

August 12, 2019 (REGULAR MEETING)

Minutes of the regular meeting of the Mayor and Board of Commissioners of the Town of Elkin, August 12, 2019, 6:00 p.m. at Town Hall.

Present: Mayor Sam Bishop, Commissioners Cecily McCulloch, Robert Ball, Jeff Eidson, Will Gwyn and Tommy Wheeler.

Also present: Town Manager Brent Cornelison, Assistant Town Manager and Recreation and Parks Director Adam McComb, Town Attorney Raymond Parker and Town Clerk Cathie Tilley.

Mayor Bishop welcomed everyone and called the meeting to order. He asked Police Chief Monroe Wagoner to lead our Pledge of Allegiance.

### **CONSENT AGENDA (Tab A)**

The following items were presented for the consent agenda:

- Minutes of June 10, 2019 (Regular Meeting)
- Minutes of June 26, 2019 (Recessed Meeting)
- Approve Tax Releases and Discoveries (included as Exhibit A)
- Approve Change Order #2 in the Amount of \$5,070 for the Raw Waterline Project to Install Specially Machined Flanges and a Reducing Flange to Complete the Pump Discharge Piping (included as Exhibit B)

A motion by Commissioner Eidson to approve the Consent Agenda was seconded by Commissioner McCulloch and was unanimously approved.

### **SPECIAL RECOGNITIONS**

- Mayor Bishop asked Paul Brinegar to come to the front.
  - o Accepted into the middle school symphonic band in the North Carolina Bandmasters' Association All District Clinic.
  - o Received first chair slot in All-District and qualified to audition for All-State.
- Mayor Bishop asked Sgt. Kenneth Abrams to come to the front.
  - o Retired from Elkin City Schools with twenty-two (22) years' service.
- Mayor Bishop asked Tony Duncan to come to the front.
  - o Retired from Elkin City Schools with thirty-two (32) years' service.
- Mayor Bishop read from an article published in *The Mooresville Patch* titled "North Carolina's Best School Districts 2020: Rankings Released":
  - o Elkin City Schools ranked fourth out of the top fifty best school districts in North Carolina for the 2019-2020 school year.

### **PUBLIC COMMENTS**

- Mayor Bishop opened the public comments period.
  - o Tony Duncan:
    - North Bridge Street looks great.
- There being no other public comments, Mayor Bishop closed the public comments period.

## **MAYOR AND BOARD COMMENTS FOR STAFF**

- Commissioner Gwyn:
  - o Projects continue throughout town.
    - There was some discussion regarding the area between Bridge and Commerce Streets.
- Commissioner Wheeler:
  - o Complimented the Public Works employee who was picking up brush recently.
    - Commissioner Wheeler explained this town employee was very welcoming to a former classmate who recently moved back to Elkin.
- Commissioner Ball:
  - o Thanked everyone for the third trail bridge.
- Commissioner Eidson:
  - o Agrees with Commissioner Gwyn's and Commissioner Ball's comments.
  - o Appreciates the work Robert's (Fuller) employees have done at Standard Street and the Farmers Market.
- Mayor Bishop:
  - o Thanked Robert (Fuller) for the work his employees have done throughout town.
  - o Spoke with the guy working on Standard Street.
  - o Appreciates everything they are doing.
- Town Manager Cornelison:
  - o Robert's guys have done some of the work to save the town money.

## **PUBLIC HEARINGS**

Ms. Harris began each public hearing by stating that each of these hearings are legislative hearings and anyone may speak. Speakers need to state their names and addresses for the record.

### ***1. Conduct Public Hearing to Review and Consider Adopting the Proposed Table of Permitted Uses Related to Our Zoning Districts and Zoning Ordinances (Sarah Harris)***

- Referenced the proposed Table of Permitted Uses and noted these can be used as a guideline for amendments to the Zoning Ordinance for both permitted and conditional uses as indicated in the zoning districts.
- The Planning Board reviewed this extensively at their meetings on June 3<sup>rd</sup>, June 24<sup>th</sup> and July 29<sup>th</sup>.
  - o Found the proposed amendment is consistent with all of the objectives and policies for growth and development contained in the Town of Elkin Land Use Plan.
- This table will give direction for definitions we might use.
- Public Hearing was advertised in *The Tribune* July 31<sup>st</sup> and August 7<sup>th</sup>.
- Mayor Bishop opened the public hearing and asked for comments from the public. He reminded speakers to state their name and address.
  - o There being no comments, Mayor Bishop closed the public hearing.

- Commissioner Eidson made a motion to adopt the Table of Permitted Uses as a guideline for amendments to the Zoning Ordinance for both permitted and conditional uses as indicated in the zoning districts. There were no questions. Upon a second by Commissioner Ball, the motion was unanimously approved. (Copy of Table included as Exhibit C)
    - o Commissioner Ball thanked Ms. Harris for doing this.
      - It is something he had wanted for ten years.
      - This will make it easier for everyone.
2. *Conduct Public Hearing to Review and Consider Adopting the Proposed Campground and Recreational Vehicle Parks Ordinance (Sarah Harris)*
- Petition submitted May 30, 2019 to amend Section 87, M-1 Industrial District, 87.1 Permitted Principle Uses by creating a text amendment that allows a campground as a permitted use.
  - Planning Board reviewed the petition.
    - o Recommends approving the text amendment with the adoption of the Campground and Recreational Vehicle Park Ordinance.
  - Public Hearing was advertised July 31<sup>st</sup> and August 7<sup>th</sup> in *The Tribune*.
  - Mayor Bishop opened the public hearing and asked for comments from the public. He reminded speakers to state their name and address.
    - o Freddie Davis, 210 Martin Ridge Road, State Road, NC:
      - Referenced Item 5 under Site Standards (Permanent sleeping quarters may be allowed for the park manager or operator. The dwelling site must be designated on the site plan application.)
        - Has an interest in building cabins to rent at the campground.
          - o Ms. Harris stated the ordinance is written to only allow a caretaker's house.
      - Next, Mr. Davis referenced Item 10 under Site Standards (.....minimum interior two-way street widths of twenty [feet] and twelve feet in width for one-way streets..... Gravel with a six-inch gravel base...)
        - Most of the roads are one-way with 10 mph
        - Ms. Harris asked Fire Chief Kevin Wilson to speak to this matter.
          - o Chief Wilson said State Fire Code states minimum width is twenty (20) feet. If there is a fire hydrant on the road or to be accessible by an aerial fire truck, it then becomes minimum twenty-six (26) feet wide.
            - It has to be able to support a fire apparatus weighing at least seventy-five thousand (75,000) pounds.
      - Mayor Bishop requested that as a standard, look at what others require, especially state park systems.
        - See what their minimum requirements are.
      - Town Manager Cornelison:

- Staff would like to send this matter back to the Planning Board.
      - We want to do this correctly.
        - Commissioner Gwyn wanted to know about re-evaluation of the flood plain.
    - Following discussion, it was the consensus of the Board to send this matter back to the Planning Board for further review.
3. *Conduct Public Hearing to Review and Adopt the Proposed Bed and Breakfast Ordinance (Sarah Harris)*
- On July 29<sup>th</sup>, the Planning Board reviewed a proposed ordinance allowing Bed and Breakfast establishments in town.
  - Planning Board recommends approval of an ordinance to regulate Bed and Breakfasts in the Town of Elkin.
  - Public Hearing was advertised in *The Tribune* July 31<sup>st</sup> and August 7<sup>th</sup>.
  - Mayor Bishop opened the public hearing and asked for comments from the public. He reminded speakers to state their name and address.
    - There being no one from the public to speak, Mayor Bishop closed the Public Hearing.
  - Board members briefly discussed short-term rentals.
  - Commissioner Eidson questioned the parking requirements.
    - Ms. Harris explained property owners could request a variance.
  - Mayor Bishop asked for consideration of the Town Council Action Required sheet. Commissioner McCulloch made a motion to approve the statement that this application is consistent with all of the objectives and policies for growth and development contained in the Town of Elkin Land Use Plan. There were no questions. Upon a second by Commissioner Wheeler, the motion was unanimously approved. Commissioner McCulloch made a motion to approve the statement that the application is both reasonable and in the public interest (reason: during Planning Board review, it was decided allowing B&B's would enhance the Town's goal to develop tourism and increase our economic status.). There were no questions. Upon a second by Commissioner Ball, the motion was unanimously approved. Thus, the Town Council Action Required sheet was approved (copy included as Exhibit D).
  - Commissioner Wheeler made a motion to approve an Ordinance Amending the Zoning Ordinance of the Town of Elkin, North Carolina to Allow Revisions to Article VIII (by adding Bed and Breakfasts as a permitted use). There were no questions. Upon a second by Commissioner McCulloch, the motion was unanimously approved. (Copy of Ordinance may be found in Ordinance Book 5, Pages 2019-08-0025 through 2019-08-0027.)

This concluded the Public Hearings.

## **REGULAR MEETING**

1. *Receive the Final Presentation from Withers and Ravenel and Consider Adopting the Comprehensive Townwide Master Plan (Brent Cornelison)*

- Town Manager Cornelison introduced Drew Crumpton and Gary Warner from Withers and Ravenel. Mr. Crumpton's presentation included but was not limited to:
  - o Briefly recapped the project purpose, planning framework and vision.
  - o Reminded everyone of the six categories of the Planning Recommendations:
    - Community Character
    - Infrastructure and Public Utilities
    - Transportation, Connectivity and Gateways
    - Land Use and Growth Management
    - Economic and Tourism Development
    - Parks, Trails and Natural Resources
  - o Looked at Implementation:
    - Will take these ideas and keep the project moving.
    - Presented Working Implementation Tables
      - Explained that Categories had been broken down into sub-categories
      - Pointed out some of the high priority action items
        - o Noted resources needed, timeframes and those responsible for completion of the action items
    - Following the presentation, Town Manager Cornelison explained:
      - The first high priority action item for implementation was to update the town's zoning ordinance.
      - We currently have funds in our budget for the Master Plan and would like to engage Withers and Ravenel to work with us to update our ordinances.
      - Commissioner Eidson asked if staff was okay with this?
        - o Town Manager Cornelison stated that we are very comfortable working with Withers and Ravenel.
  - o Commissioner Eidson made a motion to approve the Comprehensive Town-wide Master Plan and allow Town Manager Cornelison to engage Withers and Ravenel to work with town staff to begin implementation of the Plan. There were no questions. Upon a second by Commissioner McCulloch, the motion was unanimously approved.
  - o Mayor Bishop thanked Withers and Ravenel for a plan that was very well done.

**2. Consider a Request from the EVTA to Dedicate and Name the New Trail Bridge for Joe Hicks (Adam McComb)**

- This is a request from EVTA to name and dedicate the new trail bridge in memory of Joe Hicks.
- The Recreation and Parks Advisory Board recommends approval of this request.

- Commissioner McCulloch made a motion to approve this request. There were no questions. Upon a second by Commissioner Eidson, the motion was unanimously approved.
  - Mr. McComb informed the Board the dedication will be September 21, 2019 at 10:00 a.m.
3. *Consider Appointing Three Representatives to Officially Join Jonesville in Discussions Concerning a Footbridge to Connect the Two Towns (Brent Cornelison)*
- A footbridge to connect Jonesville and Elkin has been discussed by the Jonesville Town Board.
    - o They are interested in setting up a committee to look into pursuing this project.
  - Jonesville Town Manager Michael Pardue and I have discussed this.
  - We need to know where the footbridge will go, how much it will cost, how we will pay for it and what it will look like.
  - The Jonesville town board appointed three members to serve on a committee to look into this.
  - Following discussion, it was the consensus of the Board to officially join Jonesville in discussions concerning a footbridge to connect Elkin and Jonesville.
  - Town Manager Pardue and I recommend forming a committee made up of a Council Member, TDA Member and County Commissioner from each town.
    - o Jonesville unanimously agreed to this concept at their August 5<sup>th</sup> meeting.
  - Town Manager Cornelison suggested the following to serve on this committee: Jeff Eidson representing our Town Board of Commissioners, Robert Ball representing our TDA and Eddie Harris representing our County Board of Commissioners.
  - Commissioner Wheeler made a motion to appoint Commissioner Eidson, TDA Member (and Commissioner) Robert Ball and Surry County Commissioner Eddie Harris as Elkin's representatives on this committee. There were no questions. Upon a second by Commissioner McCulloch, the motion as unanimously approved.
    - o Town Manager Cornelison has not been able to get in touch with Commissioner Harris to discuss this matter.
      - Commissioner Gwyn will see Commissioner Harris and will discuss this matter with him.

**MANAGER UPDATES (Brent Cornelison):**

- We are looking at doing another Citizens Academy.
  - o Would like to start in October.
  - o Will meet three Monday nights, and end in November with a ceremony.
- FEMA:
  - o Adam continues working with FEMA regarding reimbursement for work done in the park and replacing trails.
  - o Bank erosion at the bottom of James Street:

- What they want us to do is more expensive than what we have done with others doing the work.
- We have decided to tackle the roadway when we have to.
  - They want \$85,000.
  - We can do this for much less.
- I think we will get reimbursed for what we have done in the park and for staff's time.

Mayor Bishop stated the Board would be going into closed session in accordance with G.S. 143-318.11(a)(5) to instruct staff in negotiating the material terms of a proposed contract. He stated the board does not expect any decisions to be made tonight when they return to open session.

Commissioner Wheeler made a motion to go into closed session in accordance with G.S. 143-318.11(a)(5) to instruct staff in negotiating the material terms of a proposed contract. Upon a second by Commissioner McCulloch, the Board went into closed session at 7:00 p.m.

The Board returned to open meeting at 7:10 p.m.

- Commissioner Gwyn mentioned closing the gap in sidewalks from Commerce Street to the bridge.
  - DOT will not allow sidewalks on the bridge because of the liability.
- There was some discussion regarding using the current bridge as the footbridge between Elkin and Jonesville.
- Town Attorney Parker stated that DOT needs to do the footbridge.

There being no further business, Commissioner Gwyn made a motion to adjourn. Upon a second by Commissioner Eidson, the meeting adjourned at 7:15 p.m.



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Sam Bishop, Mayor

Attest:



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Catherine C. Tilley, Town Clerk