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MINUTES

JULY 11, 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. Commissioner Hedlund gave invocation, directed towards Officer Brandon Mitchell of the Henderson Police Department. Officer Mitchell was shot in the line of duty but should recover. In attendance were Commissioners Catherine Redd, Graham Stallings, Larry Wiggins, and Terry Hedlund. Commissioner Joseph Johnson was not in attendance. Others in attendance were Town Administrator Phillip Cordeiro, Town Clerk / Tax Collector Emily Hurd, Town Attorney Edward Bartholomew, Interim Police Chief Joseph Kimball, Assistant Fire Chief Justin Graney, Finance Officer Jaclyn Patterson, and Planning and Zoning Administrator Bob Clark. A representative from the Franklin Times was also present.

Mayor Flowers asked to amend the agenda to add the contracts from CSX Railroad and NC Department of Transportation concerning the Main Street Improvements Project under New Business.

MOTION: TO AMEND THE AGENDA

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

MOTION: TO APPROVE THE AMENDED AGENDA

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

The first item on the agenda was Police promotions and swearing in of new Police Officers. Officer Thomas Allen, II was sworn in by Hurd after Citizen's Comments due to a police call.

The next item on the Agenda was citizens' comments. Rodney Bowen, 201 SE Railroad Street, wanted to discuss the stormwater issues in his area. As discussed at previous Board Meetings, the ditches in his area are non-existent. Mr. Bowen explained the Post Office retention pond has nowhere for the water to go. During hard rains, water will flow under his house. Mr. Bowen handed pictures to the Board showing the flooding issues surrounding his house. He gave a brief history of the flooding problems from the Post Office before they installed the retention pond.

Mr. Bowen asked the Board if they had any plans on doing anything with the ditch. If not, he would take it into his own hands and do the repairs, even if they go against zoning. Mayor Flowers noted he was unaware the flooding was that severe and thought the flooding was only coming from the Post Office based on previous conversations. He appreciated having the pictures as they helped him get a better understanding of the situation. Mr. Bowen stated the retention pond has resolved the problems coming from the Post Office, but there is still flooding because there are no ditches to direct the stormwater away from the properties.

Mr. Bowen stated he purchased the house over twelve years ago and renovated a distressed property. If the Board is unwilling to do anything, then he will make the repairs himself before storm season. He noted that if he had to fix the problem himself, then he didn't want to be fined or found in violation. Mr. Bowen stated that he wanted an answer tonight. Cordeiro stated he wanted to apologize for the situation and noted the Town was undergoing a comprehensive plan that will establish a stormwater utility. However, we are only in the beginning stages and won't be doing any construction during the timeframe allotted by Mr. Bowen. He explained the Town was working on the larger project that would encompass the whole town but would not be working on individual properties at this time. Mr. Bowen stated he would take that as a "no" and will proceed accordingly. Cordeiro stated he would appreciate a conversation with Mr. Bowen about his plans, possibly including Clark and Thomas in the conversation. Mr. Bowen stated he would install a privacy berm, approximately 4 feet in height, but he would not dig the ditches any deeper due to utilities. Clark stated that could be accomplished if it was outside of the right of ways, unless it blocks the line of sight at the intersection. He stated it could be done without needing a zoning permit. Cordeiro reiterated he would like to have a discussion, and possibly rough sketches. He noted the Town understands and would like to work with him to alleviate this problem.

Mr. Bowen also wanted to discuss the retention pond at the Post Office. He noted they did not go by the plans and the Town did not enforce the ordinance. The retention pond does not work correctly and creates stagnant water that has created a mosquito problem for the neighboring properties. Mr. Bowen stated he had two companies come out for mosquito control because of the retention pond. Cordeiro stated the Town would get our Code Enforcement Officer to look at the situation. Mr. Bowen asked if the Town had any intent on enforcing the protocols and designs for the retention pond. Clark explained the design for what they installed at the Post Office is a private matter between Mr. Bowen and the property owners. He stated the nuisance weeds, trash, standing water, etc. could be handled under a different ordinance. Cordeiro stated the next step would be to document the nuisances, including the standing water and mosquitos. Mr. Bowen stated there was no lock on the gate surrounding the retention pond and he was worried about children drowning. He asked the Board to investigate the situation.

Mr. Bowen stated he would not come back before the Board as he has been talking about this situation for years. Mayor Flowers thanked him for the photos and reiterated how helpful they were as he misunderstood previously where the water was coming from. Mr. Bowen thanked the Board for their time.

Kelly Hibbard, 201 SE Railroad Street, noted the engineers for the owners of the Post Office, Mr. and Mrs. Simpson, kept stating the water was coming from the Post Office but it is coming from the lack of ditches that overflow and affect other homes on the street as well. Mayor Flowers thanked Ms. Hibbard and noted they have given the Board some to-do items.

The next item on the agenda was the Financial Report. Patterson stated everything was going well and the audit would take place mid-August with the new auditors. She noted the end of year reports were looking good. Patterson stated they were working on new procedures and organization.

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

- Minutes from the Board Meeting on June 13, 2019
- Minutes from the Joint Work Session on June 24, 2019
- Tax Collector's Report
- Police Department Report
- Youngsville Fire Department Report
- Budget Amendment- BA 2020-1
- Budget Amendment – Capital Projects – Pedestrian Plan Grant

MOTION: TO APPROVE THE CONSENT AGENDA

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

The next item on the agenda was Old Business. There was no Old Business.

The next item on the agenda was New Business. The first item under New Business was the 2018 Tax Settlement Report. Hurd asked if there were any questions concerning the yearly report and there were none.

MOTION: TO ADOPT THE RESOLUTION APPROVING THE SETTLEMENT WITH THE TAX COLLECTOR FOR INSOLVENTS

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

The second item under New Business was the Order of Collection. Hurd noted she was currently working on balancing a preliminary tax scroll in preparation for the 2019 Tax Bills.

MOTION: TO APPROVE THE ORDER OF COLLECTION

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

The third item under New Business was a Resolution delegating responsibility to the Town Administrator. Cordeiro explained this Resolution related to personnel and gives him the authority to modify and change personnel policies.

MOTION: TO APPROVE THE RESOLUTION DELEGATING RESPONSIBILITY TO THE TOWN ADMINISTRATOR

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

The fourth item under New Business was to award the financing contract for the Town vehicles to SunTrust Equipment Financing and Leasing Corp, as proposed. Mayor Flowers noted this has been discussed previously in Work Sessions and at the Budget Retreat. Commissioner Hedlund wanted to clarify when the vehicles would be purchased, and which ones would be replaced. Cordeiro explained the entire fleet consisted of fifteen vehicles, including seven that are over ten years old. Once the seven older vehicles were replaced this budget year, we would then phase in the remaining vehicles. Commissioner Hedlund noted it was a large amount of money. Cordeiro stated the maintenance costs would decrease and the new vehicles would increase safety for our officers. Mayor Flowers noted the Town would keep some of the chargers and SUVs. Attorney Bartholomew asked if the Town would surplus the older vehicles and Cordeiro stated yes.

MOTION: TO APPROVE THE RESOLUTION AWARDING THE FINANCING CONTRACT FOR TOWN VEHICLES TO SUNTRUST EQUIPMENT FINANCING & LEASING CORP, AS PRESENTED

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

The fifth item under New Business was to discuss the contracts from CSX Railroad and NC Department of Transportation concerning the Main Street Improvements Project. Cordeiro stated the NC Department of Transportation (DOT) contract showed a total cost of \$1,334,377. Of that amount, Federal and State funding will pay for \$1,193,000, leaving approximately \$140,000 for the Town to pay. Cordeiro stated this not only presented a unique opportunity for the Town, but did so as a great deal. Mayor Flowers inquired if the Town was still on track and Cordeiro stated yes, construction should start in the fall or possibly next spring. Commissioner Hedlund stated the key was to act quickly. Attorney Bartholomew noted the contract binds NC DOT. He also noted repairs made by CSX to the ditches adjacent to the tracks, page C4 of their contract, may also help with some of the stormwater issues.

MOTION: TO APPROVE THE CONTRACTS FROM CSX RAILROAD AND NC DEPARTMENT OF TRANSPORTATION CONCERNING THE MAIN STREET IMPROVEMENTS PROJECT AS PRESENTED

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

The next item on the agenda was Reports and Other Business. Mayor Flowers wanted to commend Staff for their efforts during the recent switchover to the new sanitation service. He noted that it was not as smooth as we hoped and stated the office staff did a great job with phone calls and emails.

Cordeiro noted the Town has engaged an engineering firm for a Stormwater Plan that will go into the Youngsville Development Ordinance (YDO). He stated the same firm will also do the Manual of Specifications. These plans will help communicate to developers the types of materials, dimensions, etc. required during construction and development.

Cordeiro stated the Main Street Improvements Project is going well. The costs have expanded but thanks to NC DOT allocating additional funding, the Town will pay less than originally budgeted.

Cordeiro stated the Luddy Park Lighting Project is moving forward. He explained Duke Energy has been cooperating with the Town and they hope to be completed by mid-August. Cordeiro stated the basketball court has been paved and will be lined soon. The fence is back up and they hope to be completed by mid-August on this project as well.

Cordeiro stated we have completed the Branding Study and asked for feedback. Commissioner Redd stated she loved it and Cordeiro noted the feedback has been generally positive. Commissioner Redd stated she had been looking for something a bit more unique for the Farmers' Market, but it was already being used for promotion. Mayor Flowers stated he loved the ideas that were presented.

Cordeiro stated Staff was finishing up some IT projects, including the new website and accepting credit card payments. He hoped to have these projects live within the new couple of weeks.

Commissioner Hedlund stated Smith had attended the recent Kiwanis Club meeting to brief them on upcoming projects in the Parks and Recreation Department. He stated it was an excellent meeting and noted the Kiwanis Club may join with Parks and Recreation for Halloween, though it will need a collective effort to pull it off. Commissioner Hedlund stated Smith was doing a fabulous job.

Commissioner Hedlund stated the Fall Festival and Car Show would be held on September 28th at Faith Baptist Church.

Clark noted Fleming was working on finalizing the easement agreements for the Main Street Improvements Project. He stated the Luddy Park Trail had been resubmitted for scoring and noted it had a better chance this time around. Clark stated we should receive an update around the end of August. The total costs were estimated at \$630,000, with funding from the State covering most of the costs. Clark asked the Board to let him know if there were any changes or ideas between now and then.

Clark stated the Planning Board will look at the first draft of the new Zoning Map at their next meeting. He stated they were close to finalizing the YDO draft to bring before the Board. Clark stated they have moved along quickly and noted the Planning Board has spent a considerable amount of time working on the YDO.

Clark stated he was recently contacted by Staff at Wake Forest Town Hall concerning the Annexation Agreement. He noted they were also in the process of updating their Comprehensive Development Plan. Clark stated we need to make sure the updated Annexation Agreement would be beneficial to Youngsville.

Clark wanted to thank the Board and Cordeiro for hiring a Junior Planner, Erin Klinger, who will start August 5th. He stated this was a great time to bring her on as there were a lot of policy changes coming.

Commissioner Wiggins inquired about the status of the turn signal at 5-Points intersection and Cordeiro stated he could not get a firm answer from NC DOT for a timeframe. Cordeiro stated he emails them often, along with phone calls, and gets the same answer. Mayor Flowers stated he thought it would have all been done at the same time but that was apparently not the case. Cordeiro stated he will communicate to NC DOT that the Board is getting anxious.

Clark stated the developers of Holden Creek Preserve wish to donate the property in front of Holden Creek Preserve to the Town. This will lead into the greenway system and will be a good opportunity. Mayor Flowers stated this was exciting news.

Attorney Bartholomew stated he still has not heard back from opposing council concerning the sale of the old Town Hall / Police Department. He stated he has no clue what is going on at this point, but he will continue to reach out. Commissioner Wiggins asked if there was a time limit on how long we must continue these negotiations and Attorney Bartholomew explained there was no time limit set on completing the contract, however, there was a time frame set in the contract on when construction would need to begin. Mayor Flowers stated he would try to help move things along as well.

Chief Kimball stated they had seventy-two calls this month, for a total of 375 for the year. He noted we have three new officers waiting on their State approval. Chief Kimball also noted Erin Wammock was hired as their new Administrative Specialist. He stated the Police Department is moving forward and in a good direction.

Assistant Fire Chief Graney stated they had 89 calls last month, for a total of 557 calls this year. This is an 8.5% increase over last year. He noted they were currently hiring three additional full-time firemen. Information can be found on their webpage.

As Smith was currently in Rocky Mount for a Baseball Tournament, Mayor Flowers updated the Board on the status of Parks and Recreation. He noted Youngsville won their tournament 11 to 7. Mayor Flowers stated Smith has done a wonderful job with kickball and is working on other sports. He stated the Parks and Recreation Department is looking

up. Commissioner Hedlund noted Smith was offering art classes and Hurd stated he had also added Senior Night.

Hurd updated the Board on the status of the switch over from Waste Industries to Republic. She noted there were only seven misses for the first week of service, though there were still some missing roll carts.

Hurd stated Fleming had received most of the signatures for the easements and would take them to the Register of Deeds on Friday or Monday to be recorded.

Hurd stated Staff had received a Conditional Use Permit Application, but it was missing information. This did not allow for it to be heard at the quarterly August Board of Adjustment Meeting so there was a possibility of having a Board of Adjustment Meeting in September.

Cordeiro stated the new snow plows and salt spreader have come in. He explained the Town was close to executing a contract with Wake Forest for salt, which will be more efficient. Cordeiro stated we should be ready for winter and Mayor Flowers stated this was good news.

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

MOTION: TO GO INTO CLOSED SESSION TO DISCUSS PERSONNEL, NCGS 143-318.11 (6)

The motion was made by Commissioner Redd and was seconded by Commissioner Stallings. The motion passed unanimously. The Board took a brief recess before entering Closed Session at 7:55pm. The Board exited Closed Session at 8:12pm. No action was taken.

The meeting adjourned at 8:13pm.