



**Town of Fairview
Regular Town Council Meeting
July 9, 2018**

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

Others present: Joe McCollum, Town Attorney; Darrell Baucom, Financial Officer and Teresa Gregorius, Town Clerk

Agenda Changes

Patricia Kindley stated that she would like to add the presentation of the winners of the yard and garden contest before the public comments/presentations section.

Approval of Agenda

Jerry Clontz made a motion to approve the agenda as amended. Patricia Kindley seconded the motion. Council members Biggers, Clontz and Kindley voted yes (3-0).

Yard & Garden Presentations

Patricia Kindley recognized the winners of the 2018 Town of Fairview yard and garden contests. Martha Gilmore won the "Town of Fairview Spring Garden of the Year" and Pat Simpson was honorable mention. B.B. and Jan Haigler won "Town of Fairview Spring Vegetable Garden of the Year".

Presentation

Carleen Crawford, Regional Tobacco Control Mgr., Mecklenburg County Public Health did a presentation regarding smoke-free/tobacco-free policies and ordinances.

Public Comments

Frank Deese, Mayor of Marshville, spoke regarding his run for seat in District 55 House of Representatives.

Consent Agenda

- a) Accept Financial and Tax Reports as Information
- b) Accept Land Use Report as Information
- c) CRTPO - No Report
- d) Park & Rec January Draft Minutes --- Minutes Accepted as Information
- e) Planning Board January Draft Minutes --- Minutes Accepted as Information
- f) Approve Council Regular Minutes for June 11, 2018

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

Items of Business

Item 1: Public Hearing RZ 18-055:

Nancy Randall, Chair, Planning Board, presented permit #RZ 18-055, a request from Haigler Farms LLC to subdivide 5.28 ac (to include lot # 2 and # 3) of parcel #08250002 and rezone it to L-I CUD (Conditional District). The property is next to the Haigler Building LLC parcel # 08222011F which is presently zoned L- I CUD.

Mayor Thomas opened the Public Hearing

Alan Dowdee, 225 Hwy. 218 East, spoke in opposition to the rezoning

Mayor Thomas closed the Public Hearing

Discuss Approval of request: Council members discussed the rezoning.

John Biggers made a motion to approve #RZ 18-055. The proposed conditional use permit 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 September 13, 2010), and the Town of Fairview Land Use Ordinance (effective July 1, 2005). Patricia Kindley seconded the motion. Council members Biggers, Clontz and Kindley voted yes (3-0).

Item 2: Public Hearing TC 18-054 (amend Article XI, Section 180E (k) of the Land Use Ordinance):

Nancy Randall presented Petition #TC 18-054 that amends a requirement for cell towers in Article XI Section 180E (k) regarding minimum setback requirements.

Mayor Thomas opened the Public Hearing

No Public Comments

Mayor Thomas closed the Public Hearing

Discuss Approval of request: Council members discussed the amendment.

Patricia Kindley made a motion to approve Petition #TC 18-054. The proposed text change 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 September 13, 2010), and the Town of Fairview Land Use Ordinance (effective July 1, 2005). John Biggers seconded the motion. Council members Biggers and Kindley voted yes, Clontz voted no (2-1).

Item 3: Call for a public hearing:

Mayor Thomas called for a public hearing at the regular meeting of the Town Council of Fairview on **September 10, 2018 at 7:00 pm** to hear public comment on a financing agreement to purchase land from Harry and Sandra Haigler in the amount of \$600,000 @ 3.9% for 15 years as Authorized by G.S 160A-20 and required by the Local Government Commission.

Item 4: Approve a resolution #R-18-LGC:

Mayor Thomas presented Resolution #R-18-LGC which authorizes the filing of an application for approval of a financing agreement authorized by G.S. 160A-20 and authorizing the Mayor to sign and approve a \$1250.00 fee to be paid to the Local Government Commission. (The application will be filed on September 20, 2018 after the public hearing is held on September 10, 2018 as required by the LGC).

Jerry Clontz made a motion to approve Resolution #R-18-LGC authorizing the filing of an application for approval of a financing agreement and authorizing the Mayor to sign and approve the \$1250.00 fee to be paid to the Local Government Commission. Patricia Kindley seconded the motion. Council members Biggers, Clontz and Kindley voted yes (3-0).

Item 5: Approve New Office Renovation Costs

Mayor Thomas stated that the new office renovation costs were originally approved in the last fiscal year but the renovations were not done. This is a formality to re-approve the renovation costs for the current fiscal year.

John Biggers made a motion to approve the new office renovation costs. Patricia Kindley seconded the motion. Council members Biggers, Clontz and Kindley voted yes (3-0).

Item 6: Review 2018 Retreat Goals

*Pursue purchasing additional park land – Mayor Thomas noted that the Haiglers accepted the Town's offer to purchase the land. As of tonight the resolution has been approved and the public hearing has just been called.

*Improve park offerings i.e. band stand, music – Mayor Thomas stated that at last month’s meeting Lisa Thomas, Park-Rec & Event Committee Chairman stated that the committee was working on getting quotes for additional electricity around the lake, as well as looking into additional picnic tables, benches and swings.

*Set up school building for town hall/offices – Mayor Thomas has a copy of the lease agreement that the Union County Commissioners will review/approve at their July meeting. Mayor Thomas is waiting on verification regarding his request to waive the \$1,000.00 security deposit fee that is listed in the lease agreement.

*Secure right of first refusal on school – Mayor Thomas reported that since the Town has decided to purchase the Haigler property purchasing the school is probably not an option at this point. Mayor Thomas did speak with three of the current county commissioners who agreed to work with the Town on purchasing the property for the appraised value if the Town ever decides to pursue it.

*Franchise solid waste collection -- John Biggers met with Sam Locklear, All Points Waste, regarding the opportunity to franchise waste collection in the Town limits. Ed Humphries has also spoken with Mr. Locklear and discussions are ongoing.

*Improve communications with citizens -- Patricia Kindley reported that she will continue to work on the yard and garden contest so that the 2019 contest will have even more participation. Ms. Kindley agreed to take the lead on the tobacco-free policies/ordinance. Other ideas she is working on are:

- increasing the email base the town has for sending out information to residents
- reaching out to the elementary school and local churches to explore opportunities to work with them
- holiday light contest
- pitch/hit/run competition

*Work to improve relations with the fire department -- John Biggers has had informal meetings with Chief Andy Williams and Assistant Chief Brian Austin to open up communications and let them know that if they have anything they need to talk to the Council about they can come to him or anyone on the Council.

*Revisit and update town codes and policies -- Mayor Thomas stated that the flood ordinance will be updated for review in August.

Council Comments

Patricia Kindley stated that she would like to have a representative come to the August meeting to give a presentation regarding the pitch/hit/run competition.

Jerry Clontz reported that the bill for the plumbing services for the water leak was \$1,200.00. He also purchased a blower to clean steps and play area. He spoke with Chief Andy Williams, Fairview Fire & Rescue about watering the BMP because grass is starting to die and the BMP must be kept green.

Mayor Thomas announced that Patricia Kindley was awarded the Order of the Long Leaf Pine by the governor on June 29th.

Mayor Thomas announced that there would be a drop-in question and answer session in the Council meeting room on July 10th from 5-7 PM hosted by Union County and NCDOT regarding the roundabouts scheduled on Hwy. 218. Mayor Thomas stated that NCDOT requested his input regarding traffic improvement projects in Division 10 which he forwarded and subsequently received their appreciation for his input. Mayor Thomas is also continuing to stay in contact with NCDOT and the Sheriff's Department regarding their monitoring of Hwy. 218

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

Respectfully submitted,

Teresa Gregorius
Town Clerk

Phil Thomas
Mayor

Approved this 13th day of August, 2018