

TOWN OF MAIDEN

June 4, 2018

MINUTES OF REGULAR MEETING

The Maiden Town Council met on Monday, June 4, 2018 at 7:00 p.m. for their regularly scheduled meeting, held in the Council Chambers at the Maiden Town Hall.

Present for the meeting were Mayor Bob Smyre, Mayor Pro-Tem Max Bumgarner Jr., Councilmembers Danny Hipps, Trina Michael, Marcus Midgett and Ronnie Williams.

Also present were Town Manager Todd Herms, Town Attorney Scott Conrad, Town Clerk Elizabeth Krige.

Others attending: See attached sheet.

The meeting was called to order by Mayor Robert L. Smyre at 7:00 p.m. The invocation and Pledge of Allegiance was given by Councilmember Marcus Midgett.

4. Approval of Agenda

Mayor Smyre asked that item 7, New Business, be removed because the presenter could not attend the meeting.

MOTION WAS MADE BY COUNCILMEMBER RONNIE WILLIAMS AND SECONDED BY COUNCILMEMBER TRINA MICHAEL TO APPROVE THE AGENDA AS AMENDED. MOTION CARRIED UNANIMOUSLY.

5. Citizens Request and Comments

Councilmember Danny Hipps said he received many phone calls about the Splash Pad and thanked all the Town employees for their hard work.

Annie Ramseur asked if the Council or manager had any updates on changing the name of the Klutz Library or utilizing the space. She also wanted to know what will be done with the old Police Station.

Mayor Bob Smyre said the future use of the police station had not been discussed. Mr. Herms said he has been in contact with the schools in Maiden to have an art expo displaying the student's art in the Klutz building. Mr. Herms also said the Town's attorney is trying to get in contact with the Klutz family regarding changing the name of the building. Without their permission, the Town would be in breach of contract.

Mayor Smyre said he had been on WHKY to talk about Maiden and the community. He thanked Todd Herms and Scott Millar for their work with Apple. Mayor Smyre said he has received many good comments on the Splash Pad.

Mr. Herms addressed the Council and said Apple appreciates the relationship they have with Council.

Mr. Herms reminded Council the next meeting would be held 7/16/2018.

6. Approval of the Minutes (5/21/2018 Regular Meeting and Closed Session):

MOTION MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY MAYOR PRO TEM MAX BUMGARNER JR TO APPROVE THE REGULAR MEETING MINUTES AND CLOSED SESSION MINUTES OF THE MAY 21, 2018 MEETING. MOTION CARRIED UNANIMOUSLY.

8. Public Hearing

A. 2-2018 ZTA Text Amendment

Mayor Robert Smyre opened the public hearing at 7:12 pm.

Planning and Zoning Director addressed Council concerning application 2-2018. This application requests a change to the use table for R-20 districts, specifically that RV parks be allowed in R-20 zones. At this meeting Council will be determining if RV parks should be approved for R-20 districts. If Council approves this use, conditions such as set-backs and interior roads can be determined.

If Council approves this use the two options would be to approve as a permitted use. Most of the communities across the state that allow RV parks as a permitted use are in counties, or low-density areas. This is typically approved by conditional use permit. This means the developer would need to submit plans to the Planning Board and Council for approval.

Some of the conditions staff has recommended are setbacks, parking restrictions, RV site sizes, common area sizes, public health approval for septic systems. The review criteria required by our UDO (Unified Development Ordinance) is that the use be consistent with the UDO, ordinances, state and federal regulations, if it is beneficial to the health, safety and welfare of the general public.

The Planning Board of Adjustment recommend a denial of the request.

Richard Harwell-Mr. Harwell addressed Council and said he believed his request was turned down for two reasons. Crime and the number of parcels zoned R-20 in Maiden. You cannot build a campground on less than 5 acres. There are 500 parcels zoned R-20 in Maiden, but there are only 32 that qualify acreage wise. Mr. Harwell stated many of these already have buildings or dwellings on them. There are only 11 vacant properties currently zoned R-20 that could be an RV park using Mr. Harwell's criteria. Very few people are going to apply for an RV park. Mr. Harwell would like for Planning Director Blake Wright to run the analysis and have the Council table the matter.

Shannon Queen-Ms. Queen spoke in favor of the RV park proposed by her parents. She believes the Planning Board denied the application due to their concern over crime in a proposed RV park. Ms. Queen stated she has camped all over the US and has never been a victim of crime while camping. She

stated the FBI Crime Statistic odds of being victimized in one's home was 1 in 36 while being victimized in an RV park was 1 in 25,000.

Susan Harwell-Ms. Harwell spoke in favor of the RV park. She stated she was unable to hear anything at the planning board meeting. She stated Mr. Wright supported the RV park and twice said it was consistent with the UDO and was beneficial to the public. Ms. Harwell asked Council to approve it on the recommendation of Mr. Wright.

Nelson Lutz-Mr. Lutz stated he lives on Hass Drive. He believes the property is too small for an RV park. He believes increased traffic will cause a problem. He thinks an RV park on this site will negatively impact neighbors. He is also concerned about the amount of garbage an RV park would generate.

Jennifer Stewart-Ms. Stewart is an heir to a property on Triplet Farm Road. She is concerned about the safety of her family and that an RV park might invite crime into the neighborhood.

James Gunter-Mr. Gunter lives at the end of Hass Drive and is concerned about people missing the turn to the RV park and not being able to turn around at the end of the road. He also believes the traffic problem on Startown will increase.

Ron Williams-Mr. Williams was concerned about the safety of children who catch the bus at the end of Hass and Triplet Farm Road. Mr. Williams also questioned the length of stay an RV would be permitted and how waste would be disposed of since the Town was not providing sewer service.

Kathy Fulbright-Ms. Fulbright said she sees no point to having an RV park at this location and believes it will bring property values down. She asked Council not to pass this amendment.

Councilmember Hipps asked Blake Wright to address the statement made by Ms. Harwell that Mr. Wright was in support of the RV park in the Planning Board Meeting. Mr. Wright stated that the items the Planning Board and Council are required to review come from 2.26A-D in the UDO. This outlines items that we make recommendations toward, these are to be reviewed and considered by Council. The Board has found the RV park was not in the public interest.

Councilmember Hipps asked for further clarification. He said did I understand from earlier comments that you recommended the RV park. Mr. Wright stated his recommendation was that if it was approved it should only be approved as a conditional use.

Mayor Smyre closed the public hearing at 7:37 pm.

The Mayor informed Council they had three options before them. Mr. Herms told the Council they could deny the application, you can approve it or you can approve it with conditions. If it is approved, the text amendment would come back before Council at the next meeting. Mr. Herms stated the Council could also hold another public hearing, however, since this is a text amendment, the Council has to make a motion on this item.

Town Attorney Scott Conrad reminded Council that any decision they made needed to be supported by why it was approved or denied, why it is or is not consistent with our relative plans, UDO and ordinances. In addition, why this motion is reasonable or not reasonable.

MOTION MADE BY COUNCILMEMBER DANNY HIPPS AND SECONDED BY COUNCILMEMBER MARCUS MIDGETT TO DENY ZTA 2-2018 BASED ON THE DECISION OF THE PLANNING BOARD. THIS AMENDMENT IS NOT CONSISTENT WITH THE UDO, IT IS NOT IN THE PUBLIC INTEREST DUE TO THE REASONS CITED FROM THE PLANNING AND ZONING BOARD OF ADJUSTMENT: CONCERNS FROM CITIZENS ON SAFETY. THERE WERE ADDITIONAL CONCERNS ABOUT SANITATION. MOTION CARRIED UNANIMOUSLY.

Councilmember Midgett stated he believed this amounted to a special use permit and did not want to see other R-20 properties open this. Councilmember Midgett said he did not want to go against the unanimous decision of the Planning Board.

Councilmember Michael stated she did not feel having another hearing would be productive.

B. Fiscal Year 2018-2019 Budget

Mayor Smyre called the public hearing for Fiscal Year 2018-2019 Budget to order at 7:44 pm. Mr. Herms said the budget presented to Council totaled \$19.6 million dollars of which approximately \$9.5 million was for general fund expenditures, \$7.4 for the Electric Distribution System and \$2.5 million for water and sewer. Mr. Herms told Council there might be budget amendments at the next meeting due to two severe sink holes. With no further comments, Mayor Smyre closed the public hearing at 7:45 pm.

9. Ordinances

A. 11-2018 Fiscal Year Budget

MOTION MADE BY COUNCILMEMBER DANNY HIPPS AND SECONDED BY COUNCILMEMBER RONNIE WILLIAMS TO APPROVE ORDINANCE 11-2018. MOTION CARRIED UNANIMOUSLY.

MOTION MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY COUNCILMEMBER RONNIE WILLIAMS TO GO INTO CLOSED SESSION AT 7:46 PM. MOTION CARRIED UNANIMOUSLY.

With no further comments...

MOTION WAS MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY COUNCILMEMBER RONNIE WILLIAMS TO ADJOURN THE MEETING AT 8:03 PM. MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted:

Elizabeth Yokley-Krige, Town Clerk

Robert L. Smyre, Mayor

ATTEST:

Elizabeth Yokley-Krige, Town Clerk