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MINUTES

FEBRUARY 12, 2015

7:00PM

REGULAR MEETING

YOUNGSVILLE COMMUNITY HOUSE

Mayor Fonzie Flowers called the 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, Terry Hedlund and Joseph Johnson. Also in attendance were Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd, Police Chief Daren Kirts, Town Attorney Joseph Olivieri, Zoning / Planning Administrator Bob Clark and Parks and Recreation Director Pete Gibson. A representative from the Wake Weekly was also present.

The first item on the agenda was two Public Hearings. The first Public Hearing was called to order at 7:02pm. It was for a request for a Text Amendment to permit churches, temples, synagogues, assembly halls, museums, and libraries in the Commercial and Mixed Use districts. There were no comments from the public. The Public Hearing was concluded at 7:02pm.

The second Public Hearing was called to order at 7:03pm. It was a request for Zoning Amendment from Residential Agricultural (RA) and Mixed Use (MU) to Residential Single Family (RS) for property located on Holden Road by Winslow Custom Homes. Doug Welsh had several questions concerning the subdivision that would be placed on the property if the request for Zoning Amendment was granted. Clark explained that we had received an application for Zoning Amendment because a subdivision to cover the entire property would not be possible without it. He explained that part of the property that is zoned RA, about two thirds of the property, which would allow single family homes with possible public water and septic tanks. The other third of the area is MU, which is primarily industrial and commercial, but does allow for residential although not for single family homes. Clark explained that state statute does not allow for the rezoning for a specific layout. After it has been rezoned, then someone can apply with detailed plans concerning traffic, layout, sidewalks, drainage, etc. Clark stated that there has been a sketched plan that has been shown to the Planning Board but if the rezoning doesn't happen then they would have to draw up their plans based on the current zoning. Clark stated that this Public Hearing will not permit getting into the details of the subdivision. He stated that the question for this Public Hearing is that should these properties be rezoned to RS or should it be left as RA and MU for the housing that is allowed in those districts. Mr. Welsh asked if homes were built, would there be a detailed review and Clark stated that it would be reviewed by both staff and the Planning Board. Clark stated that all of this information is open to the public and he will meet with people for specifics if the rezoning was approved. Mr. Winslow stated that the homes would be in the \$300,000 - \$375,000 range. He stated that erosion is heavily

regulated by several departments within the State and they do regular checkups. He stated that he would be building with other custom builders. Mr. Winslow stated that they want to have walking trails along the back of the neighborhood. When asked, Mr. Winslow stated that they would be leaving trees and adding sidewalks. When asked, Mr. Winslow stated that they would put approximately 38 homes on 19.62 acres. Mr. Welsh asked if there was going to be another phase and Mr. Winslow stated that would be up to Mr. Moss as he owns the other property behind the current property in question. Mr. Winslow explained that it is custom to stub out access to other acreage. When asked, Mr. Winslow stated that he would meet with the neighboring community. He stated that it is a three step process in Youngsville, the first being a sketch plan to get the feedback from the Planning Board along with other agencies, which helps them to create a site plan that goes back to the Planning Board. Mrs. Welsh stated that they were just looking for more information on the subdivision and Mr. Winslow stated that he understood. Attorney Olivieri stated that anything filed with Town Hall was public record and Clark agreed, stating that they could schedule to meet with him, preferably as a group, so that he could go over some of the perspectives and details. Commissioner Stallings asked if they would be annexing the property before selling any of the lots and Mr. Winslow stated that he was unsure at this time. Mr. Winslow stated that he would be talking about it with Clark. He stated that his planning background states that it is the right thing to do but he just isn't sure yet. Fritz Thompson stated that they had concerns about the Town annexing their current subdivision and Hurd explained that State law prohibits the Town from forcibly annexing areas at this time. Darlene Thompson mentioned that there were already drainage problems and they had spent several thousand dollars on materials to fix it along their property. She also had a concern about the walking trail creating a lack of privacy issue. Mr. Winslow stated that the walking trail would be on the back of the development and not along the side. Commissioner Redd stated that this was all good information but the Public Hearing concerned only the rezoning request and did not involve information on the possible subdivision. Mrs. Thompson wanted to know that if the rezoning was approved today, did the plans just move forward and Attorney Olivieri stated that this rezoning was just to say that this area can be residential. He stated that it sounded like most of the concerns were more geared towards the nature of what is going on the property and the residents agreed that it was. Attorney Olivieri stated that the Public Hearing specifically can't address what is going in there as part of a zoning change. He explained that this part of the process is done during the review phase by the Planning Board. Attorney Olivieri stated that most of the information they were seeking would come from the examination of public records and meeting with Clark or Mr. Winslow. Commissioner Redd stated that they would have a chance to speak at the right time. Mr. Moss stated that he owned some of the land and has lived here all of his life. He wants this to be a benefit to the Town. He stated that if left as it was, the MU area can have 65 residential units on a small sliver of land. He stated that this rezoning would reduce the density by 50%. Mr. Moss stated that part of the back lot was annexed a few years ago and the Town has benefited from the taxation. He stated that he would appreciate a fair vote. The Public Hearing concluded at 7:23pm.

The next item on the agenda was citizen's comments. There were no comments.

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 January 8, 2015 and the Work Session on January 17, 2015. Also included on the Consent Agenda were the Tax Collectors Report, the Police Department Report, and Budget Amendment 2015-08. There was also a Tax Release for Angie Tenney for 2014 taxes in the amount of \$32.40 and a Resolution to close the Water / Sewer Account with SunTrust.

MOTION: TO APPROVE THE CONSENT AGENDA

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

The next item on the agenda was Old Business. The first item under Old Business was an update on the sale of the land / storage building. Attorney Olivieri stated that the process was moving along with bids and counter bids going on. He stated that everything was ready once the bidding ends.

The second item under Old Business was to continue the discussion on the Request for Zoning Amendment from Residential (RS) to Commercial (C) for 307 E Main Street. Clark stated they Mr. Kroeze was ready to proceed with a decision on the rezoning request. He stated that they wanted to have an office at this location and the Planning Board gave a Favorable Recommendation. Clark stated that the applicant knows what he needs to do to meet the requirements if approved. Mr. Kroeze stated that they are working on the parking layout and the issues that need to be brought up-to-date according to the Franklin County Inspections Department. He stated that they are ready to move forward. Mr. Kroeze stated that they will get a land survey and rent some of the offices out. Commissioner Wiggins asked if there was a driveway and Mr. Kroeze stated yes. Mr. Kroeze stated that they were working on an easement with Youngsville Baptist Church but they don't want to depend on that in case it falls through.

MOTION: TO APPROVE THE REQUEST FOR ZONING AMENDMENT FROM RESIDENTIAL TO COMMERCIAL FOR 307 E MAIN STREET

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

The third item under Old Business was the Planning Board Recommendation on the Text Amendment to permit churches, temples, synagogues, assembly halls, museums, and libraries in the Commercial (C) and Mixed Use (MU) Districts. Clark explained that this was brought to our attention by several inquiries of prospective churches. He stated that the locations they were looking to place their church was not allowed by our Zoning Ordinance. Clark stated that the Planning Board recommended a text amendment to allow them to locate in the C / MU areas as they are only allowed in Residential areas at this time. Clark explained that there are already seven out of twelve churches in violation of the current rules. He stated that the Planning Board recommends this amendment to

add MU / C so that they will have a larger area to locate in and help the current churches to have a conforming use.

MOTION: TO APPROVE THE TEXT AMENDMENT ALLOWING CHURCHES, TEMPLES, SYNAGOGUES, ASSEMBLY HALLS, MUSEUMS, AND LIBRARIES IN THE COMMERCIAL AND MIXED USE DISTRICTS

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

The fourth item under Old Business was the Planning Board recommendation on the request for Zoning Amendment from Residential Agricultural (RA) and Mixed Use (MU) to Residential Single Family (RS) for property located on Holden Road by Winslow Custom Homes. Clark stated the Planning Board found several supporting issues including the RS zoning across Holden Road. He stated that the main heart of Youngsville was also RS. Clark stated that there were concerns about the MU area not being compatible with the residential areas already in existence. He stated that there was a natural buffer in the north. Clark stated that there are other subdivisions in the area and Holden Road can support another even though there is already a lot of traffic. Clark stated that this request did not trigger a traffic impact assessment, however, the long range plans for Holden Road improvements are upgrades associated with incoming developments. Commissioner Redd agreed that this was a good idea as it would help reduce multi-residential and commercial entities in the MU area. She stated that she recommends the change.

MOTION: TO APPROVE THE REQUEST FOR ZONING AMENDMENT FROM RESIDENTIAL AGRICULTURAL AND MIXED USE TO RESIDENTIAL SINGLE FAMILY FOR PROPERTY LOCATED ON HOLDEN ROAD BY WINSLOW CUSTOM HOMES.

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

The fifth item under Old Business was to continue the discussion on the Parks and Recreation 10 Year Plan. Gibson stated that after the January Work Session, they started working on a long term plan. He stated that their two biggest concerns were money and timing. Gibson stated that a lot depended on the status of the 501 C 3 as most grants are awarded to non-profit entities. He stated that he did have a discussion with the Town Administrator about starting a Capital Improvement Account. He stated that they will host another Home Run Derby and maybe have a consignment sale that day to help boost funds raised. He stated that other funds come in through concessions and private donations. Gibson stated that he was hoping to have enough funds raised to start the Capital Improvement Account. He also stated that in regards to field maintenance, he would like to trade in the Gator for another piece of equipment that can handle the field maintenance better. Commissioner Johnson stated that they looked on the internet for a 10 year plan for towns with a 1,500 and under population but also with a 5,000 to 10,000

population as a place to start since that covers the Youngsville area that we get our children from. He stated that most plans got into wish lists after about the first five years and they did not seem to be very attainable or cost efficient for Youngsville.

Commissioner Johnson stated that they had more of a five to seven year plan based on one they found from Indiana for small towns. He stated that it was one of the plans that didn't get overly aggressive on monies that came in based on the size of the town.

Commissioner Johnson stated that the plan had a lot of information and no real direction so they put what they thought we would need in the next three to five years in order to move forward. Commissioner Redd stated that she only had a copy of the information given at the January Work Session and Gibson stated that this should be different even though it did have some of the same information. Commissioner Hedlund asked if this was a Capital Expenditure Request for the next five years and Gibson stated that it wasn't a request so much as a plan of where they want to be based on the information gathered.

Commissioner Hedlund asked if there was anything on the Plan concerning searching out funds and Gibson stated yes. Gibson stated that the funds from Franklin County were no longer available as they had been given to another entity in our school district.

Commissioner Redd stated that she still wasn't seeing a difference in the Plan that she had from the one presented last month. Gibson looked at what she had and stated that he must have given Hurd the wrong information as that was indeed the older Plan. Gibson stated that there may be an option for a grant from the Franklin County Parks and Recreation but it was a 50% matching funds and was not built into the Plan at this time.

Commissioner Wiggins asked who the entity in our school district was and Gibson stated that it was the Miracle League for the new field at Long Mill Elementary School. Gibson stated that other items that have been mentioned were more of an expansion to the existing park and he looks forward to putting them in the five to seven year range. These included festivals and adult recreation leagues. Gibson stated that he was considering an outdoor basketball league during the summer. Tatum stated that there were grants available for non-profits and wanted to know if it would be reasonable that the Parks and Recreation Department have their 501 C 3 in place within six months and Gibson stated yes. Tatum stated that was a good starting point and Gibson agreed. Tatum stated that the program should be under the 501 C 3 and the facilities would be under the Town. He stated that would get the program supported by the participants and the Town could then take its money and help maintain the field. He stated that it has to be done in that sequence for this plan to work. Tatum stated that we need a foundation for the program that states what the needs and wants are. He stated that it gets back to if the funds aren't raised from the participants fees, then they have no money to spend. Tatum stated that if the Board supported the concept that within six months the Parks and Recreation Department start a 501 C 3 since the Town can't establish one. He stated that once that was done, then we can get more things done. Gibson asked if he needed Board approval to start the 501 C 3 and Tatum explained that the Town can't be involved in that process. Tatum stated that it was just the best way to organize the Parks and Recreation Program.

Attorney Olivieri stated that it would need to be started by either the Advisory Board, parents or other concerned citizens that come forward to create this 501 C 3 and then take over the program. Gibson wanted to know if it would be a conflict for him or any other Board member to be an officer or member of the 501 C 3 and Attorney Olivieri stated that he didn't think so but he would like to do more research to make sure. Mayor Flowers stated that he was on the Board of a 501 C 3 for YAKS and there were no

problems. Hurd stated that Board Members could serve on the Board of civic organizations like that. Gibson stated that he would email the Plan to the Board.

The sixth item under Old Business was to continue the discussion on applying for the LAPP Grant for a roundabout at 5-Points. Commissioner Hedlund stated that the bottom line is that intersection is rated an F at this point and a roundabout would improve it to a C rating. He stated that the bypass will not happen any time soon and the only solution available to us is the roundabout. Commissioner Hedlund explained that the LAPP finances 80%. He stated that he wanted to get Board approval to move forward to apply for the LAPP funding for the roundabout. Commissioner Redd stated that it was a fabulous idea and was all for it. Commissioner Hedlund stated that he felt this was our opportunity.

MOTION: TO MOVE FORWARD IN PROCURING LAPP FUNDING FOR A ROUNDABOUT AT 5-POINTS

The motion was made by Commissioner Hedlund and was seconded by Commissioner Redd. The motion passed with one nay vote from Commissioner Wiggins.

The seventh item under Old Business was to approve the contract with Alta for the Bicycle and Pedestrian Grant. Clark stated that it was a two part contract as it also includes the scope of the project. Clark ran through the process as outlined in the scope of the project to the Board.

MOTION: TO APPROVE THE CONTRACT WITH ALTA FOR THE BICYCLE AND PEDESTRIAN GRANT

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

The eighth item under Old Business was to adopt a Resolution calling for a Municipal-wide Mixed Beverage Referendum to be held in conjunction with the November 3, 2015 Municipal Election. Mayor Flowers stated that we have already written a request to the Franklin County Board of Elections but we need to adopt this Resolution as well.

MOTION: TO APPROVE THE RESOLUTION CALLING FOR A MUNICIPAL-WIDE MIXED BEVERAGE REFERENDUM TO BE HELD IN CONJUNCTION WITH THE NOVEMBER 3, 2015 MUNICIPAL ELECTION

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

The next item on the agenda was New Business. The first item under New Business was a Resolution setting the collection of minimal taxes to \$5.00. Hurd stated that setting this minimal tax amount to be billed will help offset the costs of billing and collection for taxes less than \$5.00.

MOTION: TO ADOPT THE RESOLUTION SETTING THE COLLECTION OF MINIMAL TAXES TO \$5.00

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

The next item on the agenda was Closed Session (if necessary). Mayor Flowers stated that the Board needed to go into Closed Session to discuss personnel and legal matters. The Board went into Closed Session at 8:04pm and came out at 8:10pm. Mayor Flowers stated that no action had been taken.

The next item on the agenda was Committee Updates.

Policy / Ordinance Committee – Commissioner Wiggins stated that they had made some corrections to the Policy Manual and have updated the Table of Contents from the approved items. He stated that they have a new policy for Public Works, 6.201. He stated that this puts on paper a plan for Public Works employees to police the trash along the streets and roads in Youngsville. He stated that it includes a section that if their duties are completed early, the employees can then work on policing the trash on the roadways. Commissioner Wiggins stated that he wanted to present this to the Board.

Finance Committee – There were no comments.

Capital Improvement Committee – There were no comments.

Comprehensive Development Committee – Commissioner Redd stated that she wants to start working on the Comprehensive Development Plan again with Clark. She stated that it was time to get this Plan going again and was there for any help that she can give.

The next item on the agenda was Reports and Other Business. Mayor Flowers wanted to mention an article in the Franklin Times concerning Youngsville Officers that went above and beyond the call of duty to help out a homeless family. He wanted to acknowledge Ron Adkins, Mike Thomas and Matt Little. Mayor Flowers stated that they had done a good job to help a family that had fallen on hard times. Chief Kirts stated that due to the article, they have learned of more resources to help them in the future.

Mayor Flowers stated that a Youngsville resident, Lt Col Clive Goodwin, Jr. CAP had received the Congressional Gold Medal of Honor for his service in World War II on February 7, 2015.

Tatum stated that he will be starting the budget process soon. He hopes to be able to tread water again this year. Tatum stated that they will need one police car and this will put them on a schedule to cycle out patrol cars every three years. He also stated that he wanted more time with N*Focus. Tatum stated the Town has the same issues with Zoning as we do with Parks and Recreation and that is that people living in the ETJ are getting services but not paying taxes to help cover the costs. He stated that the zoning

fees are inadequate and both he and Clark will look at increasing them. Tatum explained that we need more time with Clark as there are a lot of things going on at this time such as the new developments. Tatum reminded the Board that Clark is getting paid for all of the time that he's taken to meet with people concerning the developments coming into Town. He stated that it also takes his time away from the items that we need him working on. Tatum stated that he wants to see what we can do without raising the tax rate to go forward. Commissioner Redd stated that if the Town did increase the amount of time that we had Clark, she had a couple of concerns. First was if Clark would be able to give more time as he had other obligations on those days and did the Town have the money available. Tatum stated that he was just bringing this need to the Board so that it can be taken into consideration for the budget planning.

Commissioner Hedlund also wanted to thank Chief Kirts and the Police Department for all that they do.

Clark stated that the Southeast High Speed Rail (SEHSR) had sent out an email stating that they have completed their environmental reviews and studies. He stated that Don Belk will be representing the Town at these meetings. Clark stated that there will be large maps of the Youngsville area and Mr. Belk will bring back information regarding these plans. Clark stated that he will keep the Board informed.

Clark stated that the pipeline has settled on a route and will be checking on the wetlands and developments on where they wish to place the new lines. Clark stated that the Bicycle and Pedestrian Grant timing was perfect as he hoped to have conversations concerning easements for walking trails on the areas that the new lines will go.

Clark stated that he had a meeting with Bryce Mendenhall, Franklin County Public Utilities (FCPU), concerning allocations for the upcoming developments such as the Holden Creek Subdivision. He stated that from a public utility standpoint, these projects do need water and sewer. Clark stated that the official updated allocations would be mentioned at the Franklin County Board Meeting. He stated that pertaining to annexation, there may be a way to link with FCPU. Clark explained that if someone needs water and sewer, prior to approval they would need to get an annexation petition from the Town. Clark stated that he wanted to get that conversation started and see where it goes. He stated that it may prove beneficial to everyone, certainly the tax payers in town.

Clark stated that we do have a fee in lieu of and/or open space recreation dedication provision on our regulations now. He stated that there was a potential to gain some fees and help offset some capital down the road. Clark stated that for the most part, there is open space dedicated. He stated that he has already spoken with Mr. Winslow concerning this for their proposed development. Tatum asked if the money had to be deposited with Franklin County and Clark explained that this was Town specific and separate from Franklin County. Clark stated that we have never received any money since most developments use open spaces for recreation instead of paying the fees. He stated that he would be looking at the fee structure carefully.

Chief Kirts mentioned that there were 10 accidents last month that were not in the Police Department Report. He stated that was up from the previous month.

Chief Kirts stated that they have been extremely busy the last two months and are stretched thin. He wanted the Board to keep that in mind concerning annexations. Chief Kirts stated that they try not to work in the ETJ unless needed by FCSO so that they can stay in the town. He stated that all of these subdivisions that come into our area need to realize that when they call 911, they are not going to get the Youngsville Police Department. He stated that they will get the FCSO, which takes about twenty minutes to respond in our area. Reminding the developers may help in getting the properties annexed.

Chief Kirts wanted to congratulate Sgt Adkins as well.

The meeting adjourned at 8:31pm.