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MINUTES

SEPTEMBER 14, 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. After invocation, Commissioner Hedlund led everyone in attendance to sing Happy Birthday to Mayor Flowers. Mayor Flowers stated that he was touched and thanked everyone. In attendance were Commissioners Graham Stallings, Catherine Redd, Larry Wiggins, Joseph Johnson, and Terry Hedlund. Also in attendance were Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd, Police Chief Daren Kirts, Town Attorney Joseph Olivieri, Planning / Zoning Administrator Bob Clark and Assistant Fire Chief Justin Graney. Representatives from the Franklin Times and the Wake Weekly were also present.

The first item on the agenda was citizens' comments. Twig Wiggins wanted to thank the Board for moving Youngsville forward. He stated that the Franklin County Education Foundation would be holding a raffle; tickets would be \$50, each with a one in seventy five chance of winning. There were a total of twenty prizes, ranging up to \$10,000.

Mr. Wiggins also wanted to publicly apologize for his behavior at the last meeting he attended concerning taking out a parking spot; it was uncalled for. He stated that in the end, what was done was better than what he requested. Mr. Wiggins explained that there was limited parking for Main Street Flooring and asked that the Town add a parking space on N Cross Street where there is wasted space. If the Town moved the one they blocked off years ago forward, it would work without effecting the entrance to the alley. He stated that it was dangerous at this time and several people have almost been hit. Mr. Wiggins thanked the Board again for all they do and noted that the Town is moving forward. He stated that he understood that people may complain during the process.

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 the minutes from the Board Meeting on August 10, 2017. Also included on the Consent Agenda was the Tax Collector's Report, the Police Department Report and the Youngsville Fire Department Report. There were two requests, Youngsville Halloween Carnival and the Youngsville Fall Festival, for donations of \$250 each. Budget Amendment 2018-02 was also included on the Consent Agenda. Mayor Flowers asked that the donation for the Fall Festival be stricken from the Consent Agenda per a conversation with Tatum.

MOTION: TO REMOVE THE FALL FESTIVAL DONATION REQUEST OF \$250 FROM THE CONSENT AGENDA

The motion was made by Commissioner Stallings and was seconded by Commissioner Johnson. The motion passed unanimously. Tatum explained that the Police Department would provide the necessary officers to help with the Fall Festival. Mayor Flowers stated that it was being promoted as a Town event, as opposed to an individual organization. Chief Kirts worked with Tatum to figure out how to pay for the overtime so that the Kiwanis Club wouldn't have to pay for off duty officers.

MOTION: TO APPROVE THE AMENDED CONSENT AGENDA

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 a discussion on the request from Holden Development LLC under the Development Enhancement Policy. Attorney Olivieri stated that he still had not been able to meet with Clark but he felt that they would have it finished by the end of the year and Clark stated that it will be done as soon as they can. Commissioner Wiggins asked how long this has been going on and Mayor Flowers stated that it has been a while. Attorney Olivieri explained that it was hard for him and Clark to be in the same place at the same time. Mayor Flowers stated that he has received phone calls from the developer and we have been postponing this decision for quite some time. He stated that when we adopted this Policy, we promised these developers that we would help them out if they annexed into town limits. Attorney Olivieri stated that he will address it.

MOTION: TO TABLE THE DISCUSSION ON THE REQUEST FROM HOLDEN DEVELOPMENT LLC UNDER THE DEVELOPMENT ENHANCEMENT POLICY TO OCTOBER 12, 2017

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

The second item under Old Business was to continue the discussion on the future plans for the old Town Hall and Police Department on N Cross Street. Commissioner Wiggins stated that he has received one quote to demolish the buildings, though he has two other quotes that will come in within a couple of days. The quote he received stated that it would cost \$15,000 to tear down and haul off Town Hall. The cost for the Police Department was \$9,000 and the Shop would be \$7,000. He noted that at this time we can't tear down the Shop as we still need it. Mayor Flowers stated that we need to keep the Police Department and Shop for the time being and noted that power for the Shop comes from the Police Department building. Chief Kirts stated that it would cost approximately \$3,000 to shift the electrical connection to the Shop.

Commissioner Wiggins stated that he noticed an event at Cross & Main had attendees parked all the way down Main Street, up Cross Street, at the Youngsville Baptist Church,

and in the Cross & Main parking lot. He stated that there is obviously not enough parking in this area. Chief Kirts stated that there never has been enough parking for that type of business and that parking has always been an issue for them. He noted that some had parked behind the old Town Hall, where we still keep equipment, and he doesn't care for that to happen. Commissioner Stallings asked where we would store the equipment if the Board decided to tear down all three buildings and Chief Kirts stated that we would have to erect a building somewhere to shelter the equipment, such as the tractor, lawnmower, hand tools, etc. Chief Kirts stated that there is nowhere else to locate all of that at this time. Commissioner Stallings stated that we have talked about constructing a new building before, but where would we put it and Chief Kirts agreed that was one the questions that had no answers at this time. Commissioner Stallings stated that if we demolish all three buildings, we still need to house the equipment. Mayor Flowers noted that it would cost a total of \$31,000 and we would still need a new building to house all of the equipment and tools. He stated that was not fiscally responsible. Tatum stated that the Town doesn't own any land suitable and Chief Kirts stated that it would also need to be secure, not just a shed. Commissioner Hedlund wanted to clarify that if we kept the Police Department and Shop, would there still be room for parking along with a secure area for equipment and Chief Kirts stated yes, as best we can. Chief Kirts stated that it wouldn't be the ideal solution but we can't stop the public now from parking near the equipment. He stated that the biggest use would be overflow parking for Cross & Main events. Commissioner Hedlund stated that the Police Department and Shop are valuable assets in regards to selling any of them, so he felt that we should hold onto them for right now and try to sell them while we figure out parking for where the old Town Hall is located. He stated that the old Town Hall is in really bad condition from his understanding and would cost a significant amount of money to get it ready for sale. Chief Kirts agreed, stating that it was close to being in a condemned state. Commissioner Hedlund recommended tearing it down. Mayor Flowers stated that there would still be parking available behind the old Town Hall if we wanted to wait longer before tearing it down. He stated that he felt the Board was in agreement on keeping the Police Department and Shop; however, the decision on what to do with the old Town Hall seems to be the main issue. Mayor Flowers stated that he still feels that we could possibly sell the old Town Hall and let someone renovate it for a commercial use. He stated that he felt the Town should move forward with getting a dollar value for what we could sell the old Police Department building for. Tatum stated that the sale would have to be done by public auction but it can be listed on Govdeals.com. He reminded the Board that we would need to have a survey completed before we can sell it. Chief Kirts agreed that we would need to subdivide the Shop from the old Police Department lot. Commissioner Redd asked if there was anything that the Town could do with the old Police Department building in the future and Chief Kirts stated that it was still sound though it did have some asbestos. Commissioner Redd stated that she was hesitant to sell it as we don't own a lot of land or buildings for Town use. She stated that we didn't have to do anything with it immediately but it could be beneficial for future use. Commissioner Redd stated that the Board would only need to decide what to do with the old Town Hall building for parking. Chief Kirts stated that if we tear down the old Town Hall for parking, we will still need to keep an area for the large equipment and Commissioner Redd stated that we could section off the back lot for Town use. She stated that Youngsville is growing and it presents a lot of opportunities but she didn't know if we

were ready yet to know what we want to do because there are so many options. Commissioner Redd stated that she would hate to sell and then need it at a later point in time for our use. She stated that she wasn't ready to sell it yet, though she knew that it might be wasted space at this time, but she feels like something may come to mind that we can do great things with. Commissioner Redd stated that the Board should start the process of making the back lot ready for public parking without making the decision to sell or tear down right now. Commissioner Wiggins asked what were the monthly expenses and Tatum stated that we still pay insurance, electricity, and gas for approximately \$100 a month for all of the buildings combined. Commissioner Hedlund asked if there would be room for ample parking with the Town Hall still standing as that was the main need right now and Commissioner Redd stated that it would hold approximately thirty to forty cars. Tatum stated that we could take off the roof, gut the building and let it sit with just the cinderblock walls. He stated that if the Board decided to sell it then the buyer could upfit the building. Tatum stated that it would make the building safer and eliminate the utilities. When asked, Clark recommended that the Town could make the minor technical change of rezoning the property to Main Street Business District (MSBD), which would allow for smaller lots that would fit the downtown setting. He stated that Staff could start the process. Clark also stated that it was allowed to leave three walls standing for a building that had been gutted. He stated that Staff can work up a concept plan for parking, without having to pay for a survey at this point in the discussion, so the Board can see what they are working with. Commissioner Wiggins asked if there would be a problem with keeping the back lot as public parking if we sold the buildings. Attorney Olivieri explained that the Town would need to designate the parking area that belonged to the building when it was sold and obtain easements to allow access to the designated public parking area behind the building. Mayor Flowers explained that it would work like the Youngsville Animal Hospital, with the alley to get to their back parking lot. Attorney Olivieri stated that there could also be an agreement that states that the Town owns all of the parking and would let the business use some of the parking spaces. He stated that it was a small detail that can be worked out in a couple of different ways, including parceling out the building to give them their own parking or to share parking in the public lot. Commissioner Wiggins stated that if retail was put in the old Town Hall building, then Cross & Main would use it mostly on nights and weekends, so there would not be much of a conflict. Attorney Olivieri stated that it could all be worked out with deeds, easements and agreements. Commissioner Hedlund stated that we need parking and it would make sense to sell. Commissioner Redd stated that we don't own enough land. She stated that we are growing and we need things and Commissioner Stallings agreed. Commissioner Stallings asked Clark what process the Board would need to go through if they wanted a parking lot. Clark explained that once the layout is done, then we need to correct the remaining problems with the drainage. He stated that there are standards for the layout and how many spaces are needed in the Zoning Ordinance. Clark stated that it was a matter of the final grading and gravel as well as if the Town wishes to use car stops. Commissioner Stallings asked how long it would take and Clark stated that getting accurate information from the surveyor, along with accurate information concerning the drainage, would take approximately sixty days. Commissioner Stallings liked this idea as we have been talking about this for over six months with no decision being made. He stated that we need to set our priorities and do those first then worry about the rest

afterwards. Commissioner Redd suggested we get Staff to create a design for a parking lot behind the building and not make a decision on either building at this time. Meanwhile, we move forward with changing the zoning to MSBD to move forward while the Board continues to figure out what they want to do with the buildings along with creating a parking lot. Commissioner Redd stated that there is plenty of room in the back and a sure way to get back there. Clark stated that we already have a Public Hearing scheduled for next month for a rezoning request, we could go ahead and add the Public Hearing for rezoning of the old Town Hall lot for the same time. He stated that he would speak with Chief Kirts concerning what would be needed for Town equipment and bring a plan back for the Board. Mayor Flowers asked if that would allow enough time to get the remaining quotes in and Commissioner Wiggins stated yes. Commissioner Hedlund wanted to clarify what the general consensus was of the Board regarding the sale of the buildings and Commissioner Redd stated that she did not want to sell at this time. Attorney Olivieri summarized that Commissioner Redd wants to direct Planning Staff to create a parking plan and change the zoning to MSBD to prepare for the sale of the buildings, then report back to the Board. Commissioner Redd stated that was correct. Attorney Olivieri stated that the idea is to get the process started as we are still waiting on other information. Commissioner Redd stated that she felt that the Board had decided that we do want a parking lot, we do want to move forward with rezoning to MSBD, and to continue to work on a decision for selling the property.

MOTION: TO DIRECT STAFF TO CREATE A PARKING PLAN(S) THAT INCLUDES A STORAGE AREA FOR TOWN EQUIPMENT AND MOVE FORWARD WITH THE PROCESS OF REZONING THE CURRENT PROPERTY TO MAIN STREET BUSINESS DISTRICT

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

Mayor Flowers asked if the Board wished to continue the remainder of the discussion until next month, when more information would be available and the Board agreed.

MOTION: TO TABLE THE DISCUSSION ON FUTURE PLANS FOR THE PROPERTY OF THE OLD TOWN HALL AND POLICE DEPARTMENT – N CROSS STREET

The motion was made by Commissioner Stallings and was seconded by Commissioner Redd. The motion passed unanimously. Attorney Olivieri reminded the Board that the neighbor's fence encroaches on the Town property by about five feet and that will need to be addressed when we do the official survey / subdivision of land. He suggested that we move forward with giving them the land by adjusting the property line since it was such a small amount of land in question. Attorney Olivieri stated that this was just some housekeeping that wouldn't hold up the process. Commissioner Wiggins wanted to clarify that we would also need to give an easement for the neighbors to access their driveway and Attorney Olivieri agreed that would also need to be included along with the easement for access to the back parking lot. Chief Kirts wanted to clarify if he needed to

relocate the Town equipment and Commissioner Redd stated that would be included in the proposed plans for parking.

The next item on the agenda was New Business. The first item under New Business was to approve, and allow the Mayor to execute, the contract with N*Focus Planning and Design to provide the Town of Youngsville with personnel for the Town Administrator position.

MOTION: TO APPROVE, AND ALLOW THE MAYOR TO EXECUTE, THE CONTRACT WITH N*FOCUS PLANNING AND DESIGN TO PROVIDE THE TOWN OF YOUNGSVILLE WITH PERSONNEL FOR THE TOWN ADMINISTRATOR POSITION

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

The second item under New Business was to appoint Roe O'Donnell as Town Administrator and Deputy Finance Officer, with related authority to co-sign checks.

MOTION: TO APPOINT ROE O'DONNELL AS TOWN ADMINISTRATOR AND DEPUTY FINANCE OFFICER, WITH RELATED AUTHORITY TO CO-SIGN CHECKS

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

The third item under New Business was a discussion on updating the Special Events Permit Application process. Chief Kirts stated that the application itself is fine. He explained that people / organizations didn't know or realize when a permit was required. When asked, Chief Kirts suggested putting a guideline on the Town webpage, along with Facebook, to get the information out to the public. Mayor Flowers asked if there was any impact on current businesses and Chief Kirts explained that there have been a few noise complaints but no real problems. Chief Kirts stated that it needed to either be permitted or not permitted. He stated that right now, when they do the outside events, they are actually in violation. Chief Kirts explained that inside activities are fine but generally outdoor events affect the public, especially loud music. Mayor Flowers wondered if it would be logistical for a business to do a Special Events Permit for two nights each week and Chief Kirts agreed that it would not. Commissioner Redd wanted to clarify that this Special Events Permit was not required for regular businesses and Chief Kirts stated that he felt a business doing regular business during regular hours should probably be separated from random events. Chief Kirts explained that this Special Events Permit would be needed for events in places such as the Food Lion parking lot, festivals, etc. Chief Kirts stated that if a business was going to have an outside event that would spread to the parking lot, spill out and be large, then yes, even a private business would need to get a Special Events Permit. He stated that he didn't have any real answers which is why he brought this before the Board. Commissioner Redd agreed that this was something that we need to address and Mayor Flowers asked if this was something that the Board

could look at and tweak. Chief Kirts said yes and stated that these were just suggestions. Commissioner Wiggins stated that they could enter them into the Policy manual to be reviewed and adopted. Commissioner Stallings wanted to clarify that businesses that already have a Special Use Permit would not be required to get a Special Events Permit, only other types of events would need them. Chief Kirts stated that when businesses have their open houses, they should get a Special Events Permit and that he was not specifically talking about the business on Main Street that had their Special Use Permit. Commissioner Stallings asked if that particular business could continue as they were and have all the music that they want until 10pm and Chief Kirts agreed. Chief Kirts stated that he does still get calls to see if they have taken out a Special Events Permit and he can't answer the question because he is unsure if they need one or not. Commissioner Wiggins asked about the noise and Chief Kirts stated they aren't allowed to go above the limits set in the Noise Ordinance. Clark stated that when a business comes in for their zoning permit and that may have outdoor noise, they are made aware of the Noise Ordinance when their permit is issued. He noted that there were also Temporary Zoning Permits issued, for things such as food trucks, as well. Clark stated that Staff would confer with Chief Kirts and the Committee to look at all of these issues. Mayor Flowers agreed that everyone should share the information and work on the policy. Chief Kirts reiterated that this was just to bring it to the Board's attention for future events and Mayor Flowers agreed that it was good for everyone to know when they would need one. Commissioner Wiggins stated that it would also be a good idea to hand out a list of rules with the Special Events Permit Applications. Mayor Flowers agreed and stated that it was also good to know when they would need to even apply. He clarified that the Policy Committee would work on this along with Staff and Chief Kirts.

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 three personnel issues and two litigation issues.

MOTION: TO GO INTO CLOSED SESSION TO DISCUSS PERSONNEL AND LITIGATION

The motion was made by Commissioner Redd and was seconded by Commissioner Hedlund. The motion passed unanimously. The Board went into Closed Session at 7:42pm and came out at 8:29pm. Mayor Flowers stated that the Board went into Closed Session to discuss some personnel and litigation issues / scenarios. Attorney Olivieri stated that there was no action concerning the litigation issues. He stated that there was action taken on one employment issue. Attorney Olivieri stated that the Board decided to enter into a contract with Jaclyn Patterson as a Deputy Finance Officer. Attorney Olivieri stated that another item concerned him entering the employment of the District Attorneys' Office. He stated that he would no longer be allowed to act as the Town Attorney. Attorney Olivieri introduced Ed Bartholomew, who had purchased his law firm. Action was taken in Closed Session to make him the interim Town Attorney until the Board found someone permanent. Attorney Olivieri thanked the Board for the opportunity to serve Youngsville. He stated that both Youngsville and other clients did make the decision difficult. Mayor Flowers clarified that Jaclyn Patterson would be a Deputy Finance Officer, with related ability to co-sign checks. Attorney Olivieri stated

that the Board would need to approve her Engagement Letter as a contract then take action on her appointment. Mayor Flowers stated that it was a similar arrangement to the way we hired and appointed Roe O'Donnell in New Business.. He stated that the Board would need to make a motion to allow the Mayor to execute the contract as well as a motion to appoint her as Deputy Finance Officer.

MOTION: TO APPOINT THE MAYOR TO SIGN THE CONTRACT WITH JACLYN PATTERSON TO PROVIDE THE TOWN OF YOUNGSVILLE WITH FINANCIAL SERVICES

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

MOTION: TO APPOINT JACLYN PATTERSON AS DEPUTY FINANCE OFFICER, WITH RELATED AUTHORITY TO CO-SIGN CHECKS

The motion was made by Commissioner Wiggins and was seconded by Commissioner Redd. The motion passed unanimously. Attorney Olivieri stated that after Tatum left the services of the Town of Youngsville, then we can make a motion to appoint her as the Finance Officer. After a brief conversation, it was felt that any further related actions would be taken next month.

The next item on the agenda was Committee Updates.

Policy / Ordinance Committee – Commissioner Wiggins stated that they were making progress on the changes to the Sign Ordinance but they had nothing to report at this time.

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 thanked everyone for their birthday wishes and song. He also wanted to thank the Police Department and Fire Department for their help on the opening day of YAKS. Mayor Flowers stated that a lot of changes were coming and noted that both Attorney Olivieri and Tatum were leaving us. He stated that not only were there changes in a growth perspective but also in staff as well. Mayor Flowers wanted to thank Attorney Olivieri for his service and noted that he has been a great help to the Board. He stated that everyone has helped put the Town in the position to move forward.

Tatum thanked Hurd for all of her help and noted that she has grown professionally in the years he has been with Youngsville. He stated that he was proud of her.

Commissioner Redd wanted to remind everyone of the Coffee with a Cop on October 4th at McDonald's from 8-9am. She stated that it was a great opportunity to get to know our officers and become comfortable with them.

Commissioner Stallings noted that Pack House Coffee and Suzanne's Antiques have done a great job in their area. He stated that Suzanne's Antiques will have a soft opening tomorrow, September 15th, at 10am. Commissioner Stallings stated that Pack House Coffee has cars lined up every day and they are thinking about opening up another lane. He noted that Charron's Deli will be moving to a new location and hoped that we have solved the parking problems with the newly approved parking lot. Commissioner Stallings stated that things are really jumping.

Commissioner Johnson stated that there was still a traffic problem concerning the stoplight at Cedar Creek Road and Tarboro Road. He stated that traffic is still backing up and it took eight minutes for him to get through the light earlier this week. Commissioner Johnson stated that it has recently been backed up to the stoplight at Cross and Main Streets.

Commissioner Johnson stated that Fall Baseball teams have been drafted and the season will start soon.

Commissioner Hedlund stated that the Fall Festival would be held on September 23rd, from 9am – 4pm at the Youngsville Armory. He stated that the Kiwanis Club has put in a lot of work on the Festival and it has been challenging at times.

Commissioner Johnson stated that there were complaints about the seesaw at the Luddy Park. He stated that children are getting hurt and asked how it could be removed. Hurd explained that the organization that bought those items was no longer in existence so she felt that a motion by the Board would be sufficient to remove the seesaw.

MOTION: TO REMOVE THE SEESAW FROM THE LUDDY PARK PLAYGROUND AREA

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

Clark stated that Wake Forest has requested that Youngsville adjust the ETJ on Stephen Taylor Road due to an annexation in the Agreement area. He explained that it will be brought before the Board in October or November. Clark noted that they had already annexed the property before the request was received so this will be a small housekeeping item.

Clark noted that the Main Street Project has finished the environmental review and the surveying is almost finished. He stated payment to CSX for the right of way request has been issued.

Clark stated that the recently adopted parking lot went through a fairly extensive design between the architect and engineer and has been approved by Staff. He stated that they are working on the temporary erosion control for the construction phase. Clark stated that the final drainage will tie into the pipe that goes underneath the railroad tracks. He stated that they are working to keep dirt off of the street, though there may be some temporary issues but it is a good plan. Clark stated that the dumpsters would be hidden in the back and everything meets the Town requirements. He noted that copies of the plans are at Town Hall.

Clark stated that they will be pushing both NC DOT and CAMPO to get the bypass on the radar. He stated that it will become a priority. Clark noted that they have met with Scott Hammerbacher of Franklin County Planning, who serves as the Chairman on the US #1 Planning Council. He stated that they are looking to get the project identified in the next two year cycle or at least get a study started before the corridor gets cluttered.

Clark wanted to let the Board know that the start of the PARTF Grant cycle has started for Parks and Recreation. He stated that he and Thomas had attended a class and are updated on the information.

Hurd stated that notification for the preliminary census for Youngsville increased from 1,300 last year to 1,348 this year.

The meeting adjourned at 8:50pm.