



**Town of Fairview
Regular Town Council Meeting
May 11, 2021**

The following Council members were present: Mayor Phil Thomas, John Biggers, Patricia Kindley, and Gary Wilfong. Jerry Clontz arrived at 6:35 PM

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

Agenda Changes

Mayor Thomas added the following to the agenda:

- Presentation on critical intersection program
- Vote on the critical intersection
- Discuss Union County Community Development Block Grant

Approval of Agenda

Patricia Kindley 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

Bjorn Hansen, Senior Planner, Union County, presented the two design options for the critical intersection at Hwy. 601 and Brief Road. After studies and public input, the roundabout has been chosen as the best option.

Public Comments

None

Consent Agenda

- a) Financial and Tax Reports--- *Report Accepted as Information (including Pending Bills documentation provided at meeting)*
- b) Land Use Report---*Report Accepted as Information*

- c) Fund Balance Worksheet 2020-2021 --- *Report Accepted as Information*
- d) Fairview Park Event April Draft Minutes (*No April Meeting*)
- e) Fairview Park Facility April Draft Minutes (*No April Meeting*)
- f) Planning Board April Draft Minutes (*Minutes Accepted as Information*)
- g) Approve Council Minutes for April 13, 2021
- h) Approve Council Retreat Minutes for February 27, 2021
- i) Approve Council Budget Workshop Minutes for April 27, 2021
- j) Fire Suppression Contract with Fairview Fire & Rescue
- k) Resolution Opposing Proposed Zoning Reform SB 349/HB 401
- l) Memorial Day Proclamation 2021
- m) Approve 25 MPH Speed Limit Ordinance #01-2020 on Lester Mullis Road per NCDOT
- n) Approve 45 MPH Speed Limit on West Duncan Road per NCDOT
- o) Approve 45 MPH Speed Limit Ordinance #01-2021 on West Duncan Road per NCDOT

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

Items of Business

Item 1: Discuss/Approve Amendment to Fairview Nuisance Ordinance #TC-N21-036

Ed Humphries presented verbiage for amendment TC-N21-036:

As determined by the Fairview Land Use Administration or the Union County Sheriff's Department that noise from any motorized motor vehicle to include minibikes, four wheelers, cars with loud mufflers. This applies only to subdivisions with lots under 10 acres in size.

Mayor Thomas to open Public Hearing

Public Comment: Alexander Karakosta regarding subdivision verbiage

Mayor Thomas to Close Public Hearing

The Council discussed. Gary Wilfong made a motion to table the amendment. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 2: Review Update on Budget for Fiscal Year 2021/2022

Darrell Baucom presented the updated budget for fiscal year 2021/2022 with the following changes:

- Insurance Expense increase \$600
- Increase grass cutting at park by \$576

Mayor Thomas and Mr. Wilfong discussed honoring the fire department for all their work in lowering the ISO grade from 5 to 4 to enable residents' insurance rates to be lower. Mr. Wilfong suggested purchasing a bench and plaque and place in front of the flag poles for residents to watch the sunset at the park, approximate cost of \$2,000. Mr. Baucom will add a line item for Fire Department Grant for \$2,000.

Item 3: Approve Critical Intersection Design

The Council discussed the two designs (roundabout and turn lanes) proposed for the Hwy. 601 and Brief Road intersection. The Council discussed.

Gary Wilfong made a motion to approve the roundabout design for the Hwy. 601 and Brief Road intersection. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 4: Discuss Union County Development Block Grant

Mayor Thomas reported that Union County sent him an email asking Fairview to participate in the three-year Community Development Block Grant program. Patrick Niland, Union County Assistant County Manager, spoke to the Council in December 2020 regarding the program. The Council discussed.

Jerry Clontz made a motion to approve joining the Union County Community Development Block Grant program. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Council Comments

Jerry Clontz stated there was a cleanup day at the park on May 8th and some of the Piedmont High School band members helped. He stated that he would like to add a drive up to the new wooded future picnic area. He has received an estimate of \$2,500.00. The Council discussed and John Biggers made a motion to approve creating the drive up to the wooded area. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0). Mr. Clontz stated that the picnic tables will not be available until July.

Patricia Kindley noted that the park looks great after the cleanup day.

Mayor Thomas reported that he and Ed Humphries met with Terry Fox, with the state flood insurance program to audit Mr. Humphries and our flood ordinance program. The audit went well, and Mr. Fox will be sending Mr. Humphries his report in the next few weeks.

The town has only received one application for the Social Media Committee. If you would like to serve, please fill out an application and return to the Town Clerk.

Mayor Thomas reported that he attended a webinar on the American Rescue Plan through the NC League of Municipalities about securing federal monies for the town. Mayor Thomas and Darrell Baucom will be working on the paperwork needed to secure monies.

Gary Wilfong made a motion to go into closed session. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

CLOSED SESSION

Jerry Clontz made a motion to approve the agreement (see below) from the mediation between the Town of Fairview and E.C. Davis III. John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Davis' will enter into a consent order to provide as follows:

- 1. Davis' will refrain from any violations of the Fairview zoning ordinance at 1006 Lester Mullis Road, Indian Trail, NC*
- 2. Davis' shall pay a fine of \$15,000.00. \$5,000.00 payable at the time of Council approval and \$2,500.00 within 60 days, therefore. \$7,500.00 shall be stayed and shall not be payable unless the Davis' violate the zoning ordinance at 1006 Lester Mullis Road, Indian Trail, NC and then only after a hearing in the General Court of Justice that finds such violation.*

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

Respectfully submitted,

Teresa Gregorius
Town Clerk

Phil Thomas
Mayor

Approved this 8th day of June 2021