

**MINUTES OF THE REGULAR MEETING
OF THE REIDSVILLE CITY COUNCIL
HELD TUESDAY, APRIL 12, 2016 AT 6:00 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 James K. Festerman
Councilman Donald L. Gorham
Councilman William Hairston
Councilwoman Sherri G. Walker

COUNCIL MEMBERS ABSENT: NONE

CITY STAFF PRESENT: Preston W. Mitchell, City Manager
Angela G. Stadler, CMC, City Clerk
William F. McLeod Jr., City Attorney
Tom Wiggins, Assistant City Manager
– Community Services
Kevin Eason, Public Works Director
David L. Bracken, Fire Chief
Robert Hassell, Police Chief
Donna Setliff, Community
Development Manager

Mayor Donecker called the meeting to order.

INVOCATION.

The Mayor called upon Pastor Randy Hester of Community Baptist Church, 509 Triangle Road, Reidsville, to provide the invocation.

PLEDGE OF ALLEGIANCE.

Council members led in the reciting of the Pledge of Allegiance.

PROCLAMATIONS:

75TH ANNIVERSARY OF COMMUNITY BAPTIST CHURCH.

Mayor Donecker called Pastor Hester to come forward again to receive two of the “Pray for our City” signs that the Pastor had asked the Council to autograph. The Mayor thanked Hester and his congregation at Community Baptist Church for continuing to pray for the Council. The Pastor thanked the Council for all they do as well as for recognizing Community’s 75th anniversary, which it would be doing later tonight. He said they felt that a Christian citizen should be one of the best citizens in the community. They are praying specifically for each one of you, he told Council members.

Mayor Donecker then read aloud a proclamation for Community Baptist Church's 75th anniversary. (A COPY OF THE PROCLAMATION IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) Pastor Hester expressed his thanks as Council members stood and applauded.

APRIL AS "CLEAN SWEEP MONTH."

Mayor Donecker then read the proclamation recognizing April as "Clean Sweep Month" in the City. (A COPY OF THE PROCLAMATION IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) He called upon Community Development Manager Donna Setliff to come forward and discuss the effort. She invited members of the Reidsville Appearance Commission (RAC) who were present to come forward as well. RAC Chairperson Carolyn Pillar recognized fellow Commission members Catherine Wilson, Sandra Strader and Jim Jackson. Setliff noted that the RAC has issued a challenge to citizens to individually clean up their yards, etc. She gave a "shout out" to the City's Sanitation Department for its efforts. During this week, she noted that the department is picking up some items, such as construction debris, tires, etc., that are not normally picked up. Setliff explained that they have several programs in the works and a lot of their effort is focused on education. Council Liaison to the board Councilwoman Walker noted that there are several openings on the board for those who are interested. Committee member Jim Jackson has written an article about Clean Sweep that is on the City's website under News & Announcements. Mayor Donecker plugged the mobile app, Reidsville Connect, as well. Setliff also noted that a community cleanup effort in March gathered up 40 bags of trash.

FIREFIGHTER GABRIEL HILDEBRAND FOR CPR SAVE.

Fire Chief David Bracken came forward at the Mayor's request. The Fire Chief said it was a privilege for him to recognize one of the department's fine young trainees, Gabriel Hildebrand. He invited Hildebrand to come forward. Chief Bracken noted that when you're doing your training programs, you don't know how they are impacting the trainees until they come into service. On Sunday afternoon, March 13, following worship services at Zion Baptist Church, a member of the church went into full cardiac arrest, the Fire Chief explained. Due to the quick actions of Gabriel, he took the steps to initiate CPR and was able to put the gentleman in a position where the Fire Department could work on him once they arrived. Chief Bracken said this was a three-fold effort: Gabriel's quick thinking; Fire Department Engine Company #1's quick response; and the Council's funding of the department's equipment, etc., like the AED used. The members of the Fire Department present were given a standing ovation. Mayor Pro Tem Brown said that he was there when Hildebrand jumped into action and he added that Hildebrand is the Chairman of the church's Youth Department. The Mayor Pro Tem asked to shake Hildebrand's hand as did the other Council members and City Manager Mitchell.

APPROVAL OF CONSENT AGENDA.

Mayor Donecker asked for Council approval of the Consent Agenda.

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

CONSENT AGENDA ITEM NO. 1 – APPROVAL OF THE MARCH 8, 2016 REGULAR MEETING MINUTES AND THE MARCH 14, 2016 SPECIAL MEETING MINUTES.

With the approval of the Consent Agenda in a 7-0 vote, the Council approved the March 8, 2016 Regular Meeting Minutes and the March 14, 2016 Special Meeting Minutes.

- End of Consent Agenda -

PUBLIC HEARINGS:

CONSIDERATION OF A SPECIAL USE PERMIT FOR PROPERTY AT 1305 COACH ROAD, UNIT C, FOR A PERSONAL SERVICE USE (HAIR SALON). (SP 2016-1)

Prior to the report, City Clerk Angela Stadler swore in Community Development Manager Donna Setliff and Margarete Hampton of 128 Lala Drive, Reidsville.

In making the staff report, Community Development Manager Setliff explained that Thomas Holderby has submitted an application for a Special Use Permit for 1305 Coach Road, Unit C, Reidsville. She said the application will allow “personal services,” specifically a hair salon at the location. Zoned Office & Institutional (O&I), the property can only include personal services with a Special Use Permit, she said.

Setliff described the property as being on the corner of Richardson Drive and Coach Road with the neighborhood a mixture of Residential-20 (R-20) and O&I. To the north and east is Residential-12 (R-12) while the south is developed R-20. County tax records show the buildings were constructed in the 1960s, she continued; therefore, it is logical to believe that the property has been zoned as such since then. She said since she has been with the City, she has never known it to be zoned anything else. She noted that O&I districts are where residential and office/institutional uses exist.

Per the City’s Zoning Ordinance, the criterion for personal services is as follows:

Parking is to be at three spaces per person performing the personal service and one space per employee not performing a personal service.

Hours of operation are limited to Monday through Saturday from 8 a.m. to 7 p.m. Operation on Sunday is prohibited.

The operator is aware of these, Setliff said, and there is plenty of parking there. She explained that the hair salon will have only one operator, Ms. Hampton. There are no self-imposed conditions placed on the business while the two imposed by staff are standard conditions.

The Community Development Manager noted that the property is within the Suburban Growth Area according to the City's Comprehensive Plan. The area's objectives are to provide urban services in an orderly fashion and to provide an adequate transportation network, she said.

Setliff said Council must come to certain findings regarding the impact of the proposed addition to the area and have a comfort that all of the findings are met. The four findings of fact are 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;
- (2) that the use meets all required conditions and specifications;
- (3) that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and,
- (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.

The applicant had no conditions but staff suggested the following, Setliff said:

1. The use shall comply with the Special Use criteria for personal services per the Reidsville Zoning Ordinance
2. The unit shall comply with the North Carolina Building Code, the North Carolina Fire Code and ADA Handicap Code.

Setliff noted that the Planning Board unanimously recommended that the Special Use Permit be granted with these conditions and the Findings of Fact.

Following the staff report, Mayor Donecker opened the public hearing at 6:20 p.m., asking if anyone wished to speak in disfavor of the Special Use Permit? With no one coming forward, he asked if anyone wished to speak in favor?

Ms. Margarette Hampton of 128 Lala Drive, Reidsville, stated this would be a one-owner salon. She added that she has been in the business for some 20 years, and she loves the location.

The public hearing was closed at 6:21 p.m.

Mayor Donecker then led the Council through the four Findings of Fact and the resulting vote 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; -- **Approved 7-0**

- (2) that the use meets all required conditions and specifications; --
Approved 7-0
- (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 7-0
- (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 7-0

The Council then considered the Special Use Permit with the two conditions.

Councilman Festerman made the motion, seconded by Councilman Gorham and unanimously approved by Council in a 7-0 vote, to approve the Special Use Permit.

The Special Use Permit as approved follows:



SPECIAL USE PERMIT

REIDSVILLE, N. C.

There is hereby granted to Margarett Hampton, 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 personal services specifically a hair salon at 1305 Coach Road, Unit C, specifically Rockingham County Tax No. 8904-13-04-4589 with the following conditions:

1. The use shall comply with the Special Use criteria for personal services per the Reidsville Zoning Ordinance
2. The unit shall comply with the North Carolina Building Code, the North Carolina Fire Code and ADA Handicap Code.

Said property is zoned Office & Institutional.

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 12th day of April, 2016
by the CITY COUNCIL OF REIDSVILLE, N. C.

/s/ _____
CITY CLERK

The Mayor said he was excited to have another business down there. Councilman Gorham, noting he was at the Planning Board when this item was considered, said he was very impressed with how supportive her husband was of her, adding that he has a “soft spot” for such since his daughter is a cosmetologist.

**CONSIDERATION OF REZONING OF PROPERTY LOCATED ON THE
NORTHEAST CORNER OF FREEWAY DRIVE AND LAWNDALE DRIVE
FROM HIGHWAY BUSINESS TO CONDITIONAL USE RESIDENTIAL-6 AND
A CONDITIONAL USE PERMIT FOR A MULTI-FAMILY COMPLEX. (Z 2016-
1 & CU 2016-1)**

Prior to the staff report, City Clerk Stadler swore in Community Development Manager Donna Setliff, Jennifer Fountain and Vincent Townsend.

Setliff then reported that the applicant, Thomas Holderby, wants to rezone a 9.5-acre parcel on the corner of Freeway Drive and Lawndale Drive from Highway Business to Conditional Use Residential-6 and requests that a Conditional Use Permit (CUP) for a multi-family complex with accessory uses to the complex be issued. The area is a mix of commercial and residential uses with properties to the north, south and west zoned Highway Business and Residential-12 and Residential-20 located to the east and northeast, she continued. This corner property is between the Belmont Shopping Center and the existing Lawndale apartments. Staff believes that Residential-6 zoning is a good transitional zoning, she added, although it is a little higher density than the abutting Residential-12, which is for medium density. However, the applicant has limited the number of units. R-6 zoning allows 18 units per acre, which comes to be about 177 units for this property, but he has imposed a condition that it be limited to a maximum of 144, Setliff said. Therefore, staff does feel this would be a good transitional zoning between Highway Business and R-12 zoning, she stated. Any other time, staff would be concerned with a spot zoning issue, but since the characteristics of R-12 and R-6 are so similar except for the density and with the self-imposed conditions, staff does feel that has been taken care of, the Community Development Manager said.

Setliff noted that the property is within the Suburban Growth Area per the Growth Management Chapter of the City’s Comprehensive Plan. The objectives of this area are to increase the number of planned unit developments and provide services in an orderly fashion, she said.

In addressing the CUP, Setliff stated that the City's Technical Review Committee has not reviewed the site plan for compliance with the City's land use codes. She added that this is not unusual since property owners/developers want to know they have received the desired zoning before spending money on completing a full site plan. Her department has received a conceptual drawing which is before Council today, she said, and supports the proposed conditions. The TRC, along with the engineers, will work out the details of water and sewer connections, etc., she added. While the number of units allowed by the Zoning Ordinance is 171, the developer has placed a condition on the CUP limiting that number to 144 units, along with another eight conditions which are basically aesthetic in nature, she said.

The self-imposed conditions are as follows:

1. There shall be a maximum density of 144 units in six buildings on the Property.
2. There shall be a decorative fence along the southern and western property lines.
3. The residents shall have a right to access and use the amenities located on Phases I and II of the project. Setliff noted that there are existing amenities such as a pool, etc. that will be available to these new units.
4. The apartment buildings shall be constructed of not less than fifty percent brick with vinyl materials used in the breezeways.
5. Buildings shall be limited to three stories in height.
6. Dumpsters shall be screened.
7. There shall be two playgrounds on the property.
8. There shall be a fenced dog park on the property.

In addition to these self-imposed conditions, staff recommends the following standard condition be added:

The project shall comply with Reidsville Zoning Ordinance, the North Carolina Building Code, the North Carolina Fire Code and ADA Handicap Code.

Planning Board unanimously recommended the rezoning, she said, and the CUP.

Setliff noted that the Council members' packets include the steps needed, along with a Consistency Statement that approves the rezoning. If not approved, the motion will need to be reworded, she added. Also to be approved are the findings of facts and the conditions for the CUP.

With no questions by Council for Setliff, Mayor Donecker opened the public hearing at 6:30 p.m. by asking if anyone wished to speak in disfavor of the Conditional Use Permit? No one came forward. He asked if anyone wished to speak in favor?

Ms. Jennifer Fountain, an attorney with Isaacson Issacson Sheridan Fountain & Leftwich, LLP, of 804 Green Valley Road, Greensboro, came forward and distributed a booklet titled, "Before The Reidsville City Council: Application for Rezoning of Property Located at Freeway Drive/Lawndale Drive, Reidsville, North Carolina for Thomas S.

Holderby.” (A COPY OF THIS BOOKLET IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) Fountain said she is here representing her client, Tom Holderby, who is here today, along with engineer Vince Townsend who designed the complex. Mr. Holderby has invested over \$10 million dollars into the Reidsville economy, developing and constructing the first two phases of Woodland Heights on Lawndale Drive. Phase I was completed approximately 11 years ago with Phase 2 completed about five years ago. Both of these phases are at 100% occupancy with at least 15 people on the waiting list, she said. There is not another complex with similar amenities like this in the county, Fountain asserted. In order to meet the needs of more units, they are here to request the rezoning from Highway Business to Conditional Use R-6 of the property located next to the existing complex. This would allow an expansion and a continuation of the existing complex, she said. Some amenities will be shared, and she cited the self-imposed conditions listed behind Tab 2 but noted she will not review them since Setliff has already done so. She said she would be happy to discuss them if needed. Tab 3 shows in map form the layout of the new phase. She cited the exact location of the property and noted that the R-6 zoning is a good transitional zoning from the existing R-12 to HB on Freeway Drive. Tab 4 shows pictures of the current complex.

Fountain noted that Holderby is a good neighbor and a responsible owner. He plans to add new shutters and a new playground. She assures them this will be a quality project with rental rates which will be in the average, similar to what is being leased currently. She thanked the Council for its time and asked that they vote in favor of this request.

Councilwoman Walker asked if the current complex has a dog park? She was informed yes, three in total are planned. She thanked the owner for including such parks.

The public hearing was closed at 6:34 p.m.

Councilman Festerman stated that based on the information provided in the staff report and verbal evidence presented during the public hearing, the request is reasonable, in the public interest and consistent with the City’s Comprehensive Plan. Therefore, I make a motion that the rezoning be approved. The motion was seconded by Councilwoman Walker and unanimously approved by Council in a 7-0 vote.

The Council the considered the four findings of facts as stated by the Mayor:

- (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 7-0**
- (2) that the use meets all required conditions and specifications; -- **Approved 7-0**
- (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 7-0**
- (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 7-0

Councilman Festerman then made a motion to approve the Conditional Use Permit with the nine conditions, which were read aloud by Mayor Donecker. The motion was seconded by Councilwoman Walker and unanimously approved by Council in a 7-0 vote.

Councilman Festerman asked about swimming pools. It was noted that the new addition will share the existing two pools.

Mayor Donecker thanked Holderby for investing in Reidsville.

The Conditional Use Permit as approved follows:



CONDITIONAL USE PERMIT

REIDSVILLE, N. C.

There is hereby granted to Thomas S. Holderby a Conditional Use Permit in accordance with the Reidsville Zoning Ordinance, Article V, Section 1 for a portion of the property located at the intersection of Freeway Drive and Lawndale Drive, specifically Rockingham Co. Tax Map PIN: 7993-08-87-4771 to be used for:

Multi-family Complex with Accessory Uses

Subject to the following conditions:

1. There shall be a maximum density of 144 units in six buildings on the Property.
2. There shall be a decorative fence along the southern and western property lines.
3. The residents shall have a right to access and use the amenities located on Phases I and II of the project.
4. The apartment buildings shall be constructed of not less than fifty percent brick with vinyl materials used in the breezeways.
5. Buildings shall be limited to three stories in height.
6. Dumpsters shall be screened.
7. There shall be two playgrounds on the property.
8. There shall be a fenced dog park on the property.

9. The project shall comply with Reidsville Zoning Ordinance, the North Carolina Building Code, the North Carolina Fire Code and ADA Handicap Code

This property has been zoned Conditional Use Residential-6 (CU-R6) in conjunction with this permit. For a more specific understanding of this permit, see Docket No. CU2016-1.

This Permit is granted to the person, firm, or corporation designated above, and for the purpose and under the conditions set forth above. The Conditional 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 12th day of April, 2016
by the CITY COUNCIL OF REIDSVILLE, N. C.

/s/ _____
CITY CLERK

CONSIDERATION OF A CITY ORDINANCE ESTABLISHING A TWO-YEAR MORATORIUM ON OIL AND GAS DEVELOPMENT WITHIN THE CITY OF REIDSVILLE AND ITS EXTRA-TERRITORIAL PLANNING JURISDICTION.

In making the staff report, City Attorney William F. McLeod Jr. stated that as he discussed last time, this ordinance basically establishes a “time out” period for the City to gather information, see what’s going on in terms of existing law and any precedents being set by any litigation that may arise. He doesn’t know of any such litigation at the present time. This two-year period allows time for the City to consider the complexities of the situation.

McLeod noted that he spoke in detail about the ordinance at the last meeting so he would not again today unless Council had any questions. He added that we just don’t know whether the State may pre-empt such ordinances. The Mayor thanked him for his diligence and his time and effort to get this before Council.

Mayor Donecker opened the public hearing at 6:39 p.m. by asking if anyone wished to speak in disfavor or in favor of the ordinance? No one came forward, and the public hearing was closed at 6:40 p.m.

Councilman Gorham made the motion, seconded by Mayor Pro Tem Brown, to approve the ordinance.

The Councilman said it was one of the most detailed reports he has ever read. He said everything was defined. The City Attorney agreed, adding that he took a lot from the County’s ordinance.

The motion then passed in a 7-0 vote by Council.

(THE ORDINANCE AS APPROVED IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)

- End of Public Hearings -

CONSIDERATION OF ADOPTION OF CDBG-RELATED DOCUMENTS (BILL COWAN, MARTIN-MCGILL):

Bill Cowan of Martin-McGill came forward to discuss the CDBG-related documents in the Council members' packets for their approval. He noted that his company had provided sample documents that will need to be in place prior to the City applying for any CDBG-Economic Development grants. Noting that the City might have the opportunity to apply for such grants in the near future, he said, again stressing that these documents need to be in place for the City to be compliant. He stressed that the policies only apply to CDBG-related activities. He noted that was a big question that had arisen among City staff. He said that Alice Briggs in his office, who worked closely with the City Clerk, stated that City staff had looked at these documents more thoroughly than any of their other clients in recent years, which is a large number. He said "hats off" to Tom and his people, Angela and all your staff for their thorough review of these documents.

Presentation and approval of Analysis of Impediments by Michael Blair, Piedmont Triad Regional Council.

Cowan introduced Michael Blair of the Piedmont Triad Regional Council. He noted that as part of this process, entities with a population of 10,000 or more must adopt an Analysis of Impediments for Fair Housing Choice. Luckily the local COG already has a regional plan that the City can adopt and apply to the City of Reidsville, which saves the City a lot of money, Cowan said.

Michael Blair came forward, thanking Council for having him here. In regards to the Analysis of Impediments for Fair Housing Choice, he explained that several years ago it was suggested to do these larger regional plans, which meant the smaller cities would not have to do them and incur the costs associated with doing such a plan. In 2014, such a regional plan was done for the area, but primarily for the City of Greensboro, Guilford County, the City of Burlington, Alamance County and High Point, among others. He said he pushed the need to let smaller non-entitlement cities adopt the plan so that they could apply for CDBG grants and meet the requirements, he said.

Cities adopt the entire plan although much of it applies to these larger cities, but the plan and maps include Reidsville and Rockingham County. He said it then gives these smaller cities a "buffet of actions" that they can take for economic development or for the Department of Environmental Quality's Community Development Block Grants for water/sewer improvements. He said no communities within our region have gotten one of those community development grants in the past three years except for Montgomery County so there may be some opportunity there. Created in 2014, the Analysis of Impediments is a five-year plan that is good through 2019 so if adopted today, it would

be good for three years for Reidsville for any CDBG grants the city might apply for, Blair said. He said it is basically about opportunity, both for housing and for jobs.

Blair said he hoped the executive summary was helpful, noting that the entire plan is some 350 pages long.

Councilman Balsley, who is on the board of the Rockingham County Help for the Homeless, talks about that group's efforts to help people using HUD funds to find housing until they can get back on their feet again. He noted they had "graduated" 10 families this past year from being dependent on them to being self-sustaining. He said he was interested in what they are doing. Blair talked about his organization's efforts to finance and transition low income people into housing as well. This plan really does address that, he added. The only other entity that has adopted it is Davie County, he said.

Mayor Donecker referenced page 4 of the executive summary, noting that it shows why we have improved to Tier 2 from being a Tier 3 County. He stated that we have not improved economically, but a number of surrounding counties have worsened unfortunately. He added that hopefully, if we can get some of these grants and get some small businesses in here, we may actually turn a corner.

Blair noted that it is about job growth and giving everyone the opportunity to better themselves. He said the thing about Rockingham County, there is not a racially concentrated area of poverty. He stressed that there are concentrations but they do not meet the census tracking level. In terms of that, Rockingham County is doing better than other counties, Blair said. The Mayor acknowledged that we are not where we need to be, but we're trying.

Manager Mitchell noted that one reason we wanted Mr. Blair to come tonight was to show the benefit of having a COG with such a plan instead of having to contract out and get a plan done quickly. Noting that many times people do not realize the benefit of the COG, he stated that this is a direct benefit of the COG for the City of Reidsville. Mayor Donecker said that is an excellent point.

Before concluding, Blair briefly discussed the status of the housing rehabilitation project in Reidsville and Rockingham County.

Councilman Festerman made the motion, seconded by Mayor Pro Tem Brown and unanimously approved by Council in a 7-0 vote, to approve the Analysis of Impediments Plan.

Approval of Resolution to adopt CDBG Compliance Plans by Bill Cowan, Martin-McGill.

Bill Cowan noted that Council has before them a resolution to adopt the CDBG compliance plans. He reminded Council members that the CDBG funds are divided into two pots of money – for economic development and for infrastructure. They have been talking to the City Manager and Public Works Director about tapping into that

infrastructure fund, for which the City is well eligible for, he noted. He said it will require some targeting of low to moderate income neighborhoods. His company has had success with that, he said, adding that in one round of grants, they were involved in six of ten that were approved. He noted that once these plans are adopted, they will also work for future CDBG projects. He did explain that every 2-3 years, the Fair Housing Plan may have to be updated to make sure it is current and covers a five-year period.

Cowan noted that staff had asked about amending the Assessment Policy, which deals with infrastructure projects. The policy states assessment fees of \$2,000 per acre/tract for industrial/commercial users and \$500 for residential users. It was requested by staff to lower those fees to \$500 for industrial/commercial users and \$250 for residential.

The Resolution covers mandatory or required plans. The plans have been fully vetted by your staff, Cowan stated.

City Clerk Stadler noted that the Resolution will be attached to the approved plans, but in the motion it should be noted that the Assessment Policy would be changed to reflect a \$500 fee for industrial/commercial users and \$250 for residential users.

Mayor Donecker asked for a motion to approve the Resolution with the change to the Assessment Policy making the fees \$500 for industrial/commercial users and \$250 for residential.

Councilman Gorham made the motion, seconded by Councilman Hairston, to approve the Resolution with the noted fee changes.

Mayor Donecker thanked Bill Cowan for his assistance.

The motion then passed in a 7-0 vote by Council.

The Resolution to Adopt CDBG Compliance Plans as approved follows, along with the corresponding documents (A COPY OF THE CORRESPONDING DOCUMENTS ARE ALSO HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.):

RESOLUTION BY THE CITY OF REIDSVILLE TO ADOPT CDBG COMPLIANCE PLANS

WHEREAS, The City of Reidsville plans to apply for CDBG-ED funding, should the citizens of Reidsville be in support of a water and sewer infrastructure project following the second public hearing, date TBD, and should the City Council pass a resolution to apply for funding; and,

WHEREAS, the North Carolina Department of Commerce (DOC), upon receiving a successful, complete application from the City of Reidsville for funding, agrees to provide to the City of Reidsville the Community Development Block Grant assistance under Title I of the Housing and Community Development Act of 1974, as amended (P.L. 93-383) authorized by the

DOC funding approval, the North Carolina Community Development Block Grant administrative rules, applicable laws and all other requirements of DOC now or hereafter in effect; and,

WHEREAS, HUD’s State CDBG program has many federal performance and procurement requirements,

NOW, THEREFORE BE IT RESOLVED, BY THE REIDSVILLE CITY COUNCIL:

That the City of Reidsville, the Applicant, will adopt and place into effect the following plans required by CDBG-ED grants, should Reidsville be awarded the CDBG funding:

- Fair Housing Plan
- Residential Anti-Displacement and Relocation Assistance Plan
- Section 3 Plan
- Equal Opportunity Plan
- Procurement Plan
- Citizen Participation Plan
- Language Access Plan
 - Assessment Policy
- Section 504 Plan
 - Section 504 Self-Evaluation Survey
 - Compliance Officer/Grievance Procedure
 - Policy of Nondiscrimination Based on Handicapped Status
 - Policy of Reasonable Accommodation

WHEREAS, The CDBG-ED program requires that communities with more than 10,000 residents adopt an Analysis of Impediments to Fair Housing,

WHEREAS, The City of Reidsville has over 10,000 residents, and is located in the Piedmont Triad Region, which has an Analysis of Impediments prepared for communities in the region seeking CDBG funding,

NOW, THEREFORE BE IT FURTHER RESOLVED, BY THE CITY OF REIDSVILLE:

That the City of Reidsville, candidate for CDBG-ED funding, upon receiving a grant contract for funding will adopt and place into effect the Analysis of Impediments and Assessment of Fair Housing – Piedmont Triad Council, DATED September 2014. The fair housing activities included in Reidsville’s Fair Housing Plan will promote the findings in this Analysis of Impediments and strive to improve fair housing choice in Reidsville.

Adopted this the 12th day of April, 2016, in Reidsville, North Carolina.

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

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

Mayor Donecker called for a five-minute recess at approximately 6:58 p.m., then the Council resumed with the agenda.

CONSIDERATION OF REQUEST TO TRANSFER \$27,000 FROM THE GENERAL FUND UNDESIGNATED FUND BALANCE TO REPLACE POLE LIGHTS AT JAYCEE PARK AND AUTHORIZE THE CITY MANAGER TO CONTRACT WITH TOMMY LAWRENCE ELECTRICAL CONTRACTORS TO PERFORM THE NEEDED REPAIRS.

Public Works Director Kevin Eason reviewed the pole light situation at Jaycee Park as outlined in his March 29th memo. (A COPY OF THE MEMO IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) He explained that the wind blew over one of the pole lights at Jaycee, and they discovered the wood was rotten. An analysis of the other poles found that several of the poles there were also rotten, he continued. When the pole light fell, it damaged not only the pole but also the dugout and bleachers, he said. It will cost \$5,000 to replace that pole, Eason stated.

All of the poles on Brookside were rotten, proving to be a life and safety situation, the Public Works Director noted. The poles on Jaycee #1 seem to be in good shape, he said, but two of the six poles on Jaycee #2 are rotting. The other four poles were replaced in 2007 when the Jaycee #2 field was reworked, he continued.

Originally, it was thought it would cost \$50,000-\$60,000 to replace these pole lights. However, the City has received a proposal from Tommy Lawrence Electrical Contractors to replace all the poles on Brookside and two poles on Jaycee #2 for approximately \$27,000.

Discussion ensued about the condition of the replacement poles. Eason explained that while the replacement poles are considered used, the poles have not actually been in use but have been lying on the ground for three years. The Public Works Director noted that the poles at Brookside have been there since 1962 while the other poles at Jaycee #2 were erected in 1981. The lifespan for such wooden poles is usually between 20-25 years, Eason said.

Councilwoman Walker asked if the \$27,000 is taken from the Undesignated Fund Balance, would the \$9,100 insurance payment once received be returned to the Fund Balance? Staff's answer was in the affirmative.

Noting it is evidently a dangerous situation, Councilman Gorham made the motion to replace these poles using the Undesignated Fund Balance. The motion was seconded by Councilwoman Walker.

There was some brief discussion by Council about the good price received as well as the high quality of the Musco lighting to be used. Councilman Festerman indicated he would have liked to have gotten new poles.

The motion was then approved in a 7-0 vote by Council.

The corresponding Budget Ordinance Amendment as approved follows:

BUDGET ORDINANCE AMENDMENT NO. 11

WHEREAS, the Mayor and City Council of the City of Reidsville adopted a budget ordinance on June 9, 2015 which established revenues and authorized expenditures for fiscal year 2015-2016; 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 allocate fund balance to replace light [poles at Jaycee Park

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Reidsville that the budget ordinance as adopted on June 9, 2015 is hereby amended as follows;

Section 1. That revenue account number 11-3991-0000, Appropriated Fund Balance, be increased by \$27,000.00.

Section 2. That expense account number 11-6121-3510, Parks and Recreation Facilities Maintenance, be increased by \$27,000.00.

This the 12th day of April, 2016.

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

ATTEST:

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

CONSIDERATION OF REQUEST TO AUTHORIZE THE CITY MANAGER TO DISPOSE OF SURPLUS PROPERTY BY ONLINE AUCTION.

City Manager Preston Mitchell noted that staff would like to sell by online auction City vehicles that have been replaced or are in the process of being replaced. A listing is provided in Public Works Director Kevin Eason's April 4th memo. (A COPY OF THE MEMO IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) Staff would use a vendor like Gov Deals, he noted. Staff would like to use the online auction but would wait until July 1st so that those monies would be in the next budget year. The City Manager said they are hoping to sell the vehicles at the price noted.

Councilman Gorham made the motion, seconded by Councilman Hairston and unanimously approved by Council in a 7-0 vote, to authorize the City Manager to dispose of surplus property by online auction.

CONSIDERATION OF REQUEST TO CONTRACT CACTX TO REFURBISH STAMPED ASPHALT AT THE MOREHEAD AND SCALES STREET INTERSECTION AND CORRESPONDING BUDGET ORDINANCE AMENDMENT NO. 11.

Public Works Director Eason discussed the proposed refurbishing of the stamped asphalt at the intersection of Morehead and Scales Street as outlined in his March 4th memo. (A COPY OF EASON'S MEMO IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) First done in 2008, the stamped asphalt at this intersection has shown more wear and tear because of turning traffic, he indicated, as opposed to the big "R" at the Scales/Gilmer Street intersection.

Cactx Surfaces did the initial work eight years ago, Eason stated. He explained the process of coating and how it works. He added that the refurbishing for aesthetics will need to be done about every eight years. He presented other options, including pavers, which may create more "ruts" and concrete, which would cost \$40,000-\$50,000; however, staff is recommending \$8,874 be spent to restore the stamped asphalt at the Morehead/Scales intersection.

Councilman Hairston asked if there are any danger or safety reasons to have this work done? Eason replied in the negative, adding this was totally aesthetics.

Councilman Festerman made the motion to grant the request as recommended by Public Works Director Kevin Eason, which was seconded by Councilman Balsley.

During the discussion phase, Councilman Balsley said that with this new artwork there and more people coming by, he would like to see Reidsville put its "best foot" forward and make it look nice.

The motion then failed in a 4-3 vote with Council members Gorham, Hairston, Walker and Mayor Pro Tem Brown voting against and Mayor Donecker and Councilmen Festerman and Balsley voting in the affirmative. (CLERK'S NOTE: WITH THE FAILURE OF BUDGET ORDINANCE AMENDMENT NO. 11 TO PASS, THE NUMBER "11" WAS USED FOR THE BOA FOR THE POLE LIGHTS AT JAYCEE PARK.)

DISCUSSION ON ADDITIONAL FEEDBACK FROM COUNCIL ON THE TECHNICAL REVIEW COMMITTEE'S PROPOSED AMENDMENTS TO THE CITY'S STREET CLOSING ORDINANCE.

City Manager Mitchell noted that at the Council Retreat, staff had offered Council changes to the timeframe to make temporary street closing decisions and discussed other possible changes to the Street Closing Ordinance. However, before going forward with a proposal, staff felt additional feedback was needed from Council regarding the charging

of fees, etc., and what Council wanted included and did not want included, the Manager said. He asked Fire Chief David Bracken, who chairs the TRC, to come forward if needed.

The Mayor asked Council members if they were comfortable including fees on the closing of streets to defray the costs of police and other personnel. Mayor Pro Tem Brown said he was very comfortable with it, adding that there are a lot of direct costs associated with such events, and we should be able to recoup at least the direct costs.

Councilman Gorham said it would also make people think through things before coming up with some form of event and pass on that cost that taxpayers have been having to pay for years. Councilman Hairston, a former Police Captain, noted that it is a financial strain on the Police Department.

Mayor Donecker said he agreed with everything that had been said, but he asked what would be the effect on an event such as the monthly cruise-in? Chief Bracken said the cruise-ins are considered to be City-sponsored events done by the downtown people so the committee is not recommending fees for City-sponsored events. He said fees are being proposed when individuals want to hold rallies or events that put an undue strain on City staff, creating overtime, etc. He noted that the Police Department has to have an operational plan to make sure that events are covered. He said we have been fortunate not to have any large type rallies but the potential is there so we'd like to get ahead of it before they come up. The committee does not propose any fees for City-sponsored events, he stressed.

The Mayor asked the City Attorney whether the City can separate between City-sponsored and non-City-sponsored events, charging for one but not the other? City Attorney Bill McLeod said his gut reaction is the City could do it. He said he could look into it further but he believes fees could be charged as it has been outlined. Councilman Gorham likened it to the use of school facilities whereby, people or groups are charged for the use of facilities but not for school functions. The Mayor noted the Kiwanis pancake supper as an example. McLeod said if it is a City function, the taxpayer already has a stake in it compared to a private individual or group.

Councilman Festerman asked how would this impact the Christmas parade? He said that would be a tremendous cost to the TV station. City Manager Mitchell said that is a private or "for profit" organization. Councilman Festerman said he worries about the City being called arbitrary or capricious, allowing some people to do things and others not. He said he is real concerned about that. He said if this had been in effect, there would never have been a march on Selma because they wouldn't have been able to come up with the money. He said we have to be careful, noting it is easy to support popular causes but unpopular causes have to be supported as well. He said such things send up a red flag to him.

Mayor Pro Tem Brown said that in terms of the Christmas Parade, there is the option of co-sponsorship. McLeod said if the City wanted to co-sponsor, he doesn't see anything

wrong with that at all. Councilman Festerman noted that everyone will want the City to co-sponsor, stressing that the City needs to be careful.

Mayor Donecker said he agreed with Councilman Festerman because his first meeting in office during his first term, Council had to address a request by Black Family Day to close City streets which had been denied, but the streets had been closed for other events. McLeod said he remembered that, adding that the City doesn't want to appear that it is selectively in favor or disfavor of something. The City Attorney noted it could be done but should you do it, that's a different question.

Councilman Gorham noted that the Council needs to think about being good stewards of the taxpayers' funds as well. The Mayor said there could probably be some kind of definition for a basic level of service that would be for any street closing. However, when you get above that basic level of service, that is when there would be a charge, he said. He cited examples of groups or events such as Black Family Day, where attendance is traditionally low, but there are other groups, where they have been known to cause trouble and a higher level of service is needed. If they stay below that threshold, they don't get charged, he said, but if a thousand people show up, that will take a higher management of resources. He said he'd like some recommendations of what is needed from the committee, with help from the City Attorney.

Manager Mitchell said they would do that, but what they wanted in terms of feedback from Council was regarding the charging of fees and the number of events. He noted that he had discussed with Chief Hassell, as well as Chief Bracken, that if two events do not overlap, there is no basis to deny them. That means they could be right next to each other but as long as they're not asking for the same area, it would be allowed, he said, adding that the committee wanted guidance from Council on that before bringing back a proposal.

Mayor Donecker said, again, if you exceed the threshold of what your normal resources are for that day because two events are going on, someone needs to bear that additional cost versus it being just one event and the same level of service. Councilman Balsley noted the need for a policy to be in place at the beginning, not deciding during an event. The Mayor noted that is what the committee is trying to do. He said he felt staff could pick up on some concerns Council has but to not say don't go forward, but weave this into your solution.

Councilman Gorham said he never wants to have a situation where two groups might come together where there might be some explosion. He said he understands having two different events but if there is a distinct possibility of something happening, we need to be careful.

Manager Mitchell again noted the need for clarification for staff. Regarding two events, it has always been the policy in the past if the two events don't overlap, that there is no grounds to deny them.

Councilman Festerman said he had checked around with other municipalities to see what they do. In talking to one police chief, Councilman Festerman said they have a lot of 5k and 10K events, so something had to be done, similar to the fees being charged here. That police chief had the same concerns about how it would be administered, noting that he felt you couldn't cut anyone any slack and there shouldn't be City co-sponsorships, etc.

Councilman Festerman said he would like to see the cost of the Christmas Parade, saying he thought it would be in the thousands of dollars. Police Chief Hassell said he estimated it was well over \$6,000 in overtime costs for that one event. Manager Mitchell said it would be his understanding that the TV station would credit the City with a \$6,000 sponsorship of the parade if a co-sponsorship was done based on what the Council has said.

The Mayor asked if enough feedback has been given? Manager Mitchell said he was concerned about what one Council member might think is a potential explosive situation, another would not. Chief Bracken said perhaps the committee could come back with a policy for Council to review.

Mayor Donecker asked if there couldn't be some type of disclaimer based on reasonable judgment by professionals. He said he didn't think an ordinance could be written for every situation, but you can write one that allows for judgment by our professionals, whether it be City, fire, public works, etc. Chief Bracken said that is the whole purpose of the TRC.

Manager Mitchell said one change that is definitely needed is the seven-day window. The Mayor agreed, noting that he felt up to 19 days makes sense.

Councilwoman Walker asked about tiers for costs. Chief Bracken noted that with larger events, there are more costs. Councilman Festerman asked about 5K and 10K events, where participation may be lower but more manpower is needed due to blocking off intersections. Chief Bracken said alternatives might be offered, such as other sites such as Market Square, etc. Manager Mitchell said people currently might not consider renting Market Square because there is a charge and there's no fee for using the streets.

Mayor Pro Tem Brown indicated he was good with charging because some citizens could come up with a frivolous idea, not having any investment in the game. He said there is a purpose for fees and charges, and it is to eliminate those people who aren't serious about what they're doing, even if it's a minimal charge.

Police Chief Hassell talked about a planned nighttime 5K where they talked sponsors out of it due to safety concerns. The event was held during the day. He cited another event where there were issues because the event failed to start on time, but there was no penalty for tying up police personnel for longer hours. He also discussed estimations of personnel based on numbers given to them. An operational plan might be based on 100 people, but if 1,000 show up, last minute adjustments have to be made. He said people would need to

be told upfront that there may be additional costs so that they will try to give correct crowd estimates.

Manager Mitchell said the feedback had been requested because at the last meeting about this, there had been a differences of opinion from Council members. The Mayor asked if staff felt they had enough? Mitchell said staff can come back with a policy, which can still be tweaked by Council. The Mayor said what he liked about this was to get a handle on what the increased City costs are for such events.

PRESENTATION OF NEW VIDEO TOURBOOK BY CGI COMMUNICATIONS ON CITY WEBSITE.

With the assistance of IT Director Rhonda Wheeler, City Clerk Angela Stadler showed Council members the “Welcome” segment of the Video Tourbook compiled by CGI Communications and located on the City’s revamped City website, www.ci.reidsville.nc.us. Stadler noted that this is the second update to the tourbook. A free service to the City, CGI attempts to secure revenues by creating attached videos highlighting area businesses at a cost to those businesses. A new feature this year is a free service whereby area nonprofits are highlighted/linked to the tourbook as well.

PUBLIC COMMENTS.

Speeding on Sherwood Drive.

Mr. Phil Garner of 1112 Sherwood Drive, Reidsville, expressed his frustrations that his street did not qualify for a street bump and about the data collected. He reiterated his concerns about speeding on his street.

Mayor Donecker said some type of solution is needed here, adding that there is obviously an issue and asked for suggestions from staff. Chief Hassell said the data doesn’t support that there is a speeding problem, but his department could do more selective enforcement. City Manager Mitchell said staff would look into some other things that can be done.

CITY MANAGER’S REPORT.

In making his Manager’s Report, City Manager Mitchell reviewed his written report. (A COPY OF THE WRITTEN MANAGER’S REPORT AND CORRESPONDING DOCUMENTS ARE HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) He reviewed the included items: the FY16-17 budget calendar; the downtown parking lot project update; voluntary curbside recycling with a target date to begin the service set for October 1, 2016; exploration of a Regional Water Memorandum of Understanding, along with a copy of that document, a listing of Regional Water Initiative Member Committee Contact List, etc.; and a listing of upcoming events in Reidsville in April.

Manager Mitchell then asked Assistant City Manager Tom Wiggins to introduce the City’s new Economic Development Director Jeff Garstka. Wiggins gave highlights from Garstka’s bio before noting that March 14th was his first day at work. Garstka will report to Wiggins and will oversee Judy Yarbrough and Amber Ammons. Wiggins thanked Human Resources Director Terri Stamey Rivers for her assistance during the recruitment process. Garstka made a few remarks, including complimenting Rivers and other City

staff during the hiring process. Noting he had already gone to the State Main Street Conference within a few days of coming to work, he talked of some other events and opportunities he has already experienced since coming to Reidsville.

Based on a question from Councilman Gorham, there was a discussion of what Garstka came away with from an April 4th economic development meeting. He talked about several things, including workforce development. Manager Mitchell noted that Reidsville is well situated due to highway accessibility, including economic development that can come with the future I-785 status. Garstka concurred.

BOARD & COMMISSION APPOINTMENTS.

City Manager Mitchell distributed ballots for vacancies on the City's boards and commissions as Council members began their monthly reports.

COUNCIL MEMBERS' REPORTS.

Mayor Pro Tem Brown – The Mayor Pro Tem said he had visited True Vine Church to speak with Pastor Long, who had lost his son within the last month or so. He also attended the ribbon cutting for Alcova Mortgage with Councilwoman Walker, the Community Meeting at Zion Baptist Church and the Stop the Violence March. He thanked the Artist Selection Panel and the Reidsville Area Foundation for the art work.

Councilwoman Walker – Due to having a sore throat, the Councilwoman just noted that she had been to over 11 events since the last Council meeting. Mayor Donecker proposed that the list could be given to the City Clerk and incorporated into the minutes. She said she would work on that later. The Councilwoman recognized Kevin Eason and his staff for all the work they will do next week as part of Clean Sweep Month.

Councilman Hairston – The Councilman noted that he had attended the Annie Penn Foundation Board of Directors' meeting as well as the Community Watch meetings of McLaurin Park and Wentworth Street. He said he had also received a lot of positive comments about the sculpture.

Councilman Gorham – The Councilman noted he had attended the following events: the Community Meeting at Zion Baptist Church, the Stop the Violence March, the S&K talent show, the NAACP meeting, the Planning Board meeting, Moss Street Family Night, the community cleanup, all five services of Holy Week, the Penn Center Community Watch, the Human Relations Commission meeting, Ann Ruston Community Watch, the CED meeting, the Oak Park Community Watch, an NAACP meeting with the City Manager, the McLaurin Park Community Watch, the Wentworth Community Watch and the tail end of the cruise-in. He also participated in the National Day of Walking held at Annie Penn where the track there, seven times around equals one mile, he said.

Councilman Balsley – The Councilman said he had no report but turned his time over to Kayla Bullins of the Reidsville Chamber of Commerce. She highlighted Casino Night, describing it as a terrific event; the Student Art Show at the Chamber April 26-May 6; the Staff Appreciation Event at the Pennrose Park Country Club April 27th; and two ribbon

cuttings, the first April 29th at 9 a.m. at Dr. Gorshi's new office on South Scales Street and the second on May 5th at 4:30 p.m. at Reidsville Pediatrics located at 217 Turner Drive.

Councilman Festerman – The Councilman said he had no report but that he was getting positive feedback about the art sculpture. Mayor Donecker thanked Councilman Festerman for serving on the Council when the tough decisions were made.

Mayor Donecker – The Mayor congratulated Jason Julian for being promoted to Reidsville District Engineer for Division 7, District 3, with the NC Department of Transportation effective March 26. He said we need an advocate here and in Raleigh, and he credited Julian for the work moving along on Freeway Drive.

ANNOUNCEMENT OF BOARD & COMMISSION APPOINTMENTS.

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

- Reidsville Historic Preservation Commission – James R. Jackson of 2304 Belmont Drive, a re-appointment.
- Reidsville Human Relations Commission – Cathy Badgett of 304 Moss Street, a re-appointment.
- Reidsville Planning Board – Charles Benton of 906 Dillon Street, new appointment.

MOVE TO THE FIRST-FLOOR CONFERENCE ROOM FOR A CLOSED SESSION TO CONSULT WITH THE CITY ATTORNEY, DISCUSS ECONOMIC DEVELOPMENT AND ESTABLISH AND/OR INSTRUCT STAFF OR NEGOTIATING AGENTS REGARDING PROPERTY PURSUANT TO G.S. 143-318.11(A)(3), (4) AND (5).

Mayor Donecker read aloud the reasons for going into closed session.

Councilman Festerman then made the motion, seconded by Councilman Gorham and unanimously approved by Council in a 7-0 vote, to go into closed session.

RETURN TO OPEN SESSION.

Upon return to open session, Councilman Gorham made the motion, seconded by Councilman Hairston and unanimously approved by council in a 7-0 vote, to adjourn at approximately 8:45 p.m.

John M. "Jay" Donecker, Mayor

ATTEST:

Angela G. Stadler, CMC/NCCMC, City Clerk