

**TUESDAY, OCTOBER 17, 2023
TOWN OF SAWMILLS REGULAR COUNCIL MEETING
6:00PM**

COUNCIL PRESENT

Mayor Keith Warren
Mayor Pro Tem Clay Wilson
Bobby Mosteller
Rebecca Johnson
Melissa Curtis

STAFF PRESENT

Chase Winebarger
Julie A Good
Terry Taylor

COUNCIL ABSENT

Joe Wesson

CALL TO ORDER: Mayor Keith Warren called the meeting to order at approximately 6:05pm.

INVOCATION: Pastor Nicky Waters gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Keith Warren led the Pledge of Allegiance.

ADOPT AGENDA: Mayor Keith Warren stated that the agenda would need to be amended to move Item 8A. Public Hearing: Park Light Funding to Item 5B.

Mayor Keith Warren asked for a motion to adopt the October 17, 2023 Amended Agenda.

Rebecca Johnson made a motion, and Clay Wilson seconded, to adopt the October 17, 2023 Amended Agenda. All were in favor.

APPROVE SEPTEMBER 19, 2023 REGULAR MEETING MINUTES: Mayor Keith Warren asked for a motion to approve the September 19, 2023 regular meeting minutes.

Rebecca Johnson made a motion, and Bobby Mosteller seconded, to approve the September 19, 2023 regular meeting minutes. All were in favor.

PUBLIC HEARING: PARK LIGHT FUNDING:

OPEN PUBLIC HEARING: Mayor Keith Warren asked for a motion to open the public hearing.

Bobby Mosteller made a motion, and Clay Wilson seconded, to open the public hearing. All were in favor.

STAFF COMMENTS/RECOMMENDATIONS: Town Finance Officer Kelly Melton stated that the Town of Sawmills intends to enter into an Installment Purchase Contract pursuant to North Carolina General Statute 160A-20 in a principal amount of one million three hundred forty-five thousand five hundred dollars (\$1,345,500.00) for the purpose of providing funds to pay the costs of the equipment installation of field lights and parking lot lights at Sawmills Municipal Park and Sawmills Veterans Park. The Town's obligation with respect to the debt will be secured by the equipment which consists of the light structure system.

The proposed financing contract will be placed with Capital One Public Funding, LLC with a quoted rate of four point ninety-one percent (4.91%) for ten (10) years as of August 28, 2023. The proposed principal and interest payments total one hundred seventy-three thousand five hundred thirty-three dollars (\$173,533.00) per year.

PUBLIC COMMENT: No one wished to speak.

CLOSE PUBLIC HEARING: Mayor Keith Warren asked for a motion to close the public hearing.

Clay Wilson made a motion, and Rebecca Johnson seconded, to close the public hearing. All were in favor.

COUNCIL ACTION: Clay Wilson made a motion, and Rebecca Johnson seconded, to approve the Resolution Authorizing and Approving (1) the filing of an Application for Approval of a Financing Agreement with Capital One Public Funding, LLC with a quoted rate of four point ninety-one percent (4.91%) for ten (10) years, with proposed principal and interest payments totaling one hundred seventy-three thousand five hundred thirty-three dollars (\$173,533.00) per year, Authorized by North Carolina General Statute 160A-20 And (2) the Execution And Delivery of Such Financing Agreement and Related Documents And Instruments. All were in favor.

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

No one wished to speak.

RECOGNITIONS:

OCTOBER RECYCLE REWARDS WINNER: Mayor Keith Warren announced Nancy King as the October Recycle Rewards Winner. A credit of forty dollars (\$40.00) will be added to the current sanitation bill.

No Council action was required.

PLANNING MATTER:

REAPPOINT PLANNING BOARD/BOA MEMBERS: Mayor Keith Warren stated that two (2) seats on the Planning Board/BOA that expire on October 1, 2023: Steve Duncan and David Powell. Mayor Keith Warren stated that Town Planner Dustin Millsaps had spoken to both members and they are all willing to serve another three (3) year term.

Clay Wilson made a motion, and Bobby Mosteller seconded, to reappoint Steve Duncan and David Powell to the Planning Board/Board of Adjustments for three (3) year term. All were in favor.

CALL FOR PUBLIC HEARING FOR TEXT AMENDMENT TO ZONING

ORDINANCE: Town Planner Dustin Millsaps stated that the a text amendment has been completed to make minor changes to clarify language and particular sections of the zoning ordinance. Town Planner Dustin Millsaps stated that the zoning ordinance has been to Planning Board and that Planning Board recommends the adoption of the text amendment to the Town Council as written.

Rebecca Johnson made a motion, and Clay Wilson seconded, to call for a public hearing for text amendment to the zoning ordinance during the next regularly scheduled Town Council meeting on November 21, 2023. All were in favor.

FINANCIAL MATTERS:

RESOLUTION OF DESIGNATION OF AGENT FOR FEMA FUNDS: Town Finance Officer Kelly Melton stated that a Resolution of Designation of Applicant's Agent will need to be adopted by Council so that Finance Officer Kelly Melton can receive funds from the BRIC Grant on behalf of the Town.

Melissa Curtis made a motion, and Clay Wilson seconded, to approve the Resolution of Designation of Applicant's Agent as written, designating Town Finance Officer Kelly

Melton as the Town's Agent to receive BRIC Grant funds for the South Caldwell Pump Station project. All were in favor.

DISCUSSION:

TOWN OF SAWMILLS ORDINANCE CHAPTER 94: URBAN CAMPING IMPROPER USE OF PUBLIC LANDS AND PLACES AND PANHANDLERS: Town Attorney Terry Taylor stated that The Town of Sawmills has determined that the streets and public areas within the Town should be readily accessible and available to residents and the public at large. Town Attorney Terry Taylor stated that the use of these areas for camping purposes interferes with rights of others to use these areas as they were intended and such activity can constitute a public health and safety hazard, which could adversely affect neighborhoods and commercial spaces. Town Attorney Terry Taylor also stated that camping on private property without the owner's consent and without the proper sanitary measures affects the private property rights as well as public health, safety and welfare of the Town.

Town Attorney Terry Taylor stated that with following with North Carolina General Statute § 160, the Town Council will need to have two (2) readings of any ordinance that may require a fine be imposed. Town Attorney Terry Taylor stated that the second (2nd) reading would be at the regularly scheduled meeting of the Town of Sawmills Council on October 17, 2023.

Clay Wilson made a motion, Bobby Mosteller seconded, to approve the Resolution for the Town of Sawmills Ordinance Chapter 94: Urban Camping Improper Use of Public Lands and Places and Panhandlers. All were in favor.

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

No one wished to speak.

UPDATES:

OCTOBER CODE ENFORCEMENT REPORT: Town Code Enforcement Officer Curt Willis stated that there are fifteen (15) code enforcement cases that are open.

No Council action was required.

TOWN MANAGER UPDATES: Town Manager Chase Winebarger had the following updates:

- Town Manager Chase Winebarger stated that the Town of Sawmills Park and Recreation Department started a flag football league this year and approximately one hundred (100) children have been registered.
- Town Manager Chase Winebarger stated that Sawmills Municipal Park has been nominated for Best of Caldwell again this year and for everyone to go online and vote.
- Town Manager Chase Winebarger stated that criminal charges had been brought against the persons responsible for the damage of Town property at Veterans Park and there is a court date set for the end of November.

COUNCIL COMMENTS:

Bobby Mosteller wanted to thank everyone for coming to the meeting.

Clay Wilson wanted to thank everyone for coming to the meeting.

Mayor Keith Warren invited everyone to the Fall in the Park on Saturday, October 22, 2023, beginning at 1:00pm.

COUNCIL ADJOURN: Mayor Keith Warren asked for a motion to adjourn.

Clay Wilson made a motion, and Bobby Mosteller seconded, to adjourn the meeting. All were in favor.

The meeting was adjourned at approximately 6:35pm.

Keith Warren, Mayor

Julie A. Good, Town Clerk