

Town of Youngsville  
P. O. Box 190  
134 US 1A South  
Youngsville, NC 27596  
(919) 556-5073  
Fax (919) 556-0995  
Townyngs@townofyoungsville.org

# MINUTES

**MAY 11, 2017**

**7:00 PM**

## REGULAR MEETING

### YOUNGSVILLE COMMUNITY HOUSE

Mayor Fonzie Flowers called the Board Meeting of the Town of Youngsville Board of Commissioners to order at 7:00pm. Commissioner Hedlund gave the invocation. In attendance were Commissioners Graham Stallings, Catherine Redd, Larry Wiggins, and Terry Hedlund. Commissioner Joseph Johnson was not in attendance. Also in attendance were Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd, Police Chief Daren Kirts, Town Attorney Joseph Olivieri, and Planning / Zoning Administrators Bob Clark and Andy Thomas. Representatives from the Wake Weekly and the Franklin Times were also present.

The first item on the agenda was a Public Hearing for a request to rezone property located at 2842 Cedar Creek Road by Curtis White. Mayor Flowers opened the Public Hearing at 7:01pm. Geoff Huguely, 2808 Cedar Creek Road, stated that they have the adjoining property that is being operated as Panic Point. He expressed support for this request and stated that it would have no bearing or effect on their business.

Jim Moss, N College Street, states that he is in favorable consideration of this request. He explained that Mr. White did not ask to be put in this situation. Mr. Moss stated that Mr. White followed all of the rules, applied for the proper permits, and received driveway access from NC DOT. He stated that Mr. White was ambushed by Franklin County Inspections. Mr. Moss explained that the property was originally zoned residential and was then rezoned to Commercial. He stated that it now needs to be reversed. Mr. Moss stated that if it was rezoned to residential, the landowner would initiate a landscape buffer.

Amy Sossamen, 2862 Cedar Creek Road, stated that they live adjacent to the property. She stated that they have lived there for four years and have had no problems. Mrs. Sossamen stated that she felt this would be a good change and that it would be beneficial.

Shawn Sossamen, 2862 Cedar Creek Road, stated that the events at Panic Point do not affect them at their residence. He stated that he was fine with the request by Mr. White.

Curtis White, 2842 Cedar Creek Road, explained that this was his request to make the property residential again so that the property doesn't sit empty. He explained that the trailer was located at the intersection of Hicks Road and Cedar Creek Road. Mr. White stated that it was relocated due to the subdivision that is currently being developed on that property now. He stated that he followed all of the requirements that Clark set out and did everything he was told to do. After everything was completed, Franklin County

Inspections then told him that the trailer needed a complete overhaul to make it commercial. Mr. White explained that it would require a near gut job and then do everything over again. He stated that he has owned commercial property in Youngsville and has a considerable investment in our area. Mr. White stated that since it would require completely redoing the trailer, he would like to use it as residential instead of commercial. Commissioner Wiggins asked if there was a commercial driveway and Mr. White stated yes, everything was set up as commercial until Franklin County Inspections stopped him from using it as such. The Public Hearing was concluded at 7:10pm.

The next item on the agenda was citizens' comments. Blaine Holmes, Vice Chairman of the Franklin County Chamber of Commerce, wanted to come out and show support of Youngsville. He stated that he wanted to create communication channels so that they will be able to help support the plans for Youngsville.

The next item on the agenda was the Financial Report. There were no comments.

The next item on the agenda was the approval of the Consent Agenda. The Consent Agenda consisted of approval of the minutes from the Board Meeting on April 13, 2017, the Tax Collector's Report, the Police Department Report and the Youngsville Fire Department Report. Budget Amendment 2017-08 was also included on the Consent Agenda.

**MOTION: TO APPROVE THE CONSENT AGENDA**

The motion was made by Commissioner Hedlund and was seconded by Commissioner Wiggins. The motion passed unanimously.

The next item on the agenda was Old Business. The first item under Old Business was a discussion on the request from Holden Development LLC under the Development Enhancement Policy. Attorney Olivieri stated that they had pulled the Public Hearings to gather more information concerning changes in legislature that may effect this request. He stated that the applicant has been informed of the change and is fine with it.

**MOTION: TO RESCHEDULE THE PUBLIC HEARING FOR THE REQUEST FROM HOLDEN DEVELOPMENT LLC UNDER THE DEVELOPMENT ENHANCEMENT POLICY TO JUNE 8, 2017**

The motion was made by Commissioner Wiggins and was seconded by Commissioner Redd. The motion passed unanimously.

The second item under Old Business was a discussion of the request to rezone property located at 2842 Cedar Creek Road by Curtis White. Clark explained that Mr. White had indeed gone through the proper permitting process to use the mobile home as commercial office space or retail. He explained that the vision of the area was for it to remain Commercial but then Mr. White ran into problems with Franklin County Inspections. Clark explained that the original permits were still valid but they need to become compliant with Franklin County codes. He stated that residential is not allowed in

Commercial zoning. Thomas explained that it is unviable to further renovate to commercial standards above what they have already accomplished. He stated that the Planning Board had concerns about spot zoning and that this property would be treated differently so they recommended denial of the request. Mayor Flowers stated that the Town has worked diligently to prevent a further hodge podge of pocket areas. He stated that the Town has tried to set certain areas as residential or commercial and keep them identifiable. Mayor Flowers expressed concerns that this may not fit into our overall plan. Thomas stated that there was a large tract of land that was zoned Residential / Agricultural behind this property. He noted that there were also other residences in this area. Thomas stated that this may not be the best plan but it wouldn't be out of character for the area. Clark referred to the Land Use Plan from 2000 and stated that it was not specific. He explained that the current residences in that Commercial area are legal non-conforming. Clark stated that if this property was rezoned Residential, then it would not be an island as it does have Residential zoning behind it. He stated that the Board needed to judge what was best for the community. Clark stated that Staff was against rezoning as it breaks up the pattern and the Planning Board agreed. He explained that they were only recommending bodies and public opinion was useful. When asked, Clark clarified that the Planning Board made their decision based on the Staff Report and back ground information. Clark stated that they have met with neighboring owners to consider other options. He explained that the Board could not establish conditions either. Commissioner Stallings stated that the neighbors didn't seem to have any problems with it as it was previously residential. Clark agreed and stated that there was a good representation of the people in the area. He stated that we can revisit the Plan, especially when considering that the bypass could possibly go through the area. Clark stated that it was not a major change if approved.

**MOTION: TO ACKNOWLEDGE THE PLANNING BOARD'S RECOMMENDATION AND ACCEPT THE PLANNING STAFF'S REPORT AND APPROVE THE REQUESTED REZONING OF THE APPLICANT'S PROPERTY (ZMA-170310) FROM C TO RA BECAUSE: 1) THE ZONING MAP AMENDMENT IS AN INSIGNIFICANT DEVIATION FROM THE EMERGING DEVELOPMENT PATTERN IN THIS AREA AND 2) CONSISTENT WITH THE GOALS OF THE LAND USE PLAN AND THE ENVISION YOUNGSHIRE REPORT**

The motion was made by Commissioner Stallings and was seconded by Commissioner Hedlund. Commissioner Redd thanked the neighbors that came out. She stated that it made a difference in her decision and was very helpful. The motion passed with a three ayes and one nay from Commissioner Wiggins.

The third item under Old Business was to reschedule the Public Hearing for the proposed text amendments to the Zoning Ordinance concerning indoor and outdoor gun ranges for June 8, 2017.

**MOTION: TO RESCHEDULE A PUBLIC HEARING FOR JUNE 8, 2017 FOR PROPOSED TEXT AMENDMENTS TO THE ZONING**

## **ORDINANCE REGARDING REGULATION OF INDOOR AND OUTDOOR GUN RANGES**

The motion was made by Commissioner Redd and was seconded by Commissioner Wiggins. The motion passed unanimously.

The fourth item under Old Business was to reschedule the Public Hearing for the proposed Ordinance establishing a Moratorium on the development of indoor and outdoor gun ranges for June 8, 2017.

**MOTION: TO RESCHEDULE A PUBLIC HEARING FOR JUNE 8, 2017 FOR A PROPOSED ORDINANCE ESTABLISHING A MORATORIUM ON THE DEVELOPMENT OF INDOOR AND OUTDOOR GUN RANGES.**

The motion was made by Commissioner Redd and was seconded by Commissioner Wiggins. The motion passed unanimously.

The fifth item under Old Business was a discussion of the Town Hall / Police Department Open House. Commissioner Hedlund wanted to make sure that everything was taken care of. He stated that the Sherriff's Office would be cooking a pig with all of the side dishes and they would work out the details on that with them. He stated that the Youngsville Woman's Club would handle the desserts and he had purchased a cake with a picture of the sign in front of Town Hall on it. Commissioner Hedlund stated that the Kiwanis Club would handle drinks which included tea and water. He stated that he would check with Mary Catherine Hardwick, Youngsville Area Business Association, on Saturday about the ribbon cutting. Mayor Flowers stated that it was be on Thursday, May 18<sup>th</sup> from 5 – 7pm. He stated that the Board was proud of getting a viable working Town Hall / Police Department. Mayor Flowers explained that the old buildings were so bad that they were an embarrassment, especially when dealing with new businesses that wished to relocated to Youngsville. He stated that eating would take place outside so as to keep the new building clean. Commissioner Hedlund stated that we would need servers and suggested that the Board help out. He stated that the Kiwanis Club would help as well. Chief Kirts stated that we would have seating available for 30 people and the parking lot would be cleared and parking would be arranged elsewhere. Mayor Flowers reiterated how proud we were of the new building.

The next item on the agenda was New Business. The first item under New Business a discussion on possible text amendments to the Zoning Ordinance concerning lot sizing for billboards. Attorney Olivieri reminded the Board that they wished to have this discussion after the Board of Adjustment meeting. Commissioner Redd stated that she felt there were more important items to work on in the Zoning Ordinance, such as no more car lots on Main Street, and Commissioner Hedlund agreed. He stated that he thought more about it after the Board of Adjustment meeting and concluded that there were more important items as well.

Commissioner Stallings stated that the Board of Adjustment process needed to be refined and Attorney Olivieri agreed and stated that he would be working on it. Commissioner Wiggins stated that he didn't feel any changes should be made. He expressed concerns that if a lot was broken up for a billboard, what happened in the future if the billboard went away and a business wanted to go in on that smaller lot. Commissioner Wiggins stated that he felt the zoning was correct and should stay that way.

The second item under New Business was a presentation of the recommended Budget for FY 2017 / 2018 with a tax rate of \$.66 per \$100 valuation. Tatum explained that there was minimum wiggle room as he did not yet have all of the final numbers. He stated that there was no great change, but it did include a 2.5% cost of living increase to all employees and we would maintain the current tax rate. Tatum stated that there was \$40,000 that had been allotted for the Pedestrian Plan Grant that would go into a savings account. As we have not been in the new building for long, he was also unsure if the utilities would increase or decrease. Tatum stated that if any of the numbers changed before the June meeting, he would update the proposed Budget. Commissioner Hedlund wanted to clarify that we would keep the current tax rate and Tatum stated that we would.

**MOTION: TO SET A PUBLIC HEARING FOR JUNE 8, 2017 FOR THE PROPOSED BUDGET FOR FY 2017 / 2018 WITH A TAX RATE OF \$.66 PER \$100 VALUATION**

The motion was made by Commissioner Hedlund and was seconded by Commissioner Wiggins. The motion passed unanimously.

The third item under New Business was a discussion on the purchase of a new dump truck. Mayor Flowers explained that the current dump truck was outdated and costing the Town more in repairs than it was worth. Chief Kirts stated that it was not safe and would not pass inspection. He explained that the transmission went out on the dump truck. Chief Kirts stated that it had never been maintained properly and had been abused for decades. Tatum explained that Chief Kirts had found a new dump truck for \$46,000 plus the costs of tax and tags. He stated that he did not support purchasing large items from savings but recommended that we do this one time only. Tatum explained that if the Board wished to move forward with the purchase of the new dump truck from fund balance, he had a Budget Amendment that would need to be adopted. Chief Kirts stated that it was a 2017 Ford F-350 4W dump body truck that would function for our needs and is the right size. He stated that it could be used as a plow truck if needed. Tatum stated that the current dump truck's transmission broke as they were leaving the repair shop. Chief Kirts explained that we have been without a dump truck for over a month. Commissioner Hedlund expressed concerns that garbage pickup was one of our key services and that our maintenance staff needed the proper tools to complete their tasks. Commissioner Wiggins noted that the 4 wheel drive gave flexibility and adding another plow would be useful with the additional subdivisions in town. When asked, Chief Kirts stated that he would have to look into what it would need to be ready to plow the streets. Mayor Flowers stated that it makes sense to purchase a new dump truck at this time.

**MOTION: TO ADOPT BUDGET AMENDMENT BA 2017-09 TO APPROPRIATE \$50,000 TO PURCHASE A NEW 2017 F-350 DUMP TRUCK**

The motion was made by Commissioner Wiggins and was seconded by Commissioner Stallings. The motion passed unanimously.

The next item on the agenda was Closed Session (if necessary). Mayor Flowers stated that there was no reason to go into Closed Session.

The next item on the agenda was Committee Updates.

Policy / Ordinance Committee – There were no comments.

Finance Committee – There were no comments.

Capital Improvement Committee – There were no comments.

Comprehensive Development Committee – There were no comments.

The next item on the agenda was Reports and Other Business. Mayor Flowers stated that Wine and Beer 101 – Youngsville would have their Grand Opening on May 13<sup>th</sup> starting at 11am and would be an all-day event. He stated that the owners have done a great job on repairing the building and it has been good for Youngsville.

Tatum stated that he has been with Youngsville for five years and it was time for him to retire. He explained that the Board would need to schedule a Work Session with a representative of the NCLM on the procedures of hiring a new Town Administrator. Tatum stated that Monday, May 15<sup>th</sup> at 7pm at the Youngsville Community House would work for Mr. Wright. He stated that he was looking to retire close to the end of the year.

**MOTION: TO SCHEDULE A WORK SESSION ON MAY 15, 2017 AT 7:00PM AT THE YOUNGVILLE COMMUNITY HOUSE FOR A PRESENTATION ON THE HIRING PROCESS FOR A NEW TOWN ADMINISTRATOR**

The motion was made by Commissioner Wiggins and was seconded by Commissioner Hedlund. Tatum noted that it would need to be posted at both the Community House and Town Hall. The motion passed unanimously.

Commissioner Redd stated that she did want to start working on updating the Main Street Business District (MSBD) to exclude car lots so as the current ones leave, new ones won't be able to go in. Clark stated that he felt it was already included in the most recent updates to the MSBD. When asked, Clark clarified that the new car lot on S College Street was zoning Commercial and was not included in the MSBD. Commissioner Redd stated that we may also want to look into expanding the MSBD area. Clark agreed and

stated that based on the goals in the Envision Youngsville report, this would be a priority. Commissioner Redd stated that she would help if needed.

Commissioner Redd stated that the parking at the Luddy Park was a problem. She explained that four games were being played at the same time and there was not enough parking for all of the families. Commissioner Redd stated that people were blocking roads, parking in the ditches on the side of the roads, and parking in “No Parking” zones.

Commissioner Stallings stated that we needed to make plans for a shelter for the Town’s equipment or all of it will be in bad shape. Tatum stated that it was approved in last year’s Budget to build a salt shed but no money was spent. He agreed that shelter was needed for our equipment. Tatum explained that most of the land that the Town owned was located in wetlands and that prevented us from building there. Mayor Flowers stated that the Board needed to figure out what the Board wanted to do with the vacated properties and if storage / shelter can be built there. He wanted the Board to start thinking about the future plans for that area.

Commissioner Wiggins stated that a couple of years ago, the Board had met and discussed the ditch at the intersection of Highway 96 and S Cross Street. He had stated that it had been decided that the Town would maintain the right of way as the ditch was in bad shape. Commissioner Wiggins explained that these ditches needed to be maintained to the standards that we like to see but nothing was put on record. Chief Kirts stated that the ditch could be maintained with a weed eater but it was a NC DOT road and not one that was owned / maintained by the Town. He explained that per Ordinance, it was the property owner’s responsibility to maintain their property to the roadway. When asked, Chief Kirts clarified that our maintenance staff could not keep up with the Town’s responsibilities, adding on state maintained roads was an issue. He stated that NC DOT won’t fix the ditch. Chief Kirts stated that if the Board wanted the maintenance staff to maintain the state’s right of ways then we would need more manpower. Commissioner Wiggins stated that a resident received a grass notice for a ditch she can’t mow and he thought this problem had been solved two years ago. Chief Kirts stated that he was unaware of the agreement from two years ago but noted that everyone else in town was expected to maintain their property to the roadway. Commissioner Wiggins stated that they were physically unable to mow this ditch. After a brief discussion, Tatum stated that if we do this for one person, then we have to do it for everyone. He explained that we updated our Ordinance and expect everyone, vacant lots included, to mow all the way to the road. Tatum stated that we can’t do it for everyone nor can we afford it. Commissioner Wiggins reiterated that NC DOT won’t fix the problem and Chief Kirts agreed. Chief Kirts stated that we were not allowed to repair NC DOT ditches or roads. Mayor Flowers asked for contact information for NC DOT and stated that he would make some calls to see where they stand on repairs and standard maintenance.

Commissioner Hedlund stated that the Kiwanis Club would have a fundraising yard sale on May 13<sup>th</sup> starting at 8am at the Youngsville Baptist Church Fellowship Hall. He stated that they would also be cleaning up their adopted highways on June 3<sup>rd</sup>. Commissioner Hedlund stated that they were already handing out flyers for their annual

Turkey Shoot fundraiser in November. He stated that they would get their Special Events Permit closer to the date.

Commissioner Hedlund noted that the Youngsville Library had one area in a ditch that they were not mowing at this time. Hurd stated that she would give them a call.

Clark stated that House Bill H310 concerned the installation of cell towers and their ability to be located within right of ways. He explained that if this House Bill passed, the municipalities would not have any say on the location or installation of cell towers in their right of ways. Clark asked the Board to contact their Legislature concerning this action.

Clark stated that he had met with Mike Bailes, the Interim Director for Franklin County Public Utilities (FCPU). He explained that he had wanted to get a head start on communication and coordinate with the water and sewer development that was going on in our area. Clark stated that it was a good meeting and they were looking ahead and planning for the future growth.

Clark reminded the Board that we had an annexation agreement with Wake Forest and had been through one such annexation less than two years ago. He explained that there was another area located on Steven Taylor Road that would be annexed into Wake Forest soon. Clark stated that he has met with the people involved and the development would have water and septic as there is no sewer lines nearby.

Clark stated that they are reviewing plans for a commercial building across from White Street Brewery. He explained that as this is a commercial use and allowed, they will only need regular zoning permits.

Clark explained that Youngsville Academy would be building near the intersection of Hicks Road and Cedar Creek Road along with a new subdivision. He stated that NC DOT is requiring a traffic study that will include Main Street. Clark stated that he has not yet heard back from NC DOT regarding the turn lane or traffic signal for Main Street.

Clark stated that the Main Street Improvements Project contract has been approved by NC DOT and we are just waiting to get it finalized.

Clark stated that he has enjoyed working with Tatum along with the other staff at Town Hall.

Attorney Olivieri explained that he knew the procedures for the Board of Adjustment Hearings were frustrating. He stated that he is working on streamlining them but they are bound by law for most of how those Hearings are conducted. Attorney Olivieri stated that the biggest change he wants to make is to place the conditions first so that when the Board goes through the questions / findings, the conditions will be set in place and the questions will take that into consideration. Commissioner Redd stated that she felt there was no time to think about the questions and that the process moves too fast. Attorney Olivieri stated that it would be fine to take a few minutes to review the questions and



evidence before proceeding to vote on the findings. He stated that he was also looking into how other towns handle these Hearings. Attorney Olivieri stated that he would discuss this with Clark and Thomas as well. Commissioner Wiggins stated that he felt it was a clear yes or no answer, does this applicant meet the Ordinance or not. Attorney Olivieri explained that approved conditions might help to clarify if they now meet the Ordinances. He stated that he would try to help the hearings go smoother.

Chief Kirts agreed that there was a problem with parking at the Luddy Park though he was unsure on how to fix it.

Assistant Fire Chief Graney wanted to thank Mayor Flowers for attending their Annual Celebration in April and it meant a lot to the Youngsville Fire Department.

Assistant Fire Chief Graney offered to bring one of the fire trucks to the Open House and Chief Kirts suggested parking it at the Youngsville Elementary School.

Assistant Fire Chief Graney stated that calls were going up as stated in the Fire Department Report.

Assistant Fire Chief Graney noted that he had been promoted over a year and a half ago. He stated that he has been impressed with the members of the Board and Staff and how the Town was run. Assistant Fire Chief Graney stated that he understood how passionate Tatum was concerning Youngsville. He stated that he felt everyone had the best interest of the people at heart.

Mayor Flowers stated that both Nash and Commissioner Johnson were coaching games tonight and were unable to attend. He stated that he had been thrilled to throw the first pitch on opening day, April 29<sup>th</sup>. Mayor Flowers stated that they had about fifty people show for movie night and that it was a huge success. As such, they will be hosting movie nights more often.

Hurd reminded the Board that elections were this year and that the filing dates would be July 7<sup>th</sup> starting at noon through July 21<sup>st</sup> ending at noon.

Chief Kirts stated that the shop by the old buildings was in bad condition, including the leaking roof and bad doors. He stated that we needed to do something soon or we would be in the positions of having all of our equipment and supplies exposed to the elements. Chief Kirts stated that nothing was in the budget but the Board did need to consider maintenance. Mayor Flowers asked how much it would cost and Chief Kirts stated that it would need a new roof. He stated that the building could still be used if the repairs were made. Commissioner Wiggins reminded the Board that off street parking had been mentioned when we first talked about relocating Town Hall. Mayor Flowers stated that we could still use it for off street parking and have an easement to access the areas that we would need for maintenance. Commissioner Hedlund stated that this would be our last opportunity for off street parking. Commissioner Redd stated that we would need to discuss it soon as the leaking roof was an issue. When asked, several members of Staff stated that there was daily interest in both buildings. Attorney Olivieri explained that

discussions on selling real estate can be conducted in Closed Session. Mayor Flowers asked if it would have to be sold by bid and Attorney Olivieri stated yes.

The meeting adjourned at 8:30pm.