

TOWN OF YADKINVILLE
BOARD OF COMMISSIONERS
MONTHLY MEETING MINUTES
LOCATION: COMMISSIONERS CHAMBERS
213 VAN BUREN STREET
YADKINVILLE, NC
MONDAY, JANUARY 6, 2020

OFFICIALS PRESENT:

Mayor Eddie Norman
Commissioners:
Tony Hall – Absent
Monta Davis-Oliver
Richie Parker - Absent
Chris Matthews
Scott Winebarger

STAFF PRESENT:

Town Manager: Perry Williams - Absent
Assistant Town Manager: Shelia Weathers
Town Clerk: Crystal Sprague
Finance Officer: Dina Reavis
Police Chief: Dawn Pardue
Planning Director: Abigaile Pittman
Public Services Director: Jacob Swaim

Town Attorney – Ben Harding

Quorum requirements met – meeting proceeded.

PUBLIC HEARING(S)

Mayor Norman opened the public hearings at 5:50 p.m.

- **5:50 p.m. – ZONING TEXT AMENDMENT (ZTA-2019-05): Request to amend the Town of Yadkinville Code of Ordinance, Title 9, Development Ordinance, Section 4.6.9 Garbage and Refuse Collection, to revise the requirements for a dumpster.**

Planning Director Abigaile Pittman reviewed the proposed text amendment, referencing the staff report in the Commissioners' agenda packet. She stated that the Development Ordinance currently requires a dumpster for all nonresidential and multifamily developments regardless of size or whether the nonresidential use is industrial or other less intensive types of nonresidential uses such as office, service, institutional, or commercial. The applicant noted that the current dumpster regulation does not consider the cost of a dumpster pad and gated, screened dumpster area on small businesses, or the impact on a small development site.

Ms. Pittman explained that the proposed amendment exempts the dumpster requirement for nonresidential uses other than industrial, up to 2,500 square feet, but keeps the dumpster requirement for industrial nonresidential due to the typical size and type of waste associated with

such uses. Multifamily uses of four (4) units or less would also be exempt from the dumpster requirement and they may have up to four (4) trash cans. These smaller, exempt developments would still be required to indicate the type of garbage disposal on a site plan or preliminary plat submitted for approval; and would also be required to screen the solid waste receptacle area in accordance with the requirements of Section 4.4.7, which requires fencing or a wall and shrubs to provide an opaque screen.

Mayor Norman asked Ms. Pittman if smaller restaurants would also be subject to the dumpster exemption. Ms. Pittman responded that they would, however, if they needed more than four (4) trash cans, the Town's public waste management policy would require the restaurant to get a dumpster.

Ms. Pittman reviewed how the request is consistent with the Land Use & Growth Management Goal of the Comprehensive Plan, and with the adopted Purpose & Applicability statement of Section 4.6 Infrastructure Standards of the Development Ordinance. Ms. Pittman noted that the Planning Board had unanimously recommended approval of the text amendment based on these reasons. She stated that staff also recommends approval of the text amendment based on these reasons.

- **5:55 p.m. – ZONING MAP AMENDMENT (ZMA-2019-03): Request to rezone one parcel located at 1001 S. State Street (PIN 580612958045), being approximately 0.72 acres, from RM-Residential Medium Density zoning district to HB-Highway Business zoning district.**

Planning Director Abigaile Pittman reviewed the proposed map amendment, referencing the staff report in the Commissioners' agenda packet. She stated that late last year, the subject property was purchased by the applicant and he discovered that it was zoned RM-Residential Medium Density, making the applicant's insurance company a legal nonconforming use, a status which includes numerous restrictions. Staff researched the property through the Yadkin County Register of Deeds and Tax Department records and found that the building was constructed in 1974. Searching available Town records back to 2007 staff can find no information addressing the lot specifically. Given concerns regarding the nonconforming status of the property, the applicant wishes to rezone the property so that the insurance company will be permitted by right by the Development Ordinance.

Ms. Pittman explained that the requested HB-Highway Business zoning district is intended for higher intensity, primarily commercial uses that are located adjacent to major highways and provide goods and services for the traveling public. The existing insurance company use of the property is permitted by right in the HB zoning district. If rezoned to HB, there would be no identified violations with regard to the current Development Ordinance.

Ms. Pittman reviewed how the request is consistent with the Future Land Use Map designation for the subject property, the Land Use & Growth Management Goal of the Comprehensive Plan, and

Land Use Strategy 1 (LU1) of the Comprehensive Plan. Ms. Pittman noted that the Planning Board had unanimously recommended approval of the rezoning request based on these reasons. She stated that staff also recommends approval of the rezoning request based on these reasons.

With no further comments or questions, Mayor Norman closed the public hearings at 6:05 p.m.

1. CALL TO ORDER

The regular meeting was called to order by Mayor Eddie Norman at 6:06 p.m.

2. INVOCATION

Mayor Eddie Norman offered the invocation.

3. ADOPTION OF AGENDA (Motion)

Commissioner Scott Winebarger made a motion to approve the adoption of the agenda as presented. Commissioner Chris Matthews seconded the motion, and the motion passed unanimously.

Vote: 3/0

4. PUBLIC COMMENTS

Mayor Norman opened the floor for public comments outside of the Public Hearings. No public comments were made.

5. APPROVAL OF MINUTES (Motion Needed)

Commissioner Monta Davis-Oliver made a motion to approve the minutes as presented. Commissioner Chris Matthews seconded the motion, and the motion passed unanimously.

Vote: 3/0

- November 22, 2019 Close Session Minutes
- December 2, 2019 Regular Meeting Minutes

6. ACTION ON PUBLIC HEARING(S) (Motion) (Attachment #1)

- **5:50 p.m. – ZONING TEXT AMENDMENT (ZTA-2019-05): Request to amend the Town of Yadkinville Code of Ordinance, Title 9, Development Ordinance, Section 4.6.9 Garbage and Refuse Collection, to revise the requirements for a dumpster.**

The Board of Commissioners unanimously voted to approve ZTA-2019-05 and adopt the following statements of consistency and reasonableness:

The Board of Commissioners finds that ZTA-2019-05, the request to amend the Town of Yadkinville Code of Ordinances, Title 9, Development Ordinance, Section 4.6.9 Garbage and Refuse Collection, to revise the requirements for a dumpster, is consistent with the Land Use & Growth Management Goal of the adopted Comprehensive Plan, and with the adopted Purpose & Applicability statements set forth in Section 4.6. Infrastructure Standards of the Town of Yadkinville Development Ordinance; and is reasonable and in the public interest for these reasons, and because the amendment takes into consideration the varying types and sizes of nonresidential development and waste produced.

*Based on these statements of consistency and reasonableness, the Board of Commissioners approve the request to amend the Town of Yadkinville Code of Ordinances, Title 9, Development Ordinance, Appendix A.4, to modify the definition of Principal Use; and Section 3.3.2.C to modify the language regarding principal uses.
Vote: 3/0*

- **5:55 p.m. -ZONING MAP AMENDMENT (ZMA-2019-03): Request to rezone one parcel located at 1001 S. State Street (PIN 580612958045), being approximately 0.72 acres, from RM-Residential Medium Density zoning district to HB- Highway Business zoning district.**

The Board of Commissioners unanimously voted to approve ZMA-2019-03 and adopt the following statements of consistency and reasonableness:

The Board of Commissioners finds that ZMA-2019-03, the request to rezone the property located at 1001 S. State Street from RM-Residential Medium Density to HB-Highway Business, is consistent with the High-Intensity land use classification of the Future Land Use Map; the Land Use & Growth Management Goal, and Land Use Strategy 1 (LUI) of the Comprehensive Plan; the intent of the HB-Highway Business zoning district; and is reasonable and in the public interest for these reasons, and because the existing building and its use has been consistent with the HB zoning district since the property was developed in 1974.

Based on these statements of consistency and reasonableness, the Board of Commissioners approves the request to rezone the property located at 1001 S. State Street from RM-Residential Medium Density to HB-Highway Business.

Vote: 3/0

7. CONSENT AGENDA (ITEM(S) #2) (1 Motion Needed To Approve) (Attachment #2)

Assistant Town Manager Shelia Weathers presented the consent agenda items for the Board's consideration.

1. INVOICE(S):

- Diversified Integration, Inc.- \$10,510.00 (Budgeted Item)
-RAS and WAS Flow Transmitters (Waste Water Treatment Plant)

- Utility Service Co, Inc- \$23,628.56 (Budgeted Item Annually)
-Annual Inspection of Water Tank on Billie Reynolds Road
- Synagro - \$23,163.01
-Haul and apply sludge to different farms
- Charles E. Scott, CPA P.A. - \$14,616.00 (Budgeted Item)
-Preparation of work papers and adjustments for audit for the year ended June 30, 2019.

2. TAX DEPARTMENT WRITE OFF:

- Mary Ann Wilhelm - \$397.80 (Surplus property owned by the Town of Yadkinville and Yadkin County)

Commissioner Chris Matthews made a motion to approve all items in the consent agenda. Commissioner Scott Winebarger seconded the motion and the motion passed unanimously. Vote: 3/0

8. FIRE CHIEF'S REPORT

Fire Chief Jody Doss was not present to give the Fire Chief's report.

9. POLICE CHIEF'S REPORT

Police Chief Dawn Pardue presented the Town Board with the Police Department's monthly report.

10. PUBLIC SERVICES DIRECTOR REPORT

Public Services Director Jacob Swaim had nothing to report at this time.

11. PLANNING REPORT

Planning Director Abigaile Pittman presented the Town Board with the Planning Department's monthly report.

12. TOWN ATTORNEY REPORT

Town Attorney Ben Harding gave a brief report updating the Board regarding the insurance claim filed by a resident of Yadkin County in which the resident had run off the side of the road and into a ditch in Town. The Town's insurance company paid the resident \$900. Mr. Harding reported that there was no deductible and the claim had been settled.

13. MANAGER'S REPORT

Assistant Town Manager Shelia Weathers presented the Town Board with the Manager's Report.

➤ **ADA Information Update:**
Assistant Town Manager Shelia Weathers contacted Blue Hutchens with Wilson-Covington Construction Company to provide a quote for the ADA compliance issues at the Chamber of Commerce. Mrs. Weathers contacted Jamie with the Chamber of Commerce to notify her that Mr. Hutchens would be visiting the Chamber this week to complete the quote.

➤ **Crescent View Property Update:**
Assistant Town Manager Shelia Weathers notified the Board that a for sale sign has been positioned on the property and the starting bid price is \$13,000.

➤ **Planning Board/Board of Adjustment Vacant Position**
Assistant Town Manager Shelia Weathers stated that there is currently a vacant position on the Planning Board and Board of Adjustment. Two applicants have applied for this position. There are currently 7 members on the Planning Board and Board of Adjustment. The Board of Commissioners would like to accept both applications for a total of 9 members. A text amendment may be needed to adjust the total number of members to accommodate two additional representatives.

Commissioner Scott Winebarger made a motion to accept the two applications, for Danny Coe and Rhyne Dowell for the Planning Board and Board of Adjustment vacant positions. Commissioner Chris Matthews seconded the motion and the motion passed unanimously.

Vote: 3/0

➤ **Reminders:**
Assistant Town Manager Shelia Weathers reminded the Board of the Ribbon Cutting at the Hands of Hope/Medical Clinic, Monday, January 13, 2020 at 1:00 p.m. and also the Annual Meeting of the Yadkin County Chamber of Commerce, Tuesday, January 28, 2020 at 6:00 p.m.

14. COMMISSIONER'S COMMENTS

Commissioner Scott Winebarger:

Commissioner Scott Winebarger inquired about how we could go about changing out the i-pads used by the Board of Commissioners for meetings. Commissioner Winebarger and Mayor Eddie Norman stated that they take a very long time to charge. Assistant Town Manager Shelia

Weathers informed the Board that she would speak with Yadtel and Verizon to acquire some cost estimates for replacements.

15. ADJOURNMENT

With no further business to discuss, Commissioner Scott Winebarger moved the meeting be adjourned. Commissioner Chris Matthews seconded the motion, and the motion was approved unanimously. The meeting adjourned at approximately 6:20 p.m.

Vote: 3/0



Mayor Eddie Norman



Crystal Sprague, Town Clerk