

**TUESDAY, AUGUST 16, 2016
TOWN OF SAWMILLS REGULAR COUNCIL MEETING
6:00 PM**

COUNCIL PRESENT

Joe Wesson
Gerelene Blevins
Jeff Wilson
Joe Norman
Keith Warren
Reed Lingerfelt

STAFF PRESENT

Christopher Todd
Terry Taylor
Julie A Good

CALL TO ORDER: Mayor Joe Wesson called the meeting to order.

INVOCATION: Pastor Rick Bowman gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Joe Wesson led the Pledge of Allegiance.

ADOPT AGENDA: Mayor Joe Wesson asked for a motion to adopt the August 16, 2016 Agenda.

Joe Norman made a motion, and Reed Lingerfelt seconded, to adopt the August 16, 2016 agenda.

APPROVE JULY 19, 2016 REGULAR MEETING MINUTES: Mayor Joe Wesson asked for a motion to approve the July 19, 2016 regular meeting minutes.

Gerelene Blevins made a motion, and Joe Norman seconded, to approve the July 19, 2016 regular meeting minutes. All were in favor.

APPROVE JULY 19, 2016 CLOSED SESSION MINUTES: Mayor Joe Wesson asked for a motion to approve the July 19, 2016 closed session minutes.

Reed Lingerfelt made a motion, and Gerelene Blevins seconded, to approve the July 19, 2016 closed session minutes. All were in favor.

PUBLIC COMMENT: Mayor Joe Wesson asked if anyone had any questions or comments at this time.

Town Administrator Christopher Todd wanted to introduce Jordan Davis as the new reporter from the Lenoir Newstopic.

RECOGNITIONS:

RECYCLE REWARDS WINNER: Mayor Joe Wesson announced Mr. Gene Crotts, as the August Recycle Rewards winner. A credit of twenty-eight dollars (\$28.00) will be added to his sanitation bill.

No Council action was required.

PUBLIC HEARING: 000 HELENA STREET REZONING:

OPEN PUBLIC HEARING: Mayor Joe Wesson asked for a motion to open the public hearing.

Joe Norman made a motion, Reed Lingerfelt seconded, to open the public hearing. All were in favor.

STAFF COMMENTS/RECOMMENDATIONS: Town Administrator Christopher Todd stated that the hearing is on a parcel of land about four (4) acres located on Helena Street that is currently zoned RA-20. It is one of the Town's more restrictive residential zones. The property owner, who is present, Mr. Mark Kiser, is requesting that the property be rezoned to Highway Business, which is one of the more permissive commercial zones that the Town has within the zoning ordinance.

Town Planner Elinor Hiltz stated that the property faces the back of Marx Industries, a manufacturer in the center of downtown. The subject property has homes on the other three (3) sides. The home to the back of the subject property is on twenty (20) acres. Half of the twenty (20) acres is farmland and the other half is wooded.

The property can be serviced by water and sewer which is an argument for developing the property as something more dense than low-density residential.

This site is not environmentally sensitive. The site has no floodplain. The site is in the Watershed Protected Area which means thirty-six percent (36%) can be built upon.

The 2005 Comprehensive Plan recommends establishing a "Central; Business District" on the same block as the subject property, so rezoning the property would be consistent.

Staff recommends approving the rezoning and in July the Planning Board also recommended approval of the rezoning.

PUBLIC COMMENT: Mayor Joe Wesson asked if anyone wished to speak on the 000 Helena Street rezoning.

Marty Rector-Real Estate Land Developer-Mr. Rector stated that he purchased the land behind Marx Industries some years back. When he purchased the land it was just a corn field. Since then it has become a nightmare for him. Marx Industries has built sheds on the property. Mr. Rector stated that he is not sure about the codes for the Town but he is sure that the Town has codes for what is built in this area. All the water runoff from the Marx Industries property is coming onto this property and washing his road. Mr. Rector stated that by buying this piece of property he had made an investment for his kids and his family and he thinks there is enough vacant property in this area and that there is plenty to do here with what is already built and there is no sense in building more now. We need to take care of what is already here. Mr. Rector has stated that he has not been able to keep batteries in anything that he has on his property and he has had equipment stolen. Mr. Rector stated he was not pointing fingers at anyone because he does not put cameras up. But it has been a nightmare for him with people on the property at 2:00 or 3:00 in the morning. Mr. Rector stated that he was going to build a house on the property but things have changed now and he is waiting to see how things go with the rezoning. Mr. Rector stated that he does not think it is time to rezone the property right now. And with all the activity that Marx Industries has going on with shooting paint balls on his property, his horse trailers and his equipment. Mr. Rector stated that some kind of wall needs to be built to stop that activity. That is his property, he bought it and he wants to be able to use it for what he wants to use it for. Mr. Rector stated that he had the property for sale before all the buildings started being built. Mr. Rector stated he buys land and cleans it up and acts as a land developer. Mr. Rector stated that the property was a wreck when he bought it and has spent a lot of money and time on his property. Mr. Rector asked that the Council take him and his family into consideration before making the decision to rezone the property. Mr. Rector does not think that it is the right time for the property to be rezoned.

Mark Kiser-Owner of Marx Industries-Mr. Kiser stated that this process has been going on for six (6) years. Mr. Kiser stated that six (6) years ago the zoning was never brought up and all that was told to him, was what he was doing was good and that the Town was always encouraging business development. Mr. Kiser stated that when he came in for the building permit early this year is when he was told by Town Planner, Elinor Hiltz, that a zoning change was needed and that is when the Mr. Kiser started working with an engineer. Mr. Kiser stated that his engineer and himself have been working on getting the drawings to make sure that there is a good product is made to be able to present to the community. Mr. Kiser stated that last year there were over four thousand (4,000) people went through the Horror Fields and over three thousand (3,000) were from out of the area which is bringing people into Sawmills that would not have otherwise came here. Mr. Kiser stated for that reason he wanted to upgrade and upscale what was going on so that it would look more presentable one (1) for himself and two (2) to have a good product that people can talk about and hopefully to have something else to bring people into the community. Mr. Kiser stated that he has talked to other business owners and the Horror Fields helps bring in revenue for the other businesses. Mr. Kiser stated that the Horror Fields are going to be top notch from years past.

CLOSE PUBLIC HEARING: Mayor Joe Wesson asked for a motion to close the public hearing.

Gerelene Blevins made a motion, and Joe Norman seconded, to close the public hearing.

All were in favor.

COUNCIL ACTION: Gerelene Blevins made a motion, and Joe Norman seconded, that this rezoning from residential to highway business should create a space for businesses in Sawmills' downtown. Council votes to approve because this rezoning would be consistent with the Comprehensive Plan's recommendation for a Central Business District downtown. All were in favor.

DISCUSSION:

CALL FOR PUBLIC HEARING FOR CDBG SEWER GRANT: Town Administrator Christopher Todd stated that the Town is currently preparing an application packet for the CDBG Infrastructure grant 2016 funding round. The Town is required to hold a public hearing for this project.

Joe Norman made a motion, and Reed Lingerfelt seconded, to call a public hearing to discuss the "Stamey Road" CDBG-I Sewer Grant project and application during the September 20, 2016 regular Sawmills Town Council Meeting. All were in favor.

TOWN HALL BOLLARD PROPOSAL: Town Administrator Christopher Todd stated that staff has discussed placing bollards in front of Town Hall to protect citizens who are walking on the sidewalk to enter Town Hall. With nothing to stop citizens from parking in front of Town Hall, there have been some concerns brought up with the way vehicles are pulling in and parking very close to the sidewalk.

Reed Lingerfelt made a motion, and Keith Warren seconded, to approve the proposed bollard plans with the provision that the project would cost no more than fifteen hundred dollars (\$1,500.00). All were in favor.

FINANCIAL MATTERS:

ELMORE DRIVE BID: Town Administrator Christopher Todd stated that the bid opening for the Elmore Drive paving and water project occurred on August 11, 2016. Five (5) bids were received:

Mountain Crest, LLC	Lenoir, NC	\$103,925.00
Evans Construction	Connelly Springs, NC	\$163,384.68
Iron Mountain Construction Co, Inc.	Mountain City, TN	\$199,675.00
Bell Construction Co, Inc.	Statesville, NC	\$210,851.25
Country Boy Landscaping	Harmony, NC	\$248,888.88

The bid packages have been reviewed by West Consultants, LLC on behalf of the Town. At

the time of the bid opening, Mountain Crest's bid package was missing information required for the bid package, including but not limited to tax and qualifications information. Since that time all information has been submitted. West Consultants does believe that Mountain Crest is qualified to perform the project.

As the low bidder did not have all information submitted at the time of the bid opening, staff is also recommending the second lowest bidder, Evans Construction. Evans Construction has all required information at the time of the bid opening. West Consultants considers Evans Construction qualified to perform the project.

The Town budgeted a total of one hundred fifty-four thousand two hundred dollars (\$154,200.00) for the paving and water projects.

Reed Lingerfelt made a motion, and Gerelene Blevins seconded, to award the Elmore Drive paving and water project to Mountain Crest, LLC, for a total amount of one hundred three thousand nine hundred twenty-five dollars (\$103,925.00). The vote passed 4 to 1 with Jeff Wilson being the only Council Member opposed.

PLANNING MATTERS:

Town Administrator Christopher Todd wanted to take a moment before going over the next agenda item to introduce the Town's new Planner Leslie Meadows. Current Town Planner Elinor Hiltz took a new position with Catawba County and her last day is Thursday, August 18, 2016.

CALL FOR PUBLIC HEARING FOR TEXT AMENDMENT FOR MINOR SUBDIVISIONS: Town Planner Elinor Hiltz stated that in most jurisdictions minor subdivisions are reviewed and approved in-house since the applicant is not building a new road and there are not that many factors to consider or outside agencies to consult, unlike major subdivisions. A majority of the plat submittals in Sawmills are one-lot splits and family subdivisions. The purpose of this amendment is to speed up the review process for those types of applications.

The proposal is to drop the requirement that family splits and minor subdivisions must be reviewed by the Subdivision Review Board (SRB) and Council. This proposal does not change the procedures for major subdivisions in which the SRB reviews the preliminary plat and then SRB, Planning Board and Council review the final plat.

Joe Norman made a motion, and Gerelene Blevins seconded, to hold a public hearing on September 20, 2016 during the regular Sawmills Town Council Meeting for the text amendment for minor subdivisions. All were in favor.

UPDATES:

AUGUST CODE ENFORCEMENT REPORT: Town Planner Elinor Hiltz stated that there are fourteen (14) code enforcement cases open:

- Caldwell Ready Mix Concrete is the owner of an abandoned mobile home, abandoned concrete factory, and a mosquito pond. Town Planner spoke with Wes Triplett. Mr. Triplett will call EPA who mandated the catch basin to see if they will allow him to pump the water out (which is a temporary solution) or fill it with dirt (which is a permanent solution but a disadvantage if the next buyer wants to operate a concrete plant);
- Teresa Annas Compton is the owner of a dilapidated house located at 4476 Sawmills School Road. Town Planner Elinor Hiltz sent letter on June 21, 2016 with an August 21, 2016 deadline to rebuild walls, repair holes and fix roofline using the nuisance code with a fifty dollar (\$50.00) per day punishment;
- Charles Hagaman, owner of 1940 Leah Drive #4. Tim Hart asked for a ninety day (90) extension. Town Planner will check back on October 7, 2016;
- Peter Rowe, owner of 4016 and 4017 Cloninger Way. Owner will board up barn and remove two (2) houses by September 2, 2016;
- Randall Hamby at 3632 Coble Dairy Road. Labor Day weekend deadline for replacing any trees that are missing. Owner wants to survey property to see if he can do ministorage;
- WNC Properties, LLC owner of 4209 Creekview Pl. Minimum housing complaint. Sent petition to complainant to collect five (5) signatures on July 21, 2016;
- Wanda and Richard Greene at 4205 Trojan Lane. Case closed, owners mowed yard;
- David and Amy Dula at 2303 O J Lane. High grass. Need to contact mower for quote;
- John Wilcox, owner of Lot #6 on Ellen Street. High grass. Need to contact mower for quote;
- Nancy Greene at 4446 Villa Lane. Junk in yard. Check back on July 21, 2016 to see that white car has been pulled onto driveway and covered. All other complaints have been fixed;
- Casey Lynn Wallace, owner of 3950-1 Walters MHP Drive. Minimum housing complaint. Complainant was to pick petition up at Town Hall to collect five (5) signatures;
- Troy Wilson, owner of 4497 Diamond Street. Case closed, owner mowed yard;
- Tasco Properties owner of 2155 White Pine Dr #13. Emailed petition to complainant to collect five (5) signatures;
- Carolyn Bray, owner of 2570 Baker Cir. Abandoned mobile home. Need code enforcement committee meeting.

No Council action was required.

COUNCIL COMMENT:

Mayor Joe Wesson asked if anyone on the Council had any questions or comments at this time.

Joe Norman stated that the meeting has been interesting. Joe Norman also stated that if the property on Helena Street has been there and been operating for six (6) years and the gentleman has not been in to complain before now then it is a little late to stop the progress for the Town. The Town needs to make sure when the owner comes back in that all the requirements are met as far as the building, whatever has to be done with that, and maybe a barrier to keep the water off his property.

Keith Warren wanted to apologize for being late. Keith Warren told Elinor Hiltz that he had really enjoyed working with her and told Leslie Meadows he looked forward to working with her. Keith Warren stated that he appreciated the citizens that came out. Keith Warren stated that the Lenoir Newstopic ran a story on the front page that Sawmills was the best place in Lenoir to catch Pokémon.

Gerelene Blevins stated that she appreciated everyone coming out and she wanted to get the zoning straight for Helena Street. Gerelene Blevins stated that she hoped Mr. Kiser did what he needed to do to make the property better. Gerelene Blevins also stated that she agreed with Joe Norman, that if the property had bothered the other gentleman before than he should have complained before now.

Jeff Wilson thanked everyone for coming. Jeff Wilson also welcomed Leslie Meadows as the new Town Planner and Jordan Davis as the new reporter.

Reed Lingerfelt wanted to thank everyone for coming out. Reed Lingerfelt stated that he was going along with Joe Norman and Gerelene Blevins that Mark Kiser had been operating his business for six (6) years and the neighbor just came in with a complaint. If there was a complaint he should have come to the Town before now. Reed Lingerfelt also stated he would like to welcome the new planner Leslie Meadows and new news reporter Jordan Davis. Reed Lingerfelt told Elinor Hiltz that she was going to be missed and she is welcome back anytime she would like to visit.

Mayor Joe Wesson stated that he wanted to thank anyone for coming out. Mayor Joe Wesson also stated that he wanted to invite more citizens to come out and voice their opinions. Council intends to take every concern to heart. Mayor Joe Wesson also welcomed Leslie Meadows as the new Town Planner and Jordan Davis as the new news reporter. Mayor Joe Wesson stated that we have a Town here we are proud of and want to keep moving forward in the right direction and the Town is doing that. The citizens seemed to be pleased with what Council is doing.

CLOSED SESSION: ATTORNEY/CLIENT PRIVILEGE: Mayor Joe Wesson asked

for a motion to go into closed session.

Reed Lingerfelt made a motion, and Keith Warren seconded, to go into Closed Session at 6:52 pm. All were in favor.

Jeff Wilson made a motion, and Reed Lingerfelt seconded, to come out of Closed Session at 7:18 pm. All were in favor.

COUNCIL ADJOURN: Mayor Joe Wesson asked for a motion to adjourn.

Jeff Wilson made a motion, and Gerelene Blevins seconded, to adjourn the meeting. All were in favor.

Julie A Good, Town Clerk

Joe Wesson, Mayor