

**Town of Fairview
Regular Meeting
March 10, 2014**

The following Council members were present: Mayor Elizabeth Long, Bradley Purser, Jerry Clontz, John Biggers and Arnold Price.

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

Agenda Change

Mayor Long stated that she had been contacted by Rodd Price with the Piedmont Booster's Club and they would like to make a presentation to the Council.

Jerry Clontz made a motion to add this presentation to the agenda under Public Comments. Arnold Price seconded the motion. Councilmen Price, Purser, Clontz and Biggers voted yes (4-0).

Public Comments

Greg Morgan, 6508 Morgan's Cove Road, 28110, spoke to the Council, stating that he would enjoy serving on the Planning Board but only to replace a vacated seat.

Presentations

Rodd Price made a presentation as a representative from the Piedmont High School's Booster's Club, asking the Town to assist in funding the cost of trash cans at the new school stadium. The cost of the trash cans will be \$7,996.00. Remona Griffin, President of the Booster's Club, explained the money in the club's account and what the money would be used for. (Required Town funding Application – complete and in Clerk's office).

John Biggers made a statement of support. Arnold Price had no problem with it. Tony Helms spoke in support. Patricia Kindley stated that supporting the Booster Club was important to our young people, their activities and our future.

Arnold Price made a motion to fund the request from the Piedmont Booster's Club up to \$8,000 to purchase trash cans. Bradley Purser seconded the motion. Councilmen Biggers, Clontz, Purser and Price voted yes (4-0).

Reports

Darrell Baucom gave the monthly financial report.

Ed Humphries Land Use Administrator gave the zoning permit report and the tax collection rate for the year.

Jerry Clontz presented the fire department project report, stating that a meeting was planned for the near future.

Tony Helms gave the report from the Union County-Monroe Economic Development Commission. Helms stated that the Commission heard what was going on in Fairview and stated that it was proactive. The Commission is still working behind the scenes, trying to get the School Board and County Commission together on the court settlement.

Jerry Clontz stated that he and B.B. Haigler met with Vonda Martin of the PARTF Commission's staff to view the park site. Jerry Clontz asked the Clerk to obtain the names and contact information of the PARTF Commissioners. Jerry also stated that he would attend the "Elected Officials Chamber Meeting" to gain support for the park.

New Business

Conduct a Public Hearing on TC-14-003 to add a "Conditional Use Permit" option to the "Table of Uses" under RA-40 in the following use:

'Truck Terminal or Tractor Trailer
Transfer Companies / Transfer Lots'

Mayor Long opened the Public Hearing. Ed Humphries explained the Request for the change stating that there had been a conditional use request resulting from a use violation on a piece of property on Concord road. Humphries stated that without this change, the applicant would not have the opportunity to ask for a permit for this use. There is not a conditional use option under RA-40 for this use.

Mayor Long stated that she had talked to David Owens (NC School of Government) about 'spot zoning' and it is permitted as long as the rezoning is responsible and prudent. She had also talked to Chris Plate about some agricultural- industrial zoning that might be possible in the future.

- Greg Morgan lives close the subject property and is in favor of the change to keep the business in place.
- Doug Buchannan, Heritage Lane, explained his experience as a P.E. with Mecklenburg County. He stated that Residential Use and Trucking Lots are not compatible. He does not support the change.
- Carol Gordon stated that we should not hurt small business operating in Fairview. This business should have been grandfathered. She supports spot zoning if it would be a way to save the business.

Jerry Clontz stated he would like to see all of highway 601 commercial.

Humphries stated that changing the ordinance allowing this change would not be 'spot zoning'. The Council had always (at least in the five years Humphries had been in this

position) preferred a conditional use permit for zoning changes rather than 'straight up' zoning. If the Council would prefer more 'straight zoning'---that is a Council Decision.

Arnold Price stated that he doesn't want to penalize the business.

- Mike Morgan stated he lived 3200 feet from the property and he saw no problem with the business.
- Mary Lou Starnes asked if doing this would open the door for businesses like Anderson Health Services.

Chairman Thomas, Planning Board, stated what the Planning Board's reasoning and supplied information on both sides of the issue. The Planning Board does not support the change. (6-1 vote not to recommend)

Arnold Price asked a question about the Conditional Use Permit.

Jerry Clontz suggested that we table the requested Text Change so that the Planning Board could look at other options.

Mayor Long continued the Public Hearing for 90 days (July 14, 2014).

Bradley Purser made a motion to continue the public hearing until Monday night, July 14, 2014 (Council's regular meeting).

Jerry Clontz seconded the motion. Councilmen Clontz, Purser, Price and Biggers voted yes (4-0).

Future Land Use Plan

Chairman Phil Thomas, Planning Board, stated that the Planning Board would like to review the Land Use Plan and make recommendations to Council if changes need to be made. Jerry Clontz made the comment that the plan needs review.

Jerry Clontz made a motion to have the Planning Board review the Land Use Plan and make recommendations to Council concerning changes, if needed. Arnold Price seconded the motion. Councilmen Clontz, Price, Purser and Biggers voted yes (4-0).

Small Area Plan Meetings

The Council discussed future public meetings regarding the Plan.

Arnold Price stated he would like Richard Flow to meet with the Council first before future meetings.

Mayor Long stated she would like the Plan to be put into phases.

Bradley Purser stated that Richard. Flowe had wanted to present the Plan to the Council first and then make the presentations to the public. This was not done correctly.

Jerry Clontz made a motion to wait for Richard Flowe to report to us at our next meeting and then schedule future public meetings, if needed.

Arnold Price seconded the motion. Councilmen Clontz, Price, Purser and Biggers voted yes (4-0).

Council Comments

Mayor Long stated that work on the bridge would start next week (March 17, 2014) and the bridge would be closed for approximately a year. Detours will be in place.

Bradley Purser asked the Land Use Administrator if zoning fees were charged to churches. Humphries stated yes. Bradley asked Attorney Joe McCollum to review to see if we had to charge fees to churches. If not, he would like **not** to charge them. Joe McCollum will report at the next meeting.

Minutes

Bradley Purser made a motion to approve the minutes of the February 10, 2014, as presented. Jerry Clontz seconded the motion. Councilmen Clontz, Purser, Price and Biggers voted yes (4-0).

Adjournment

Jerry Clontz made a motion to adjourn. Arnold Price seconded the motion. Councilmen Clontz, Biggers, Purser and Price voted yes (4-0).

Respectfully submitted,

Ed Humphries
Town Clerk

Elizabeth Long
Mayor

Approved this 9th day of June, 2014.