

August 17, 1999
Minutes of Meeting

COUNCIL PRESENT: Mayor Max Andrews, Dennis Wilson, Bobby Austin, Roger Clark, Bill Ramsey, and David Stamey.

STAFF PRESENT: Attorney Terry Taylor, Town Administrator Eric Davis, Town Planner Alex Fulbright and Town Clerk Wanda Reid.

Invocation was given by Roger Clark.

On a motion made by Dennis Wilson, seconded by Bobby Austin, Council voted to adopt the agenda.

Councilor David Stamey stated that he was in favor of purchasing the wooden picnic tables and not the plastic ones during the last meeting. Mr. Stamey wished the minutes be amended to this.

Bill Ramsey made the motion to approve the minutes of August 3, 1999, as amended. David Stamey seconded. All were in favor.

Planner Alex Fulbright informed Council that Rezoning Case 99-8 is located on Cajah's Mountain Road and consists of 6/10 acres. All property surrounding the property in question is zoned RA-20 and is used for residential purposes. The planning board passed this request on with no recommendation.

Bill Ramsey asked to be excused as there was a conflict of interest on Rezoning Case 99-8. On a motion made by Roger Clark, seconded by Dennis Wilson, Council voted to excuse Mr. Ramsey.

David Stamey made the motion to open PUBLIC HEARING on Rezoning Case 99-8. Dennis Wilson seconded, with all in favor.

Mrs. AM Champion spoke against rezoning the 6/10 acres from RA-20 Medium Density Residential to the proposed zoning: Highway Business, because of the surrounding residential lots and said it would be spot zoning.

Mrs. Jeffery Tolbert, speaking for rezoning this property, informed Council that there was already ten businesses ranging from 1/10th of a mile to 6/10th of a mile from this property. She stated that this would be adding business to an area that is a major thoroughfare in the town. She also spoke in favor of the Town developing a land use plans for future needs.

On a motion made by Dennis Wilson, seconded by Bobby Austin, Council voted to close the public hearing.

David Stamey made the motion to deny Rezoning Case 99-8 because of the strong public opinion against this rezoning. Dennis Wilson seconded. All were in favor.

Alex Fulbright, Town Planner, related that Rezoning Case: 99-9 and 99-10 consists of 6.5 acres, and that the applicant wants the property to be rezoned from RA-20 Medium Density Residential to R-20. All surrounding property is RA-20. The planning board recommends approval of the request.

On a motion made by Bill Ramsey, seconded by Dennis Wilson, Council voted to open PUBLIC HEARING #2.

There was no one for, or against, rezoning this property.

Bobby Austin made the motion to close public hearing #2, with Dennis Wilson seconding. All were in favor.

On a motion made by Bobby Austin, seconded by David Stamey, Council voted to approve rezoning case 99-9 and 99-10 from RA-20 to R-20.

Mr. Fulbright informed Council that PUBLI HEARING #3 consists of an amendment to the PUD-Residential Ordinance.

Bobby Austin made the motion to open public hearing #3. Dennis Wilson seconded. Vote unanimous.

As there was no one to speak for or against this amendment, Dennis Wilson made the motion to close the public hearing. Bobby Austin seconded. All were in favor.

David Stamey made the motion to adopt the amendment to the (PUD-Residential Ordinance 93.091-2b) as follows: For the front setback be 35 feet, for the side setback 10 feet, and 25 feet for the rear, and that Ordinance 93. 091 2-I read as follows: Parking of the motor vehicles shall be permitted within the required setback. Dennis Wilson seconded, with all in favor.

On a motion made by Roger Clark, seconded by Bill Ramsey, Council voted to set a public hearing for rezoning case 99-11 for September 7, 1999. This rezoning is located on 321-A at Crystal Drive. The request is to go to Highway Business from R-15 High Density Residential.

Bobby Austin made the motion to approve the Drum Heirs Family Final Subdivision Plat. David Stamey seconded, with all in favor.

On a motion made by Bobby Austin, seconded by David Stamey, Council voted to approve the addition of 20 street lights to be placed at specific intersections in the Town.

In other business, Mrs. Leonard Hall related to Council that she did not think she should have to pay a late fee on approximately 40 water bills because the 15th was on Sunday and the office was closed. She related that she had been told on Monday, the 16th when she went to pay the bills that a penalty had been put on her water bills for being late. Attorney Terry Taylor stated that the State Statutes counted Saturday and Sunday as any other day and that the employees were right by applying the late penalty.

On a motion made by Dennis Wilson, seconded by David Stamey, Council voted that staff come up with an amendment to the Water Ordinance, stating that if the 15th came on a Saturday, Sunday, or a holiday, that the bill could be paid on the next business day, without a penalty being put on the bill. Staff was directed to bring the amendment back to the next meeting.

Dennis Wilson made the motion that the late fee be dropped from Mrs. Hall's water bills. David Stamey seconded. All were in favor.

Councilor Roger Clark stated that he agreed to taking the penalty off of Mrs. Hall's water bill this time, but was not in favor of waiting until the 16th because if it was changed to the 16th, someone would want it to be changed to the 17th and then would want it to be changed to the 18th. Mr. Clark stated that he was in favor in leaving it like the Ordinance states.

In other business Councilor David Stamey informed Council that he would like to see more lights at the park for the security and safety of the citizens using the walking trail. He related that the present lights were on for three and a half hours at night and then the park was pitch dark.

On a motion made by David Stamey, seconded by Dennis Wilson, Council voted to ask Blue Ridge Electric Power Company to investigate and see how many lights would be needed to be placed at the Town Park and what the cost would be.

Town Administrator Eric Davis related to Council the Department Of Transportation has an Enhancement Grant program and the grant application would be due September 15, 1999. This is an eighty percent to twenty percent grant. The Town would have to match twenty percent to the States eighty percent. This money could be used to install sidewalks throughout the town.

Bobby Austin made the motion that staff apply for the enhancement grant. David Stamey seconded. All were in favor.

On a motion made by Roger Clark, seconded by David Stamey, Council voted to direct the Planning Board to work on a Land Use Survey and then a Land Use Plan.

Dennis Wilson made a motion to call a special meeting for Monday, August 23, 1999, at 5:30 concerning Condition Use Permit 99-2. David Stamey seconded, with all in favor.

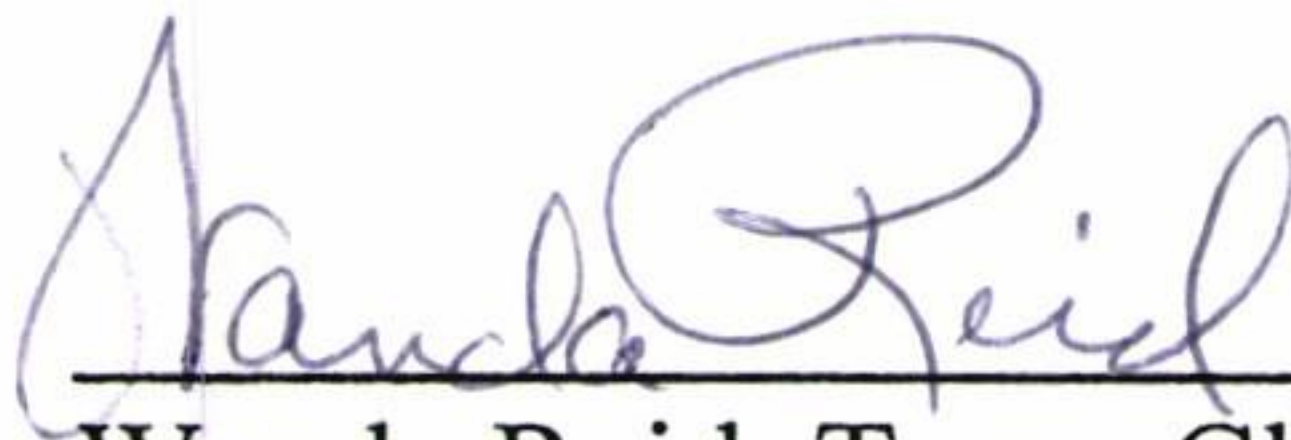
Mr. Davis informed Council that an agreement with the Railroad Company had been met and that contracts should be signed by the end of the week.

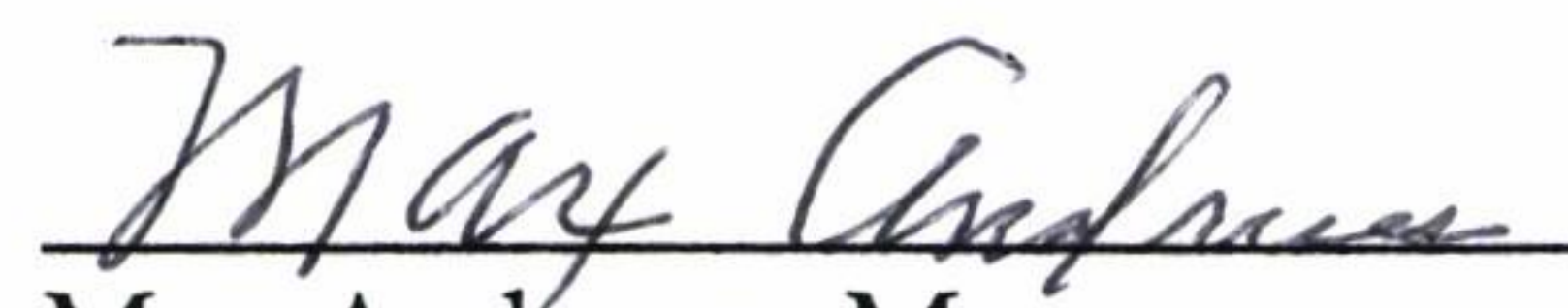
Also that the Town has just been awarded the second CAFR (Certificate for Achievement and Financial Reporting). Council complemented staff on this award.

There was no Staff Report.

On a motion made by Dennis Wilson, seconded by David Stamey, Council voted to again write a letter to the state requesting that a traffic light be placed on the intersection of Mission Road and South Caldwell School Road.

Bobby Austin made the motion to adjourn at 6:50 PM. Dennis Wilson seconded. All were in favor.


Wanda Reid, Town Clerk


Max Andrews, Mayor

August 23, 1999
Special Meeting

COUNCIL PRESENT: Mayor Max Andrews, Mayor Pro-tem Dennis Wilson, Bobby Austin, Roger Clark, Bill Ramsey and David Stamey.

STAFF PRESENT: Eric Davis, Alex Fulbright, and Wanda Reid

Mayor Max Andrews called the special meeting to order at 5:30 PM. Invocation was given by Dennis Wilson.

On a motion made by David Stamey, seconded by Bill Ramsey, Council voted to adopt the agenda.

Town Planner Alex Fulbright informed Council of Conditional Use Case: 99-2. The property is located behind Industrial Seaming off of Tower Drive. The applicant wishes to rezone the property from R-15 High Density Residential to PUD-R.

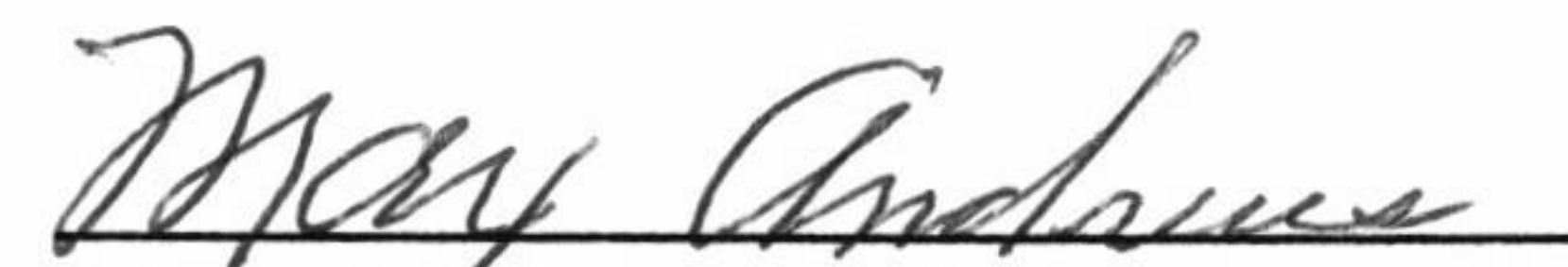
Bill Ramsey made the motion to open the PUBLIC HEARING on Conditional Use Permit 99-2. David Stamey seconded. Vote unanimous.

As there was no one for, or against the Conditional Use Permit, the public hearing was closed by motion of David Stamey, and seconded by Bobby Austin. All were in favor.

On a motion made by David Stamey, seconded by Bobby Austin, Council voted unanimously to approve the Conditional Use Permit 99-2.

Bill Ramsey made the motion to adjourn at 5:40 PM. David Stamey seconded. Vote unanimous.


Wanda Reid, Town Clerk


Max Andrews, Mayor