



**Town of Fairview
Regular Town Council Meeting
October 8, 2019**

The following Council members were present: Mayor Phil Thomas, Jerry Clontz, Patricia Kindley, and Gary Wilfong. John Biggers was not present.

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

Agenda Changes

No Changes

Approval of Agenda

Patricia Kindley made a motion to accept the agenda. Jerry Clontz seconded the motion. Council members Clontz, Kindley and Wilfong voted yes (3-0).

Public Comments

None

Presentation

Lisa Thomas, Chairman of Fairview Park Event Committee, updated the Council on the success of the 2019 Fairview Fall Festival

Consent Agenda

- a) Accept Financial and Tax Reports as Information
- b) Accept Land Use Report as Information
- c) Accept Budget Amendment Worksheet 2019-2020 report as Information
- d) Fairview Park Event September Draft Minutes --- Minutes Accepted as Information
- e) Fairview Park Facility September Draft Minutes --- Minutes Accepted as Information
- f) Planning Board September Draft Minutes --- No September Meeting
- g) Approve Council Regular Minutes for September 10, 2019

Gary Wilfong made a motion to approve the consent agenda. Patricia Kindley seconded the motion. Council members Clontz, Kindley and Wilfong voted yes (3-0).

Items of Business

Item 1: Public Hearing Conditional Use Permit CUP 19-082

Ed Humphries presented the Conditional Use Permit CUP 19-082 request of the owner of Lot #4 Parcel #08084001C (Bradley Michael Forrest and wife) in Ferguson Farms Subdivision to divide the parcel creating two lots under Article VI Section 101 and 102 of the Fairview Land Use Ordinance with conditions. The Council discussed.

Mayor Thomas opened the public hearing

No public comments

Mayor Thomas closed the public hearing

“Finding of Facts”

- 1) Patricia Kindley made a motion that Conditional Use Permit CUP 19-082 will not endanger the public health or safety because it is just a matter of property changing hands. Jerry Clontz seconded the motion. Council members Clontz, Kindley and Wilfong voted yes (3-0).
- 2) Jerry Clontz made a motion that Conditional Use Permit CUP 19-082 will not substantially injure the value of adjoining or abutting property because the property will stay the same and no house will be built on the 1 acre lot. Patricia Kindley seconded the motion. Council members Clontz, Kindley and Wilfong voted yes (3-0).
- 3) Gary Wilfong made a motion that the Conditional Use Permit CUP 19-082 will be in harmony with the area in which it is located because the members of the Ferguson Farms community agreed to all the stipulations outlined. Jerry Clontz seconded the motion. Council members Clontz, Kindley and Wilfong voted yes (3-0).
- 4) Jerry Clontz made a motion that the Conditional Use Permit CUP 19-082 will be in general conformity with the land use plan, thoroughfare plan or other plan because there is no change to the property. Patricia Kindley seconded the motion. Council members Clontz, Kindley and Wilfong voted yes (3-0).

Approval of Request:

Jerry Clontz made a motion to approve Conditional Use Permit CUP 19-082 with the following conditions:

- (1) There will be no home built on Lot #4A*
- (2) Nicholas Harrhoff (property owner of Lot #5, Parcel #08084001D) plans to buy Lot #4A*
- (3) Lot #4A will be at least one acre in size*

- (4) *A survey showing the lot division will be approved by the Fairview Land Use Administrator*
- (5) *A statement from each property owner in the subdivision states that they agree with the request*

The proposed zoning amendment under consideration 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). Patricia Kindley seconded the motion. Council members Clontz, Kindley and Wilfong voted yes (3-0).

Item 2: Discuss Garbage Company Pick-up Practices

Jerry Clontz reported that he would like the Council to investigate the garbage companies’ pick-up practices in the Town. An example occurred recently when his wife hit a trash can on the side of the road that was barely off the pavement and she could not move over due to a truck pulling a trailer meeting her. The Council discussed and decided to produce a letter from the mayor and send to the garbage companies operating in the Town. The letter would also be posted on the Town website.

Council Comments

Patricia Kindley stated she attended the Union County DWI/Drug Treatment Court Graduation ceremony. Ms. Kindley noted that the picnic shelter fans have been purchased by Bethlehem Presbyterian and she is currently working to secure an electrician to install them.

Jerry Clontz stated that he will be checking into adding another couple of acres to the current overflow parking area at the Park. He also noted that he is checking into what PARTF grants may be available to apply for.

Mayor Thomas encouraged everyone to vote on November 5th.

All Council members and the Mayor expressed their appreciation to the Fairview Park Event Committee and Chairman Lisa Thomas for the exceptional job done on the 2019 Fairview Fall Festival.

Jerry Clontz made a motion to adjourn. Patricia Kindley seconded the motion. Council members Clontz, Kindley and Wilfong voted yes (3-0).

Respectfully submitted,

Teresa Gregorius
Town Clerk

Phil Thomas
Mayor

Approved this 12th day of November 2019