

Walter M. Gardner, Jr.
Mayor

John Freeman
Administrator

TOWN OF WARRENTON
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September 14, 2009 Board of Commissioners Minutes

The September 14, 2009 meeting of the Town of Warrenton Board of Commissioners was held at the Warrenton Town Hall.

Those present were:

Mayor Walter M. Gardner, Jr.

Commissioner Jules Banzet

Commissioner John Blalock

Commissioner Bobby Edmonds

Commissioner John Mooring

Commissioner Mary Hunter

John Freeman, Town Administrator

William Perkinson, Director of Public Works

John Younts, Chief of Police

Town Attorney Mitch Styers

Jennifer Harris, Warren Record

Absent:

Commissioner and Mayor Pro Tem Woody King

Commissioner Audrey Tippett

Mayor Gardner called the meeting to order at 7:00pm. The first order of business was consideration of the proposed agenda. Commissioner Edmonds moved that the agenda be approved. Commissioner Mooring seconded the motion which passed unanimously.

Mayor Gardner then presented the minutes from the meeting of August 10, 2009 for approval. Commissioner Blalock moved that the minutes be approved; the motion was seconded by Commissioner Mooring and carried unanimously.

Public Comments

- Resident Lynn Stemle spoke regarding the proposed zoning change of the cotton gin at the corner of Hall and Franklin Streets. His concern is that if request to rezone the property to C-1 business were granted it would open the door to a variety of commercial uses. He pointed out that the Board had not taken action on the proposed vacant property registry at the previous meeting because there was no minimum housing standard in place. He said that at the very least a decision on the cotton gin should be delayed until the minimum housing standard is adopted. He expressed concern for the potential of an enormous parking lot with many people, including children, coming and going. He said the Board needed to address the issues relating to owner-occupied vs. rental units. He said that no permits were visible and that it should be determined whether the owner had obtained the required permits to assure inspections and to establish his dedication to quality work.
- Resident Betty Rollinson spoke in support of Stemle's comments, saying that she objected to rezoning the property and that she was concerned about who would be there and its future use.
- Resident Thomas Rollinson said he agreed with the previous two speakers.

- Resident Marc Steer was unable to attend the meeting but sent an email letter which Mayor Gardner read into the record (see copy attached).
- Seeing resident (and neighbor of the cotton gin) Ann Perkinson in attendance Mayor Gardner asked if she had any comment. She answered that she did not have an opinion at this point but was here to gather information.

There being no other member of the public who wished to address the Board Mayor Gardner moved on to committee reports.

Committee Reports

Finance Report

Commissioner Blalock had reviewed the checks in excess of \$10,000 and reported them appropriate.

Mr. Freeman reviewed the reports for the year-to-date through August, saying that although too early in the year to draw conclusions, financial operations were tracking according to budget and cash flow had improved compared with the previous year.

Sales & Use Tax revenue declined by 12.5% for the month to 11.1% for the year-to-date but that was anticipated in the budget which projected a 20% decline for the year. Ad valorem tax collection is not significant through August but has increased by \$1947 to \$7991 or 32%. Mr. Freeman also reported that the county tax office had discovered that \$15,605.40 was due to the Town for taxes collected last fiscal year for utility property. This amount was entered into last year's financial statement so it does not affect the current year but does help with cash flow.

Human Resources

Commissioner Banzet presented a certificate that he had drafted as an employee appreciate/gift certificate that would be accepted at the three downtown restaurants. This would give the employee a choice of where they would like to celebrate their birthday and the restaurant would then bill the Town up to \$25. In response to Commissioner Mooring's suggestion it was decided that an expiration date of one year should be added. Mr. Mooring expressed his concern that the expense had not been budgeted; Mr. Freeman said that the contingency line item would be used to cover the cost. Mr. Mooring said he did not disapprove of the idea and would supportive of it for the following year when it had been included in the budget. Mayor Gardner summarized the recommendation of the Human Resources Committee that a new Town policy be adopted to present each employee a certificate of appreciation in the form of a gift certificate to a restaurant; Commissioner Edmonds seconded the recommendation which passed with 4 affirmative and 1 negative vote by Commissioner Mooring.

Public Safety

Commissioner Edmonds referred the Board to the Police Activity Report, and turned to Chief Younts for answers to several Board member questions. Commissioner Banzet noted that there were no DWI arrests during the month and Chief Younts answered that that was correct although there had been five just before and one immediately following the month. Commissioner Blalock asked about the seven citations for "blocking driveways" as it appeared to be a relatively large number for a relatively minor violation and Younts explained that he had been requested to enforce new parking regulations at the John Graham building and many warnings had been issued before the citations. In response to Mr. Blalock's question about the effect of the recently adopted ordinance limiting false alarms and Younts said that there was not a significant problem with businesses now and that residences were a greater problem. Commissioner Edmonds noted that storms and even large trucks rumbling past could set off the alarms. In answer to Mayor Gardner's question Chief Younts said that

he had not yet obtained a citation book from the county fire marshal but that he had just requested it a second time. He noted how busy everyone is at present, especially as various grant applications are looming.

Mayor Gardner said that the most serious recent fire destroyed equipment in a shed on Warren Plains Road. Commissioner Edmonds, who is a Red Cross responder, said that the Red Cross had not been called out as there had been no structural fires. Mayor Gardner announced that a motorcycle rally was going to be held on October 3 at 10:00 as a Fire Department fund raiser.

Revitalization/Historical

In the absence of Commissioner King Mr. Freeman reported that plans for Harvest Market, the next major event planned by the Revitalization Committee, were well underway. The event is scheduled from 10:00-5:00 on Saturday, October 24, and features an “old-time” theme of handmade crafts, games and antique tractor show. He also reported that there had been a change in committee assignments as Christy Serls agreed to move from vice-chair to secretary, followed by Patrick Draffin being made vice-chair.

Beautification/Streets/Sanitation

In the absence of Commissioner Tippett Mr. Freeman reported that DOT had confirmed that the Ridgeway Sidewalk project would need to be rebid and that there was a complication as the engineer on the project had moved to another firm. It would be desirable to move the project with him to his new firm as he is so familiar with the project but DOT had not been able to tell us if they would approve it. As the change would require Board approval Commissioner Blalock moved that the project be moved from AECOM to O’Brien & Gere if DOT approved it. Commissioner Mooring seconded the motion which passed unanimously.

Mr. Freeman then reported on the status of the Inmate Community Work Service. The previous month the prison had informed him that the inmate work crews could essentially be hired for \$266 daily or signed out to be supervised by Town employees. Since then we have been told that the program has been cancelled and that our only option would be direct supervision by Town employees. There followed discussion about the method and implications of this direct supervision. Town Attorney Styers said it was a work release program. Commissioner Blalock said that the Town of Butner did this and that the Town picks up the inmates who carry lunches provided by the prison and are paid \$1 day by the prison. A training program is required for those who will be supervising them (Mr. Freeman had been told by prison administrator G.J.Haynes that this training is one-half day). There are potential insurance implications as well as practical questions about the time required to pick up and deliver the inmates. Mr. Freeman said that the first major impact was being felt in cemetery maintenance. It will take the Town four-man Street and Sanitation crew a full week to mow and trim the entire cemetery. Previously this was a two day job by the inmates with only one or two Town employees on hand. In answer to Commissioner Mooring’s question Mr. Freeman said that there is no backup plan at this time. Mr. Mooring suggested high school community service hours as students are expected to contribute a certain number of community service hours. He asked that Mr. Freeman bring financial estimates to the next meeting about the cost of part time employees vs. inmate supervision, including insurance, hours of administration, etc. Mayor Gardner asked that Mr. Freeman return with the report and options for the next Board meeting.

Public Works

Commissioner Hunter turned to Director Bill Perkinson for the monthly report. He reported that there had been several major repairs at the WWTP including overhauling the mixer/digester, but he did not foresee major predictable repairs ahead. Affluent quality has been normal. A number of major Water/Sewer repairs had been completed including a sewer line and a number of water leaks.

The Peck dam has been holding steady and the erosion seems to be under control. There followed discussion about the ownership of the Peck property, the possibility of receiving compensation for dam repairs and whether those had been tracked.

Mr. Freeman then reported on the current efforts to obtain funding for the priority WWTP repairs. Several years ago staff and Town engineer had determined the two priority repairs were rehabilitation of the clarifiers and a SCADA system. A \$50,000 grant had been awarded by the Clean Water Management Trust Fund for the design and engineering of these repairs and the county as owner had applied for a CDBG grant of \$750,000. This application had been denied and county manager Linda Worth had sought a second hearing which was held on Friday, September 11 at the offices of the Division of Community Assistance in Raleigh and included Worth, Freeman, Warren County Public Works director Macon Robertson, engineer Steve Scruggs and Kerr-Tar COG executive director Timmy Baynes. Freeman said the presentation went well and it appeared that the application would be reconsidered, with some response in the next several weeks. If this funding is not granted alternatives will have to be pursued immediately as failure of the clarifiers would knock the plant out of commission.

Zoning

Commissioner Mooring opened the discussion about the request to rezone the cotton gin property with the question about whether Mr. Sessoms (representing the estate of the owner) was in attendance. Mr. Freeman said not but that he had been encouraged to attend. He then reviewed the request the purpose of which was to seek permission to built 4 apartments in the building which is in the R-12 district which allows nothing more than duplexes. The Board had decided not to act on the proposal several months ago to allow multi unit dwellings in the R-12 district by special use permit. The only other possibility is to rezone the property C-1 which it adjoins and to change the table of permitted uses to allow multiunit dwellings. Freeman said the advantage would be putting a vacant property to use but the disadvantage would be that it could be used for any commercial purpose allowed in C-1. Mr. Mooring said he would like to see a detailed plan. Mayor Gardner said that a detailed plan would be required for a presentation to the Planning Board if the Board of Commissioners decided to refer it there. Mayor Gardner said that the BOC can request additional information before reviewing it or could let it die by inaction or could ask the Planning Board to review it and make a recommendation. Commissioner Edmonds stated that the BOC would have the final say whether it decided to deny the request now or refer it. Commissioner Blalock expanded on that to ask if the Board would like to request more information to see what it could become or kill it now. Mr. Mooring said it did not want to kill it but would want more information. Mayor Gardner said that he does not think that rezoning C-1 is the way to go and strongly recommended the earlier proposal to allow multi-family dwellings by special use permit. Mr. Mooring said he opposed that idea because it could lead to historical houses being divided up into apartments. He also was not in favor of Mr. Sessoms request as written and that was the consensus of the Board. There was some discussion about the necessity of a motion but consensus that there was not enough information to vote on whether to refer it to the Planning Board. Town Attorney Styers advised following the procedure for requesting variances and special use permits as defined in the Ordinances 151.12 in which Mr. Sessoms would present a full plan to the zoning administrator who would make a recommendation to the Board. Even if the zoning administrator recommended against the project the applicant could still submit it directly to the Board.

Commissioner Mooring said he is still working on the vacant property registry and minimum housing standards which he was not yet ready to present.

Unfinished Business

Mr. Freeman presented the final report from Carla Norwood for the Rural Center Building Reuse and Redevelopment Grant co-sponsored by the Town for the building at 108-110 South Main St. owned by her and husband Gabriel Cummings. This included a \$24,780 grant with \$4,000 matching funds from Norwood/Cummings and \$1,000 from the Town (paid as administration services). He said that after reviewing the design plans and business plan Norwood/Cummings might approach the Town to be a sponsor of a construction grant. That is more complicated than a planning grant but could be decided in the future.

The next item of Unfinished Business was discussion of the proposed changes in Ordinance 71.47 governing the issuance of permits for parades, picket lines and demonstrations. Chief Younts said that authority and control over these events was in two parts: first the ordinance which establishes the authority and overall rules, and second, the mandatory safety plan that would be changed to adjust to different events. In answer to Mayor Gardner's questions Younts confirmed that he, not the organizers, would decide the direction of the parade. Town Attorney Styers said that by adopting the ordinance that put the chief in charge the Board would be turning the authority over to him. Commissioner Blalock expressed concern about the details of the plan such as how parked cars would be cleared away from Main Street. Commissioner Edmonds questioned assembling at the north end of Town at Cast Stone Systems and then moving to the south end of Town to start the parade. Chief Younts explained that it would be more orderly as the parade would end at the location where its participants would pack up and disperse. Commissioner Banzet noted several grammatical corrections and there was considerable discussion about whether specific times should be included or left entirely to the Chief's discretion (as he had requested). Mr. Styers recommended stated times because without them it might not be justifiable to deny a picket line or demonstration at night; with them it would be easier to restrict them to day time. Mayor Gardner suggested leaving it as written. Commissioner Hunter asked about the issue of parades being held after dark which Mr. Styers answered could be handled because the Chief could refuse to approve it if it did not meet a reasonable safety plan. Commissioner Edmonds moved that the revised ordinance be adopted with the changes recommended by Commissioner Banzet; Commissioner Blalock seconded the motion which was approved unanimously.

Mayor Gardner asked about the schedule for the Bicycle Rodeo which Chief Younts said would be held on October 10 at Miriam Boyd School.

Resolutions

Mayor Gardner presented a resolution making the Town health insurance coverage available to elected officials at their cost. Mr. Freeman stated that there would be no cost to the Town as those who participated would be required to repay the Town for their premiums; all who chose not to participate would be required to sign a waiver to confirm the decision although they could choose to participate later. Commissioner Blalock moved that the resolution be approved; Commissioner Edmonds seconded the motion which passed unanimously.

There being no announcements or further business Commissioner Mooring moved to adjourn, and Commissioner Blalock seconded the motion; the meeting adjourned at 8:35pm.

Respectfully submitted,

John Freeman
Town Administrator