

**MINUTES OF THE REGULAR MEETING
OF THE REIDSVILLE CITY COUNCIL
HELD TUESDAY, SEPTEMBER 11, 2018 AT 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL**

CITY COUNCIL MEMBERS PRESENT:

Mayor John M. “Jay” Donecker
Mayor Pro Tem Harry L. Brown
Councilmember Terresia Scoble
Councilman Donald L. Gorham
Councilman William Hairston
Councilwoman Sherri G. Walker

COUNCIL MEMBERS ABSENT:

Councilman James K. Festerman
*(The Councilman was present for the
Reconvened Meeting)*

CITY STAFF PRESENT:

Preston W. Mitchell, City Manager
Angela G. Stadler, CMC, City Clerk
William F. McLeod, City Attorney
Chris Phillips, Assistant City Manager
of Administration/Finance Director
Haywood Cloud, Assistant City
Manager of Community Services
Chuck Smith, Public Works Director
Donna Setliff, Community
Development Manager
Jeff Garstka, Economic Development
Director
Lindsey Tuttle, Public Services
Superintendent
Pat Knowles, Solid Waste
Superintendent
Missy Matthews, Main Street Manager

Mayor Donecker called the meeting to order.

INVOCATION.

Pastor Jonathan Brake of Woodmont United Methodist Church, 1926 Richardson Drive, Reidsville, provided the invocation.

PRESENTATION OF THE FLAGS BY THE REIDSVILLE FIRE & POLICE DEPARTMENTS IN REMEMBRANCE OF 9/11 & PLEDGE OF ALLEGIANCE.

Mayor Donecker noted that, here on 9/11, members of the Reidsville Fire Department and Police Department would be presenting the colors. He said it is an honor for a city of Reidsville's size to have such a Color Guard and have members of both departments participating in remembrance activities at the beginning of the day and at the end.

Members of the Fire and Police Departments then came forward, presenting the flags and leading in the Pledge of Allegiance.

Following the pledge, Council members then moved on to the Consent Agenda.

APPROVAL OF CONSENT AGENDA.

Councilman Gorham made the motion, seconded by Councilman Hairston and unanimously approved by Council in a 6-0 vote, to approve the Consent Agenda.

CONSENT AGENDA ITEM NO. 1 – APPROVAL OF THE AUGUST 14, 2018 REGULAR MEETING MINUTES.

With the approval of the Consent Agenda in a 6-0 vote, the Council approved the August 14, 2018 Regular Meeting Minutes.

APPROVAL OF BUDGET ORDINANCE NO. 3 ESTABLISHING THE REVENUE ACCOUNT TO RECEIVE FUNDS FOR THE PREVIOUSLY APPROVED ASSET INVENTORY ASSESSMENT GRANT.

With the approval of the Consent Agenda in a 6-0 vote, the Council approved Budget Ordinance Amendment No. 3. In his memo to Council, Assistant City Manager of Administration/Finance Director Chris Phillips noted that City had been awarded an Asset Inventory Assessment Grant of \$150,000, which Council had accepted at their last meeting. The Budget Ordinance Amendment sets up the revenue account to receive those funds and the corresponding expense account to spend those funds.

Budget Ordinance Amendment No. 3 as approved follows:

BUDGET ORDINANCE AMENDMENT NO. 3

WHEREAS, the Mayor and City Council of the City of Reidsville adopted a budget ordinance on June 12, 2018 which established revenues and authorized expenditures for fiscal year 2018-2019; and

WHEREAS, since the time of the adoption of said ordinance, it has become necessary to make certain changes in the City's budget to accept an sewer fund asset inventory and assessment grant and to appropriate funds for related expenditures;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Reidsville that the budget ordinance as adopted on June 12, 2018 is hereby amended as follows;

Section 1. That revenue account number 62-3491-0000, Grants, be increased by \$150,000.00.

Section 2. That expense account number 62-7131-1911, Services – Master Plan, be increased by \$150,000.00.

This the 11th day of September, 2018.

/s/ _____
John M. “Jay” Donecker
Mayor

ATTEST:

/s/ _____
Angela G. Stadler, CMC/NCCMC
City Clerk

- End of Consent Agenda -

PUBLIC HEARINGS:
CONSIDERATION OF AN ORDINANCE TO EXTEND THE CORPORATE
LIMITS OF THE CITY OF REIDSVILLE TO INCLUDE APPROXIMATELY
SIX ACRES OF LAND LOCATED OFF OF PECAN ROAD AND WEST
HARRISON STREET. (A2018-04)

In making the staff report, Community Development Manager Donna Setliff noted that Darrell Purgason, on behalf of the Church of the Living God, was voluntarily requesting that the City annex six acres located off of Pecan Road. This is a contiguous annexation, she said, noting that a small portion of the property is already in the Reidsville city limits.

Staff has found the petition to be valid and recommends approval of the Ordinance to Extend the Corporate Limits following the public hearing.

Mayor Donecker opened the public hearing at 6:05 p.m. With no one coming forward, the public hearing was closed at 6:06 p.m.

Councilman Gorham made the motion, seconded by Councilman Hairston and unanimously approved by Council in a 6-0 vote, to approve the Ordinance to Extend the Corporate Limits of the City of Reidsville to include approximately six acres of land off of Pecan Road and West Harrison Street.

The Ordinance as approved follows:

**AN ORDINANCE TO EXTEND THE
CORPORATE LIMITS OF THE
CITY OF REIDSVILLE, NORTH CAROLINA
Located off of Pecan Road & West Harrison Drive**

WHEREAS, the City Council has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at City Council Chambers, 230 West Morehead Street, at 6:00 P.M. on Tuesday, September 11, 2018, after due notice by publication on Sunday, August 26, 2018; and

WHEREAS, the City Council finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Reidsville, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the City of Reidsville as of October 31, 2018:

Being Lots #30, 31, 32, 33 and 34 as per Map #1 of L.L. Proctor Estate as recorded in Map Book 7, Page 59 in the Rockingham County Registry, being more particularly described as follows:

Beginning at an iron on the west margin of the dirt road leading form N.C. Highway No. 87 to Vance Street Extension which said road passes just westerly from the North Carolina Broadcasting Company Radio Station and tower, and which beginning point is in the Southern line of the property formerly belonging to L.L. Proctor and in the Northern line of the Roberts property and which beginning point is southeasterly along said dirt road approximately 951 feet from the south margin of N.C. Highway No. 87; thence running with the line of Robert North 56 deg. 00 min. West 278.10 feet more or less, to an iron point a new corner; thence North 9 deg. 46 min. West 42.24 feet to an iron, a new corner; thence North 80 deg. 14 min. East 200 feet to a point in the west margin of said dirt road; thence along the west margin of said dirt road South 9 deg. 46 min. east 234.95 feet to an iron, the point of beginning. (H&W 86-4-211)

Section 2. Upon and after October 31, 2018, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Reidsville and shall be entitled to the same privileges and benefits as other parts of the City of Reidsville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Reidsville shall cause to be recorded in the office of the Register of Deeds of Rockingham County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Rockingham County Board of Elections, as required by G.S. 163-288.1.

Adopted this 11th day of September, 2018.

/s/ _____
John M. "Jay" Donecker
Mayor

ATTEST:

APPROVED AS TO FORM:

/s/ _____
Angela G. Stadler, CMC/NCCMC
City Clerk

/s/ _____
William F. McLeod Jr.
City Attorney

**CONSIDERATION OF A REZONING FOR A PORTION OF PROPERTY
LOCATED AT 1825 BARNES STREET (Z 2018-2).**

In making the staff report, Community Development Manager Donna Setliff stated John Hauser, Jr. has requested that a portion of his property at 1825 Barnes Street be rezoned from Residential-12 to Highway Business. She said the property currently has a split zoning and Mr. Hauser has a business in the front portion and would like to have a commercial business in the rear as well. (SETTLIF'S MEMO DATED AUGUST 27, 2018 IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)

Setliff referenced the mix of numerous zoning districts, including residential within the neighborhood, and said if the property is rezoned to Highway Business and new development were to take place, it would require a buffer due to it being adjacent to several residential properties.

Setliff added that staff supports this rezoning, and that the Planning Board had favorably recommended approval to the City Council by unanimous vote and found the request reasonable, in the public interest and consistent with the City's Comprehensive Plan.

Mayor Donecker asked if there were houses on all surrounding properties referenced on the map. Setliff said yes, there are houses on almost all of the surrounding properties, especially on Drum Road and Little Road.

Councilmember Scoble expressed concern that Mr. Hauser is planning to develop the property with additional Highway Business zoning or, in the future, a shopping center. Setliff responded that, to her understanding, Mr. Hauser desires to make improvements to the existing structure on the rear of the property and establish a business there, but this text amendment would allow future development.

Mayor Donecker opened the public hearing at 6:10 p.m. (*At the end of the public hearing as Councilwoman Walker was offering a motion, it was noted that someone wished to speak so the public hearing was extended.*)

Mr. Henry “Jay” Patterson of 170 Penny Lane, Reidsville, came forward representing the property owner, Mr. John Hauser Jr. Mr. Patterson said Mr. Hauser, who is 85 years old and very busy, had asked him to attend tonight’s meeting and answer any questions should they arise. He stated Mr. Hauser’s intention is to improve the existing shelter and possibly rent the rear of the property to a lawn care business owner. Mr. Patterson spoke in favor of the rezoning of the property and stated Mr. Hauser’s heirs, at some point, may come back and want to develop the property, but at this time, he is not aware of other plans for such development.

The public hearing was closed at 6:12 p.m.

Councilwoman Sherri Walker then made the motion, seconded by Councilmember Scoble and unanimously approved by Council in a 6-0 vote, to rezone 1825 Barnes Street from Residential-12 to Highway Business consistent with the City’s Comprehensive Plan and other adopted land use plans.

Referencing Mr. Hauser, Councilwoman Walker added may we all be so lucky to still have dreams and be working at the age of 85.

CONSIDERATION OF A REZONING FOR A PORTION OF PROPERTY LOCATED ON ELLIOTT ROAD. (Z 2018-3).

Community Development Manager Donna Setliff, while making the staff report, stated the North Carolina Department of Public Safety has requested 19.56 acres of a 48.8-acre tract at the end of Elliott Road be rezoned from I-2 Heavy Industrial to I-3 Heavy Industrial as outlined in her memo dated August 27. (A COPY OF SETLIFF’S MEMO IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) She said with a favorable approval of the rezoning, there will be a subdivision of property along the proposed zoning line. Setliff confirmed that the property is currently undeveloped with some woods, but is mostly cleared land. She commented the property has a small amount of road frontage on Rockingham Drive but will be accessed eventually from Elliott Road.

Setliff detailed that the difference between I-2 Heavy Industrial and I-3 Heavy Industrial is the uses allowed. She commented that currently the only use allowed in I-3 Heavy Industrial is Youth Development Centers with approval by a Special Use Permit (SUP). Setliff said the Comprehensive Plan shows the area as industrial and supports the rezoning of this property as it remains an industrial zoning classification. She said the roadway is sufficient for industrial growth and has sufficient access to US 29/I-785. Setliff stated staff supports this rezoning, and the Planning Board recommended approval to the City Council by unanimous vote and found the request is reasonable, in the public interest and consistent with the City's Comprehensive Plan.

Mayor Donecker asked Setliff what can be done to assure that this property, in its entirety, is retained within the City limits of Reidsville. Setliff explained that would be addressed during the next item on tonight's agenda.

Mayor Donecker opened the public hearing at 6:16 p.m.

Mr. Jay Matey of the Timmons Group, located at 8642 W. Market Street in Greensboro, representing the NC Department of Public Safety, came forward and related detailed information regarding the rezoning. He stressed that the rezoning of the property only involves the 19.56 acres and is consistent with the City of Reidsville's Comprehensive Plan. He offered to answer any questions the Council members might have.

With no questions from City Council, the public hearing was closed by the Mayor at 6:18 p.m.

Councilman Hairston made the motion, seconded by Councilman Gorham and unanimously approved by Council in a 6-0 vote, to rezone 19.56 acres of a 48.8-acre tract at the end of Elliott Road from I-2 Heavy Industrial to I-3 Heavy Industrial with the rezoning being reasonable, in the public interest and consistent with the City's Comprehensive Plan and other adopted land use plans.

CONSIDERATION OF A SPECIAL USE PERMIT FOR A YOUTH DEVELOPMENT CENTER FOR PROPERTY LOCATED ON ELLIOTT ROAD (SP 2018-3).

Community Development Manager Donna Setliff came forward saying that Mr. Jeffrey O'Briant, on behalf of the NC Department of Public Safety, is requesting a Special Use Permit (SUP) be issued for a Youth Development Center on property at the end of Elliott Road and that Youth Development Centers are allowed in I-3 Heavy Industrial Districts. She said the center can house as many as 60 clients until their 21st birthday.

Setliff said the applicant has submitted a concept drawing of the property, which is 19.56 acres and exceeds the 10-acre requirement of the Special Use criteria. She described numerous details regarding the permit requirements, all of which would be met as outlined in her memo dated August 27, 2018 (A COPY OF SETLIFF'S MEMO DATED AUGUST 27, 2018 IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) Setliff said requirements as well as provisions for water and sewer are being

made with the expectation of the entire property being annexed into the City. She added the applicant has imposed two conditions, which include the preservation of existing trees along the US-29/Future I-785 within 25 feet of the right-of-way and that no project signage shall be visible from US-29/Future I-785.

Setliff commented that the site offers easy access to US 29/Future I-785 as families, counselors and supporting staff will be traveling to this location and will be adding an economic boost to the area. She said it is recognized that there are several dwellings on Elliott Road and that the front of the Development Center will closely resemble a school or an office building. She noted there is a 25-acre tract beyond the end of the Elliott Road right-of-way and, therefore, to allow for future development, staff is proposing a condition that the developers add additional right-of-way extending at least 100 feet into the property so the property would not be landlocked.

Setliff said Council must be made aware of certain Findings of Fact regarding the property with it being the responsibility of the applicants to provide evidence and materials that will allow the Council to take appropriate action. She added that Council may choose to recommend conditions on the application to ensure that the proposed project meets the intent of the Zoning Ordinance.

She referenced the Findings of Fact listed in the Council packets and reviewed the four additional conditions mentioned previously while noting the fifth condition added by the Planning Board states the developers shall voluntarily annex the property into the Reidsville City Limits. She reported the Planning Board has considered the application and voted unanimously in favor of recommending the action to Council and also agreeing with a unanimous vote in favor of the Special Use Permit for the Youth Development Center with stated conditions.

Councilwoman Scoble asked if this voluntary annexation would include the whole 48.8 acres or just the 19.56 portion where the Center would be located. Setliff stated the intent is for it to be the entire 48.8 acres and that the ordinance can be amended to clarify that intent if Council members so desired.

Prior to the public hearing, City Clerk Angela Stadler swore in Mr. Jay Matey, Mr. Robert Gron and Setliff.

Mayor Donecker opened the public hearing at 6:25 p.m.

Mr. Jay Matey with the Timmons Group, located at 8642 W. Market Street in Greensboro, came forward and referenced a handout given to Council members, which is a status elevation of what the building will look like. (A COPY OF THE HANDOUT IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) He said it is not the final drawing but will show that the Youth Development Center looks similar to a school. Mr. Matey detailed the plan to construct a one-story, 60-bed facility on the center of the 19.56 acre property, with extensive landscaping while retaining many of the existing trees and scrubs and described the parking for the Center.

Mr. Matey addressed and clarified individually the four Findings of Fact as follows:

- (1) that the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved; -- *Mr. Matey noted the buffers, setbacks and operational security features will be aesthetically pleasing and not be a public safety hazard.*
- (2) that the use meets all required conditions and specifications; -- *Mr. Matey added all required Special Use Permit conditions will be met and they will be incorporating the five additional conditions into this project.*
- (3) that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; -- *Mr. Matey said this use will not be an eyesore and stressed the facility will a development of high quality to enhance the surrounding areas. It will resemble a school or library in appearance, complementing the surrounding commercial, industrial and residential property owners and when completed, will be of benefit and offer a service to the citizens of North Carolina.*
- (4) that the location and the character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Plan for Reidsville and its surroundings. -- *Mr. Matey reiterated the development will be in harmony with the surrounding properties.*

Mr. Matey then introduced Mr. Robert Gron of 2020 Yonkers Road, Raleigh, who is with the NC Department of Public Safety.

Mr. Gron, an Engineer with the Department, came forward. He offered the regrets of the Deputy Secretary of the Department of Juvenile Justice William Lassiter and Director of Operations Jim Spate, who were overseeing some evacuations due to Hurricane Florence. He asked if Council had any questions they would like addressed. He briefly discussed the 60-bed youth development center, which he noted are significantly different than detention centers, and explained the history of such centers and how they came about through "Raise the Age" legislation in 2017. These centers are often the "last chance" for these youth, Mr. Gron explained, adding that they seek to let these youth know that society has not given up on them.

Councilman Gorham asked for clarification regarding the age of the youth that would be served at the facility. Mr. Gron said the Center would serve youth from the ages of 12-18 years of age with the remote possibility that, on occasion, they might have youth up to 21 years of age. He stressed those cases are rare and highly unusual. He said most of the youth would be primarily between 15-18 years of age.

Councilmember Scoble asked if there would be any opportunities for alternative energy sources, such as solar panels or rain water reservoirs. Mr. Gron stressed not at this time, but the Department is focusing on environmental sustainability and is working with Duke

Energy to receive credits by making energy improvements and taking energy saving measures.

Mayor Donecker expressed his appreciation at the excellent level of communication they have received over the past few months from Deputy Secretary Lassiter and his staff.

Also, during the public hearing, Ms. Mary Neal of 143 Monticello Drive, Reidsville, approached the podium and asked if the term “Developmental Center” is synonymous with the term “Detention Center”? Mayor Donecker responded that these youth offenders will be detained on site, unable to leave, but it is called a Developmental Center with the focus on teaching vocational skills and heavy psychological work for them and their families with the intent that the youth can be incorporated back into society.

Ms. Neal also asked if youth as young as 10 years old would be detained at the Center? Mayor Donecker clarified that the primary age of these youth will be between 15-18 years of age.

Mr. Gron came forward and detailed the difference between a Detention Center and a Developmental Center, which the proposed facility is. He said the Developmental Center focuses on vocational training, life skills and completing school. He also addressed her question regarding age. He said there could be youth as young as 10 years of age but that most will be between 15-18 years of age.

The public hearing was closed at 6:40 p.m.

Mayor Donecker then stated the four Findings of Fact and asked a vote on each individual finding:

- (1) that the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved; -- **Approved 6-0**
- (2) that the use meets all required conditions and specifications; -- **Approved 6-0**
- (3) that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and, -- **Approved 6-0**
- (4) that the location and the character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Plan for Reidsville and its surroundings. -- **Approved 6-0**

Mayor Donecker then asked for a motion on the Special Use Permit with the five conditions as outlined here and asked that the motion also include the wording “annex the entire property into the City limits”.

Councilman Gorham made the motion, seconded by Councilwoman Walker and unanimously approved by Council in a 6-0 vote, to approve the Special Use Permit, including the five conditions with the rewording of annexation of the entire property.

The revised Special Use Permit as approved follows:



SPECIAL USE PERMIT REIDSVILLE, N. C.

There is hereby granted to NC Department of Public Safety, a Special Use Permit in accordance with the Reidsville Zoning Ordinance, Article V, Section 3 of the Reidsville Zoning Ordinance.

This permit is to allow a Youth Development Center on Elliott Road, specifically on a portion of Rockingham County Tax No. 8913-00-05-6601 with the following conditions:

Preserve existing trees along the US-29/Future I-785 within 25-feet of the right-of-way.

No project signage shall be visible from US-29/Future I-785.

All Special Use Criteria shall be met.

Dedicate additional right-of-way at the end of Elliott Road extending at least 100 feet into the neighboring property.

Developers shall voluntarily annex the entire 51.11 acre property into the Reidsville City Limits.

Said property is zoned Heavy Industrial I-3.

This Permit is granted to the person, firm, or corporation designated above, and for the purpose and under the conditions set forth above. The Special Use Permit will continue to remain valid following transfer of ownership of the property provided that circumstances and conditions remain as described at the time that the Permit is granted. Violations of the conditions set forth will be cause for immediate termination of the Permit.

AUTHORIZED this _____ day of _____,

2018, by the CITY COUNCIL OF REIDSVILLE, N. C.

/s/ _____

CITY CLERK
ANGELA G. STADLER

CONSIDERATION OF A RESOLUTION ALLOWING THE CITY OF REIDSVILLE TO APPLY FOR CDBG-I FUNDING TO CONSTRUCT A WASTEWATER COLLECTION SYSTEM PROJECT BENEFITTING LOW AND MODERATE INCOME RESIDENTS IN THE PROJECT AREA.

City Manager Preston Mitchell explained to Council that staff is recommending this application be delayed until 2019. In speaking with our contractor, it appeared at one time that it might be better to apply in 2018; however, they have now made some adjustments which make 2019 more favorable for us, the City Manager said. He said he felt it was better to wait.

With this decision made, it was noted that there was no need for a public hearing.

CONSIDERATION OF A RESOLUTION APPROVING THE ISSUANCE OF TAX-EXEMPT BONDS BY THE PUBLIC FINANCE AUTHORITY (WISCONSIN) FOR AN ASSISTED LIVING PROJECT WITHIN THE CITY AS MORE PARTICULARLY DESCRIBED IN SUCH RESOLUTION.

Mr. Jeffrey Poley, an attorney with Parker Poe law firm in Raleigh, came forward representing his client, Regional Housing & Community Service Corporation, a nonprofit organization wanting to build an assisted living facility on Swallow Road. The Corporation wants to fund the acquisition of the land and the building of the facility with tax exempt bonds through the Public Finance Authority out of Wisconsin as a common issuer of projects in North Carolina as outlined in his memo. (A COPY OF MR. POLEY'S MEMO DATED SEPTEMBER 4, 2018, IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) He detailed the intent to have 56 units with 75 beds which will create jobs, some 75 positions to provide care 24/7. He noted that there will be one staff person per every three people. He stressed that this will be mainly senior living, but that doesn't mean they wouldn't take in someone who had broken their leg, etc., in rehab-type situations. As a nonprofit organization, they are restricted in that their clients must be in the lower-to-middle income bracket, he added. Mr. Poley noted that federal laws require that the local folks have a say about the bond issue and the project. He said at the time in the 1980s, that was more about the possible location of nuclear plants and landfills than about assisted living. He asked Council to approve the project and bonds for it as set for in the Resolution in their packets.

Mayor Donecker opened the public hearing at 6:46 p.m. With no one coming forward, the public hearing was closed at 6:47 p.m.

Manager Mitchell noted that, also in Council members' packets, are a memo from the City Attorney stating his opinion that this would not affect our bond rating. He said the Assistant City Manager also contacted our bond counsel, which was asked to review and do a memo as well.

Mr. Poley interjected that he should have said that in the Resolution, it says the City has done its due diligence and it won't cost you anything. The Mayor said we appreciate it.

Councilman Gorham made the motion, seconded by Councilwoman Walker, to approve the Resolution.

Mayor Donecker clarified that the Resolution does provide that 1) the bonds do not constitute a debt of the City nor a charge against its general credit or taxing power; and 2) the bonds are not an obligation or liability of the City.

The motion then passed in a 6-0 vote.

The Resolution as approved follows:

A RESOLUTION

REGARDING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS ASSISTED LIVING REVENUE BONDS, IN ONE OR MORE SERIES, IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$15,000,000, FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION AND CONSTRUCTION OF CERTAIN ASSISTED LIVING FACILITIES LOCATED IN THE CITY; AND OTHER RELATED MATTERS.

WHEREAS, the Public Finance Authority ("Authority"), a State of Wisconsin commission, acting by and through its Board of Directors, is authorized and empowered under and pursuant to the provisions of Sections 66.0301, 66.0303 and 66.0304 of the Wisconsin Statutes, as amended ("Act"), to issue bonds and enter into agreements with public or private entities for the purpose of financing capital improvements located within or without the State of Wisconsin and owned, sponsored or controlled by a participant, as defined in the Act;

WHEREAS, Reidsville Property Holdings, LLC and Reidsville Health Holdings, LLC, each a North Carolina limited liability company, the sole member of each is Regional Housing & Community Services Corporation, a California nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended ("Code") (collectively, "Borrower") has applied to the Authority to issue its Assisted Living Revenue Bonds ("Bonds") in one or more series in an aggregate principal amount of \$15,000,000, which will be loaned to the Borrower to (i) finance or refinance (a) the acquisition of land, certificates of need, licenses (b) certain predevelopment expenses, and (c) construction of, or improvements, to an approximately 38,797 square foot, 56 unit (75 beds) assisted living facility located at 2605 Swallow Road, Reidsville, Rockingham County, North Carolina 27320 (collectively,

the "Project") and (ii) pay certain fees and costs associated with the issuance of the Bonds;

WHEREAS, the Project will be initially owned and operated by the Borrower;

WHEREAS, the Borrower anticipates that the Project will benefit the City of Reidsville, North Carolina ("City"), generally and, in particular, by providing affordable, decent, safe, and sanitary housing and assisted living facilities for people from the City and surrounding areas;

WHEREAS, pursuant to Section 66.0304(11)(a) of the Wisconsin Statutes and Section 4 of the Amended and Restated Joint Exercise Power Agreement Relating to the Public Finance Authority dated as of September 28, 2010 (collectively, "Authority Requirements") and Section 147(f) of the Code and Treasury Regulations Section 5f.103-2(f), as amended (collectively, "Federal Tax Requirements"), prior to the issuance of the Bonds by the Authority, and after a public hearing held following reasonable public notice, the Borrower has requested the City Council of the City ("Council"), as the highest elected representatives of the City, the governmental unit having jurisdiction over the area in which the Project is located, to approve the Authority's issuance of the Bonds and the financing the Project in the City;

WHEREAS, on this date, prior to any deliberations regarding this Resolution, the City held a public hearing at which all interested persons have been given a reasonable opportunity to express their views on the location of the Project, the issuance of the Bonds and other related matters. The public hearing was duly noticed by publication, attached as Exhibit A, in a newspaper having general circulation in the City, not less than 14 days prior to the date hereof; and

WHEREAS, at the Borrower's request, the Council now desires to approve the Authority's issuance of the Bonds and the financing of the Project in order to satisfy the Authority Requirements and the Federal Tax Requirements.

NOW, THEREFORE, BE IT RESOLVED by the Council as follows:

Section 1. Based solely on information provided to the City by the Borrower, it is hereby found, determined and declared that (a) the Project is anticipated to benefit the general public welfare of the City by providing affordable, decent, safe and sanitary housing and assisted living facilities, and (b) the Project and the Bonds will give rise to no pecuniary liability of the City, or a charge against its general credit or taxing power.

Section 2. As required by and in accordance with the Authority Requirements and the Federal Tax Requirements, the Council, as the applicable elected representatives of the governmental unit having jurisdiction over the area in which the Project is located, approves the Authority's issuance of the Bonds and the financing of the costs of the Project in the City solely for the Authority Requirements and the Federal Tax Requirements..

Section 3. The City has no responsibility for the payment of the principal of or interest on the Bonds or for any costs incurred by the Borrower with respect to the Bonds or the Project. The City pledges neither its taxing power nor revenues for the

Bonds. The City makes no representation as to the completion or success of the Project.

Section 4. All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force and effect from and after its adoption.

Adopted this 11th day of September 2018.

/s/ _____
John M. "Jay" Donecker, Mayor, City of Reidsville, NC

By: /s/ _____
Angela G. Stadler, City Clerk
City of Reidsville, North Carolina

CONSIDERATION OF A TEXT AMENDMENT TO INCORPORATE FOOD TRUCKS/TRAILERS AND PUSHCARTS IN THE PERMITTED USE TABLE OF THE ZONING ORDINANCE AND RELATED FEE. (T 2018-8).

In making the staff report, Community Development Manager Donna Setliff stated the City's Community Development and Economic Development Departments have been working closely with the Reidsville Chamber of Commerce to develop a Food Truck/Trailer and Food Pushcart Ordinance to incorporate into the City's Zoning Ordinance. She stated members will find a proposed text amendment in their packets requesting the allowance of food trucks/trailers in the Central Business, General Business, Office and Institutional, Light Industrial and Heavy Industrial Zoning Districts and further proposes to allow food pushcarts in Central Business, General Business, Highway Business, Light Industrial and Heavy Industrial districts. She noted that staff had heard from the restaurant owners among the Chamber membership in preparing the development criteria. The Chamber had held several meetings attended by staff and listened to the concerns of other restaurant owners along with finding out what other cities in North Carolina have done, the Community Development Manager said.

Setliff detailed the development criteria as outlined in her memo, which address the following: requiring the food truck/trailer or pushcart to hold a Rockingham County Health Permit, which was heard very strongly from restaurant owners; provide documentation that they have permission to park at said location; provide a site plan assuring that they are located the required distance from certain amenities, such as another restaurant (100 feet), fire hydrant or driveway entrance (both 15 feet), adding that they also cannot park in handicapped spaces and must be at least 500 feet away from special events; places responsibility of trash and grease removal on the vehicle owner; prohibits outdoor seating and tables; prohibits audio amplification; and requires business owner to have general liability insurance when locating on City-owned property, such as a parking lot. They could not be in City rights-of-way unless it was part of a special event, and they had an event permit, Setliff explained. (A COPY OF SETLIFF'S MEMO DATED AUGUST 27, 2018 IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)

The Community Development Manager explained that the text amendment does not address permit fees because those fees are included in the City's Code of Ordinances. However, she will be asking later in the meeting for Council to consider amending the City's Fee Schedule.

Setliff concluded by noting that included in the Council members' packets is a letter of support from the Chamber of Commerce. She also noted that the Planning Board had unanimously recommended the text amendment to the Council.

Councilmember Scoble said she had a few questions. She asked if the food trucks would be self-contained with a generator or would they be allowed to use City electric? Setliff said it is expected the trucks would be self-contained. The Councilmember noted that at events and festivals, such trucks are allowed to use City power. Setliff noted that in this ordinance, if the truck wanted to use City electrical, it would need to be approved by the City Manager via letter. Councilmember Scoble also noted that the self-contained trucks can be very loud with their generators.

Councilwoman Walker, noting that a lot of time and effort went into preparing this text amendment, asked Setliff if there is a problem, who would be responsible for taking care of it. Setliff said during regular staff hours, Community Development could but after hours, they would probably have to call on the Police Department to assist.

Mayor Donecker suggested two revisions in the proposed ordinance: Under Note 37, 8(a), deleting "the" before "100 feet of main entrance" and under Note 38, #17, changing the wording to eliminate "third shift" since plant schedules could be evening but not actually third shift. Manager Mitchell suggested "post-10 p.m."

The Mayor also complimented staff on the time and effort going into this text amendment, especially the level of communication with the Chamber and area businesses. Although there had been strident requests to allow such food trucks, he noted that we need to make sure we look out for our restaurant owners, who had money in their buildings, etc.

Mayor Donecker opened the public hearing at 6:56 p.m. With no one coming forward, the public hearing was closed at 6:57 p.m.

Councilman Gorham made the motion, seconded by Mayor Pro Tem Brown, to approve Text Amendment T2018-8, including the seven bullets points within the first portion of the document and the suggested changes. The motion passed in a 6-0 vote.

The revised Text Amendment as approved follows:

Amendment T 2018-8

AMENDING THE CITY OF REIDSVILLE ZONING ORDINANCE

**AN ORDINANCE AMENDING
ARTICLE V, DISTRICT REGULATIONS
SECTION 2, TABLE OF PERMITTED USES
OF THE CITY OF REIDSVILLE ZONING ORDINANCE**

BE IT ORDAINED by the City Council of the City of Reidsville, North Carolina, that the Zoning Ordinance of the City of Reidsville be amended as follows:

Part I. That Article V, Section 2, Table of Permitted Uses be amended to read as follows:

That food trucks/trailers be inserted as a permitted use in Central Business, General Business, Highway Business, Office and Institutional, Light Industrial and Heavy Industrial with a Note: 37

NOTE 37 FOOD TRUCKS/TRAILERS

1. A Zoning Compliance Permit must be obtained for the food truck/trailer unless it is permitted as part of a Special Event that holds a Zoning Compliance Permit for said event. (Note: A business conducting a special sale is not a special event for the purpose of this Ordinance.)
2. A copy of the Zoning Compliance Permit shall be kept on the food truck/trailer at all times. The Zoning Compliance Permit must be renewed annually between July 1st and 31st in accordance with the City's Schedule of Fees.
3. A copy of the approved Rockingham County Health Permit, pursuant to the rules governing sanitation of restaurants and other food handling establishments must be submitted with the application for the Zoning Compliance Permit.
4. Food trucks/trailers are permitted on private property and City-owned property in accordance with the requirements contained herein. Food trucks/trailers are prohibited to operate on public right-of-ways (streets) unless permitted as part of a Special Event. Food trucks/trailers are prohibited from operating on an undeveloped parcel.
5. For each location the food truck/trailer is parked the food truck/trailer business operator must file a site plan providing compliance with requirements of this Ordinance.
6. In order to operate on private property, the property owner must grant permission in writing. In order to operate on City-owned property, the City Manager must grant permission in writing. Proof of permission must be submitted with the filing of the site plan for said location.
7. Where food trucks/trailers are located on City-owned property, the vendor must provide proof of insurance, issued by an insurance company licensed to do business in the State of North Carolina, protecting the vendor and the City from all claims for damages to property and bodily injury, including death, which may arise from the operations under or in connection with the permit. Such insurance shall name the City as an additional named insured and shall not terminate or be canceled prior to expiration date without

thirty (30) days advance notice to the City. Such insurance shall afford minimum limits of:

| | |
|---------------------------------|-------------|
| a. Commercial General Liability | |
| Each Occurrence: | \$1,000,000 |
| Aggregate: | \$1,000,000 |
| Products/Complete Operations: | \$1,000,000 |
| Fire Damage: | \$ 50,000 |
| Medical Payments: | \$ 5,000 |

8. Minimum distances from certain elements and uses are required. Distance shall be measured in a straight line between the closest point of the proposed food truck/trailer location and the closest point of the elements described below:
 - a. Food trucks/trailers must be located at least 100 feet from the main entrance of any restaurant and/or a restaurant's accessory outdoor dining area during the operating hours of the restaurant. Except under the following circumstances:
 - The food truck/trailer is owned by the restaurant.
 - The food truck/trailer operator has written permission of the restaurant owner to be located within 100 feet of main entrance or outdoor dining area.
 - b. Food trucks/trailers must be parked at least 15 feet from any fire hydrant.
 - c. Food trucks/trailers must be a minimum of 15 feet from any driveway entrance. No food truck/trailer shall conduct business in a way that would restrict or interfere with the ingress or egress of any abutting property owner or tenant or become a public nuisance, increase traffic congestion, delay, or constitute a hazard to traffic, life or property or an obstruction to adequate access for fire, police or sanitation vehicles.
 - d. Food trucks/trailers shall not be located within the front yard setback of said Zoning District.
 - e. Food trucks/trailers must be located at least 500 feet from the boundary of any event under an approved Zoning Compliance Permit unless the food truck/trailer is included within said permit. Additional distance may be required by the City in order to avoid any negative impacts for the special event.
9. Food trucks/trailers may not park in handicapped accessible parking spaces or in access or drive aisles.
10. Outdoor seating and tables are prohibited.
11. The food truck/trailer operator is responsible for disposing of all trash associated with the operation of the food truck/trailer. City trash receptacles may not be used to dispose trash or waste. All areas relative to the food truck/trailer must be kept clean. Approved grease disposal facility must be maintained on the truck at all times. Grease and liquid waste may not be disposed in tree pits, storm drains, the sanitary sewer system or public streets.
12. Food trucks/trailers may not use audio amplification.
13. No signage is permitted other than what is on the food truck/trailer.
14. Violators of said Ordinance shall be subject to penalties as provided in the Code of Ordinance Chapter 1, Section 1.8.
15. Additional conditions may be included on the Zoning Compliance Permit by the City in order for the food truck/trailer operation to comply with the intent of this ordinance to protect the public health, safety or welfare.

Part II. That Article V, Section 2, Table of Permitted Uses be amended to read as follows:

That food pushcarts be inserted as a permitted use in Central Business, General Business, Highway Business, Light Industrial and Heavy Industrial with a Note: 38

NOTE 38 FOOD PUSHCARTS

1. A Zoning Compliance Permit is required for the food pushcart unless it is permitted as part of a Special Event that holds a Zoning Compliance Permit for said event. (Note: A business conducting a special sale is not a special event for the purpose of this Ordinance.)
2. A copy of the Zoning Compliance Permit shall be kept on the pushcart at all times. The Zoning Compliance Permit must be renewed annually between July 1st and 31st.
3. Food pushcarts are limited to forth-five (45) inches in width, seventy-two (72) inches in length and sixty (60) inches in height. Canopies/umbrellas must be a minimum of seventy-eight (78) inches from the ground at the lowest point.
4. Food pushcarts shall not be motorized or propelled in any manner other than the walking motion of the person operating the pushcart.
5. Food pushcarts are permitted on private property, City-owned property and public sidewalks in accordance with the requirements contained herein. Food pushcarts are prohibited from operation within public streets unless permitted as part of a Special Event. Food pushcarts are prohibited from operation on an undeveloped parcel.
6. In order to operate on private property, the property owner must grant permission in writing. In order to operate on City-owned property or sidewalk, the City Manager must grant permission in writing. Proof of permission must be submitted with the application for the Zoning Compliance Permit.
7. A copy of the approved Rockingham County Health Permit, pursuant to the rules governing sanitation of restaurants and other food handling establishments must be submitted with the application for the Zoning Compliance Permit.
8. Minimum distances from certain elements and uses are required. Distance shall be measured in a straight line between the closest point of the proposed food pushcart location and the closest point of the elements described below:
 - a. Food pushcart must be located at least 100 feet from the front door of any restaurant and/or a restaurant's accessory outdoor dining area during the operating hours of the restaurant. Except under the following circumstances:
 - i. The food pushcart is owned by the restaurant.
 - ii. The food pushcart operator has written permission of the restaurant owner to be located within the 100 feet.
 - b. Food pushcart must be located at least three hundred (300) feet from the grounds of any church while church is holding a religious service.
 - c. Food pushcart must be parked at least 15 feet from any fire hydrant.
 - d. Food pushcart must be a minimum of 15 feet from any driveway entrance. No food pushcart shall conduct business in a way that would restrict or interfere with the ingress or egress of any abutting property owner or tenant or become a public nuisance, increase traffic congestion, delay, or constitute a hazard to

traffic, life or property or an obstruction to adequate access for fire, police or sanitation vehicles.

- e. Food pushcarts must be located at least 500 feet from the boundary of any event under an approved Zoning Compliance Permit unless the food pushcart is included within said permit. Additional distance may be required by the City in order to avoid any negative impacts for the special event.
9. Food pushcart may not park in handicapped accessible parking spaces or in access or drive aisles.
 10. The use of tables, crates, cartons, racks, chairs, or other device to increase the selling or display capacity of the food pushcart is prohibited.
 11. The food pushcart operator is responsible for disposing of all trash associated with the operation of the food pushcart. City trash receptacles may not be used to dispose trash or waste. All areas relative to the food pushcart must be kept clean. Approved grease disposal facility must be maintained on the cart at all times. Grease and liquid waste may not be disposed in tree pits, storm drains, the sanitary sewer system or public streets.
 12. Food pushcart may not use audio amplification.
 13. No items relating to the operation of the vending may be placed anywhere other than in, on or under the pushcart.
 14. The food pushcart vendor shall not solicit or conduct business with persons in motor vehicles.
 15. No food pushcart or any other item related to the operation of the vending business shall lean against or hang from any building or other structure.
 16. The food pushcart shall not impede, endanger or interfere with the travel upon or use of the street or sidewalk. No food pushcart may block the entrance door to any business. The food pushcart vendor shall locate outside of any designed fire lane.
 17. Food pushcart may operate between the hours of 6 am and 10 pm, except in I-1 and I-2 if they are serving a post 10 pm shift.
 18. No signage is permitted other than what is on the food pushcart.
 19. Food pushcarts are only allowed on a public sidewalk within the Central Business District.
 20. Where food pushcarts are located on City-owned property, the vendor must provide proof of insurance, issued by an insurance company licensed to do business in the State of North Carolina, protecting the vendor and the City from all claims for damages to property and bodily injury, including death, which may arise from the operations under or in connection with the permit. Such insurance shall name the City as an additional named insured and shall not terminate or be canceled prior to expiration date without thirty (30) days advance notice to the City. Such insurance shall afford minimum limits of:
 - a. Commercial General Liability

| | |
|-------------------------------|-------------|
| Each Occurrence: | \$1,000,000 |
| Aggregate: | \$1,000,000 |
| Products/Complete Operations: | \$1,000,000 |
| Fire Damage: | \$ 50,000 |
| Medical Payments: | \$ 5,000 |
 21. Violators of said Ordinance shall be subject to penalties as provided in the Code of Ordinance Chapter 1, Section 1.8.

22. Additional conditions may be included on the Zoning Compliance Permit by the City in order for the food pushcart operation to comply with the intent of this ordinance to protect the public health, safety or welfare.

Part III. This Ordinance shall become effective upon its adoption by the City Council of the City of Reidsville, North Carolina

ADOPTED this the _____ day of _____, 2018 by the City Council of the City of Reidsville, North Carolina.

/s/ _____
JOHN M. "JAY" DONECKER, MAYOR, REIDSVILLE, N.C.

/s/ _____
Angela G. Stadler, City Clerk

-- End of Public Hearings --

RELATED FEE FOR FOOD TRUCKS/TRAILERS AND PUSHCARTS.

Following the public hearing, Community Development Manager Setliff then reviewed fees proposed to be added to the City's Fee Schedule related to the just approved food trucks/trailers and pushcarts ordinance as outlined in her memo dated August 27, 2018 titled "Fee Schedule Amendment". (A COPY OF THE ONE-PAGE MEMO IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) She said staff proposes a three-tier fee structure, adding that there will be some prorating, depending on when the permit is sought: Tier 1 for those vendors who have an operating restaurant within the City limits, \$20 for the first Zoning Compliance Permit for each location & no charge for additional permits within the same year; Tier 2, vendors who pay Reidsville City Personal Property Tax on such a vehicle will pay \$40.00 per each Zoning Compliance Permit; and Tier 3, where vendors who pay no Reidsville taxes on the truck/trailer or pushcart will pay \$60.00 per each Zoning Appliance Permit issued.

Councilmember Scoble asked if those vehicles would be included in the downtown district tax? Manager Mitchell said if they have a business in the downtown commercial district, they would be taxed but not otherwise.

Mayor Pro Tem Brown made the motion, seconded by Councilman Gorham and approved by Council in a 6-0 vote, to approve the Fee Schedule changes as suggested by Community Development.

CONSIDERATION OF A RESOLUTION ALLOWING THE CITY TO REQUEST GRANT ASSISTANCE FOR AN ASSET INVENTORY AND ASSESSMENT GRANT FOR ITS WATER SYSTEM.

In making the staff report, Assistant City Manager of Administration /Finance Director Chris Phillips noted that in the spring, the City applied for two Asset Inventory Assessment Grants for both its Water Fund and Sewer Fund. The City received a

\$150,000 Sewer Fund grant but not for the Water Fund. Phillips said the City would like to resubmit an application for the Water Fund during the fall round. He requested Council approve the accompanying Resolution, which is for a \$150,000 grant with the City providing a 5% or \$7,500 match. The match can also be in-kind services such as staff time, he added. He also noted that by doing this inventory, it should help us in securing future grants. He said these grant applications are graded, and if you're above the line, you get it, but if you're below the cut off line, you don't. Phillips stated we were close last time on the water application. He said Council must pass the resolution in their packets. There is no fee to apply, Phillips responded to a question from Councilmember Scoble.

Public Works Director Chuck Smith explained that this grant would help the City expand its GIS database on the Water System , providing a hydraulic model of the system.

In response to a question from Mayor Donecker, staff reminded him that the City had received a grant for wastewater.

Councilmember Scoble asked if this was for the current water system? Smith responded that it was but added that it would help with any questions from industries about capacity, flow, etc., that could help with future expansions. The Mayor stated "This is good."

Councilman Gorham then made the motion, seconded by Councilwoman Walker and unanimously approved by Council in a 6-0 vote, to approve the Resolution.

The Resolution as approved follows:

RESOLUTION BY THE REIDSVILLE CITY COUNCIL

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of projects related to wastewater treatment works, wastewater collection system, stream restoration, stormwater treatment, drinking water treatment works, and/or drinking water distribution system or other "green" project, and

WHEREAS, The City of Reidsville has need for and intends to develop asset inventories, condition assessment of critical assets, and other components of a comprehensive asset management program for water, and

WHEREAS, The City of Reidsville intends to request state grant assistance for an Asset Inventory and Assessment Grant,

NOW THEREFORE BE IT RESOLVED, BY REIDSVILLE CITY COUNCIL:

That the City of Reidsville, the **Applicant**, will arrange financing for all remaining costs of the project (5% required match), if approved for a State grant award.

That John M. "Jay" Donecker, Mayor, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the assessment project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 11th of September, 2018 at Reidsville, North Carolina.

/s/ _____
(Signature of Chief Executive Officer)

Mayor

/s/ _____
(Title)

CONSIDERATION OF A CHANGE ORDER TO THE CONTRACT AGREEMENT WITH WHARTON-SMITH INC. FOR THE HIGH LIFT PUMPING STATION AND THE ACCOMPANYING BUDGET ORDINANCE AMENDMENT AND CAPITAL PROJECT ORDINANCE.

In making the staff report, Public Works Director Chuck Smith asked Council to consider a change order on the contract agreement with Wharton-Smith Inc. for a high lift pumping station, which is part of a reimbursement agreement between Reidsville and the City of Greensboro. He outlined some history of the agreement in his memo dated August 30, 2018. (A COPY OF SMITH'S MEMO IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)

The cost of the change order is \$68,963 with the City's portion to be \$4,523 with the remainder to be paid by the City of Greensboro, Smith explained. Assistant City Manager of Administration/Finance Director Chris Phillips added that Greensboro has already approved the change order.

Councilwoman Walker stated "so moved" to approve the change order, which was seconded by Councilman Gorham and unanimously approved by Council in a 6-0 vote.

The accompanying Budget Ordinance Amendment No. 4 and Capital Project Ordinance as approved follows:

BUDGET ORDINANCE AMENDMENT NO. 4

WHEREAS, the Mayor and City Council of the City of Reidsville adopted a budget ordinance on June 12, 2018 which established revenues and authorized expenditures for fiscal year 2018-2019; and

WHEREAS, since the time of the adoption of said ordinance, it has become necessary to make certain changes in the City's budget to transfer water reserve funds needed to complete the Greensboro high lift pump station;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Reidsville that the budget ordinance as adopted on June 12, 2018 is hereby amended as follows;

Section 1. That revenue account number 61-3991-0000, Sewer Fund Reserves, be increased by \$4,523.00.

Section 2. That expense account number 61-4120-0051, Transfer to Water Capital Project, be increased by \$4,523.00.

This the 11th day of September, 2018.

/s/ _____
John M. "Jay" Donecker
Mayor

ATTEST:

/s/ _____
Angela G. Stadler, CMC/NCCMC
City Clerk

CAPITAL PROJECT ORDINANCE AMENDMENT

**AUTHORIZING CAPITAL IMPROVEMENTS
TO THE CITY'S WATER TREATMENT PLANT**

WHEREAS, North Carolina General Statute 159-13.2 authorizes the establishment of a Capital Project Fund to account for expenses and revenues that are likely to extend beyond a single fiscal year; and

WHEREAS, it is the desire of the Mayor and the City Council of the City of Reidsville to amend the capital project fund established for water treatment plant improvements on October 9, 2013;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of Reidsville that:

Section 1. The following line item of revenue is hereby amended:

| | | |
|--------------|------------------------------|-----------|
| 55-3911-0000 | Greensboro Contribution | \$ 64,440 |
| 55-3988-0000 | Transfer from Water Reserves | \$ 4,523 |

Section 2. The following line item of expenditures is hereby created:

| | | |
|--------------|--------------------------------|-----------|
| 55-7120-5801 | Construction – Greensboro Pump | \$ 68,963 |
|--------------|--------------------------------|-----------|

Section 3. The City Manager is hereby granted all necessary authority to carry out this project, including the approval of payment requests as earned under approved contracts, to approve change orders in each contract as long as said change orders amount to less than \$50,000 each, to transfer funds from the established Contingency Fund to cover such change orders and cost overruns, to acquire rights-of-way, and to pay for debt issuance costs. The Finance Director is authorized to make temporary loans to this capital project from the Combined Enterprise Fund in order to cover costs before receipt of revenues and to establish an acceptable cash flow.

This the 11th day of September, 2018.

/s/ _____
 John M. “Jay” Donecker
 Mayor

ATTEST:

/s/ _____
 Angela G. Stadler, CMC/NCCMC
 City Clerk

CONSIDERATION OF A REQUEST BY STAFF TO DEMOLISH THE FOLLOWING STRUCTURES DUE TO HOUSING CODE VIOLATIONS.

Community Development Manager Donna Setliff provided the staff report on two housing code violations.

807 WILLOW STREET

Setliff explained that staff had received complaints of Minimum Housing Code violations at 807 Willow Street as outlined in her report. (A COPY OF SETLIFF’S REPORT DATED AUGUST 27, 2018 IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) A title search by the City Attorney found the property owner to be Antoinette Hamlet. No lienholders were found. The Complaint and Notice of Public Hearing were served on the property owner by certified mail, by publishing in the *Reidsville Review* and by posting on the dwelling. No one attended the hearing on January 26, 2018, Setliff said. A Housing Code Enforcement Order to demolish the dwelling was property served, again by certified mail, publication in the *Reidsville Review* and posting on the dwelling, she stated. The Order gave 90 days to demolish the dwelling because the estimated cost of repairs at a minimum of \$10,000 exceeded the 50% value of the structure, listed as \$5,762 by the Rockingham County Tax Department, Setliff noted. The Community Development Manager said the property owner owes

\$157.14 for 2018 property taxes. The water has been off to the unoccupied dwelling since 2003.

Setliff stated she had enclosed pictures of the structure and the original inspection findings for Council's review. The Ordinance directing staff to demolish has also been attached, she concluded.

Councilman Hairston stated that as a Council, they hate to demolish any properties that can be salvaged, but he said this one is in pretty bad shape.

Councilman Gorham made the motion, seconded by Mayor Pro Tem Brown and unanimously approved by Council in a 6-0 vote, to demolish 807 Willow Street.

The Ordinance to Demolish as approved follows:

**ORDINANCE
TO DEMOLISH 807 WILLOW STREET, REIDSVILLE, NORTH CAROLINA**

BE IT THEREFORE RESOLVED:

WHEREAS, on the 26th day of January, 2018 at 9:30 a.m., the Codes Inspector of Reidsville, North Carolina conducted a hearing on violations of Chapter 4, Article II, Housing Code, Reidsville Code of Ordinances, Section 4-26, for the property at located at 807 Willow Street, Reidsville, North Carolina Tax Map No. 8905-11-65-5042. The Complaint and Notice of Hearing was served on the owner on January 10, 2018, said owner being Antoinette Hamlet. The Complaint and Notice of Hearing was published in the Reidsville Review on January 7, 2018 and the dwelling was posted on January 4, 2018.

WHEREAS, said owner did not appear at said hearing, presented no evidence, and whereas a copy of the Code Enforcement Order was mailed to the owner via Certified Mail on March 14, 2018, being received by said owner on March 23, 2018. The Order was published in the Reidsville Review on March 25, 2018 and the dwelling was posted on March 15, 2018. The Order allowed said owner to demolish and remove the above structure on or before June 26, 2018 and whereas there has been no compliance with said Order in that said structure has not been demolished or removed, and remains dilapidated and unfit for human habitation, and constitutes a public health, safety, and fire hazard;

NOW THEREFORE, pursuant to the Reidsville Code of Ordinances, Section 4-29(c), the Code Enforcement Inspector of Reidsville, North Carolina is hereby ordered to cause the above structure located at 807 Willow Street, Reidsville, North Carolina, to be vacated, demolished and removed. Pending demolition and removal the Code Enforcement Inspector is to post said structure as provided by N.C.G. S. 160A-443 and Section 4-29 (b) of the Reidsville Code of Ordinances.

This is the 11th day of September, 2018.

/s/

John "Jay" M. Donecker, Mayor, Reidsville, North Carolina

ATTESTED BY:

/s/

Angela G. Stadler, City Clerk

113 CHERRY STREET

After receiving complaints, staff conducted a Minimum Housing Code inspection on 113 Cherry Street, Setliff reported as outlined in her report. (A COPY OF THE REPORT DATED AUGUST 27, 2018 IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) A title search found the property owner to be Xvette R. Alejandro with the lienholder listed as Kleen Sweep Property Preservation, LLC. While the Complaint and Notice of Hearing mailed to the property owner came back unclaimed, staff properly served by publishing in the *Reidsville Review* and posting the property, Setliff said. No one attended the hearing held on April 25, 2018. A Housing Code Enforcement Order to demolish the building was mailed to the property owner, which again went unclaimed. The Order, which was published in the newspaper and posted on the property, gave 90 days to demolish the building, which expired on August 30, 2018, Setliff said. The Order called for demolition because the estimated repair cost of \$15,000 exceeded 50% of the value listed at \$11,875 by the Rockingham County Tax Department.

Setliff noted that it is staff's practice to send out by regular mail a notice to property owners that a demolition will be on the agenda. This was done for this property and staff has been contacted by the property owner as of last week, who has indicated she wants to repair the dwelling, Setliff noted. Setliff said the property owner, who lives in California, has worked with someone here to repair the structure, but that has not worked out too well. The Community Development Manager said this is a property that maybe can be saved but does require a lot of repairs to be done.

Setliff said she plans to go ahead with her original request for demolition but asks that it be stayed for 60 days since now that staff has contact information for the owner, something may be able to be done with the house. Again, she said they may still have to end up removing it, but she requested the 60-day stay.

Councilmember Scoble asked whether property taxes owed are for several years up to 2018? Setliff said the only taxes owed are for 2018.

Councilman Hairston made the motion to approve the demolition but to stay it for 60 days starting tomorrow. The motion was seconded by Mayor Pro Tem Brown and unanimously approved by Council in a 6-0 vote.

The demolition order as approved but stayed for 60 days follows:

**ORDINANCE
TO DEMOLISH 113 CHERRY STREET, REIDSVILLE, NORTH CAROLINA**

BE IT THEREFORE RESOLVED:

WHEREAS, on the 25th day of April, 2018 at 9:30 a.m., the Codes Inspector of Reidsville, North Carolina conducted a hearing on violations of Chapter 4, Article II, Housing Code, Reidsville Code of Ordinances, Section 4-26, for the property at located at 113 Cherry Street, Reidsville, North Carolina Tax Map No. 8905-17-01-3358. The Complaint and Notice of Hearing was mailed via Certified Mail to the owner on March 28, 2018 but was unclaimed said owner being Antoinette Hamlet. The Complaint and Notice of Hearing was served on the lienholder on April 9, 2018. The Complaint and Notice of Hearing was published in the Reidsville Review on March 28, 2018 and the dwelling was posted on March 28, 2018.

WHEREAS, said owner did not appear at said hearing, presented no evidence, and whereas a copy of the Code Enforcement Order was mailed to the owner via Certified Mail on May 21, 2018, but was unclaimed. The Code Enforcement Order was mailed to the lienholder via Certified Mail on May 21, 2018 being served on June 7, 2018. The Order was published in the Reidsville Review on May 23, 2018 and the dwelling was posted on May 23, 2018. The Order allowed said owner to demolish and remove the above structure on or before August 30, 2018 and whereas there has been no compliance with said Order in that said structure has not been demolished or removed, and remains dilapidated and unfit for human habitation, and constitutes a public health, safety, and fire hazard;

NOW THEREFORE, pursuant to the Reidsville Code of Ordinances, Section 4-29(c), the Code Enforcement Inspector of Reidsville, North Carolina is hereby ordered to cause the above structure located at 113 Cherry Street, Reidsville, North Carolina, to be vacated, demolished and removed. Pending demolition and removal the Code Enforcement Inspector is to post said structure as provided by N.C.G.S. 160A-443 and Section 4-29 (b) of the Reidsville Code of Ordinances.

This is the 11th day of September, 2018.

/s/ _____

John "Jay" M. Donecker, Mayor, Reidsville, North Carolina

ATTESTED BY:

City Manager Mitchell also reported that the City is taking steps to prepare for the effects of Hurricane Florence. He also asked Council members to consider September 17th or 18th to hold a work session regarding the topic of the downtown trees, which was addressed at the Budget Retreat. He said they also need to discuss the landfill tipping fees.

COUNCIL MEMBERS' REPORTS.

Mayor Pro Tem Brown – Mayor Pro Tem Brown stated he had the opportunity to participate in the YMCA Bright Beginnings Program on August 15; the ribbon cutting for the improvements to the City's parks, which was held at Jaycee Park on August 23; the prayer vigil for the Hunt family that Councilman Festerman had put together on August 27; funeral services for former Councilman John Henderson on August 26 with Councilmen Hairston and Gorham; and the Lillian H. McLaurin Good Neighbor Association meeting on September 3.

Councilman Hairston – Councilman Hairston said he had attended and appreciated the prayer vigil for Chief Hunt and his wife Ruby Lee. He said he had been offering prayers also on behalf of Councilman Festerman and looked forward to his recovery. Councilman Hairston said he had attended the meetings of the Human Relations Commission, and a Football Hall of Fame banquet honoring numerous individuals at Reidsville Senior High School. He reminded those present that Reidsville is the High School Football Capital of North Carolina.

Councilwoman Sherri Walker – Councilwoman Walker reported she had attended the Reidsville ABC Board meeting, the Reidsville Appearance Commission meeting and the ribbon cutting for the Jaycee Park Improvements on August 23; the prayer vigil for the Hunt family on August 27; the ribbon cutting for Mish Mosh on August 25; and the 9/11 Memorial Ceremony on September 11. She thanked Linda Gibson for attending tonight's meeting and closed, referring to the recent National Night Out events held throughout Reidsville, but especially Hobart Jackson's location where she met a gentleman named Jamie Goodwin. Councilwoman Walker expressed her appreciation for how much those individuals care about their neighborhood and deserved the Appearance Award, which they received recently.

Councilman Gorham -- Councilman Gorham said he had attended the Planning Board meeting at City Hall on August 15; the Elm Grove Baptist Church Revival on August 21; Mr. Henderson's Masonic Funeral Rites at Zion Baptist Church on August 25 and 26; the African-American Caucus meeting on August 27; the Reidsville Downtown Corporation meeting on August 28; the Men's Fellowship meeting on August 28; the Tree Planting for Education on August 29; the NAACP meeting at McLaurin Funeral Home on August 30; the McLaurin Park Community Watch meeting at the Reidsville Police Department on September 4; and the Reidsville Downtown Corporation special meeting on September 5.

Councilmember Scoble -- Councilmember Scoble said she wanted to apologize for not being able to attend several events this past month but had been out of town a great deal and extremely busy with her personal business but hoped to be around a lot more next month. She expressed her appreciation to the Police Department, Fire Department, Emergency Services, City Workers and City Staff for all they do because the City could not run without them. She said she had attended the ribbon cutting at Jaycee Park for the City-Wide Park Improvements on August 23; the County Commissioner Campaign event for Ann Brady on September 6; the 9/11 Memorial Ceremony at Market Square on September 11 and had called Congressman Mark Walkers office numerous times regarding listing Reidsville on Interstate signs. She explained how important it is to have Reidsville listed on these signs.

Mayor Donecker -- Mayor Donecker asked Chamber of Commerce representative Kayla Bullins to come forward and give the report of upcoming Chamber events. Ms. Bullins congratulated September Member of the Month, Reidsville Mini Storage, located at 1047/1048 Freeway Drive. She said the next Reidsville Downtown Cruise-in would take place on September 14 from 6-9 p.m.; the final summer concert will be held on September 22 and will feature Eric and the Chill Tones; the Candidates Forum will be held on Monday, September 24, in the auditorium of Advanced Technologies Building at RCC starting at 5 p.m.; Movies on the Square will be held on September 29 and will show the movie "Wonder"; the October Chamber Coffee, hosted by the Cat's Meow on Thursday, October 4 at 8 a.m.; and the 2018 Reidsville Business Showcase scheduled at the Salvation Army on October 11-12.

Mayor Donecker thanked Kayla for the report and all that the Chamber and the Visitor Center do for the City.

He asked City Clerk Stadler to announce the results for Boards and Commissions.

ANNOUNCEMENT OF BOARD & COMMISSION APPOINTMENTS.

City Clerk Angela Stadler announced the following appointments to the various boards and commissions (A COPY OF THE WRITTEN BALLOTS ARE HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.):

Reidsville Appearance Commission – Unanimously appointed to the Appearance Commission were W.E. "Skeeter" Coates of 1118 S. Main Street, James R. Jackson of 2304 Belmont Drive (re-appointment) and Sandra Strader of 201 McCollum Drive (re-appointment).

Reidsville Planning Board – Thomas Thompson of 326 Carter Ridge Drive was appointed to the Planning Board in a 5-1 vote over W.E. "Skeeter" Coates.

The Mayor Extends His Compliments to Staff.

Mayor Donecker said he wanted to thank the Police, Fire and Public Works Departments for today's 9/11 Ceremony and IT Director Rhonda Wheeler for her rendition of "Amazing Grace". He also expressed his appreciation to those departments for their

efforts to prepare and coordinate with the County for the oncoming hurricane. The Mayor acknowledged “Manager” Donna Setliff and what a great job she did at tonight’s meeting by “keeping all those balls in the air” without any mistakes or slipups.

CLOSED SESSION PURSUANT TO G.S. 143-318.11 (A)(4) TO DISCUSS ECONOMIC DEVELOPMENT.

It was noted that the closed session would be delayed until the following month.

MOTION TO RECESS & RECONVENE.

Councilman Hairston made the motion to recess the meeting to reconvene at 4 p.m. on Monday, September 17, in the first-floor conference room. The motion passed in a 6-0 vote at approximately 7:40 p.m.

RECONVENED MEETING AT 4 P.M. MONDAY, SEPTEMBER 17, IN FIRST-FLOOR CONFERENCE ROOM.

Mayor Donecker called the recessed meeting back to order. All Council members were present, including Councilman Festerman. City Manager Mitchell was absent.

Update on the Downtown Trees.

Councilman Festerman noted that he had requested former Mayor/Councilman Clark Turner and his wife, Susan, attend the meeting as well as retired City Manager Kelly Almond, all of which were present. He said he had invited them to attend because of their interest in the downtown area. Councilman Festerman said he has always loved the trees downtown, but he questioned how much longer we can “kick the can” down the road on this situation. He concluded by stating he might have to excuse himself early from the meeting, but if he did, he would agree with whatever the Council decides, giving them his support wholeheartedly.

The meeting was then turned over to Assistant City Manager of Administration Chris Phillips, in the absence of the City Manager, who was not feeling well. First, Phillips said he wanted to note that Public Works and our Public Services departments had been preparing for the storm. While we were fortunate not to have the worst of it, he asked that everyone take a minute to think of our neighbors down east. Following a moment of silence, Phillips said we are lucky to be able to speak about things today that we do have control over. Mayor Donecker also suggested we document our preparedness efforts.

Turning to the issue of downtown trees, Phillips noted that this topic was discussed at the City Council Retreat earlier in the year. At that time Council agreed on a \$60,000 budget with staff coming back with more concrete plans. He then turned the meeting over to Economic Development Director Jeff Garstka, who also oversees the Main Street Program for Reidsville.

Garstka said City Manager Mitchell had felt it was important to give Council members an update. He also noted that, along with staff, there were several members of the Reidsville Downtown Corporation (RDC) present here today.

The Economic Development Director said that Public Works, Community Development Manager Donna Setliff and other staff members have been involved in this process, including field trips to see the 40-plus trees firsthand and the plotting of tree locations using GIS. He gave a little history on the issue, explaining that about two years ago, the RDC brought the issue up because several businesses had expressed concerns about the tree roots making the sidewalks uneven and actually going into the foundation of businesses. There have also been concerns about the liability of the City, he added. He said several shop owners have asked that the trees be taken down in front of their businesses.

Garstka then reviewed his handout, which had been distributed to Council, along with three maps showing views of the trees. (THIS INFORMATION, TITLED “DOWNTOWN TREES: 100/200 BLOCKS OF S. SCALES STREET” IS HEREIN INCORPORATED INTO THESE MINUTES, ALONG WITH THE THREE MAPS.) Originally there are 44 spaces for sidewalk trees in the downtown area, but five have been removed because they were dead and/or potentially unsafe. One tree was removed from in front of Mural Park, but he added that the plan includes taking down the other two trees in front of the park to allow more visibility of Mural Park.

Garstka stated that of the 38 trees left in the 100-200 blocks of South Scales Street, one option would be to do a wholesale change, which brought with it valid concerns, including how it would shock our citizens who are used to seeing these big, stately trees on South Scales Street. Also, visitors often talk about how beautiful our downtown streetscape is, he added. However, again Garstka stressed that public safety and the downtown infrastructure being in jeopardy of being damaged has to be addressed.

Garstka noted that the previous Main Street Manager had brought in an arborist to look at the trees. The arborist had prepared a report that recommended a matrix of trees that thrive in downtown settings, he said. Two of the recommendations were followed, he stated. Five trees have been taken down with 15 more to be taken down in the first phase, Garstka said, adding these are the ones in the poorest health except for one tree, which is going into the foundation of a building. Of the 20 trees taken down, 16 trees will go back in but they would be placed in 4x4x4 containers made of a heavy duty welded material, which would be powder coated. These containers would be made by Eric Smith of Amos Welding. The arborist told them which trees do well in planters, but Garstka acknowledged these would be smaller trees starting out.

Councilman Festerman asked what would be the timeframe to remove the trees? Garstka said staff was waiting on Council’s final blessing. The Mayor reiterated an additional 15 trees will be removed. Councilmember Scoble said if at a minimum, half of the trees are to be taken down, that doesn’t sound like a phase, she said. She said it sounded like a pretty drastic change. Garstka stressed that several of the trees are in poor health, which is the justification behind them being taken down. Mayor Donecker said that during the discussion at the Council Retreat, it was noted there will be some change, but it was decided that taking down half of the trees was better than taking them all down at one time. He also said this would be spread over two years.

Discussion ensued about the timing of the trees' removal. Garstka said they didn't want to interfere with the Fall Jubilee or the Christmas parade. Councilmember Scoble said those are the times when we have the most visitors to the downtown area. Main Street Manager Missy Matthews stressed that staff would stage it so that the taking down of the trees and the replacement trees in planters would be done in conjunction with each other.

Other factors were discussed, including the cost and height of the newly planted trees and the weight of the planters, etc. Councilmember Scoble asked retired City Manager Kelly Almond how old are the current trees? Almond replied that they were put in around 1991 so they have served a good purpose. RDC Chairman Eric Smith also noted that there is a time of year to plant trees, which could be determined by the arborist. Garstka said there will definitely be consultation with the arborist.

Garstka also discussed the lighting of the trees. The plan includes replacing the lights in the trees with LED uplighting. Matthews distributed a picture of how the uplighting would look. It was also noted that the LED lights provide more light and cost less money than the current lighting.

The Economic Development Director then reviewed the budget as outlined on page 2 of his handout. Among the "unknown costs" are sidewalk and curb repair, an electrical contractor, fill materials for the containers, additional plant material for the containers and the fee for the arborist to prune remaining trees for health and appearance. This contingency is estimated at \$23,400 right now of the \$60,000 overall budget.

One concern had been the electrical outlets and whether the roots of the existing trees had wrapped around them. Garstka said that staff had talked with local electrician Jerry Paschal. Paschal did find that the roots had wrapped around some of the conduit so there will be a cost associated with that, which will have to come out of the contingency funding, he said.

The species of the new trees were discussed. The arborist Alan Moore had recommended some species that work well in a downtown setting. It was decided to go with Kousa Dogwood and Texas Redbud varieties, Garstka said. Matthews added that both of these species grow up to 15 feet if they have a minimum of 100 square feet of soil. Since these planters do not provide for that, these trees will not reach their full potential, but they can be taken out and replanted elsewhere later, staff explained.

Councilman Gorham said that he felt the City had been put on notice, and that staff had done a good, thorough job, putting together this plan, especially since the trees are creating hazards as well as the cost of sidewalk repair.

The addition of four bottle trees to the downtown area was discussed as well. Matthews distributed an example of what they could look like. Possible locations were noted for the trees, which were described as a form of public art. Councilmember Scoble expressed concern about liability issues if the bottles were broken. RDC President Eric Smith

explained that plastic bottles are used, not glass. Mayor Donecker said as a way to bring more art downtown, it is a good start.

Councilman Gorham shared a story where he witnessed a woman fall due to the unevenness of the pavement because of the root growth. He noted that today's trees had to grow as well so he felt we should give this an opportunity. Councilman Festerman agreed, especially with people falling because of it. Councilwoman Walker expressed her agreement with the plan as long as staff checks with the arborist about the best time to plant, etc.

Councilmember Scoble said she agreed something needs to be done, but she noted concern about how many trees would be taken down in these phases. She stressed that people are proud of downtown Reidsville and love the trees with the lights. She also said that some of the downtown buildings will be more visible with the trees gone and indicated some of their facades are in need of work. Garstka agreed about the building visibility, but he also noted that there is some beautiful second-floor architecture that is not being seen because of the trees.

Mayor Donecker stated that Council will receive complaints like any other change; however, he likened it to taking off a Band-Aid fast or slow. He said with this, done over two years, they are trying to take off the Band-Aid somewhere in the middle. Garstka noted that as City Manager Mitchell often says, the wheels of government go slow on purpose. Staff has tried to go through this in a methodical, well thought out manner, he said.

Councilman Festerman then made the motion, seconded by Councilman Gorham, to accept the recommendation of staff and proceed. The motion passed in a 6-1 vote with Councilmember Scoble voting against.

Following the discussion, retired City Manager Almond commended the Council for doing something about the trees, adding that this sounded like a good plan. He also encouraged them to think big, perhaps adding trees on Morehead Street and other areas as well.

Operations at the Material Drop-Off Center.

Going on to the next item, Assistant City Manager of Administration/Finance Director Chris Phillips explained that when Council approved the 2018-19 budget, it included a 4.7% increase in the sanitation rate charge. The County had told us to anticipate a \$2.00 per ton tipping fee increase recommended by the County's Oversight Committee so we were just passing along an increase. However, the County decided not to charge the increase, which has meant an extra 25 cents per month charge or about \$3.00 annually for City residents and an extra 80 cents per month for once-a-week collection or an extra \$1.01 per month for twice-a-week service for 275 businesses.

Phillips described it as a modest increase, adding that the County could implement it at any time. The City could go back to the old rate, but the City's Public Works Director

Chuck Smith said the Solid Waste area has some needs that could be helped by this increase as outlined in his September 14, 2018 memo on “Operations at the Material Drop-Off Center.” (A COPY OF THE PUBLIC WORKS DIRECTOR’S MEMO IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) Phillips said staff felt they should be transparent with Council about the fee increase and also get this information out about possible uses for the fee increase before it is rescinded.

Staff reviewed the options as outlined in Smith’s memo: 1) overcoming a budget deficit in the Solid Waste Management Division of landfill fees paid to the County in 2017-18 of \$17,401.23; 2) increasing cost of the Material Drop Box Service, which has been fluctuating as reflected in the graph on page 2 of Smith’s memo; and 3) as previously stated, the County could elect to approve an increase in the tipping fees at any time; and 4) cover the cost of rotating current staff to cover Saturday operations of the Material Drop-Off Center.

Smith then referenced possible options for operating the Material Drop-Off Center on Saturdays, which was included with his memo. The first option would be to leave things as they are (open 7 a.m.-3 p.m. M-F). Option #2 would include hiring a part-time employee to help staff the facility during the week and on Saturdays at a cost of \$8,320 per year. The third option would be to rotate the current staff to work a four-hour Saturday shift, he said, adding that Solid Waste employees prefer to have their Saturdays off, but schedules could be adjusted to cover the weekend. Mayor Donecker suggested backing off the early morning hours offered and consider covering more mid-day hours and some Saturday mornings. He said for “do it yourselves” it would be better for the Center to be open on Saturdays. The Mayor added that 7 a.m. opening times are more for full-time contractors, who aren’t supposed to be utilizing the site for free since they charge that service to their clients.

Councilmember Scoble asked how many times do we have to empty the C&D (Construction & Demolition) bins? Solid Waste Superintendent Pat Knowles replied it is emptied 2-3 times a week. Smith explained that the drop off is actually at the City’s transfer station and right now, users go pretty much by an honor system. The City Manager, he noted, would like to have some way to monitor who is dropping off C&D materials.

Phillips said that the part-time employee option might be better at the start. He again stressed that staff wanted to be transparent with Council. The fee increase was recommended because staff was told it would be needed. Since there was no increase from the County, staff wanted to make Council aware, as well as letting them know of some current needs.

Several Council members expressed consensus that the fee should not be rescinded but be used expand the Drop-Off Center’s hours to Saturday. Smith said adding a part-time person might be the best option.

Discussion centered briefly on the history of recycling and the drop-off center, ways to determine who is using the facility, including the possible capturing of license plates and the ratio of users, residents vs. contractors, of the C&D drop-off (Knowles estimated it is currently 70/30 residents to contractors).

Smith also added that we should be careful how far we push back on contractors because we don't want to see increased dumping or putting such materials at the curb.

Phillips said staff will keep working on options and look at ways to use the fees, including expanding Saturday hours at the Drop-Off Center.

Councilman Festerman made the motion, seconded by Councilwoman Walker and unanimously approved by Council in a 7-0 vote, to adjourn.

John M. "Jay" Donecker, Mayor

ATTEST:

Angela G. Stadler, CMC/NCCMC, City Clerk