



## Town of Youngsville

Board of Commissioners

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### MINUTES BOARD OF COMMISSIONERS

**NOVEMBER 21, 2019**  
**(RESCHEDULED FROM NOVEMBER 14, 2019)**  
**7:00PM**

#### REGULAR MEETING

#### YOUNGSVILLE TOWN HALL CONFERENCE ROOM

Mayor Fonzie Flowers called the Board Meeting of the Town of Youngsville Board of Commissioners to order at 7:00pm. Commissioner Hedlund gave invocation. In attendance were Commissioners Catherine Redd, Larry Wiggins, Joseph Johnson, and Terry Hedlund. Commissioner Graham Stallings was not in attendance. Others in attendance were Town Administrator Phillip Cordeiro, Town Clerk / Tax Collector Emily Hurd, Town Attorney Edward Bartholomew, Finance Officer Jaclyn Patterson, Interim Police Chief Joseph Kimball, Parks and Recreation Director Andrew Smith, and Assistant Planning and Zoning Administrator Erin Klingler. 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 Hedlund. The motion passed unanimously.

The next item on the agenda was citizens' comments. Jim Moss, 217 N College Street, wanted to encourage the Board to engage with Franklin County, State and Federal sources. He stated earlier this month, Franklin County Board of Commissioners approved a 2019 – 2028 Comprehensive Parks and Recreation Master Plan, which has been in the works for some time. Mr. Moss felt that Youngsville missed a tremendous opportunity by not being engaged in some degree. He applauded Town administration and the Board of Commissioners for making several good selections in Staff, noting they are now learning more about the community and probably shouldn't be expected to be at some of these meetings because they are coming in mid-stream. Mr. Moss stated Youngsville needed to have representatives at the Franklin County Economic Development Committee and Planning meetings. He stated it was a lot of effort put into the Town's planning, including the Youngsville Development Ordinance (YDO) and zoning maps, to not have some very

close engagement with Franklin County at this stage. Mr. Moss stated Youngsville was missing opportunities.

Mr. Moss also wanted to comment on the upcoming Public Hearing for the YDO. He noted a section in the proposed minutes from the previous Public Hearing that stated the Board would schedule Work Shops so people would have more time to make their presentations. As this is a huge project, Mr. Moss felt there should be more input. He suggested the Board read the YDO thoroughly as he thought there was a lot of work still needed on the document. Mr. Moss requested the Public Hearing on January 7<sup>th</sup> be revised to a Work Shop, with other Work Shops to follow. He stated the Town needed to work out the details before passing the YDO. Mr. Moss stated the old Zoning Ordinance did need to be revised but he did feel that we are only about halfway to where we need to be.

Rodney Bowen, 201 SE Railroad Street, explained he lived near two businesses that have outdoor events. He asked for clarification on the Amplified Sound Permit and Ordinances. Mr. Bowen stated The Victorian had their Grand Opening a couple of weeks ago which became extremely loud. The police were called, and the residents were told The Victorian had a permit. Mr. Bowen wanted to know what was allowed of the businesses that have a Permit. Cordeiro explained the allowable times and decibel levels. He noted this was a learning opportunity as the Town has not issued a lot of these Permits. Cordeiro stated he will investigate this situation and noted these Permits need to be enforced, especially as the town grows and new event venues come in. He stated it was important that we enforce this but, as with all things, you learn as you go. Cordeiro stated it was discovered the Yacht Club had a Permit, but The Victorian did not, and the officer involved mistakenly thought the Permit was for The Victorian. Mr. Bowen stated The Victorian had their event on a Friday night and it was very loud. What he was trying to say was that no one wants to stop the growth but having this kind of noise after all the drainage problems was too much. Cordeiro explained Staff has met with The Victorian regarding the rules and let the owners of The Victorian know they will need to comply. He stated Staff can do a better job at knowing what businesses are in town and notifying new businesses of the ordinances and requirements. Mr. Bowen reminded the Board that The Victorian was the one that encroached on the residential area, noting his bedroom is only fifty yards away. He noted that other neighbors have expressed their displeasure as well. Mr. Bowen stated they had a quality of life before The Victorian came in and felt the owners of The Victorian needed to respect. The owners should have some consideration for the residential neighbors in the area. He explained there was garbage in his yard, including beer cans, from the different events in town. Cordeiro stated the Town will fully enforce the current Ordinances. He stated he would meet with Mr. Bowen for any conversation, including recommendations, that Mr. Bowen might have. Mr. Bowen felt The Victorian should have enough common sense to not play loud music at night.

Curtis White wanted to thank Staff and the Board for the Public Hearing the other week and the willingness of Staff to work with the citizens.

Twig Wiggins stated he loved Youngsville and noted that next Christmas there was a chance for Jason Michael Carroll, a local celebrity, to Marshall the Christmas Parade. He asked the Board to let him know if they wanted to do this and he would help work out the

details. Mr. Wiggins gave some background information on Mr. Carroll's beginnings in Youngsville. He hoped the Town would allow Mr. Carroll to participate next year.

The next item on the agenda was the Financial Report. Patterson stated things were going good so far and there was not a whole lot to report. She explained the Budget Amendment covered expenses from last year. Patterson noted the extra profits from the ABC Store went towards paying on the loan for Town Hall. The audit is complete and was submitted on time. Cordeiro noted that only 30% of municipalities accomplished this. Patterson stated it was the first time we had submitted the audit on time in a while. The auditors will present at the December Board Meeting and they would also present the ABC audit during the ABC Board Meeting in December.

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

- Minutes from the Regular Board Meeting – October 10, 2019
- Minutes from the Special Called Public Hearing – October 28, 2019
- Tax Collector's Report
- Police Department Report
- Youngsville Fire Department Report
- Budget Amendment – BA 2020-2

**MOTION: TO APPROVE THE CONSENT AGENDA**

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

The next item on the agenda was Old Business. The first item under Old Business was the presentation of the Certificate of Sufficiency for Annexation Petition 2019-3 – Peconic Properties. Hurd explained everything was in order with Annexation Petition 2019-3. However, the owner requested a delay for the Public Hearing. Hurd explained the owner had to petition for annexation in order to request allocations from Franklin County Public Utilities (FCPU). As they will not hear from FCPU on the approval of the allocation until February 2020, they are requesting a delay in the Public Hearing and approval of the Annexation Ordinance until after they know if they will be allowed to build on the property. If they are not allowed to build their proposed development, they do not wish to annex.

The next item on the agenda was New Business. The first item under New Business was to set a date for a Public Hearing on the Youngsville Development Ordinance (YDO) for January 7, 2020 at 6pm at the Youngsville Community House. Mayor Flowers stated there had already been one Work Session and one Public Hearing on the YDO. He inquired if the Board would prefer another Public Hearing or a Work Session as concerns were expressed the Public Hearing did not allow enough room for feedback. Cordeiro explained the Public Hearing was procedural and required by General Statutes in order to adopt the YDO. He explained the difference between Public Hearings and Work Session then asked the Board what they desired for interaction with the citizens. Conversations back and forth are allowed during Public Hearings. Cordeiro noted that Public Hearings are the conduit through which individuals can speak with Commissioners while they are convened as a

Board. Cordeiro explained it needed to be called as a Public Hearing because the statutes require it. He stated he would meet with Mr. Moss to see what he would prefer for interaction during a meeting.

Mayor Flowers stated they wanted to be fair to everyone involved. He noted the Board did use the time limit at the previous Public Hearing so that everyone had the time to speak. Mayor Flowers stated he was fine with a Public Hearing so long as everyone has the time to speak and make their presentation. Cordeiro stated their normal rules are three to five minutes, though we can advertise that more time will be allowed per speaker if directed by the Board. Hurd stated that if they ran out of time, the Public Hearing could be continued without having to advertise again. Mayor Flowers noted they did close the previous Public Hearing with the expectation of having a Work Session. Commissioner Johnson stated his understanding was the citizens want to give their input before the Board makes any decision. Commissioner Redd expressed concerns the time limit did not give people enough time to give their input. Hurd noted that a lot of property owners have met with Staff to help correct issues on the proposed map and get clarification on the ordinances. She noted the updated map will include input by the citizens. There is a lot of work going on behind the scene as well. Commissioner Hedlund stated the Board could have another Public Hearing, then if needed, they could do another one later. Commissioner Wiggins noted the YDO has a lot more in it than just zoning but that seems to be the only thing discussed. Attorney Bartholomew explained the three to five-minute time frame typically applies to the speaker's presentation but not to questions asked by and conversation with the Board. The conversation with the Board can be longer than five minutes. Mayor Flowers asked the Board what they preferred to do.

**MOTION: TO SET DATE FOR A PUBLIC HEARING ON JANUARY 7, 2020, 6:00PM, YOUNGSVILLE COMMUNITY HOUSE, ON THE YOUNGSVILLE DEVELOPMENT ORDINANCE**

The motion was made by Commissioner Redd and was seconded by Commissioner Hedlund. Commissioner Redd inquired if they should make the allowable timeframe longer than three to five minutes. Cordeiro stated they will announce there would be no predetermined time limit and the Mayor will govern the rules of procedure. Mayor Flowers stated he was fine with an extended timeframe if everyone is respectful, and people don't get too longwinded. He stated he would try to keep everyone on pace. The motion passed unanimously.

The second item under New Business was a Resolution updating the Fee Schedule. Cordeiro explained there was only one change being made. They changed the rental of the Luddy Park, for an entire year, to be based on the market rate.

**MOTION: TO ADOPT THE RESOLUTION UPDATING THE FEE SCHEDULE**

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

The next item on the agenda was Reports and Other Business. Mayor Flowers noted the Hops and Holly event was taking place tonight. The event was hosted by the Boys and Girls Club of Franklin County as a fund raiser.

Mayor Flowers wanted to commend Smith and the Parks and Recreation Department for a successful Kickball Season. Main Street Flooring's Carpet Burn team won the tournament.

Cordeiro informed the Board the upset bid process was final, and he was negotiating with the winning party for the contract on the old Town Hall.

Cordeiro stated Staff would send out postcards to every single tax payer for the Public Hearing on the YDO.

Cordeiro reminded everyone in attendance the Christmas Parade would be held on December 7<sup>th</sup> at 10am. The Christmas Tree Lighting will take place at 5pm that night at the Youngsville Animal Hospital.

Cordeiro stated Youngsville will host Shop with a Cop for the first time and congratulated the Police Department. They will meet on December 17<sup>th</sup> at 6pm at the Community House to enjoy a meal together.

Cordeiro stated the basketball court was complete, though the fence still needed to be installed. Commissioner Hedlund stated it looked great.

Cordeiro stated the Main Street Improvements Project was moving along. Unfortunately, due to cash management problems with the State, NC DOT has requested a delay in bidding until May. Cordeiro explained they could request to continue as scheduled but wasn't sure if the request would be approved. These problems stem from the State not passing their budget yet. Hopefully Youngsville will be successful in their request.

Commissioner Johnson stated the Board needed to investigate moving the speed limits on Winston Street to 15 MPH, noting how awful the traffic and speeders have become. Commissioner Hedlund stated he would prefer they did that for all the other town streets as well. Commissioner Wiggins agreed with Commissioner Johnson. He stated that N Nassau Street has a lot of traffic problems as well, including racing.

Commissioner Redd stated the Gobbler's Run would take place on Thanksgiving, hosted by the Wake Forest Boys and Girls Club. She helped found the Gobbler's Run 14 years ago. All the money goes to the Wake Forest Boys and Girls Club. She noted the Gobbler's Run is very family friendly, allowing dogs and strollers. Commissioner Redd stated they would have 2,300 people there.

Attorney Bartholomew stated he was looking forward to the Christmas Tree Lighting as he had a great time last year. He noted there was a community meal in Louisburg at the college that is free of charge and is designed for underprivileged people to get a meal. It is a wonderful opportunity to volunteer and help others on Thanksgiving to find a place and a warm meal.

Chief Kimball noted the Police Department Report had a new format.

As Assistant Fire Chief Graney was not in attendance, Mayor Flowers informed the Board the Youngsville Fire Department would burn a house on Husketh Road this Saturday morning. He noted the CPR class was a success.

Smith stated their First Annual Trick or Treat the Trails was a success. They had over 750 people in attendance. He thanked all of the organizations that helped to host this event, including Faith Baptist Church, Covenant Hope Church, and the Kiwanis Club of Youngsville. Smith explained the event was held inside of Faith Baptist Church due to the weather.

Smith stated they had a great Kickball season. Basketball is up and running with almost triple the number of participants as last year. Smith thanked the coaches and their assistants for all their help. Games will start in just over two weeks. The basketball court at Luddy Park is now open. There are lines for pickle ball as well and he hopes to have a league for it in spring.

Mayor Flowers stated the decorations were up on Main Street. The Christmas Tree would be installed on Tuesday and the snowmen signs next week. Mayor Flowers noted he saw flyers regarding the Christmas Parade around town. Cordeiro thanked Covenant Hope Church for their help in distributing flyers around town. Commissioner Redd stated it was great, noting people came by her house to drop off the flyer. Mayor Flowers also noted there was information included in the garbage bills. Hurd noted the new parade route did allow for people to go around town easier than in previous years.

Cordeiro noted the Town was now in leaf season and the rules were listed on the website. Mayor Flowers inquired if the Town hired someone part-time to help and Cordeiro stated yes. He explained he was trying to get them the resources they needed.

The next item on the agenda was Closed Session. Mayor Flowers stated the Board needed to go into Closed Session for the preservation of the Attorney-Client Privilege (NCGS 143-318.11(a)(3)).

**MOTION: TO GO INTO CLOSED SESSION FOR THE PRESERVATION OF THE ATTORNEY-CLIENT PRIVILEGE – NCGS 143-318.11(a)(3)**

The motion was made by Commissioner Wiggins and was seconded by Commissioner Johnson. The motion passed unanimously. The Board entered Closed Session at 7:42pm and exited at 8:43pm. No action was taken.

The meeting adjourned at 8:45pm.