**MINUTES OF THE REGULAR MEETING**

**OF THE REIDSVILLE CITY COUNCIL**

**HELD TUESDAY, OCTOBER 7, 2014 AT 6 P.M.**

**COUNCIL CHAMBERS, CITY HALL**

**CITY COUNCIL MEMBERS PRESENT:** Mayor John M. “Jay” Donecker

Mayor Pro Tem Harry L. Brown

Councilman Tom Balsley

Councilman Donald L. Gorham

Councilman William Hairston

Councilman Clark Turner

Councilwoman Sherri G. Walker

**COUNCIL MEMBERS ABSENT:** NONE

**CITY STAFF PRESENT:** Tom Wiggins, Acting City Manager

Angela G. Stadler, CMC, City Clerk

William F. McLeod Jr., City Attorney

Donna Setliff, Community Development Manager

Mayor Donecker called the meeting to order.

**INVOCATION.**

Reverend James P. Tharrington, Reidsville Police Department Chaplain and Pastor of Evangel Fellowship Church in Reidsville, provided the invocation.

Following the invocation, Mayor Donecker noted to those in the audience that Rev. Tharrington serves as the Police Department’s Chaplain and how the City appreciates his efforts.

The Mayor then noted a slight change in the agenda with the proclamation being done before the pledge.

**PROCLAMATIONS:**

**RECOGNIZING OCTOBER 23-31, 2014 AS “RED RIBBON WEEK.”**

Mayor Donecker then presented the “Red Ribbon Week” proclamation to Commander Greg Ross and Gunnery Sgt. Khallyee Alston of the General Nathaniel Greene Chapter of the Young Marines. Alston, a junior at Northeast Guilford High School, shook hands with all of the Council members after thanking them for this opportunity. He also noted he was one of 30 in his unit in Greensboro. (A COPY OF THE PROCLAMATION IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)

**PLEDGE OF ALLEGIANCE.**

Gunnery Sgt. Alston then led the Council in reciting the Pledge of Allegiance.

**APPROVAL OF CONSENT AGENDA**

**Councilman Turner made the motion, seconded by Councilman Gorham and unanimously approved by Council in a 7-0 vote, to approve the Consent Agenda.**

**CONSENT AGENDA ITEM NO. 1 -- APPROVAL OF THE SEPTEMBER 10, 2014 REGULAR MEETING MINUTES.**

With the approval of the Consent Agenda in a 7-0 vote, the Council approved the September 10, 2014 Regular Meeting Minutes.

**CONSENT AGENDA ITEM NO. 2 -- APPROVAL OF AN ADDENDUM TO THE AUDIT CONTRACT WITH MCGLADREY, LLC FOR SERVICES REQUIRED BY THE STATE AUDITOR.**

With the approval of the Consent Agenda in a 7-0 vote, the Council approved the addendum to the Audit Contract with McGladrey, LLC. (A COPY OF THE ADDENDUM IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)

**- End of Consent Agenda -**

**PUBLIC HEARINGS:**

**CONSIDERATION OF A TEXT AMENDMENT PERMITTING “GYMNASIUMS, SPAS, AND FITNESS CENTERS” IN LIGHT INDUSTRIAL (T2014-2).**

In making the staff report, Community Development Director Donna Setliff noted that Jana Stewart had submitted a text amendment to include “gymnasiums, spas and fitness centers” as an allowed use in the City’s Light Industrial Zoning District. Currently such uses are only allowed in Central, Neighborhood, General and Highway Business, she said. Setliff said her research of neighboring communities found that Eden, Winston-Salem, Greensboro, Burlington and High Point permit the uses in Light Industrial, but Madison and Asheboro do not.

The Community Development Manager noted that this category of uses can complement other industrial uses. She cited how “public recreational facilities” is allowed as a primary use in the Industrial/Corporate Park designation, which is what the Reidsville Industrial & Technological Park is classified as. A fitness center in the park could be approved as a public recreational facility.

Setliff said many industrial uses require large buildings; however, the City does have medium-sized buildings in Light Industrial zoned areas. She said the request was presented to the Planning Board, which voted unanimously to recommend the request be approved. Setliff said she also recommends the text amendment.

Mayor Donecker opened the public hearing at 6:07 p.m. by asking if there was anyone who wished to speak in favor of the text amendment?

The applicant, Jana Stewart of 165 Deanna Drive, Reidsville, came forward. She said they had looked at several buildings, which were in Light Industrial areas. They cannot move forward in the process without the approval of this change, she said.

The Mayor then asked if anyone wished to speak in disfavor? Again, no one came forward, and the public hearing was closed at 6:08 p.m.

**Councilman Gorham made the motion, seconded by Councilman Turner and unanimously approved by Council in a 7-0 vote, to approve the text amendment permitting “gymnasiums, spas, and fitness centers” in Light Industrial.**

The Text Amendment as approved follows:

**Amendment T 2014-2**

**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 add “gymnasiums, spas and fitness centers to Light Industrial as a permitted use.

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

**ADOPTED** this the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2014 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**

**CONSIDERATION OF A TEXT AMENDMENT UPDATING ARTICLE XV, WIRELESS TELECOMMUNICATION FACILITIES SITING REGULATIONS TO CURRENT NC LEGISLATION (T2014-3).**

In making the staff report, Community Development Manager Donna Setliff said she is requesting that the City’s Wireless Telecommunications Facilities Siting Regulations be amended to bring the regulations into compliance with current North Carolina General Statutes and clear up several housekeeping issues. Adopted in February of 2000, the original Wireless Facility Regulations have been amended three times – in 2002, 2004 and 2008, she explained.

Setliff noted that Council members had in their agenda packets a copy of the text amendment with inserted changes in green text and deleted items in red text. She added that there are only two major changes with the rest being housekeeping items.

Due to the complexity of facility plan reviews, the City has an outside expert, Atlantic Technologies Consultants Inc. to do such reviews. Atlantic also reviewed the current regulations for compliance with General Statutes and recommended the following change: Taking out references to FCC regulations because the current ordinance was trying to interpret those regulations. The changes now affirm the FCC regulations and that the City is meeting those regulations, she said. The second change reflects that in 2013, legislation changed the process so that the City no longer does retainer fees but has a flat rate fee. In January of 2014, the City amended its fee schedule to reflect that but didn’t change it in our Zoning Ordinance, Setliff said. The new fees are $1,000 for a modification and $3,500 for a new cellular tower, she added.

The Planning Board unanimously approved these changes for recommendation, Setliff said, which keeps the City up to date with current regulations.

Mayor Donecker opened the public hearing at 6:13 p.m. by asking if there was anyone who wished to speak in favor or disfavor of the text amendment? There being none, the public hearing was closed at 6:14 p.m.

**Councilman Gorham then made the motion, seconded by Councilwoman Walker and unanimously approved by Council in a 7-0 vote, to approve the Text Amendment updating Article XV, Wireless Telecommunications Facilities Siting Regulations to current NC Legislation. (A COPY OF THE TEXT AMENDMENT AS APPROVED IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)**

**PUBLIC COMMENTS.**

**Closing of Kmart.**

Mr. Steve Yonkoscki of 203 Carter Ridge Drive, Reidsville, asked Council members about the closing of Kmart, asking if this would be just another empty building added to the list? Mayor Donecker noted that Kmart still owns the building so what they will do with it, we don’t know. The Mayor discussed the current market, adding that we are trying to attract new businesses here. Mr. Yonkoscki said he’d like to see something like an ice skating rink for youth rather than another sweepstakes business. The Mayor said if Mr. Yonkoscki had any other ideas to let us know. He directed Mr. Yonkoscki to the City website to send comments to them.

**BOARDS & COMMISSIONS.**

City Manager Michael Pearce distributed ballots for the boards and commission appointments.

**CITY MANAGER’S REPORT.**

City Manager Michael Pearce said he hoped everyone had the opportunity to read his written report, noting that he didn’t have a lot to add to that. (A COPY OF THE WRITTEN CITY MANAGER’S REPORT IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) He did mention the re-opening of the Rec Center, including the Fitness Center. He asked Assistant City Manager Tom Wiggins to share how signups were going for that. Wiggins indicated that it was slow but they would be getting the word out more and more. The facility is available to employees free, the City Manager said, adding that the City had received a $100,000 grant from the Kate B. Reynolds Trust for new fitness equipment. It is a beautiful facility that City residents can use for $5.00 a month, Pearce stated.

**Out of Office.**

Pearce noted that he would be out of the office October 9-30. During that time, Assistant City Manager Tom Wiggins will be Acting City Manager. City Clerk Angela Stadler will be able to get in touch with Tom and his contact information will be made available, the City Manager said, encouraging them to take to Tom anything they would normally take to him.

**Excellence in Financial Reporting.**

The Mayor asked for more details about the award the Finance Department had received. Pearce complimented Assistant City Manager/Finance Director Chris Phillips and the Finance Department for receiving its 19th Certificate of Achievement for Excellence in Financial Reporting in a row from the Government Finance Officers Association. The award is not just based on what the Finance Department reports but also how it impacts the community, the City Manager explained. It includes information on services, etc., which is very comprehensive. He also stressed that this coveted award doesn’t go to everybody. It says a lot about our Finance Department and the excellent work they do, he said.

**$50,000 Award from USDA for Farmers Market.**

Pearce also noted that Judy Yarbrough and the Farmers Market have received a $50,000 grant from the USDA to help market the Farmers Market and its Snap/EBT program for the next two years. Judy with the City and Joey Peele of the Kate B. Reynolds Charitable Trust worked on the grant application. As more people come and we make it more accessible, we get more farmers to participate, the City Manager noted. This was one of the initial reasons Market Square was built – for the Farmers Market and we haven’t lost sight of that, he said. It was noted that the new skat bus service makes a stop at the Farmers Market.

**skat bus status update.**

In his City Manager’s Report, Pearce reported on the progress of the skat bus. He elaborated on that, noting that he had talked with Meggan Odell of ADTS, which operates the skat bus for the City. Originally the City had agreed to spend up to $42,500 for one half of the operational expenses. ADTS will now be applying for a federal grant that would pay 90% of the costs and is pretty certain we will get it since it will be linking up Eden, Reidsville and Wentworth with the western part of the County to follow soon. This will make it a metro or countywide bus system, he said, which is expected to drop our annual payment down to about $6,000-$8,000. Asked by Councilman Turner how long the grant would be for if it is received, Pearce replied he thought it was for three years but was not sure.

**Senior Center Update.**

Pearce noted that the City has been trying to get the Senior Center out to bid since June, but the construction is a rare combination with a Senior Center and an adult health day care center that will be run by ADTS. Something that normally takes three weeks to review by the State has taken two months because it is a “new creature,” the City Manager stated, adding that USDA is making us go through more hoops. Staff has been working on a lot of things the USDA wants to see from us on the project before it goes out to bid, and we want everything to be done exactly right, he said, since a majority of the funds are coming from a low interest, 40-year loan from USDA. We currently are working with the USDA to get the sprinkler system approved, which we’ve been told should be done in a couple of weeks, he said. He added that we may not be ready to go out to bid by the November meeting, but we hope to at least by the December meeting.

Mayor Donecker asked if it is normal that the sprinkler system be approved prior to going out to bid? Pearce said no, that usually those who design and construct such a system don’t want to do a design until they have a contract in hand for that. However, the USDA wants to see a design beforehand and see it permitted, he continued. We are finding ourselves in a “catch 22”, he said. Architect Tom Moreau has found a designer who is trying to get it done quickly, hopefully by the end of the month, Assistant City Manager Tom Wiggins explained. We want to give contractors at least four weeks to review the specifications so they won’t have to rush through the bidding process. Pearce noted that you want to give contractors at least 30 days on something of this size so that they don’t just start throwing figures at it instead of fine-tuning it and getting those figures as low as possible. The Mayor thanked staff for keeping on top of this, adding that they know it hasn’t been easy and people around town have been asking about it. Councilman Gorham said that Wiggins had assured him to a degree that we would be breaking ground in November. Wiggins said the November date was before the sprinkler system issue came up. Councilman Pearce said staff can’t make any promises about a day at the present time. Councilman Gorham asked Wiggins to give the seniors at the Senior Center an update, but Mayor Pro Tem Brown joked that Wiggins shouldn’t go by himself.

**Aesthetics Discussed.**

Councilman Hairston then noted that citizens in District A have concerns about sofas and couches on front porches and items on front lawns. He said as far as he knows we don’t have any City ordinance against that, but he would like it discussed at some point, perhaps at a retreat. He said there is a lot of concern about it and concerns about the aesthetics of it. Pearce said staff has looked into it in the past, but Council has not wanted to go into an aesthetics code. Such a code is difficult to enforce unless it is a public health or safety code concern, the City Manager explained. Some people like to sit on their front porch, he pointed out. Washington, North Carolina has been working on such an aesthetics code for some time, but again, it is very hard to enforce. He said staff can include it in the next retreat. Mayor Donecker asked that “eternal” yard sales also be added, including the one on Maple Avenue. Pearce said we have brought that issue to Council a few times with an ordinance that would limit such sales to twice a year, but twice the City Council has turned it down. As he has told the Mayor before, staff will bring it back up again if forced to, Pearce said.

**COUNCIL MEMBER REPORTS.**

**Mayor Pro Tem Brown** – The Mayor Pro Tem, citing the Historic Preservation Commission’s meeting last month, said he was impressed with the Commission’s commitment to serving the citizens. It was noted First Baptist Church on Hubbard Street wants to have an historic marker. Community Development Manager Donna Setliff said the church is currently working on a design and may have already ordered a sign. We may be hearing from them at the first of November about a possible unveiling, she added. The Councilman also said he attended the Mayor/Council Hours, where they received good input from citizens about things they’d like to see us do. He said we are going to do everything we can do to assist those citizens with those projects. He added that the Rec Center renovations had been well received by the general public. The Fire Department has been working out there, and there is a very positive, active atmosphere there, the Councilman said.

**Councilman** **Gorham** – Noting it was a busy month, the Councilman said he attended the 9/11 celebrations at Market Square, where the Fire Department did a fantastic job, and at First Christian Church’s ceremony, where Police Chief Hassell was on the program. He attended the Planning Board meeting but that information has already been covered today. He also attended the old timey block celebration on Market Street, the Human Relations Commission meeting, and the Lorillard Family Day where he saw the best fireworks he has ever seen in this area, and then saw Bernard Brim and the New York Players at Market Square later that same day. He attended First Baptist Church revival where Councilman Hairston brought the Word; attended the Men’s Breakfast at Moss Street School, which is soliciting support from male volunteers to serve as male role models; the ribbon cutting at the Rec Center; and the “Coffee with a Cop” event this past Saturday, which drew a lot of citizens out.

**Councilwoman Walker** – The Councilwoman asked Community Development Manager Donna Setliff to give updates about the Appearance Commission meeting since the Councilwoman had been out of town. Setliff said the Commission approved two landscaping projects on Northeast Market Street near Willow Street along the railroad, a beautification enhancement project, and on East Morehead Street from the McLaurin columns into town. Councilwoman Walker noted that she had attended the Barnes Street Neighborhood Watch, the Reidsville Downtown Corporation meeting and the Annie Penn meeting, along with Mayor Donecker and Councilman Balsley, which was very informative. She said they are very proud to announce Annie Penn’s ranking as one of the top hospitals in the nation. She also said she attended the events for the Cycle NC bike race, which she described as “absolutely wonderful.” She also told stories of people who were ecstatic to be able to use the skat bus. The Councilwoman said she got on the bus with her father and ran the full route with bus driver Steve Cobb, who helped the patrons get on and off safely. She noted that Robin Turner had gotten on the bus for the first time with her and Turner was so excited about the bus, which is her only means of transportation, and how clean, etc. it was. The Councilwoman noted that when she got ready to pay for her father, she found out that if you’re over 72, you don’t have to pay. She said she is also amazed at how they stay on schedule. Walmart is the site to catch connecting buses to Wentworth, she said.

**Councilman Turner** – The Councilman said they are looking for a big turnout at the Downtown Fall Festival and no rain. He said Angela (City Clerk Stadler) is looking to fill out blanks for people to volunteer and urged people to do that.

**Councilman Hairston** – The Councilman listed the events he had attended: 9/11 Service, Black Family Day, the Old Fashioned Block Party, the re-opening of the Rec Center and Community Watch meetings. He shared that he learned at the Human Relations Commission meeting that the Home of Refuge/Outreach will open December 17 until March 31, 2015, at 1431 Fieldcrest Road, Eden. He noted that there are approximately 448 homeless people in Rockingham County, 110 of which are children. There is a great need out there, he said, adding that they are also looking to build a shelter in the western part of the County and need about $400,000 to get that going. The shelter is asking for volunteers to help with transport and supplies and financial donations are accepted as well. He noted that there are rules to be able to go to the shelter, including a prescreening with the Reidsville Soup Kitchen on Arlington Street as one of the screening locations. The S&K Preemie Love Foundation has been doing fundraising for Moss Street School and other schools to help students be able to go on school trips, etc. On Nov. 2nd, a talent show will be held at the Reidsville High School auditorium with a $5 admission fee to raise funds. Lastly, the NAACP banquet is set for the first Saturday in November at Zion Baptist Church’s Multi-purpose Center. Tickets are on sale for $20 each and Rochelle Tucker is selling them, he said.

**Councilman Balsley** – The Councilman thanked Tom Wiggins and his staff for the Rec Center re-opening and the City and Chamber for a successful Cycle NC. He asked Chamber Director Diane Sawyer to highlight upcoming Chamber events, which she did. Sawyer talked about the coffee set for the second Thursday in November at the Womankind Center of Annie Penn; and the October 24th candidates forum at the Reidsville Downtown Events Center. Mayor Donecker attended an educational lunch and learn about the proposed quarter cent sales tax increase. She talked about the good business downtown merchants did during the Cycle NC event, and that the riders told them they love Reidsville and Rockingham County. As a personal aside, Sawyer thanked firefighters for their help on child safety seats. She also complimented Codes Inspector Cole Perkinson and Fire Marshal Jay Harris for helping them get up to code for the Business Showcase and to Chris Phillips and Finance for helping getting the water turned on. She said the News & Record said that their anniversary publication for the Chamber was one of the best they’ve ever done. She invited Council members to attend the Business Showcase’s opening ribbon cutting at 5 p.m. on Wednesday, October 15, and cut the ribbon with them. She complimented the new Police Chief Robert Hassell, noting he has already visited the Chamber and has tried to engage with them. She noted that they also see the downtown officer at least once a week. She said to give them all a big pat on the back.

**ANNOUNCEMENT OF BOARD & COMMISSION APPOINTMENTS.**

The Mayor, noting we still have a lot of vacancies on our boards and commissions, asked City Clerk Angela Stadler to announce those appointments. Stadler noted that Florence Arquitt of 200 Pine Hill Court was unanimously appointed to the Reidsville Appearance Commission. (A COPY OF THE BALLOTS ARE HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)

**Mayor Donecker** – The Mayor explained that Ms. Arquitt had complained to him about the trash along South Park Drive and is now getting involved with the Appearance Commission. She is also trying to make an impact to find out why our schools are rated so low on Trulia. He noted that he had attended a luncheon in Chapel Hill about the Carolina Advising Corp. program, which is funded by the Kate B. Reynolds Charitable Trust and Reidsville Area Foundation, and imbeds a recent graduate from Carolina into the schools. This has only been in place for two years and helps juniors and seniors do all the necessary paperwork to apply for colleges, he explained. Only 41 high schools in the State have it, and it is already making a difference, he said. Of those high schools that have it, 58.7% are enrolling in post-secondary education while those without it are at 49.7%, the Mayor said. Our Reidsville Area Foundation should be thanked for getting them into Reidsville High School, he said, noting that there is a 16 percentage point difference between those high schools like Reidsville making it through the FASA application process (64.4%) and those who don’t have these advisors in their schools (48.4%). He also noted that the program doesn’t cost a lot because of the wonderful public-private partnership involved and again thanked the Reidsville Area Foundation for its involvement.

The Mayor also noted that, due to the Chamber’s Business Showcase on October 15, he will move his Mayor/Council Hours from Wednesday to Tuesday, October 14, from 6-8 p.m. as well as Tuesday, October 28. He reminded everyone that he would be doing City Chat on WGSR at 6:30 p.m. on Thursday. Regarding the quarter cent sales tax that Diane Sawyer had mentioned, he strongly suggests everybody come out and vote. He said we have got to get the increase, that while it is not a complete step rather than a whole step, it is a step in the right direction. The Mayor also discussed the awards received by Annie Penn, which has been named top in the country for patient care (Press Gainey three years in a row) and has received the Leapfrog Award, whereby a hospital is judged for its complete organization. So now we have a hospital that is not only best in class for patient care but is also recognized as best in class for medical care, he said. No other community can say that, and we need to run for it, he said. For those moving here, one of the issues is medical care, he continued. He said he wouldn’t be surprised if the experts won’t be finding a way to add 0% infectious rates for two of the major key performance indicators. He stressed that this is practically unheard of, and it is not because of a small caseload because Annie Penn does not have a small caseload in those procedures

The Mayor thanked Ophelia Wright, a candidate for the school board, for attending the meeting.

**MOTION TO GO INTO CLOSED SESSION.**

Mayor Donecker said he would entertain a motion to go into closed session to discuss a personnel matter G.S. 143-318.11(a)(6).

**Mayor Pro Tem Brown made the motion, seconded by Councilman Gorham and unanimously approved in a 7-0 vote, to go into closed session.**

The Mayor said there would be a short recess before the Council members adjourned to the first-floor conference room for the closed session.

**MOTION TO ADJOURN.**

**Upon coming out of closed session, Councilman Balsley then made the motion, seconded by Councilwoman Walker and unanimously approved by Council in a 7-0 vote, to adjourn at approximately 7:28 p.m.**

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John M. “Jay” Donecker, Mayor

ATTEST:

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Angela G. Stadler, CMC/NCCMC, City Clerk