

**MINUTES OF THE REGULAR MEETING
OF THE REIDSVILLE CITY COUNCIL
HELD TUESDAY, AUGUST 9, 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
Chris Phillips, Assistant City Manager
– Administration
Kevin Eason, Public Works Director
Donna Setliff, Community
Development Manager
Jay Harris, Assistant Fire Chief

Mayor Donecker called the meeting to order.

INVOCATION.

The Mayor called upon Reverend Bernard Florence, Pastor of Galilee Greater International Pentecostal Holiness Church, 224 Pennsylvania Avenue, Reidsville, to provide the invocation.

PLEDGE OF ALLEGIANCE.

The Council led the audience in the Pledge of Allegiance.

PROCLAMATIONS:

**RECOGNITION OF FIRE CAPTAIN BRANDON LEE POINDEXTER, WHO
RETIRED JULY 1, 2016, WITH 30 YEARS OF SERVICE.**

Mayor Donecker then read aloud a proclamation recognizing retired Fire Captain Brandon Poindexter. (A COPY OF THE PROCLAMATION IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) “It’s been a great ride,” Poindexter told the audience, adding that he was going to miss it. Assistant Fire Chief Jay Harris, standing in for Fire Chief David Bracken, noted that Captain Poindexter

has always been the “fixer” at the department and an outstanding employee who will be missed. The Mayor also presented Poindexter with a 30-year watch.

APPROVAL OF CONSENT AGENDA.

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

**CONSENT AGENDA ITEM NO. 1 - APPROVAL OF THE JULY 12, 2016
REGULAR MEETING MINUTES.**

With the approval of the Consent Agenda in a 7-0 vote, the Council approved the July 12, 2016 regular meeting minutes.

**CONSENT AGENDA ITEM NO. 2 - APPROVAL OF A RESOLUTION OF
INTENT DECLARING THE INTENTION OF THE CITY COUNCIL TO
CONSIDER A PARTIAL RIGHT-OF-WAY CLOSING FOR SOUTH PARK
DRIVE BETWEEN NORTHUP STREET AND RICHARDSON DRIVE, WHICH
CALLS FOR A PUBLIC HEARING AT THE COUNCIL’S SEPTEMBER 13TH
MONTHLY MEETING.**

With the approval of the Consent Agenda in a 7-0 vote, the Council approved the following Resolution of Intent:

RESOLUTION OF INTENT

**A RESOLUTION DECLARING THE INTENTION OF THE
CITY COUNCIL TO CONSIDER A PARTIAL RIGHT-OF-WAY
CLOSING FOR SOUTH PARK DRIVE BETWEEN
NORTHUP STREET AND RICHARDSON DRIVE**

(SC2016-1)

WHEREAS, G.S. 160A-299 authorizes the City Council to close public streets and alleys; and,

WHEREAS, the City Council considers it advisable to conduct a public hearing for the purpose of giving consideration of a partial right-of-way closing for South Park Drive between Northup Street and Richardson Drive.

NOW, THEREFORE, BE IT RESOLVED by the City Council that:

- (1) A public hearing will be held at 6:00 P.M. on Tuesday, September 13, 2016, in City Hall Council Chambers, 230 West Morehead Street, to consider a resolution to close a portion of the right-of-way on South Park Drive between Northup Street and Richardson Drive. The width of the right-of-way is 100 feet and is further described as:

Beginning at the northeast corner of the South Park Drive and Northup Street intersection designated as point of beginning (P.O.B.), thence 50 feet north 53 degrees 45 minutes west to a point; thence 250 feet north 36 degrees 15 minutes east to a point; thence 50 feet south 53 degrees 45 minutes east to a point with said point meeting the northernmost corner of parcel with PIN # 8904-10-35-8698; thence 250 feet south 36 degrees 15 minutes west to the point of beginning (P.O.B.).

- (2) The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in The Reidsville Review.
- (3) The City Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of this Resolution of Intent.
- (4) The City Clerk is further directed to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

This the 9th day of August, 2016.

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

ATTEST:

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

- End of Consent Agenda -

PUBLIC HEARINGS:

APPROVAL OF A SPECIAL USE PERMIT TO ALLOW CONSTRUCTION OF A 60' X 100' STORAGE BUILDING AT FOSS INDUSTRIAL RECYCLING LLC, 219 WATLINGTON INDUSTRIAL DRIVE, REIDSVILLE.

Prior to the agenda item, City Clerk Angela Stadler provided the oath of office to Community Development Manager Donna Setliff and Charlie Graves, site manager for Foss.

In making the staff report, Setliff explained that Foss Industrial Recycling has filed an application to modify the Special Use Permit for 219 Watlington Industrial Drive. The current permit, she said, is for a recycling operation. The current owners want to amend the site plan by adding a 60'x100' storage building, she said, and since the site plan is a requirement of the SUP regulations, the "site specific" plan has to be modified. Setliff said the storage building should have no impact on the surrounding area, which is all industrial.

Setliff reminded Council members that they must come to certain findings regarding the impact of the proposed addition to the area. She read aloud 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;
- (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.

She added that the following conditions have been recommended by Staff:

1. The conditions on the original Special Use Permit shall remain in effect.
2. The building shall comply with the North Carolina Building Code, the North Carolina Fire Code and ADA Handicap Code.

The Community Development Manager also noted that the Planning Board unanimously voted in favor of each of the four Findings of Fact and to recommend the Special Use Permit modification with the two conditions be approved by City Council.

With no questions for Setliff, the Mayor opened up the public hearing at 6:10 p.m. by asking if anyone wished to speak in favor?

Mr. Charlie Graves, site manager for Foss who resides in Lynchburg, Va., came forward to express that he was in favor of the request.

Councilman Festerman said he was glad Foss Recycling had chosen to invest in our community.

With no one wishing to speak against, the public hearing was closed at 6:11 p.m.

Mayor Donecker then led the Council through 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; -- **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 Gorham then made the motion, seconded by Councilwoman Walker and unanimously approved by Council in a 7-0 vote, to approve the Special Use Permit with the two conditions.

The Special Use Permit as approved follows:



SPECIAL USE PERMIT

REIDSVILLE, N. C.

There is hereby granted to Foss Industrial Recycling LLC, a Special Use Permit in accordance with the Reidsville Zoning Ordinance, Article V, Section 3 of the Reidsville Zoning Ordinance.

This permit is to construct a 60' x 100' storage building 219 Watlington Industrial Drive, specifically Rockingham County Tax No. 8903-07-77-4858 with the following conditions:

1. The conditions on the original Special Use Permit shall remain in effect.
2. The building shall comply with the North Carolina Building Code, the North Carolina Fire Code and ADA Handicap Code.

Said property is zoned Heavy Industrial.

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 9th day of August, 2016
by the CITY COUNCIL OF REIDSVILLE, N. C.

/s/ _____
CITY CLERK

“BRIDGE TO A GOLDEN FUTURE” CAPITAL CAMPAIGN PROGRESS UPDATE.

Assistant City Manager of Community Services Tom Wiggins came forward to give the progress report on the “Bridge to a Golden Future” capital campaign, along with Cathy Powers, Executive Director of the Rockingham County Aging Disability & Transit Services. He discussed the name “The Depot” given to the Senior Center/Adult Day Care facility and reflected on what that name represents, including the activeness expected to be there along with the vision they have for the facility. (A COPY OF WIGGINS’ WRITTEN REPORT IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) Wiggins reminded Council members that their original goal was to raise \$150,000 to match the \$150,000 grant provided by the Reidsville Area Foundation. He talked of the progress made, especially in the last month and a half. He shared the “really good news” that the campaign has raised that amount and almost \$30,000 beyond that. The campaign has also received a \$30,000 gift from the Cannon Foundation to ADTS for the Adult Daycare wing, which is outside the scope of the construction project and restricted to purchase furniture.

Wiggins distributed an updated donations sheet to Council. (A COPY OF THE UPDATED DONATIONS LISTING IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) He referenced the highlighted lines, noting that the Tech Authority donation, previously shown as \$13,000, is up to \$14,000. That change, combined with \$2,800 so far in brick sales, brings the total up to \$330,501, minus the \$30,000 furniture donation which can’t be applied to the USDA loan, means the campaign is now \$501 to the good, Wiggins said. He said they are still nailing down some naming rights for the rooms, etc. Noting they are thankful and grateful for all the donations, he pointed to the \$1,000 gift from the Downtown Senior Citizens Club for a landscaped bench with plaque. He said that for that group, a \$1,000 gift is a lot. No matter the amount, the Assistant City Manager said thank you to all those who donated, adding that it reflects the heart of the giver and the way this community pulls together.

Wiggins also thanked the four non-staff members serving on the ad hoc campaign committee – Mayor Jay Donecker, former Mayor Laura Felts, former County Attorney Eugene Russell and Peter McKinnon of Tech Authority, an ADTS board member. He

stressed it has been a team effort. He also thanked City Manager Mitchell for working behind the scenes in helping secure donations.

Cathy Powers then came forward to discuss brick sales. She stated that they had officially opened up the public phase of this campaign by launching brick sales to a larger audience. She noted the Council members had copies of the brochures for the brick sales in front of them. The honorary or commemorative bricks will be used in the walkway going into the new building. Pine Hall Brick in Madison is crafting the bricks, which will be made customizable with laser engraving, she said. Cost is \$100 for a 4x8 with three lines of text and \$250 for an 8x8 with six lines of text or a business logo. The brick campaign launched August 1st and by August 2nd, they already had \$2,000 in sales, she noted, with many of those orders coming from seniors and family members of the adult day care clients expressing interest. Julie Talbert will be the point person to oversee the brick orders. She also stressed that other naming opportunities are still available.

Councilman Festerman asked if a brick is purchased, must the person pay the money at the time? Assistant City Manager Chris Phillips replied in the affirmative.

Mayor Donecker thanked Powers, Julie Talbert and Tom Wiggins for their efforts. The Mayor said The Depot is not just for Reidsville but is for all of Rockingham County. He also described it as “Reidsville’s gift to the County” since it is Reidsville’s citizens that are doing so much to fund it and that, in partnering with the City, ADTS is ensuring it is a countywide used facility. He added that we are looking forward to people throughout the County coming to participate in it.

PUBLIC COMMENTS.

No one came up to speak during the Public Comments portion of the meeting.

CITY MANAGER’S REPORT.

City Manager Mitchell referenced his written report. (A COPY OF THE WRITTEN REPORT IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) Among the items in his report were: the YMCA’s quarterly pool operations report; and a letter regarding Federal Transportation Alternatives Program (TAP) funding and the City’s response of possible projects, including the possibility of a roundabout at Main and Richardson, which he admitted might not make it but was felt to be a safer ADA alternative and a project that had been discussed by Council. He complimented Eason and Setliff and their staff for the work on this. He also noted that a copy of the amended Greensboro Water Sales contract is behind the Miscellaneous section, which will be discussed in September. It has been reviewed by staff and the City Attorney but they wanted to give Council a full month to review it. He also noted the Appearance Commission’s plans for an Adopt-A-Street program.

Manager Mitchell asked Public Works Director Kevin Eason come forward for an update on the Freeway Drive brush site, a former landfill site. He said we are still understanding and reacting to the news that we can’t keep brush out at the old landfill site.

Public Works Director Eason came forward to give an update. (A COPY OF THE WRITTEN UPDATE IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) Eason said this landfill site was first used by the City in the 1940s, classified back then as a dump. In the 1990s, the City closed the Freeway landfill but still used it for its mulching operation and Public Services stored things there like top soil, building materials, etc. there. In the 1980s, the State used proceeds from the required tipping fee to start looking at landfills that were closed, helping reimburse those cities in doing assessments and remediation to make sure there are no hazards and help protect cities from third party lawsuits down the line, etc.

Back to present day, in late June the City experienced a series of windstorms which came through and did an extensive amount of damage, especially on the east side of Reidsville, Eason said. During that time, a State inspector came by and asked what the City was doing with the storm debris. After the City informed the State the debris was being put in the old landfill site, we were told at that time, we couldn't do that, the Public Works Director explained, and that the City was operating an unlicensed yard and processing facility.

Eason explained that the City is partnering with the State in the remediation process, and the State has given the City time to remove some of the items. The City can no longer take brush to the landfill and is removing the brush currently, he said, but we have been given a temporary reprieve on the construction material, which the City will have to move at our expense. The assessment is probably going to be a two-year process, he continued, and we have entered into a professional services contract with Schnabel Engineering, which had helped us in the past with the Lake Reidsville Dam situation. The contract is for between \$388,000 and \$450,000, he said, and is reimbursable. The City will pay Schnabel and the State will reimburse the City as long as the work is done to the State's rules and regulations, he continued.

Eason said, with the reimbursements, that part is free. What is not free is the relocation of the operations, he continued. Temporarily the yard waste is being taken to the City's Broad Street facility, which is only permitted as a yard waste facility for composting, Eason said. These permits are only for six months, he said, and such sites cannot be larger than two acres, you can't process more than 60,000 cubic yards, and materials must come and go within a six-month window. The site has a storm debris overlay, which means we have unlimited storage out there but it must be gone within a six-month window. The mulch at both sites, that on Freeway Drive and on Broad Street, must be gone by the end of 2016, he explained.

The long term plan, the Public Works Director said, is to move everything over to the Broad Street site, including the mulching and composting operations as well as the construction materials. Broad Street will have to be permitted, and Schnabel will be helping with that, he stated. The site may not be large enough, but staff will keep Council informed. He added that by September, we anticipate having the proposal for the next phase or permitting of the site.

Eason said the State is happy since we are working with them and won't be implementing the \$15,000 a day fine stated in the letter for noncompliance since we are working with them on the assessment and remediation and moving to eliminate the brush from the landfill site.

Councilman Festerman expressed concerns about increased traffic on Broad Street. Eason said not now, but currently eight knucklebooms will go in and out of the facility a day. Right now, it is about four times that amount, he said. The Councilman asked, there will not be a significant impact? Eason said, no.

Mayor Donecker thanked Eason for the report. Manager Mitchell said staff will keep Council informed.

BOARD & COMMISSION APPOINTMENTS:

Ballots were distributed for the lone Commission appointment.

COUNCIL MEMBERS' REPORTS.

Mayor Pro Tem Brown – The Mayor Pro Tem said he went to the farewell celebration for former Athletics Director Sam Wilborn; participated in the Police Department's Prayer Vigil on July 15; the County's Ministers meeting on Aug. 1 with Councilman Hairston; and the Neighborhood Watch event in the Wentworth community. He also offered his condolences to Councilwoman Walker on the loss of her father and to Denise Toms in the Finance Department on the loss of her mother.

Councilwoman Walker – The Councilwoman said she attended the Chamber's Ice Cream Social on July 14; the Ann Ruston Community Watch meeting at the Police Department on July 19; the ABC Board meeting on July 21; the Kids Day at Market Square, also on July 21st; the ribbon cutting for the new building for Rockingham County economic development on July 22nd; the local ABC conference July 28-30; National Night Out Aug. 2nd; and the ribbon cutting for Blue Sky Realty Aug. 4. She thanked everyone for the calls, cards and prayers following the loss of her father.

Councilman Hairston – The Councilman said he attended several Community Watch meetings leading up to National Night Out, discussing how that event is getting stronger, etc., as well as attending at least seven of the gatherings that night. He said he also attended the Police Department's Prayer Vigil at St. Thomas Church.

Councilman Gorham – The Councilman said he attended the following: the Chamber photo shoot on July 20 as the City was named July Chamber Member of the Month; the Planning Board meeting on July 20; the McLaurin Park Community Watch meeting on July 26 and the Oak Park Community Watch meeting, both on July 26; the Fulton St./Moore St./Graves St./Washington Ave. Community Watch at the Parks & Rec Department July 28; He said he and Councilman Hairston attended seven of the National Night Out events Aug. 2. He said he also participated in the Last Dons' Book Bag Giveaway Aug. 6, adding that more than 500 youth now have backpacks and school supplies due to the efforts of Ms. Katrina Galloway Hairston; and the NAACP Youth

Division which had a special service on Aug. 6. He said we have some very strong youth and applauded them for their service.

Councilman Balsley – The Councilman said he had no report, but he called upon Chamber President Diane Sawyer to report on upcoming Chamber activities and events.

Sawyer reported on the upcoming Chamber Golf Tournament next Wednesday at the Plantation; the Downtown Cruise-In this Friday; and the Sept. 1st Coffee sponsored by United Way either there or at the Chamber. The Chamber is still accepting school supplies for Moss Street through next Friday, she added. A Lunch ‘N Learn on ID Theft is planned for Sept. 13th at noon.

Councilman Festerman – The Councilman offered his condolences to Councilwoman Walker on the passing of her father. He talked of the “horses” that can be found along Market Street, and that Gene Walker not only had the idea for them but paid for them all. He said the only controversy was that people wanted them all over the City. He said he would be donating a brick in Mr. Walker’s memory at the Senior Center.

The Councilman also asked that the public comments policy be placed on the Council’s September agenda.

Mayor Donecker – The Mayor said, building on what Councilman Gorham had said regarding the Aug. 6th NAACP Youth Chapter meeting, he would like for Council to consider having two seats on the Reidsville Human Relations Commission dedicated for Reidsville High School students. He said he thought we needed to improve the communication between the students and the City, noting that what came out of that meeting was that this is not just an issue for law enforcement but is a community issue and we need to address it from that direction. He complimented those Council members who attended, adding that it sent a signal that we are all part of the solution. Councilman Gorham, citing the spiritual message at that meeting, was “point on” with his statistics and information. The Mayor said that is the kind of communication and dialogue we need to have.

ANNOUNCEMENT OF BOARD & COMMISSION APPOINTMENTS.

City Clerk Angela Stadler reported that Norma Craddock of 408 Piedmont Street, Reidsville, was re-appointed to the Reidsville Historic Preservation Commission by a unanimous vote of the Council. (A COPY OF THE BALLOTS ARE HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)

MOVE TO THE FIRST-FLOOR CONFERENCE ROOM FOR A CLOSED SESSION TO DISCUSS ECONOMIC DEVELOPMENT AND PERSONNEL PURSUANT TO G.S. 143-318.11(A)(4) & (6).

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

RETURN FROM OPEN SESSION.

Upon return to Open Session, several actions were taken.

Councilman Gorham made the motion to authorize purchase of 111 South Scales Street through the City Attorney. The motion was seconded by Councilman Hairston and unanimously approved by Council in a 7-0 vote.

Councilman Festerman then made the motion, seconded by Councilwoman Walker and unanimously approved by Council in a 7-0 vote, to amend the City Manager's contract as a result of his performance evaluation to include a 2% salary increase and increasing his severance package to seven months.

The Employment Agreement as approved follows:

**An Amendment To
The Employment Agreement
With The City Manager, City Of Reidsville**

WHEREAS, the City of Reidsville and the City Manager are parties to an Employment Agreement, whereby Preston W. Mitchell is appointed City Manager of the City of Reidsville, and employment conditions and levels of compensation for his services are set; and

WHEREAS, based on a performance evaluation conducted on August 9, 2016, it is the desire of the Mayor and City Council of the City of Reidsville to make a change to said Employment Agreement with City Manager Preston W. Mitchell;

NOW, THEREFORE BE IT DONE that:

Section I – Section 3. Termination and Severance Pay, Subsection B. Severance Pay, of said agreement is hereby amended to change the “Six months compensation including retirement benefits” TO “Seven months compensation including retirement benefits.”

Section II -- Section 5, Salary, awarded a 2% performance based pay increase effective August 1, 2016 for performance of FY 15-16. (Per Section 11. Other Benefits, Employee is eligible for 1% COLA included in FY 16-17 budget).

Section III - That all other provisions, terms and conditions of said Employment Agreement as they now exist remain unchanged.

This action to be effective the 1st day of August, 2016.

This the 9th day of August, 2016.

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

ATTEST:

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

MOTION TO ADJOURN.

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

John M. "Jay" Donecker, Mayor

ATTEST:

Angela G. Stadler, CMC/NCCMC, City Clerk