

**Town of Fairview
Regular Meeting
July 14, 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

Bradley Purser stated that he wanted to add a Closed Session to discuss Real Estate.

Ed Humphries stated he would like to add the Union County Drug Treatment Court grant application to #4 under 4/D.

Jerry Clontz made a motion to approve the agenda as amended. John Biggers seconded the motion. Councilmen Clontz, Purser, Biggers and Price voted yes (4-0).

Public Comments

None

Reports

Darrell Baucom gave the monthly financial report to include year end numbers. Baucom also stated he had received two statements from N*Focus, totaling \$1,755. \$325 of the invoice was for printing and \$1,430 for additional work asked for by the Mayor. Mayor Long stated that the contract stated that N*Focus had to provide an addendum and an hourly rate before charging the Town additional fees. Mayor Long stated she would talk with Mr. Flowe of N*Focus regarding the bill before paying. The printing bill of \$325 was authorized to pay.

Ed Humphries gave the Zoning Permit and Tax Report stating the tax collection rate for Fairview ending June 30 2014 is 99.05%.

Jerry Clontz gave the Fire Department Report, stating there were four companies to give the committee some plans showing three bays (six trucks) with approximate cost using the old fire department building to remodel including room for the Town office. The committee found out the old building was in good shape. The plans are to show the town and for department sharing training and meeting room. The committee is still discussing the financing of the building and feel the building should be on the fire department property. Clontz should have information in September.

Tony Helms gave the Monroe-Union Economic Development committees report explaining what was happening in Monroe.

Jerry Clontz also gave the Park and Recreation Report, stating that the Town had received a PARTF Matching Grant in the amount of \$317,500 for the Fairview Park. Clontz explained what the grant will pay for in the park. The Town will receive a contract from PARTF concerning the park which the Council will approve. The matching monies will be sent to the town as a reimbursement after the town expends \$317,500 on the park.

Clontz stated the Park Committee would need to meet twice a month to develop policies for and make decisions regarding the park. Clontz stated that he had also attended a “park” meeting with the County and learned what park policies would need to be developed for Fairview. The County would like to place a park in our area sometime in the future.

John Biggers asked if the Town needed to have a line item in the budget for the grant. Clontz stated that our match would be sent to the State and they would administer the money.

Clontz stated that he had asked Site Solutions to prepare a contract to administer the building of the park for Fairview and should have it next month.

Clontz stated that he would suggest using Site Solutions to help build the park.

John Biggers stated he had been to the park and it had really grown up. Clontz said that he would have bids next month to spray the park for undergrowth.

Mayor Long gave the CRTPO Report (Exhibit A).

Mayor Long stated that, in the future, all reports should be written to be included in the minutes.

Future Land Use Plan and Map

Phil Thomas, Chairman of the Planning and Zoning Board, explained the Revised Land Use Plan (written – Exhibit B) worked on by the Planning Board for several months.

Items added to the Plan:

1. Light industrial uses that provide employment opportunities to residents will also be considered along major corridors and in select nodes.

Addendum:

1. Conditional Use rezoning will be considered more favorably than general rezoning as a means to ensure compatibility of new development with surrounding areas.
2. The Town of Fairview encourages the reservation of land for parks and open space, and will seek the dedication of parkland or fees-in-lieu through the subdivision process.

3. The Town respects private property rights and does not intend to employ eminent domain power for any purpose related to the private development of land.

The map was also explained; showing where the Planning Board thinks future development should be (Exhibit C – Land Use Map).

Changes include:

1. Light Industrial area added in the northern part of town
2. Highway Corridor added on Highways' 601 and 218.
3. Additional areas added in B-4
4. Adding a B-4 area at the corner of 218 and Sikes Mill Road

Chairman Thomas stated that if and when development happens, this is where the Planning Board thinks it should happen.

Chairman Thomas stated that the Planning Board recommends these changes and recommends the Council call a Public Hearing to receive Public comments.

Bradley Purser made a motion to call a Public Hearing to receive Public Comment on the proposed changes to the "Land Use Plan" to be conducted at the Town Council's Regular Meeting on August 11, 2104 at 7:00 p.m.

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

Discussion of Noise Ordinance

Attorney Joe McCollum gave his opinion concerning the Town Noise Ordinance in relation to public comments regarding noise levels at special events at Scoggins Farms. Sound measured by a meter and enforcement were two main issues (Exhibit D). Mayor Long had a question about how the County looked at "Bona Fide" farms. Mayor Long stated that the Town should enforce our ordinance which has a provision for a Special Use Permit for special events. Mayor Long also stated that she thought the permit process covered the rodeo event.

Arnold Price stated that he feels we are opening a "can of worms"

John Biggers asked if we now asked for a special use permit now, would we be asking for legal problems.

Arnold Price stated people should call the law if there is a noise problem and not involve the town.

Bradley Purser asked about "Bona Fide" farms and their uses

Joe McCollum stated that it may take the court to decide what a farm can do without obtaining a permit.

No action was taken and the item is scheduled to be on next month's agenda after further research.

Decisions on Grant Request

Council has received grant requests from the following groups:

1. Turning Point – request \$2,000
Bradley Purser made a motion to give Turning Point \$2,000. The motion failed due to lack of second.
Arnold Price made a motion to reject this request. The motion failed due to lack of second. John Biggers made a motion to give Turning Point \$500. Jerry Clontz seconded the motion. Councilmen Clontz, Biggers and Purser voted yes. Councilman Price voted no. The motion passed (3-1).
2. Safe Alliance – request \$1,000
Arnold Price made a motion to reject the grant request. The motion failed due to lack of second. John Biggers made a motion to give Safe Alliance \$500. Jerry Clontz seconded the motion. Councilmen Clontz, Biggers and Purser voted yes. Arnold Price voted no. Motion passed (3-1).
3. Generations United, Inc. – request \$5,000
Jerry Clontz made a motion not to fund Generations United. Bradley Purser seconded the motion. Councilmen Purser, Biggers, Clontz and price voted yes (4-0).
4. Union County Drug Treatment Foundation
Jerry Clontz made a motion to give Union County Drug Treatment Foundation \$500. Bradley Purser seconded the motion. Councilmen Purser, Clontz and Biggers voted yes. Councilman Price voted no. Motion passed (3-1).

Minutes

The minutes for the June 9, 2014 Council meeting were tabled. These minutes will be placed on the August, 2015 agenda.

The minutes for the Meetings of April 14, 2014 and April 28, 2014 were approved again after corrections. Bradley Purser made a motion to approve the above minutes. John Bigger seconded the motion. Councilmen Biggers, Price Purser and Clontz voted yes (4-0).

Council Comments

Jerry Clontz stated that the Town may have to pay more in taxes if a Fire Department is built. Clontz stated that more income is needed and we are not sure what the County will do.

Clontz has asked people in town if they would pay more in taxes if it went to a fire station, and the indication he received was positive.

Bradley Purser stated that he would not support any tax increase for Fairview.

Mayor Long stated that we should look into the fire tax.

Bradley Purser stated that he would have the President on the Fire Department Board and the Fire Chief come to a Council meeting and explain the fire tax as compared to the fire tax.

Bradley Purser stated that with a fire tax, everyone would pay on tax value of their property.

John Biggers asked, "How much are we looking for?"

Jerry Clontz stated that one option would be a \$12,000 per month payment at a two and one half percent rate loan. If the Town paid that, it could not continue the \$30,000 grant that the Town gives the Fire Department each year.

John Biggers asked about the Cable rezoning and where we were with their request.

Humphries stated that the planning board was waiting for the land use plan to be approved by the Council before hearing the application again.

Bradley Purser stated that the procedure by which off duty officers are selected. Purser stated that he would not apply for off duty work, if Fairview was involved.

Mayor Long stated that the Council would now go into Closed Session.

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

Respectfully submitted,

Ed Humphries
Town Clerk

Elizabeth Long
Mayor

Approved this 11th day of Aug. 2014.

