still basically the same. He advised this one will come to him and he will get the information to the department heads that need to sign off on it and will see that all aspects of the application are taken care of. There were questions regarding the definition of “large” and “small” events, the use of electricity by renters and requirements to leave the site clean. After much discussion, Mr. White advised he will make the requested changes and try to get this out in the weekly update. This item was tabled until amendments are made to the rental application.

Draft Park Plan for Courthouse Avenue – John Westbrook

Mr. Westbrook presented a draft plan for the proposed park on Courthouse Avenue. The plan featured replacement of sidewalks and the street surface as well as a park with a water feature for children, a fountain, a place to sit and rest, a court for children to play games on, restrooms and extensive landscaping that includes a living wall and trees. He has also included decorative fencing with plentiful lighting for safety at night.

There was a brief question and answer session after the presentation. No action was taken at this time.

ITEMS FROM ATTORNEY – Zachary Rivenbark, Town Attorney

Drainage Issues on Bridgers Street

Attorney Rivenbark advised he and Mr. Moore have looked at the drainage issue brought before the Board by Mr. Peterson on Bridgers Street. He advised he thinks we can get permission to go into the problem area and do some work to alleviate the problem with water backing up on Bridgers Street. Mr. Moore advised they have determined there is a town easement that can access the area. Attorney Rivenbark advised he and Mr. Moore have spoken with the residents and they would like to have the ditch cleaned out. He advised the Board that upon their request he can write letters to the residents or whatever it takes when they are ready to start the work.

Community House Usage Discussion

Attorney Rivenbark advised he has reviewed the Community House issues created by the fitness classes being held there. He presented several documents regarding use of the Community House for review by the Board. He briefly discussed the current Community House Usage Policy, the Complimentary Use Policy, the proposed Independent Contract Instructor Agreement and the proposed Independent Contractor Use Policy. Attorney Rivenbark advised the Board that he still feels that the best plan for the town is the Independent Contract Instructor Agreement or Option 3 that was discussed at the budget workshop. He also commented that the manager needs to know where we are going with this for budget purposes. Mr. Pierce advised we have gone back to the current position until the Board gives further direction.

Commissioner Harrell advised he is opposed to changing to a for profit event because we have been doing these classes at no charge to the participants and he wants to keep it that way. Commissioner Dawson said when we first approved this it was for Town residents only. Mr. White and Attorney Rivenbark both advised that the complimentary use policy currently in use does not specify in town residents only. Commissioner Dawson said that was the intent “for the town residents only”. Mayor Cowan asked the Board what they would like to do with this situation. Commissioner Harrell expressed his concern with changing the rentals to a ‘for profit’ rental because he feels that would be essentially competition for local businesses including his own. Commissioner Dawson commented this has gotten out of hand since its beginning with El Puente and she requested that the classes be for in town residents only. Mayor Cowan said that will be difficult to control. Commissioner Robbins stated the problem is that our Parks and Recreation Coordinator has little knowledge of what goes on in the classes being held in the community house and he should be in charge of those classes. Mr. White advised he cannot keep up with the classes even though he gets calls about them but has no knowledge of times etc. unless he looks at the instructor’s facebook page to find out what they are doing. Mr. Pierce advised that recently it was determined that we have been invoiced

for off-sight classes which the town is not responsible for paying. Mr. White advised the same instructors do donation based classes at the arts council building. Commissioner Robbins suggested that considering the issues we are having that maybe we should cancel what's taking place in the community house until we get a handle on it for the new budget year and maybe start a new program after all this is settled under the auspices of the Parks and Recreation Coordinator because it is his job to do so. Mr. White said we can do that but we still need to know what format the Board wants to use such as will the instructors be part-time employees or will they be independent contractors or what. Commissioner Dawson said she agrees with Commissioner Robbins and start with a clean slate with Mr. White in charge. Mayor Cowan asked the Board what they wanted to do. Commissioner Dawson said "cancel this and let Zach come back with a plan". Mr. White said he will come back with a plan regarding the fitness classes.

ITEMS FROM MANAGER – *Joseph Pierce, Town Manager*

Sewer Line Repair

Mr. Pierce advised Mr. Moore has brought to his attention a problem with a sink hole at the intersection of Fremont Street and Wright Street. He said this involves a manhole and is caused by inflow and infiltration (I&I) and must be repaired due to safety concerns. He said this is outside of the scope of our Public Works Department and we have received a quote from T.A. Loving in the amount of \$19,500 for three days of work. He said the work can begin on June 18th and will be done at night to minimize the flow as well as traffic. He said he is requesting approval for the contract for the repair at the intersection of Fremont and Wright Streets. After a brief discussion, Commissioner Robbins made a motion to move forward with allowing T.A. Loving to repair the sink hole at the intersection of Fremont and Wright Streets. The motion was seconded by Commissioner George. Commissioners Robbins, George, Dawson and Murphy voted "aye". Commissioner Harrell voted "nay". Motion carried four to one.

Mayor Cowan said that in speaking with Mr. Moore he has learned that we are processing more water than we are selling and that we need to check into the I&I issues. There are particular concerns with the downtown business district. Mr. Pierce advised we have been talking to Tony Boahn about this to determine what action needs to be taken.

Stop Light Problems at Fremont and Wright Street

Mr. Pierce advised a stop light at Fremont and Wright fell and needed repair. He advised the company that did the repair noted that the remaining lights are grossly outdated, dilapidated and rusty. He said the light just fell without being struck by anything. He is recommending the expenditure of \$6200 to replace the other seven lights. He advised next year we can look at getting a signal cabinet, controller and software to update that system in order to do our annual inspections on it and eliminate our liability.

Commissioner Dawson made a motion for authorization of the expenditure of \$6200 out of the 5700 fund for capital outlay for the repair and updating of the dilapidated lights. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

Certificate of Achievement for Wellhead Protection Plan

Mr. Pierce announced that the Public Works Department has been awarded a certificate of achievement for updating our wellhead protection plan. He said this award was from the NC Department of Rural Water Association and the Department Environmental Quality. Mr. Pierce said he wanted to recognize Alan Moore and his crew for taking proactive steps to make sure that our wellheads are protected.

BREAK 5:20PM – 5:30PM

PUBLIC FORUM

Speakers:

Rebekah Wrye, 211 W Fremont Street spoke in support of the park plan presented by Mr. Westbrook. She was pleased with the offerings of the proposed park that will make the area more attractive.

Cheryl Holt, S Wright Street Apartment said she just recently moved back to Burgaw and became involved with the arts center. She spoke in favor of the proposed park and favors the combination of art and greenspace for the citizens.

Penny Vasquez 404 Old Swan Court Avenue in Rocky Point also spoke in favor of the proposed park. She said although she is not a citizen of the town she sees Burgaw as the hub of Pender County and the park will draw more citizens to the area. She was especially in favor of the restrooms at the park and the convenience of having public restrooms. She advised she is a sculptor and she said she would like to propose a sculpture walk in Burgaw at a later date.

PUBLIC HEARINGS

Public Hearing 1 – Joseph Pierce, Town Manager

Consideration of Adoption of the FY 2018-2019 Budget for the Town of Burgaw

Mayor Cowan declared the public hearing open at 5:41PM.

Mr. Pierce stated we had the budget workshop on May 10th and we have adjusted the budget from that workshop. He presented the FY 2018-2019 budget for the town and briefly reviewed the highlights of the budget. Upon completion of the presentation Mayor Cowan asked if there were any questions. Commissioner Harrell said he is not convinced that the depot should be rented for \$800.00. Staff spoke in regards to the depot charges and explained that part of the fee charged also includes the cleaning fee and also our price is still lower than most other similar venues. Commissioner Harrell was also opposed to the film permit fees increase because it will discourage filming in town. Mayor Cowan advised these are items that we can look at later and suggested we move forward. There being no further discussion, Mayor Cowan closed the public hearing at 5:48PM.

Approval of Ordinance 2018-05 Budget Ordinance for FY 2018-2019

Commissioner Dawson made a motion to approve Ordinance 2018-05 as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote. Commissioner Robbins commented that Mr. Pierce did an extraordinary job on the budget this year; it was done in a completely different manner than in the past and he thought it worked very well. Mr. Pierce said he had a good staff to work with which helped in the process.

ORDINANCE 2018- 05 BUDGET ORDINANCE FISCAL YEAR 2018-2019

BE IT ORDAINED by the Board of Commissioners of the Town of Burgaw, North Carolina:

SECTION 1: The following amounts are hereby appropriated in the General Fund for the operation of the town government and its activities for the fiscal year beginning July 1, 2018 and ending June 30, 2019 in accordance with the chart of accounts established for this town:

GENERAL FUND EXPENDITURES

Governing Body	\$ 98,842
Administration	\$ 475,334
Depot	\$ 51,178
Incubator Kitchen	\$ 9,522
Police	\$1,081,845
Fire	\$ 834,598
Planning	\$ 154,537
Inspections	\$ 145,105
Powell Bill	\$ 144,255
Streets	\$ 254,379
Sanitation	\$ 400,937
Non Departmental	\$ 255,462
City Parks	\$ 97,171
Cemetery	\$ 49,824

Garage	\$ 69,616
Special Appropriations	\$ 0
Community House	\$ 18,950
Old Jailhouse	\$ 500
EMS Building	\$ 3,750
TOTAL	\$4,145,805

SECTION 2: It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2018 and ending June 30, 2019 at a tax rate of \$0.46 per \$100 valuation:

GENERAL FUND REVENUES

Ad Valorem Taxes	\$1,347,359
Other Taxes and Licenses	\$1,399,085
Unrestricted Intergovernmental	\$ 369,526
Restricted Intergovernmental	\$ 527,800
Permits and Fees	\$ 51,825
Sales and Services	\$ 372,600
Investment Earnings	\$ 14,600
Miscellaneous	\$ 2,500
Fund Balance Appropriated	\$ 60,510
TOTAL	\$4,145,805

SECTION 3: The following amount is hereby appropriated in the Water and Sewer Fund for expenditures consistent for the proper operation of the water and sewer utility for the fiscal year beginning July 1, 2018 and ending June 30, 2019 in accordance with the chart of accounts established for this fund:

WATER & SEWER FUND EXPENDITURES

Water Distribution	\$ 601,961
Sewer Collection and Treatment	\$ 442,922
Transmission Line	\$ 633,118
TOTAL	\$1,678,001

SECTION 4: It is estimated that the following revenue will be available in the Water and Sewer Fund for the fiscal year beginning July 1, 2018 and ending June 30, 2019 based upon a flat water rate of \$9.26 and a per 1,000 gallons rate per Attachment I and a sewer rate of \$9.23 per 1,000 gallons:

WATER & SEWER FUND REVENUES

Water Distribution	\$ 634,500
Sewer Collection and Treatment	\$ 1,043,500
Impact Fees	\$ 0
TOTAL	\$ 1,826,304

SECTION 5: There is hereby levied a tax rate of \$0.46 per one hundred dollars valuation of property as listed for taxes as of January 1, 2018 for the purpose of raising revenue as listed by category of General Fund Revenues in Section 2 of this Ordinance. This rate is based upon an estimated rate of collection of 96%.

SECTION 6: The Finance Officer with the approval of the Town Manager is hereby authorized to transfer appropriations within a fund contained herein as follows:

- a. Transfer amounts between objects of expenditure within a department without limitation and without a report being required.
- b. Transfer amounts between departments of the same fund with an official report on such at the next regular meeting of the Board of Commissioners must be approved by the Town Manager. No transfers shall be made of any amount between funds appropriation within any fund without Board authorization.
- c. In an emergency situation the Town Manager in consultation with the Mayor or Mayor Pro Tem may expend funds from any source. The Board will be notified as soon as possible of the expenditure.

SECTION 7: The Finance Officer with the approval of the Town Manager is hereby authorized to carry-over in the appropriations for the fiscal year any previously approved purchase orders and accompanying budget authority.

SECTION 8: This ordinance includes Attachment I - Schedule of Fees, Attachment II - Pay and Classification Schedule.

Adopted this, the 12th day of June, 2018 by the Board of Commissioners of the Town of Burgaw.

** Note: Due to the length of the Budget Ordinance attachments, those documents are available in the clerk's office.*

Public Hearing 2 – Karen Dunn, Planning Administrator

Consideration of a text change amendment proposed by town planning staff to the Town of Burgaw Unified Development Ordinance Article 2. Administrative Bodies, Section 2-5: Technical Review Committee and Article 3. Review and Approval Procedures, Section 3-1: Common Requirements

Mayor Cowan declared the public hearing open at 5:49PM.

Ms. Dunn advised this is a consideration of a text change amendment to amend the Unified Development Ordinance (UDO) by adding a technical review committee. She said that she and Mr. Pierce have met and discussed this and there recommendation is the establishment of a Technical Review Committee (TRC) to streamline the development application review process. A TRC will help maintain an efficient, timely, predictable, and customer-focused permit process that integrates multiple town departments, state and federal agencies into a coordinated review entity. Ms. Dunn reviewed the changes to be made to the UDO if the Board approves the recommended amendment. (See amendments below in *italics*)

Section 2-5: Technical Review Committee

- A. *Establishment: The Technical Review Committee (TRC) shall be established to provide a coordinated and centralized technical review process. It is the intent of the Technical Review Committee to streamline application review and provide inclusive comments to the development community. The members of the Technical Review Committee shall be composed of persons from various departments and agencies which have an interest in the development review process.*
- B. *Membership*
 - a. *Chair: The Planning Administrator shall serve as Chair of the Technical Review Committee and shall be responsible for all final decisions of the Committee.*
 - b. *Other Members: In addition to the Chair, the Technical Review Committee shall be comprised of the following members or their designated representatives:*
 - i. *Town Manager's Office*
 - ii. *Burgaw Public Works*
 - iii. *Burgaw Police Department*
 - iv. *Burgaw Fire Department*
 - v. *Burgaw Building Inspections*
 - vi. *Burgaw Floodplain Manager*
 - vii. *Burgaw Parks and Recreation*
 - viii. *North Carolina Department of Transportation (NCDOT) - District Engineer Office*
 - ix. *NC Department of Environmental Quality (NCDEQ) – Energy, Mineral and Land Resources*
 - x. *Any other Town staff, consultant, or external agencies the Chair deems necessary for the professional review of an application*
- C. *Procedures: The Technical Review Committee shall meet as often as necessary to fulfill its duties or upon call of the Chair of the committee to review and discuss development applications. The meeting notes of each meeting shall be filed with the Planning Administrator. An official quorum shall not be required; all written comments shall be deemed necessary as proper input.*
 - d. *The Technical Review Committee shall make a recommendation on the following development application procedures prior to submission of application to the appropriate review board unless waived by the chair:*
 - i. *Rezoning*
 - ii. *Master Development Plans*
 - iii. *Major Site Development Plans*
 - iv. *Conditional Use Permit*
 - v. *Major Subdivision (preliminary and final plats)*
 - vi. *Any other review requested by an approving authority*

Upon completion of her presentation, Ms. Dunn advised she would take questions if necessary. Commissioner Dawson asked if there is a certain date that regular TRC meetings will be set. Ms. Dunn advised she has not set a date but will probably meet at least two weeks before the planning board meeting. Ms. Dunn spoke at length regarding all the issues that come into play with setting meetings and advised that she may come back with additional changes in the ordinance in order to streamline the process even more. Commissioner Harrell asked when Ms. Dunn was doing the informal TRC meetings how was feedback from the developers and people she was trying to facilitate. Ms. Dunn advised she submitted plans with a form to the town departments that they could complete

during their review. She would then consolidate the comments and she would work with the developers regarding the comments. She said with a TRC the developer/applicant will be at the meeting with all parties, hear and discuss the issues face to face and when the plan is submitted to the board the issues should already be taken care of before the board meeting. Commissioner Harrell said it sounds like this is a standard plan for all municipalities.

There being no further comments, Mayor Cowan closed the public hearing at 5:59PM.

Approval of Resolution 2018-07 Adopting A Statement Of Consistency Regarding A Requested Text Change Amendment Of The Town Of Burgaw Unified Development Ordinance To Establish Section 2-5: Technical Review Committee And Section 3-1: Common Requirements

Commissioner Dawson made a motion to approve Resolution 2018-07 as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

**RESOLUTION 2018-07
ADOPTING A STATEMENT OF CONSISTENCY REGARDING A REQUESTED TEXT CHANGE AMENDMENT OF
THE TOWN OF BURGAW UNIFIED DEVELOPMENT ORDINANCE TO ESTABLISH SECTION 2-5: TECHNICAL
REVIEW COMMITTEE AND SECTION 3-1: COMMON REQUIREMENTS**

WHEREAS, applicant, Town of Burgaw Staff, has requested the town amend the Town of Burgaw Unified Development Ordinance to establish Section 2-5 Technical Review Committee and Section 3-1 Common Requirements; and

WHEREAS, planning staff has reviewed the proposed text change amendment for consistency with the Town of Burgaw 2030 Comprehensive Land Use Plan and has presented those findings to the Town of Burgaw Planning Board and the Town of Burgaw Board of Commissioners; and

WHEREAS, the Town of Burgaw Planning and Zoning Board at their May 17, 2018 meeting recommend the adoption of the draft consistency statement to the Board of Commissioners; and

WHEREAS, the Town of Burgaw Board of Commissioners reviewed the staff report and draft consistency statement at their June 12, 2018 meeting and find the proposed text change amendment to be consistent with the Town of Burgaw 2030 Comprehensive Land Use Plan, reasonable, and in the public interest;

NOW THEREFORE BE IT RESOLVED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT the proposed text change amendment is consistent with the Town of Burgaw 2030 Comprehensive Land Use Plan because by establishing a Technical Review Committee (TRC), it will help ensure clear and efficient administrative procedures, policies, and ordinances that will attract and retain the type of enterprises necessary to achieve the town's vision. The TRC will help maintain an efficient, timely, predictable, and customer-focused permit process, conducted in a manner that integrates multiple town and state departments into a coordinated entity.

Adopted this 12th day of June 2018.

Ordinance 2018-06 Approving a Text Change Amendment to the Town Of Burgaw Unified Development Ordinance to Establish Section 2-5: Technical Review Committee and Section 3-1: Common Requirements

Commissioner Dawson made a motion to approve Ordinance 2018-06 as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

**ORDINANCE 2018-06
APPROVING A TEXT CHANGE AMENDMENT TO OF THE TOWN OF BURGAW UNIFIED DEVELOPMENT
ORDINANCE TO ESTABLISH SECTION 2-5: TECHNICAL REVIEW COMMITTEE AND SECTION 3-1: COMMON
REQUIREMENTS**

WHEREAS, the Town of Burgaw is a municipal corporation organized under the laws of North Carolina, invested with the powers enumerated in Chapter 160A of the North Carolina General Statutes; and

WHEREAS, the Town of Burgaw Board of Commissioners adopted the Unified Development Ordinance (UDO) and official zoning map on December 12, 2000; and

WHEREAS, town staff have requested to establish a Technical Review Committee; and

WHEREAS, at their May 17, 2018 meeting, the Town of Burgaw Planning and Zoning Board voted to recommend approval of the proposed text change amendment to establish Section 2-5: Technical Review Committee and Section 3-1: Common Requirements, and

WHEREAS, the Town of Burgaw Board of Commissioners finds the proposed amendment consistent with the Burgaw 2030 Comprehensive Land Use Plan because by establishing a Technical Review Committee (TRC), it will help ensure clear and efficient administrative procedures, policies, and ordinances that will attract and retain the type of enterprises necessary to achieve the town's vision. The TRC will help maintain an efficient, timely, predictable, and customer-focused permit process, conducted in a manner that integrates multiple town and state departments into a coordinated entity; and

NOW THEREFORE BE IT ORDAINED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT

SECTION 1. The Town of Burgaw Unified Development Ordinance is amended as follows:

Article 2. Administrative Bodies

Section 2-5: Technical Review Committee

A. Establishment: The Technical Review Committee (TRC) shall be established to provide a coordinated and centralized technical review process. It is the intent of the Technical Review Committee to streamline application review and provide inclusive comments to the development community. The members of the Technical Review Committee shall be composed of persons from various departments and agencies which have an interest in the development review process.

B. Membership

a. Chair: The Planning Administrator shall serve as Chair of the Technical Review Committee and shall be responsible for all final decisions of the Committee.

b. Other Members: In addition to the Chair, the Technical Review Committee shall be comprised of the following members or their designated representatives:

- i. Town Manager's Office
- ii. Burgaw Public Works
- iii. Burgaw Police Department
- iv. Burgaw Fire Department
- v. Burgaw Building Inspections
- vi. Burgaw Floodplain Manager
- vii. Burgaw Parks and Recreation
- viii. North Carolina Department of Transportation (NCDOT) - District Engineer Office
- ix. NC Department of Environmental Quality (NCDEQ) – Energy, Mineral and Land Resources
- x. Any other Town staff, consultant, or external agencies the Chair deems necessary for the professional review of an application

D. Procedures: The Technical Review Committee shall meet as often as necessary to fulfill its duties or upon call of the Chair of the committee to review and discuss development applications. The meeting notes of each meeting shall be filed with the Planning Administrator. An official quorum shall not be required; all written comments shall be deemed necessary as proper input.

Article 3. Review and Approval Procedures

Chapter I. Common Requirements for Permits and Approvals

Section 3-1: Common Requirements

E. Pre-Submittal Meeting with Staff

i. Before submitting an application for development approval, each applicant is encouraged to schedule a pre-submittal meeting with planning staff to discuss the procedures, standards, and regulations required for development approval in accordance with this ordinance.

ii. A face-to-face pre-submittal meeting with planning staff shall be required for the following approvals prior to submission of an application unless waived by the administrator:

1. Rezoning
2. Master Development Plan
3. Minor or Major Subdivision
4. Preliminary Plat
5. Conditional Use Permit
6. Variance
7. Reasonable Accommodation

iii. All applications must be sufficient for processing prior to review.

d. The Technical Review Committee shall make a recommendation on the following development application procedures prior to submission of application to the appropriate review board unless waived by the chair:

- vii. Rezoning
- viii. Master Development Plans

- ix. Major Site Development Plans
- x. Conditional Use Permit
- xi. Major Subdivision (preliminary and final plats)
- xii. Any other review requested by an approving authority

SECTION 2. This amendment becomes effective immediately upon adoption of this ordinance on this, the 12th day of June 2018.

ITEMS FROM MAYOR AND BOARD OF COMMISSIONERS

Commissioner Murphy asked Mr. Hesse if he could contact Mr. Montague regarding the nuisance house located beside the tennis courts. Mr. Hesse advised he has been contacted and his response is that he wants to try to save the house.

Commissioner Murphy advised there are some bad potholes on McCullen Street near NC Hwy 53 and asked if that area is going to be paved. Mr. Moore said that area is not scheduled for paving and he will have public works fix the potholes.

Commissioner Robbins asked about the status of the blueberry sculpture. Mr. Pierce said he called Craig Brown numerous times and left voice mails to no avail. He then asked Mr. Hesse to try to make contact with Mr. Brown. Mr. Brown said he was waiting on Mr. Hesse to figure out the size we need for the pedestal but that was never an issue in the past when Mr. Pierce talked with him. After a detailed discussion regarding the numerous contacts both Mr. Hesse and Mr. Pierce have had with Mr. Brown, Commissioner Robbins asked if we can move this along and also asked to have the blueberry sculpture put on the agenda next month for an update on the progress.

Commissioner Robbins advised he has looked at the pedestrian safety improvements depicted on a map presented by Ms. Dunn at a recent meeting. He said he has determined the following areas to be priorities: the crosswalk at Timberly Lane and Osgood Trail; the crosswalk at NC Hwy 53 and Osgood Trail; the crosswalk at South Walker Street and Progress Drive at the new sidewalk. He said he would like to propose that we move forward with those three crosswalks. Ms. Dunn advised we would bid out these rapid flashing beacons. She said if you estimate about \$12,500 for each one it would be about \$36,000. She advised there are a couple of others places the Board might want to consider and that would be at the crossing from the Johnson Park walkway to the sidewalk going toward Cowan Street and the Piggly Wiggly sidewalk (for which we need to get an easement) which will continue from Dickerson. Mayor Cowan mentioned we need to include the Wilmington Street crossing as well. After much discussion the Board was in agreement to choose priority numbers 1, 2, 3, 5, and 9 from the map presented by Ms. Dunn and move forward with getting estimates for safety improvements in the form of rapid flashing beacons for the crosswalks. Ms. Dunn said she would look into getting cost estimates from several vendors and bring back numbers for the cost.

Commissioner Robbins said we have been talking about constructing a park on Courthouse Avenue for some time now and he wants to go on record that he was really impressed with Mr. Westbrook's presentation and he believes it is a reality and feels that we need to move forward with it and get it done.

Commissioner Dawson asked about the list of houses in disrepair. Mr. Hesse advised he has ten houses with seven owners currently responding to his requests. He advised as soon as the board appoints an attorney, he will give the remaining three properties to him to start nuisance abatement. He said we are making progress.

Commissioner Dawson asked Mr. Moore to check with NCDOT and remind them about the necessary repair on Hayes Street.

Commissioner Harrell said he wanted to talk about the oak tree at the old bank building. He said he feels it will help the tree if part of the parking lot is eliminated and some space is created around the roots of the tree. He said the tree will benefit from having more room for growth. He suggested closing one entrance to the parking lot and adjustment of the parking layout.

Discussion and Possible Appointment of Parks and Recreation Advisory Board Members

Commissioner Dawson stated that we have seven applications for a seven member board and she made a motion to appoint all seven applicants to the Parks and Recreation Board. The motion was seconded by Commissioner George and carried by unanimous vote. The seven members of the Parks and Recreation Advisory are: Emily Baker, Jennifer Buttery, Olivia Dawson, Jennifer Matthews, Trisha Newton, Daniel Price and Cameron Shepard.

CLOSED SESSION – 6:40PM

Commissioner Dawson made a motion to go into closed session pursuant to GS 143-318.11 (a) (6) Personnel and (a) (3) Attorney/Client Privilege. The motion was seconded by Commissioner George and carried by unanimous vote.

OPEN SESSION RECONVENED – 7:08PM

Commissioner George made a motion to go out of closed session. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Upon reconvening to open session the following motions were made:

Commissioner Robbins made a motion to appoint Kristin J. Wells as the Town Clerk effective September 1, 2018 to fill the vacancy by the retiring clerk. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Commissioner Dawson made a motion to appoint Zachary Rivenbark as the Town Attorney. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

ADJOURNMENT

Commissioner Dawson made a motion to adjourn. The motion was seconded by Commissioner George and carried by unanimous vote. The meeting adjourned at 7:17PM.

Kenneth T. Cowan, Mayor

Attest: _____
Sylvia W. Raynor, Town Clerk