

TOWN OF YADKINVILLE
BOARD OF COMMISSIONERS
MONTHLY MEETING MINUTES
August 5, 2013

OFFICIALS PRESENT:

Mayor Hubert Gregory
Commissioners:
Gene Branon
Betty Driver
Phillip Graham
Tony Hall
Eddie Norman

STAFF PRESENT:

Town Manager: Christopher Ong
Town Clerk: Carmen Headen
Chief of Police: Tim Parks
Public Works Director: Perry
Williams
Planning & Development: Paul
Lowe

Quorum (4) is met – Meeting proceeded

PUBLIC HEARINGS (1) & (2)

Public hearing (1) was convened at 6:53 p.m. by Mayor Hubert Gregory. The purpose of the hearing was to consider a Zoning Text Amendment request from Jim Ballas to alter the Table of Uses, Article 6 to permit offices (business, professional, public) as an allowable use in the B-1 (Neighborhood Business) zoning district. No one in attendance spoke on the issue. The public hearing was closed at 6:55 p.m.

Public hearing (2) was called to order at 6:55 p.m. to consider approving changes to Article B (Peddling and Soliciting) of the Town Code to prohibit door-to-door solicitation at private residences and exempting non-profit organizations from the ordinance. No one in attendance spoke on the issue. The public hearing was closed at 6:58 p.m.

1. CALL TO ORDER

The meeting was called to order by Mayor Hubert Gregory at 6:58 p.m.

2. INVOCATION

Commissioner Phillip Graham offered the invocation.

3. PUBLIC COMMENTS

No one signed up to speak for public comments so therefore this section of the meeting was closed.

4. APPROVAL OF MINUTES

Commissioner Eddie Norman made a motion to approve the following minutes as presented:

July 8, 2013 Regular Meeting Minutes

July 8, 2013 Closed Meeting Minutes

July 26, 2013 Special Called Regular Meeting Minutes

July 26, 2013 Special Called Closed Meeting Minutes

Commissioner Graham seconded the motion and the motion passed unanimously.

Vote: 5/0

5. REQUEST TO SET PUBLIC HEARINGS

A public hearing was set for September 9, 2013 at 6:55 p.m. to consider rezoning requests of four properties located along West Lee Avenue and US Hwy 601 from R-10 (Neighborhood Residential) to B-2 (Highway Business).

6. ACTION FOR PUBLIC HEARINGS

1) Commissioner Norman made a motion to approve the zoning text amendment request from Jim Ballas to alter the Table of Uses, Article 6 to permit offices (business, professional, public) as an allowable use in the B-1 (Neighborhood Business) zoning district. The motion was seconded by Commissioner Betty Driver and passed unanimously.

Vote: 5/0

See Attachment #1

2) Commissioner Norman made a motion to approve the Town Code amendment request prohibiting door-to-door solicitation as presented by the Town Manager. Commissioner Tony Hall seconded the motion and it passed unanimously.

Vote: 5/0

See Attachment #2

7. CONSENT AGENDA

A motion to accept the Consent Agenda, as presented by the Town Manager, was made by Commissioner Gene Branon. The motion was second by Commissioner Driver and passed unanimously.

Vote: 5/0

See Attachment #3 – Agenda #7

8. PRESENTATION ON CAR CAMERAS FOR POLICE DEPARTMENT; PRESENTER MARGO MCNEELY WITH WATCH GUARD IN CAR CAMERAS.

Police Chief Tim Parks reported that Ms. McNeely was not able to attend the meeting. Car Cameras were not discussed.

9. PRESENTER ON SIGN CONCEPT FOR THE TOWN PARK; PRESENTER JOY KAY WITH AOA SIGNS.

Joy Kay with AOA signs gave the Town Board a presentation on LED signs and discussed concepts for such a sign at the Town Park. Mayor Gregory made it known that Mrs. Lena Hobson with Ragapple Lassie Vineyard contacted him and made him aware that there are no “Welcome to Yadkin County” signs located in the county and she would like to speak to him and Yadkin County Commissioner Kevin Austin. Commissioner Norman made a motion to purchase one sign, in amber color with the two Town Seals on each post as presented by Ms. Kay with AOA Signs. It was suggested for the sign designer and Commissioner Betty Driver work together and use their best judgment regarding the sign concept. Commissioner Branon seconded the motion and it passed unanimously.

Vote: 5/0

**10. ROBERT BALDWIN PRESENTING ROAD DEDICATION REQUEST
(ROAD INTO TOWN HOMES)**

Mr. Baldwin was not present and no action was taken.

11. YADKIN VOLUNTEER FIRE DEPARTMENT

- In the absence of Fire Chief Brian Southard, Commissioner Gene Branon passed out the monthly report and updated the board about the house being approved to burn located on Carolina Avenue.

12. DEVELOPMENT AND PLANNING REPORT

- Development and Planning Director Paul Lowe updated the Board on projects he is currently working on.

13. POLICE DEPARTMENT

- Chief Tim Parks reported monthly activities and requested a closed session meeting to discuss a personnel issue.
- Chief Parks requested approval from the Board to trade in two vehicles, from federal forfeiture seizures, to purchase a 2012 Dodge Charger. The Board agreed to the request.

14. PUBLIC WORKS DEPARTMENT

- Public Workers Director Perry Williams updated the board on the Dam Remediation project.

15. TOWN MANAGERS REPORTS/UPDATES

- Town Manager Christopher Ong presented a Letter of Agreement from Robert Segal, CPA to provide revenue enhancement & expense reduction services to the Town. Mr. Ong explained that the consultant provides a list of recommendations and is compensated on a percentage basis for every dollar saved from an adopted recommendation. After some discussion the issue was tabled.
- Mr. Ong presented information from Attorney Rob Gelblum with the Law Offices of F. Bryan Brice regarding the Tennessee Street Dump Site behind the Farmers Market. Mr. Ong explained that Mr. Gelblum has proposed in a Letter of Agreement to provide services to the Town to have the site placed on NCDENR's pre-regulatory landfill site program. Mr. Gelblum has experience and contacts in the Superfund program. Mr. Ong mentioned that the site could qualify for the DENR program in which the state would pay for remediation and cleanup of the site if it is on a redevelopment or reuse plan. Mr. Ong stated that the site is a future planned phase for the Town Park which is a qualifying project. The Board asked the Town Manager to proceed with this.
- Mr. Ong requested that the Board go into closed session to discuss personnel matters relating to Budget Amendment #6.
- Mr. Ong reported that the Town Offices will be closed on Labor Day – September 2, 2013 and that the next Board of Commissioner Meeting will be September 9, 2013

YADKIN VALLEY COMMUNITY HOSPITAL

Mr. Shawn Bright with Yadkin Valley Community Hospital spoke to the Board about Involuntary Commitment Patients. He explained the importance of having Police Officers sit with these patients. He thanked Chief Tim Parks for allowing his officers to do this. He realizes that it is a burden to the Town and asked for the Town to continue to work with them on this issue.

16. COMMISSIONER COMMENTS

Commissioner Tony Hall asked the Town Manager to look at the Dinkins property located on Adams Street. Property needs to be mowed. Commissioner Hall also mentioned that the pipe on W. Lee Street and Billy Reynolds Road

Commissioner Eddie Norman: Asked Public Works Director Perry Williams to check if the Town is mowing the Dexter Rose property located on US Hwy 601. He also asked Mr. Williams to look into the side ditches located on US Hwy 601 near the American Oil Company. The ditches do not drain well and Commissioner Norman suggested adding tile. Mr. Williams will contact NCDOT.

Mayor Hubert Gregory made the Board aware that he and Town Clerk Carmen Headen met with Mr. & Mrs. William Williams regarding the Trailer Park located on Locust Street. Mayor Gregory gave them an extension of 90 days to have the property cleaned up.

Commissioner Gene Branon asked the Town Manager to check into the following issues at the Dollar General Store:

- Cable lying across the company's sign
- Unsuitable lighting
- Trees need trimming in the right-away.

Commissioner Betty Driver gave an update on Holt Grove Mobile Home Park.

CLOSED SESSION

Commissioner Norman made a motion to go into "Closed Session" under the NCGS 143-318-11 to consult with the Town Attorney at 8:10 p.m. Commissioner Branon seconded. Vote: 5/0

No action was taken place on "Closed Session", Commissioner Norman made a motion to come out of "Closed Session" at 8:38 p.m. Commissioner Driver seconded the motion and the motion passed unanimously.

Vote: 5/0

RETURN TO MEETING

The Board came out of Closed Session at approximately 8:38 p.m.

Commissioner Norman made a motion for the Town Attorney, Town Manager and Police Chief to draft a letter to the Yadkin Valley Community Hospital that the Yadkinville Police Department will no longer provide security to the Hospital beyond

what the law requires. Commissioner Branon seconded the motion and it passed unanimously.

Vote: 5/0

Commissioner Norman then made a motion to allow the Police Department to employ an additional full time officer. Commissioner Driver seconded the motion and it passed unanimously.

Vote: 5/0

Commissioner Norman made a motion to purchase cameras for Police cars.

Commissioner Branon seconded the motion and it passed unanimously.

Vote: 5/0

RETURN TO CLOSED SESSION

At 8:41 p.m. Commissioner Norman made a motion to return to "Closed Session" under NCGS 143-318.11 (A) (6) to discuss personnel matters. Commissioner Hall seconded the motion and it passed unanimously.

Vote: 5/0

No action was taken place on "Closed Session", Commissioner Norman made a motion to come out of "Closed Session" at 9:40 p.m. Commissioner Driver seconded the motion and the motion passed unanimously.

Vote: 5/0

17. ADJOURMENT

With no further business to be discussed, Commissioner Norman moved that the meeting be adjourned. Commissioner Driver seconded the motion and the motion was approved unanimously. The meeting adjourned at approximately 9:42 p.m.

Vote: 5/0


Hubert Gregory, Mayor


Carmen Headen, Town Clerk

Date: 8/5/13

Replace Title 6, Article B 6-1-21 thru 6-1-24

TOWN OF YADKINVILLE
AGENDA ABSTRACT

Date: 7-30-13

Department: Administration

Request of the Board:

Consider approving attached changes to Article B (Peddling and Soliciting) of the Town Code to prohibit door-to-door solicitation at private residences and exempting non-profit organizations from the ordinance.

Background Information on Item:

Due to recent activities involving threatening actions from individuals permitted to peddle goods in the Town, it is the recommendation of staff to prohibit door-to-door sales without the prior permission of property owners. The text changes were presented at the July Board meeting, where the Board asked to include language that would exempt non-profit organizations from the proposed changes. The public hearing was set for Monday, August 5, and has been advertised in a paper of local circulation.

Fiscal/Budgetary Impact:

None.

Recommended motion for Board:

Motion to adopt the text changes to the Town Code as presented.

Please include all attachments and supporting documents relative to this item

ARTICLE B Peddling and Soliciting

§ 6-1-21 Definitions

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PEDDLER. Any person who travels from place to place with an inventory of goods, who sells the goods at retail or offers the goods for sale at retail, and who delivers the identical goods he carries with him.

SOLICITOR. Any person who travels from place to place taking or offering to take orders for the sale of goods for future delivery or for personal services to be performed in the future, whether or not samples are displayed or money is collected in advance, and any person who uses or occupies any building or premises for the sole purpose of taking or offering to take orders for the sale of goods for future delivery or for personal services to be performed in the future, whether or not samples are displayed or money is collected in advance.

TRANSIENT OR ITINERANT MERCHANT. Any merchant, other than a merchant with an established retail store, who transports an inventory of goods to a building, vacant lot, or other location and who at that location displays the goods for sale and sells the goods at retail or offers the goods for sale at retail.

§ 6-1-22 Registration

Each and every person doing business in the town as a peddler, solicitor, or itinerant merchant shall file with the Town Clerk, on a form to be provided for that purpose a statement setting forth the following information:

- (A) Name and address of individual filing statement;
- (B) Name and address of principal or employer if individual is an agent or employee;
- (C) Credentials showing relationship of agent or employee;
- (D) Description of individual filing statement, including height, weight, sex, age, color, and distinguishing characteristics, if any;
- (E) The goods to be sold or offered for sale or the type of services to be rendered;
- (F) The period of time during which the business will be carried on in the town; and
- (G) Description of automobile or other vehicle to be used in the business, including the make, model, body style, color and license number.

§ 6-1-23 Door-To-Door Activities Prohibited.

It shall be unlawful for any peddler, solicitor, itinerant merchant, or other seller of merchandise to go in, or upon, private residences or the premises thereof, unless they have been requested or invited to do so by the owner or occupant of private residences in the town, for the purpose of advertising, peddling, or selling merchandise.

§ 6-1-24 Non-Profit Organizations

Any nonprofit, charitable or civic organization doing business within the town corporate limits shall be exempt from the terms of this ordinance.

Date: 08/05/2013
Add to Table of Uses - Article F

**TOWN OF YADKINVILLE
AGENDA ABSTRACT**

Date: 7-30-13
Department: Development & Planning

Request of the Board:

Consider a Zoning Text Amendment request from Jim Ballas to alter the Table of Uses, Article 6 to permit offices (business, professional, public) as an allowable use in the B-1 (Neighborhood Business) zoning district.

Background Information on Item:

The Planning Board reviewed the issue during their June 24, 2013 meeting and voted 6/0 in favor of the Zoning Text Amendment request. Board members thought the addition of offices as a permitted use would improve the viability of the B-1 district and could help to encourage future development.

Fiscal/Budgetary Impact:

None.

Recommended motion for Board:

Consider a Zoning Text Amendment request from Jim Ballas to alter the Table of Uses, Article 6 to permit offices (business, professional, public) as an allowable use in the B-1 (Neighborhood Business) zoning district.

Please include all attachments and supporting documents relative to this item

AGENDA

TOWN OF YADKINVILLE Board of Commissioners

Monday
August 5, 2013
7:00 P.M.

PUBLIC HEARINGS

- #1 6:50 p.m. – Zoning Text Amendment Request; Offices in B-1 Zoning District
- #2 6:55 p.m. – Town Code Amendment Request Prohibiting Door to Door Solicitation

1. CALL MEETING TO ORDER—MAYOR GREGORY

2. INVOCATION—COMMISSIONER GRAHAM

3. PUBLIC COMMENTS

4. APPROVAL OF MINUTES

- #1 July 8, 2013 Regular Minutes
- #2 July 8, 2013 Closed Session Minutes
- #3 July 26, 2013 Special Called Regular Minutes
- #4 July 26, 2013 Special Called Closed Minutes

5. REQUEST TO SET PUBLIC HEARINGS

- #1 6:55 p.m. Consider zoning request of four properties located along West Lee Avenue and US Hwy 601 from R-10 (Neighborhood Residential) to B-2 (Highway Business).

6. ACTION ITEM ON PUBLIC HEARINGS

- #1 Consider approving Zoning Text Amendment Request; Offices in B-1 Zoning District
- #2 Consider approving Town Code Amendment Request Prohibiting Door to Door Solicitation

7. CONSENT AGENDA (ITEMS 1-3)

BUDGET AMENDMENTS

- #1 Budget Amendment #4 Police to use Federal Drug Money to purchase new lights for motorcycles - \$450
- #2 Budget Amendment #5 Police to use Federal Drug Money to purchase new tires, battery and windshield for drug vehicle - \$546

INVOICES

- #3 Ross Valve Manufacturing Co \$6,356.14 (Repairing of water tank)

8. PRESENTATION ON CAR CAMERAS FOR POLICE DEPARTMENT;
PRESENTER MARGO MCNEELY WITH WATCH GUARD IN CAR CAMERAS.
9. PRESENTATION ON SIGN CONCEPT FOR THE TOWN PARK; PRESENTER
JOY KAY WITH AOA SIGNS
10. ROBERT BALDWIN PRESENTING ROAD DEDICATION REQUEST (ROAD
INTO TOWN HOMES)
11. FIRE CHIEF'S REPORT
12. DEVELOPMENT AND PLANNING REPORT
13. POLICE CHIEF'S REPORT
#1 Request Approval to trade in two cars in order to purchase one vehicle.
14. PUBLIC WORKS DIRECTOR'S REPORT
15. MANAGER'S REPORT
#1 Letter of Agreement; Robert Segal CPA – Revenue Enhancement &
Expense Reduction
#2 Letter of Agreement; F. Bryan Brice – Tennessee Street Dump Site
#3 Budget Amendment #6 Water Sewer Operation \$3425 (salary & benefits)
#4 Town Offices Closed Labor Day – September 2, 2013
#5 Next Board Meeting will be September 9, 2013 due to holiday
16. COMMISSIONER COMMENTS
17. ADJOURNMENT