

TOWN OF YADKINVILLE  
BOARD OF COMMISSIONERS  
**MONTHLY MEETING MINUTES**  
LOCATION: COMMISSIONERS CHAMBERS  
213 VAN BUREN STREET  
YADKINVILLE, NC  
**MONDAY, NOVEMBER 2, 2020**

**OFFICIALS PRESENT:**

Mayor Eddie Norman  
Commissioners:  
    Tony Hall  
    Monta Davis-Oliver  
    Chris Matthews  
    Scott Winebarger  
    Richie Parker  
Town Attorney Ben Harding

**STAFF PRESENT:**

Town Manager: Mike Koser  
Public Works Director: Jacob Swaim  
Asst. Town Manager: Shelia Weathers  
Police Chief: Dawn Pardue  
Town Planner: Abigaile Pittman  
Interim Town Clerk: Alex Potts

Quorum requirements met – meeting proceeded.

**PUBLIC HEARING(S)**

Mayor Norman opened the public hearing for:

- **ZTA-2020-01:** Request to amend the Town of Yadkinville Code of Ordinances, Title 9 Development Ordinance, Section 5.4.7 Nonresidential Design Standards – Wall Materials and Color; and Section 5.5.7 Central Business (CB) District Design Standards – Color; to revise the material and color standards, and language regarding applicability.

Planning Director Abigaile Pittman provided some background on the proposed amendment. In the last year, multiple businesses along S. State Street have undertaken renovations, which has involved the review and implementation of the building design standards in Article 5 of the Development Ordinance. The design standards apply to all new nonresidential (and multifamily construction) and expansions of greater than 20 percent of the gross floor area of the building. Section 5.5 provides additional design standards for buildings in the Central Business (CB) zoning district. The proposed text amendment is intended to provide amended language that is more ordered, clear, and enforceable; and to more realistically address the issues of materials in the case of building expansions, and painting new or existing buildings.

Mayor Norman opened the public hearing for:

- **ZTA-2020-03:** A request by Maplewood Baptist Church to amend the Town of Yadkinville Code of Ordinances, Title 9, Development Ordinance, Section 6.4.2.1 District and Size Standards, Table 6.4 Freestanding Sign District and Size Standards, to revise the regulations for freestanding signs for religious institutions and related uses on 10 acres or more in RR, RM, RH, RMH zoning districts.

Planning Director Abigaile Pittman informed the Board that Maplewood Baptist Church has proposed a new freestanding, partial LED sign for their church site at 1100 Maplewood Drive. The existing regulations applicable to religious institutions and related uses in the Rural Residential (RR), Residential Medium Density (RM), Residential High Density (RH), and Residential Manufactured Housing (RMH) zoning districts would allow the LED portion on 75 percent of the sign, but only permit a maximum 16 square foot sign, and a maximum of 6 feet in height. The base type of the sign would need to be a monument or arm sign. The proposed text amendment would allow a religious institution on 10 acres or more in the RR, RM, RH, and RMH Districts to have a 32 square foot, 10-foot tall monument sign. The proposed signage would be equivalent to the maximum allowed in the Neighborhood Business (NB) zoning district, which is designated for less intensive business and service uses located near residential areas, but less than the allowances permitted in the Highway Business (HB), Light Industrial (LI) and Heavy Industrial (HI) zoning districts. Reverend Jimmy Lancaster requested that the Board approve ZTA-2020-03, so that Maplewood Baptist Church can offer positive messages to the community. Mr. Lancaster presented a demonstration of the size of the sign. He stated that the Planning Board was unanimous with their support. Commissioner Tony Hall asked if the sign was double-sided, in which Reverend Lancaster answered yes. Commissioner Monta Davis-Oliver stated her appreciation for the messages on their current sign.

Mayor Norman opened the public hearing for:

- **ZTA-2020-04:** A request for (ZTA-2020-04) to amend the Town of Yadkinville Code of Ordinances, Title 9, Development Ordinance, Section 3.4.8.5.4 Temporary Retail Sales (Including Temporary Produce Stands, Christmas Tree Sales, Food Vendors, and Similar Uses); to add and revise criteria for temporary use events in the Central Business (CB), Highway Business (HB) and Neighborhood Business (NB) zoning districts.

Planning Director Abigaile Pittman provided some background on this proposed amendment to the Development Ordinance. Staff is proposing a revision to the regulations governing temporary retail sales and special events on private property in the Central Business (CB), Highway Business (HB) and Neighborhood Business (NB) zoning districts. There are concerns that the existing regulations may be too restrictive. Ms. Pittman stated that the current regulations only allow temporary retail sales in the NB and HB zoning districts, but not in the CB District. Staff surmises that this restriction evolved because CB lots are typically smaller and there is no parking requirement for businesses in the CB District. However, a good number of CB zoned, developed properties have parking areas and/or yards. Planning Director Abigaile Pittman noted that regulated temporary events on private property downtown (CB) and in the HB and NB zoning districts will help small businesses be successful. Additionally, the regulations currently only allow temporary uses to have one additional vendor on a private property site regardless of the zoning district or property size.

Mayor Eddie Norman moved to close the Public Hearings section of the meeting.

## **1. CALL TO ORDER**

The regular meeting was called to order by Mayor Norman at 6:21 p.m.

## **2. INVOCATION**

Mayor Norman asked Reverend Jimmy Lancaster to offer the invocation.

## **3. ADOPTION OF AGENDA (Motion)**

Commissioner Chris Matthews made a motion to approve the Agenda. Commissioner Tony Hall seconded the motion, and the motion passed unanimously.

Vote: 5/0

## **4. PUBLIC COMMENTS**

No one signed up for the Public Comments section.

## **5. APPROVAL OF MINUTES (Motion Needed)**

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

Vote: 5/0

- October 5, 2020 (Close Session Minutes)
- October 5, 2020 (Regular Meeting Minutes)

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

- **ZTA-2020-01:**

- Section 5.4.7 Nonresidential Design Standards and Section 5.5.7 Central Business (CB) District Design Standards
- Revise the material and color standards, and language regarding applicability.

*Commissioner Chris Matthews made a motion to approve ZTA-2020-01 as modified and recommended by the Planning Board's revisions. This recommendation is consistent with the Town's Comprehensive Plan. Commissioner Scott Winebarger seconded that motion, and the motion passed unanimously.*

Vote: 5/0

- **ZTA-2020-03:**

- Section 6.4.2 Freestanding Signs, Section 6.4.2.1 District and Size Standards and Table 6.4
- Request to revise the size and height of freestanding signs for religious institutions and related uses in RR, RM, RH, RMH zoning districts.

*Commissioner Scott Winebarger made a motion to approve ZTA-2020-03 as modified and recommended by the Planning Board's revisions. This recommendation is consistent with the Town's Comprehensive Plan. Commissioner Chris Matthews seconded that motion, and the motion passed unanimously.*

Vote: 5/0

- **ZTA-2020-04:**

- Section 3.4.8.5.4 Temporary Retail Sales (including Produce Stands, Christmas Tree Sales, Food Vendors and Similar Uses)

- Request to revise criteria for temporary use events in the Central Business (CB) and Highway Business (HB) and Neighborhood Business (NB) zoning districts.

*Commissioner Monta Davis-Oliver made a motion to approve ZTA-2020-04 as modified and recommended by the Planning Board's revisions. This recommendation is consistent with the Town's Comprehensive Plan. Commissioner Tony Hall seconded that motion, and the motion passed unanimously.*

*Vote: 5/0*

## **7. CONSENT AGENDA ITEM(S) (Attachment #2)**

Town Manager Mike Koser presented the Consent Agenda items for the Board's consideration.

- Budget Amendments #2 and #3 – Computers, updated windows and additional hard-drive memory.
- Invoices (3) totaling at \$24,837.06

*Commissioner Scott Winebarger made a motion to approve all items in the consent agenda. Commissioner Richie Parker seconded the motion, and the motion passed unanimously.*

*Vote: 5/0*

## **8. FIRE CHIEF'S REPORT**

Fire Chief Jody Doss was absent from this meeting.

## **9. POLICE CHIEF'S REPORT**

Police Chief Dawn Pardue presented the Board with her monthly report. Chief Pardue apprised the Board of an increase in patrols at the Days Inn due to drug activity. She noted that temporary, out-of-state workers hired by Lydall could be the cause.

Chief Pardue stated that Officer Andrew Holleman will be going from a full-time to a part-time employee. Also, Officer James Utt will become a full-time Police Officer.

Chief Pardue noted that the Police Department directed traffic for 8 hours during the power outage on October 29<sup>th</sup>, 2020. She thanked Public Services Director Jacob Swaim and Town Manager Mike Koser for their help during the outage.

## **10. PUBLIC SERVICES DIRECTOR REPORT**

Public Services Director, Jacob Swaim thanked the Public Works staff, Police Department, and Fire Department for their hard work during the power outage.

Mr. Swaim informed the Board that the temporary generator located at the Water Plant ran for 8 hours on October 29<sup>th</sup>, 2020. He stated that the new generator will be installed on November 3<sup>rd</sup>, 2020.

## **11. PLANNING ADVISOR'S REPORT**

Planning Advisor, Abigaile Pittman, requested the Board amend the FY 2020-2021 Fee Schedule in regards to Temporary Use Permits. She asked that the amount decrease from \$50 to \$25. It was the consensus of the Board to change the cost.

Commissioner Chris Matthews made a motion to amend the Temporary Use Permit fee to \$25.00. Commissioner Monta Davis-Oliver seconded the motion, and the motion passed unanimously.

Vote: 5/0

Ms. Pittman updated the Board regarding Starbucks. She stated that they are working through the corporation process and will be in touch with the Town soon.

Planning Director Abigaile Pittman stated that 633 Crescent View Drive has been condemned due to Minimum Housing Code violations. She also noted that 717 West Lee Avenue's carport is now in compliance with the Code of Ordinances. Ms. Pittman stated that 329 Virginia Drive is pursuing demolition.

## **12. TOWN ATTORNEY BEN HARDING**

Town Attorney Ben Harding stated he would report in Close Session.

## **13. MANAGER'S REPORT**

- **WTP Generator (Attachment #4):**

Town Manager, Mike Koser apprised the Board of subtotal for the new Water Plant Generator in the amount of \$80,200. The Board discussed other cost to include installation. Mr. Koser noted Town budgeted amount as \$88,000.

*Commissioner Scott Winebarger made a motion to purchase the generator for no more than \$88,000. Commissioner Tony Hall seconded the motion, and the motion passed unanimously.*

*Vote: 5/0*

- **Vehicle Purchase (Town Manager):**

Mr. Koser requested approval to buy a Chevrolet Pickup truck for his use. Modern Chevrolet has agreed to hold the purchase price at \$26,445.60.

*Commissioner Chris Matthews made a motion to approve the purchase of a Chevrolet Pickup for the price of \$26,445.60. Commissioner Scott Winebarger Seconded that motion and the motion passed unanimously.*

*Vote: 5/0*

- **EV Charging Station Update:**

Town Manager, Mike Koser presented the Board with a fact sheet on EV Charging Stations in Elkin, North Carolina. Mr. Koser noted that Elkin spent \$13,600.00 of grant money installing the stations, and are currently not charging customers for usage. The Board requested Mr. Koser to continue his research on grants available for the program.

- **Main Street Northside Master Plan Concept Update:**

Mr. Koser presented the Board with an update of the Main Street Master Plan. He noted that he and Public Services Director Jacob Swaim met with Duke Energy to talk about moving power poles on Main Street. He stated that they will speak with the correct individual in December 2020.

- **NCDOT U-5809 – US 601 Improvement Project:**

Town Manager Mike Koser informed the Board that there is little opportunity to make changes to U-5809, since it is so far along. Mr. Koser stated that the project footprint was shrunk in order to less effect property owners and power lines on State Street.

- **Willow/Jackson Street Pocket Park:**

Mr. Mike Koser apprised the Board that Public Works Staff is waiting on equipment in order to place a waterline on the property. He noted that after the waterline is in, plants and shrubbery will be ordered.

- **CARES Update:**

**Small Business Grants:**

Mr. Koser apprised the Board that \$20,000, of the \$50,000 allocated to Small Business Grants, have been awarded. He stated that the Town will continue to allow applications.

**Entry Control Town Hall:**

Town Manager Mike Koser presented to the Board two quotes to install ADA approved door openers, and a locking mechanism for the inner doors. He stated that the locking mechanism would keep the entry doors locked until someone from inside Town Hall remotely unlocks them.

**Payroll Expense:**

Mr. Koser stated that any CARES money remaining by deadline can go toward payroll for Essential Workers. He noted approximately \$75,000 remaining at the moment.

- **COVID-19 Procedure Updates:**

Mr. Koser noted that Town Facilities are continuing to practice COVID guidelines. The Board discussed what the Town is doing for employees who have an immediate family member test positive. Assistant Town Manager Shelia Weathers stated there is budgeted CARES funds to cover leave time only if the employee tests positive.

- **December Holiday Events:**

The Board discussed all Christmas Festivities and it was their consensus to cancel all December events.

- **Town Closings:**

Mr. Mike Koser reminded the Board that the Town will be closed Wednesday, November 11<sup>th</sup> for Veterans Day, and Thursday and Friday, November 26<sup>th</sup> and 27<sup>th</sup> for Thanksgiving.

#### **14. COMMISSIONER COMMENTS**

**Mayor Eddie Norman:**

Mayor Norman informed the Board that the Town received its quarterly check from the ABC Board, for the months of July, August, and September in the amount of \$36,346.

**Commissioner Scott Winebarger:**

Commissioner Winebarger apprised the Board of an e-mail he received regarding Governor Safety Credits. Town Manager Mike Koser said he would research the matter. Commissioner Winebarger also thanked all the Town Employees for everything they did during the power outage.

**Richie Parker:**

Commissioner Parker thanked the Police Department for all their hard work during the power outage.


**15. CLOSE SESSION**

Commissioner Monta Davis-Oliver made a motion to go into "Close Session" at 7:07 p.m. pursuant to N.C.G.S. 143-318.11(a)(3)- to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; N.C.G.S. 143-318-11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, N.C.G.S. 143-318-11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; and N.C.G.S. 143-318-11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee. Commissioner Chris Matthews seconded the motion and the motion passed unanimously. Vote: 5/0

*Commissioner Chris Matthews made a motion to come out of "Close Session" at 7:20 p.m. Commissioner Monta Davis-Oliver seconded the motion and the motion passed unanimously.*  
Vote: 5/0

**16. ADJOURNMENT**

*With no further business to discuss, Commissioner Monta Davis-Oliver moved the meeting adjourned. Commissioner Chris Matthews seconded the motion, and the motion was approved unanimously. The meeting adjourned at approximately 7:21 p.m.*  
Vote: 5/0

  
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Eddie Norman, Mayor

  
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Alex Potts, Interim Town Clerk