



**Town of Fairview  
Regular Town Council Meeting  
February 9, 2021**

The following Council members were present: Mayor Phil Thomas, John Biggers, Jerry Clontz, Patricia Kindley, and Gary Wilfong.

Others present: Joe McCollum, Town Attorney; Darrell Baucom, Financial Officer, Ed Humphries, Land Use Administrator / Deputy Clerk and Teresa Gregorius, Town Clerk

**Agenda Changes**

Joe McCollum stated that he would like to add information regarding Electronic Meetings as Item # 3

**Approval of Agenda**

Gary Wilfong made a motion to approve the agenda as amended. John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

**Presentation**

Vann Harrill, Union County Tax Administrator presented information regarding the property re-evaluation process.

**Public Comments**

None

**Consent Agenda**

- a) Accept Financial and Tax Reports as Information
- b) Accept Land Use Report as Information
- c) Accept Fund Balance Worksheet 2020-2021 report --- Accepted as Information
- d) Fairview Park Event January Draft Minutes --- Minutes Accepted as Information
- e) Fairview Park Facility Draft Minutes --- (No January Meeting)
- f) Planning Board January Draft Minutes --- Minutes Accepted as Information

- g) Approve Council Regular Minutes for January 12, 2021
- h) Approve Closed Session Minutes from April 9, 2012, July 9, 2012, August 13, 2012 and April 25, 2016

Patricia Kindley made a motion to approve the consent agenda. John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

### **Items of Business**

#### **Item 1: Discuss Zoning Text Amendment of the Town of Fairview Unified Development Ordinance removing Sections 138, 158, 159, 187, 188, 189, 190.**

Ed Humphries presented multiple Zoning Text Amendments to the Town of Fairview Unified Development Ordinance, specifically, the changes related to high density uses. The request is to eliminate residential minimum lot sizes of less than 40,000 square feet. This would require removing Sections 138, 158, 159, 187, 188, 189 and 190 from the Town of Fairview Unified Development Ordinance. He reported that the Planning Board recommended the request unanimously. The Council discussed.

#### **Mayor Thomas to open Public Hearing**

**Public Comments** from Brian Mower, Alex Karakosta, Fred Rogers

#### **Mayor Thomas to Close Public Hearing**

John Biggers made a motion to remove Sections 138, 158, 159, 187, 188, 189 and 190 from the Town of Fairview Unified Development Ordinance including all applicable references. The proposed zoning amendment is found to be reasonable and consistent with the recommendations of the Town's adopted comprehensive plan, the Town of Fairview Land Use Plan (Revised November 11, 2018), and the Town of Fairview Land Use Ordinance (effective July 1, 2005). Jerry Clontz seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

#### **Item 2: Public Hearing: Permit #RZ 20-092**

Ed Humphries presented a request from Alisa Wilhelm to rezone Parcel #08189012C property at 7508 Concord Highway from RA-40 to B-4. The parcel is located between commercial property and the old Fairview School property which would make the property ideal for B-4 use. He reported that the Planning Board recommended the request unanimously. The Council discussed.

#### **Mayor Thomas to open Public Hearing**

**No Public Comments**

#### **Mayor Thomas to Close Public Hearing**

Jerry Clontz made a motion to approve the rezoning of Parcel #08189012C property at 7508 Concord Highway from RA-40 to B-4. The proposed zoning amendment is found to be reasonable and consistent with the recommendations of the Town's adopted comprehensive plan, the Town of Fairview Land Use Plan (Revised November 11, 2018), and the Town of Fairview Land Use Ordinance (effective July 1, 2005). Gary Wilfong seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

## **Item 2: Electronic Meetings**

Attorney McCollum reported that other town attorneys have concerns regarding the State statute that provides that electronic meetings can only be done by approval of the legislature or governor. Towns would like to petition the legislature to allow each town to have the authority to call for electronic meetings, as necessary.

John Biggers made a motion to allow Attorney McCollum, behalf of the Town of Fairview, to participate with other municipalities to petition the legislature to allow the use of electronic presentations. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

## **Council Comments**

John Biggers thanked the Planning Board for all their work on the land use ordinance and rezoning request.

Mayor Thomas reported information that his latest blog is the on the website and Facebook regarding the Union County Sheriff's Department "Targeted Enforcement" on Highway 218.

Jerry Clontz made a motion to adjourn. John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Respectfully submitted,

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Teresa Gregorius  
Town Clerk

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Phil Thomas  
Mayor

**Approved this 9<sup>th</sup> day of March 2021**