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MINUTES

JANUARY 10, 2019

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. Mayor Flowers noted Marvin Roberts had passed and highlighted the life he led. He stated Mr. Roberts was a fine gentleman that served his community throughout his life as a firefighter, Mayor, Commissioner, and on civic organizations. Mayor Flowers stated he will be missed. Commissioner Hedlund asked for a moment of silence for Mr. Roberts before he gave invocation. In attendance were Commissioners Catherine Redd, Graham Stallings, Larry Wiggins Joseph Johnson, and Terry Hedlund. Others in attendance were Town Administrator Roe O'Donnell, Town Clerk / Tax Collector Emily Hurd, Police Chief Daren Kirts, Town Attorney Edward Bartholomew, Youngsville Fire Department Assistant Chief Justin Graney, Finance Officer Jaclyn Patterson, and Planning and Zoning Administrators Bob Clark and Andrew Thomas. A representative from the Franklin Times was also present.

MOTION: TO APPROVE THE AGENDA

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

The first item on the agenda was two Public Hearings. The first Public Hearing was a request to rezone by Greenleaf Properties, LLC for two parcels located on NC Highway 96 E at the intersection of S Nassau Street. The proposed rezoning was from Residential Single Family (RS) to Residential Single-Multi Family (RSM). Mayor Flowers called the Public Hearing to order at 7:02pm Thomas read Staff Findings. He stated the item under consideration was an application by Greenleaf Properties, LLC to rezone two properties located along the southwestern right-of-way of NC Highway 96 E at its intersection with S Nassau Street from RS to RSM. A copy of the application was in the agenda packets. Thomas gave the definitions for RS and RSM and noted the primary difference between the two districts is that RSM allows for multi-family development. He noted there was a map that showed the location of the property and surrounding uses.

Thomas explained the property is of a size that it could be used for a range of permitted or special uses in the RSM district. All allowable uses should be considered in contemplating the rezoning. Staff Comments included that the Town Board may base its decision to approve or deny the rezoning based on a number of factors, with attention to the consistency of the proposed zoning to any adopted comprehensive plans or other plans and policies. Thomas noted the request was potentially advantageous to increasing the town's tax base, a goal identified in the Town's 2000-2010 adopted Land Use Plan.

Zoning the properties RSM does not constitute spot zoning because the two districts are so similar in use. The Planning Staff supports this request as it is consistent with the adopted Land Use Plan and more particularly with the goals of the Envision Youngsville Report. This property is adjacent to commercial property and rezoning to RSM would create a good transitional use and would relieve pressure for this property to be rezoned commercial due to its vicinity to the thoroughfare. Although it has not been officially adopted by the Town Board, the request follows the goals and intent of the Youngsville Town Plan 2040 Comprehensive Land Use and Master Plan (as of this writing), noting Sections 8.5.1.3, which recognizes mixed density development near the core of the downtown that will allow people the opportunity to walk or bike downtown and 8.5.1.4, which recognizes a broad array of housing types are needed in the downtown area to strengthen its core.

Thomas noted the Planning Board met on January 3rd and unanimously recommended the Board of Commissioners approve the rezoning request. The Planning Board made a motion to accept the Planning Staff report and recommended the approval of the requested rezoning of the applicant's property from RS to RSM because 1) the zoning map amendment is a logical buffer between the commercially zoned property and the adjoining residential district, 2) consistent with the goals of the Land Use Plan and the Envision Youngsville Report and 3) consistent with the draft Youngsville Town Plan 2040 Comprehensive Land Use and Master Plan recommended for adoption by the Planning Board; specifically Sections 8.5.1.3 and 8.5.1.4.

Commissioner Redd noted the picture of the northern lot on the map looked split and Commissioner Wiggins agreed that it looked like there were a total of three lots. Thomas noted the line dividing the northern property was not supposed to be there, it was a proposed line for subdividing the property should they be able to move forward.

Mike Moss, from Cawthorne, Moss & Panciera, stated he was the land surveyor for the property. He noted that Thomas had covered the request very well and stated he was here if the Board had any questions.

As there were no further comments or questions, Mayor Flowers closed the Public Hearing at 7:11pm.

The second Public Hearing was to hear comments from the public on debt financing in the amount of \$205,000 for the 2018-2019 Street Resurfacing Program. Mayor Flowers opened the Public Hearing at 7:11pm. O'Donnell explained the request to approve the bids by contractors was further in the agenda. During the last fiscal year, the Board held a Budget Work Session which included the need for the repaving / resurfacing of streets in town. O'Donnell noted the Board then approved to borrow money for this purpose. He explained borrowing money was the best course of action as it allows for the Town to accomplish more than piecemealing the projects each year. O'Donnell noted there was a pavement analysis done that produced the list of streets that we are looking to repair. He reiterated that the Town needed to borrow money to complete these repairs in a timely manner. O'Donnell explained the Town needed Local Government Commission (LGC) approval to move forward with the loan. He noted one of the requirements was a Public

Hearing. As there were no comments from the public, Mayor Flowers closed the Public Hearing at 7:14pm.

The next item on the Agenda was citizens' comments. There were no comments.

The next item on the agenda was the Financial Report. Patterson noted that a lot was going on at Town Hall. She explained there was new equipment, along with a software upgrade. She noted the pay schedule has been adjusted for this coming year and she would now be doing direct deposits for payroll.

Patterson stated that she was still waiting on the audit. She noted the previous auditor was no longer with the company and another auditor was stepping in to finalize our audit. Patterson stated she hoped to have a draft early next week. She stated the person she spoke with seemed to be on top of the situation. Patterson noted she would be looking at other options for the upcoming audit.

The next item on the agenda was the approval of the Consent Agenda. The Consent Agenda consisted of:

- Minutes from the Board Meeting on December 13, 2018
- Minutes from the Work Session on December 14, 2018
- Minutes from the Special Called Meeting on December 27, 2018
- Minutes from the Special Called Meeting on December 28, 2018
- Minutes from the Special Called Meeting on January 4, 2019
- Tax Collector's Report
- Police Department Report
- Youngsville Fire Department Report

MOTION: TO APPROVE THE CONSENT AGENDA AS PRESENTED

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

The next item on the agenda was Old Business. The first item under Old Business was to continue the discussion of the Comprehensive Development Plan (CDP). Clark noted the draft of the CDP was very well received. He stated there have been some minor edits that have been completed. Clark stated the next step would be to hold a Public Hearing. After the Board has heard comments from the public then the CDP would be adopted in February or March, depending on if changes are needed. Commissioner Hedlund asked if the Public Hearing should be scheduled sooner so that it could be adopted in February and O'Donnell stated that could be done with a Special Called Meeting. Hurd expressed concerns that citizens may not show up based on past attendance at Special Called Public Hearings. O'Donnell explained the CPD would be approved by Resolution. As it's not an Ordinance, the Town did not have to hold a Public Hearing. The Public Hearing was just a recommendation so people could get used to the plan and have time to give their input.

MOTION: TO SCHEDULE A PUBLIC HEARING FOR THE COMPREHENSIVE DEVELOPMENT PLAN FOR FEBRUARY 14, 2019, 7PM AT THE YOUNGSVILLE COMMUNITY HOUSE

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

The second item under Old Business was the consideration of awarding contracts to Carolina Sunrock (\$156,667.60), Sides Seeding (\$10,000), Stay Safe Traffic Control, LLC (\$14,400) and Boone Masonry (\$3,500) for the Town of Youngsville 2018-2019 Street Resurfacing Program. Commissioner Redd asked if the loan covered everything on the list and O'Donnell stated that it did. O'Donnell noted the original bid was for \$245,000. He explained they had reduced the costs by the original bidding company by negotiating lower costs and removing items. O'Donnell stated they instead decided to go with individual contractors. Commissioner Redd asked if Powell Bill money would cover any of these costs and O'Donnell explained that half of each year's Powell Bill allocation would go towards paying on the loan. O'Donnell noted the contracts totaled \$184,567.60 and the rest of the money pays for engineering, which was not included in the above totals for contractors.

Commissioner Wiggins asked if we lost anything that was needed, and O'Donnell stated no. O'Donnell explained the Town was able to keep the direst projects as they negotiated with individual contractors. The only thing that has been removed was the speed tables for Winston Street but noted they would have been paid for out of Fund Balance instead of being included in the Project funding.

MOTION: AWARD CONTRACT CONTINGENT UPON RECEIVING LOCAL GOVERNMENT COMMISSION PERMISSION TO BORROW FUNDS FOR CONTRACT AND ENGINEERING COSTS, NOT TO EXCEED \$205,000, AS FOLLOWS: CAROLINA SUNROCK: \$156,667.60; SIDES SEEDING: \$10,000.00; STAY SAFE TRAFFIC CONTROL, LLC: \$14,400.00; BOONE MASONRY: \$3,500.00; TOTAL AWARD: \$184,567.60

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

The third item under Old Business was the consideration of a Resolution authorizing the filing of an application for approval of the financing agreement authorized by North Carolina General Statute 160A-20. Mayor Flowers noted this was the next step to move forward in obtaining funding for the Town of Youngsville 2018-2019 Street Resurfacing Project.

MOTION: APPROVE THE RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20

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

The next item on the agenda was New Business. The first item under New Business was the consideration of the request to rezone by Greenleaf Properties, LLC for two parcels located along the southwestern right-of-way of NC Highway 96 E at its intersection with S Nassau Street from Residential Single Family (RS) to Residential Single-Multi Family (RSM). Commissioner Hedlund asked if there would be sidewalks and Clark explained that he anticipated sidewalks. Commissioner Hedlund asked if we could make sure that happened and Clark stated yes.

Commissioner Redd asked about the driveways and Clark explained NC DOT issued driveway permits. Clark stated he felt they would be allowed one shared driveway, possibly two driveways at most. He also noted there was low lying property on the north end that also created site challenges. Clark stated there were several items that will have to be addressed and the project will need to be well designed. Commissioner Redd asked how the multi-family homes fit in with future plans and Clark explained in the CDP draft there were several suggested district classifications. One of which spoke about the fringe area to radiate outward, including this area, for more residential properties. Clark noted this development would be similar to the one recently done by David Williams on Park Avenue. As long as they meet the requirements, they should be able to move forward. Clark stated that a plan would have to be submitted, go before the Planning Board and then the Board of Adjustment for final approval.

Commissioner Redd asked about the property to the north and Clark explained there was a ditch, then another house above that. Clark also noted there was some wetland area as well. Commissioner Redd asked about the road frontage and Clark stated most of the trees would need to be cleared for the construction, but the Ordinance requires that trees be retained or replanted.

MOTION: TO ACCEPT THE PLANNING BOARD’S RECOMMENDED PLAN CONSISTENCY STATEMENT AND RECOMMEND THE APPROVAL OF THE REQUESTED REZONING OF THE APPLICANT’S PROPERTY FROM RS TO RSM BECAUSE: (1) THE ZONING MAP AMENDMENT IS A LOGICAL BUFFER BETWEEN THE COMMERCIAL ZONED PROPERTY AND THE ADJOINING RESIDENTIAL DISTRICT, (2) CONSISTENT WITH THE GOALS OF THE LAND USE PLAN AND THE ENVISION YOUNGSVILLE REPORT AND (3) CONSISTENT WITH THE DRAFT YOUNGSVILLE TOWN PLAN 2040 COMPREHENSIVE LAND USE AND MASTER PLAN RECOMMENDED FOR ADOPTION BY THE PLANNING BOARD; SPECIFICALLY SECTIONS 8.5.1.3 AND 8.5.1.4

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

The second item under New Business was the consideration to award a contract to W W Enterprises for the regrading of the eroded side slopes at Luddy Park Ballfields in the

amount of \$10,570. Reimbursement of these funds would be through the proceeds from the State Department of Natural and Cultural Resources \$30,000 grant awarded to the Town of Youngsville during the fall. Mayor Flowers noted there was an extreme problem with erosion at Luddy Park. He explained the Luddy Park floods during rains and it brings red mud down to the fields. Mayor Flowers noted this was a step in the right direction to redirect the water. Commissioner Hedlund was grateful there was a grant to help cover the costs and Commissioner Wiggins noted this would help solve the problem. O'Donnell explained the main problem was the asphalt at the top of the slope and there should have been a swell to direct the water from the beginning. He stated once the water was properly redirected, then the slope can be repaired. Commissioner Wiggins stated he wanted to make sure it worked properly this time and O'Donnell agreed. Commissioner Johnson asked which areas of the Luddy Park the work would take place and O'Donnell explained the Main Field looking down towards the basketball court, and from third baseline to the end at the pole, maybe beyond. O'Donnell stated we would need to keep the greenery, including some of the pine trees. Commissioner Johnson noted the weeping love grass had been cut by a former employee and O'Donnell noted other than the weeping love grass, the only other option was junipers, which would give the same complications. Commissioner Johnson stated the erosion goes into the dugouts and fields and O'Donnell hopes to address this issue as they regrade.

MOTION: AWARD CONTRACT TO W W ENTERPRISES IN THE AMOUNT OF \$10,570.00. (REIMBURSEMENT WILL BE THROUGH PROCEEDS FROM STATE DEPARTMENT OF NATURAL AND CULTURAL RESOURCES \$30,000.00 GRANT AWARDED TO THE TOWN OF YOUNGSVILLE DURING THE FALL.)

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

The third item under New Business was the consideration to award a contract to Sides Seeding for the landscape repair of eroded side slopes at Luddy Park Ballfields in the amount of \$13,800. Reimbursement of these funds would be through the proceeds from the State Department of Natural and Cultural Resources \$30,000 grant awarded to the Town of Youngsville during the fall. Mayor Flowers stated this was in line with the previous discussion.

MOTION: AWARD CONTRACT TO SIDES SEEDING IN THE AMOUNT OF \$13,800.00 FOR THE LANDSCAPE REPAIR OF ERODED SLOPES AT LUDDY PARK BALLFIELDS. (REIMBURSEMENT WILL BE THROUGH PROCEEDS FROM STATE DEPARTMENT OF NATURAL AND CULTURAL RESOURCES \$30,000.00 GRANT AWARDED TO THE TOWN OF YOUNGSVILLE DURING THE FALL.)

The motion was made by Commissioner Wiggins and was seconded by Commissioner Hedlund. Commissioner Johnson asked what the timeframe looked like and O'Donnell explained the work would have to be done in the spring. Commissioner Johnson asked if it would impede the baseball season and O'Donnell stated it would not take long to do the grading and about a week to do the landscaping.

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 – Commissioner Redd noted the Work Session the previous night went very well.

Commissioner Johnson asked if we still needed to do Committee Updates as most of the items are being handled by Staff or contracts. After a brief discussion, it was decided to remove Committee Updates from future agendas.

The next item on the agenda was Reports and Other Business. Mayor Flowers stated it has been a long process getting the CDP to where it is now. He stated he appreciated everyone's hard work.

Mayor Flowers also wanted to remind everyone the Greater Franklin County Chamber of Commerce will host its 42nd Annual Banquet & Meeting on Thursday, January 17th at the Green Hill Country Club in Louisburg. Commissioner Hedlund stated it was a great event.

O'Donnell stated he had given the Board a copy of the duties of a Town Manager straight out of the NCGS. He explained the Board may want to give the new Town Administrator the exact same powers as a Town Manager. This can be done as an update to the General Ordinances as opposed to changing the Town Charter. O'Donnell stated the Board could always change the General Ordinances if they don't like how it works. He explained he would bring a draft copy to be read at the February Board Meeting, then there would be a Public Hearing at the March Board Meeting, along with a second reading. The new Ordinance could be approved at the March Board Meeting if the Board was in favor. The Board agreed they would like to move forward with this change. O'Donnell stated he would have it ready for March approval.

O'Donnell explained the improvements for the 5-Points intersection will go before the NC DOT Board for funding in March. The plan is to start construction in late spring / early summer and be finished by the end of summer. Commissioner Wiggins noted they have already started some work and O'Donnell explained they have done some preliminary work. Mayor Flowers asked if there was a time frame for the Cross and Main intersection and O'Donnell stated it would come behind this one. Commissioner Redd thanked O'Donnell for his work on getting this project moving forward. She noted it was a huge part of downtown. O'Donnell noted the improvements should cost less than \$750,000. He explained if the costs were more, then the Town would need to contribute up to \$50,000 as promised.

O'Donnell noted the Pay and Classification Study is now working on job descriptions. He stated they have the salary portion already completed. O'Donnell hoped to at least have an update, if not the finished Study, for the Board next month.

O'Donnell stated N*Focus should start work on the Unified Development Ordinance within the next month or so.

O'Donnell stated it was time to update the Capital Improvements Plan (CIP). He noted the material has already been sent to Staff and is due back to him by February 1st. O'Donnell stated a Work Session to go over the CIP would be scheduled during the February Board Meeting. He explained the Board would see a lot of the same projects as we were unable to fund them all.

O'Donnell stated that he felt the Town had enough funds to start the Manual Specifications Plan if we split the Plan over two fiscal years. If the Plan was started in spring, then it would cost approximately \$10,000 - \$12,000 in each fiscal year. O'Donnell explained the Town currently uses NC DOT standards for rural development and the Town needed standards for urban development.

O'Donnell stated he would be attending an Assessment Center on Monday and Tuesday for Southern Granville. As they provided services for our Assessment Center in December, he felt he should participate in theirs.

Commissioner Redd noted Benchmark Community Bank would have their Grand Opening on January 24th from 5-7pm.

Commissioner Johnson wanted to apologize as work took him away during the hiring process. He stated he appreciated the effort and time the Board has put into this decision and he trusts the Board on whatever direction they want to head.

Commissioner Hedlund noted the Kiwanis Club has elected new officers. One of their primary goals for this year is to recruit new members. Due to the lack of membership they will have to scale back on some of their events. Commissioner Hedlund noted they would help the Woman's Club as much as they can in return for all of the help they have been given by the ladies of the Woman's Club. He noted their plans for the fall include doing the Halloween Carnival, continue with the Fall Festival, help with the Parade, Christmas Tree Lighting Ceremony, and the dictionary handout, which was very well received.

Clark wanted to note that if Greenleaf Properties, LLC does decide to build duplexes now that the property has been rezoned, the plans would go before the Planning Board and the Board of Adjustment. More information will be available on the layout and driveways at that time.

Clark stated the Planning Board, Staff and Rick Flowe would be working on the Unified Development Ordinance (UDO) in sections each month during the Planning Board

Meetings. He explained this would give sufficient time to go over the information. They hope to start in February, definitely by March.

Clark stated the engineering plans are mostly complete for the Main Street Improvements Project. He noted the number of easements needed are down to eleven. Clark stated he should receive the formal quote for the easement reduction soon.

Clark stated the intersection improvements at 5-Points would affect the crosswalk location for the Main Street Improvements Project due to the turn lanes. He noted Kimley Horne was aware of the problem and would coordinate with NC DOT to find a safe location.

Clark noted the contractor for the Woodlief's property will do some work on the sidewalk but will put the pavers back when finished. He stated that he and Thomas had looked at the plans for their driveway and parking lot in the back. Clark stated they asked that the parking lot be open on both sides to work with alleys that are proposed in the CDP draft.

Clark stated there has been a request to release a performance bond by ST Wooten for the entrance of Holden Creek. It has been over a year and NC DOT has already approved their release.

Clark noted the Town was waiting on reimbursement for work accomplished so far but with the government shut down, he noted the reimbursement may be slowed down.

Attorney Bartholomew stated he appreciated being able to come out and cook for the Christmas Tree Lighting Ceremony. He loved the opportunity to get more involved in the community he served.

Attorney Bartholomew stated he has almost completed the contract for the old Town Hall and hopes to get a copy to the Board tomorrow for final approval. He noted he contacted the School of Government for the procedures to move forward and hopes to get that accomplished with in the next couple of days.

Assistant Fire Chief Graney stated they were working on the Annual Report for February. The final totals for 2018 were 1091 calls, 9,073 training hours, and 7,251 total man hours were spent on incident response.

Mayor Flowers stated Smith was working a basketball game tonight and notes his team's first game would be tomorrow. He stated that Smith was doing a great job. Mayor Flowers noted one of the immediate needs was to get girls more involved and we needed a volunteer to teach cheerleading.

Hurd stated that based on garbage applications, Youngsville saw 281 new residents in 2018.

Hurd stated the Collections Report in the new software was inaccurate at this point. She explained when the data was moved over, only the balance due amount was shifted

instead of the total amount of 2018 taxes billed. This will have only a small effect on the Tax Collector's Report. Hurd explained that once we start billing full years on this new software, the Collections Report will have all of the information that she was having to combine from several reports. The yearly Settlement Report will bring it all together for a better picture.

Chief Kirts stated maintenance was doing the best they can around the weather. So far nothing has broken down yet.

The next item on the agenda was Closed Session. Mayor Flowers stated the Board needed to go into Closed Session to discuss personnel, NCGS 143-318.11 (6).

MOTION: TO GO INTO CLOSED SESSION TO DISCUSS PERSONNEL

The motion was made by Commissioner Johnson and was seconded by Commissioner Hedlund. The motion passed unanimously. The Board went into Closed Session at 8:06pm and came out at 8:46pm.

MOTION: TO OFFER THE POSITION OF TOWN ADMINISTRATOR TO PHIL CORDEIRO EFFECTIVE FEBRUARY 14, 2019, ASSUMING THE SUCCESSFUL NEGOTIATION AND EXECUTION OF AN AGREEMENT.

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

The meeting adjourned at 8:48pm.