

## **TOWN OF UNIONVILLE MINUTES OF REGULAR MEETING**

The Town Council of the Town of Unionville met at 7:30 p.m. on Monday, June 20, 2016 in Town Hall, 1102 Unionville Church Road, Monroe, NC. Mayor Simpson and Commissioners Randy Baucom, Andrew Benton, Edd Little and Jaren Simpson were present. Attorney Ken Helms was also present.

Everyone stood and recited the Pledge of Allegiance to the United States flag, after which Commissioner Jaren Simpson led the prayer of invocation.

Mayor Simpson welcomed everyone and called the regular meeting to order.

Attorney Ken Helms advised Mayor Simpson to recess the regular meeting in order to conduct the two public hearings which were scheduled for May 16, 2016 and a quorum was not present, as this is what the general statutes require.

Commissioner Randy Baucom asked to be recused during the voting portion of the Duncan Road rezoning consideration, as his brother is the applicant, and he currently farms the property. Attorney Helms stated that a rezoning requires a 2/3 majority, which would require four board members to vote. A quorum is not present tonight, therefore, a rezoning vote must be postponed until the July 18, 2016 meeting; however, the Council may conduct both of the public hearings.

Mayor Simpson recessed the regular meeting and opened the public hearing regarding Rezoning ZC-16-01 to rezone two tracts of land on Duncan Road totaling 123.65 acres from R-40-CUP for age-restricted housing development to RA-40.

Mr. Darrell Baucom, the applicant for the rezoning request, addressed Council. He stated that he owns the property and is requesting that it be zoned to RA-40, which is what the land was originally zoned. Currently an age-restricted conditional use permit is attached to the land, but RA-40 zoning is common in the area, and he is requesting it be rezoned to RA-40.

Mr. Lynn Price addressed Council. He has lived in the area his entire life and grew up on Duncan Road. There is a lot of history there. He is not opposed to Darrell Baucom; Randy works hard and takes care of the land, but he asked Council to reconsider and keep it age-restricted. Between Piedmont High School and Porter Ridge High School, the roads are crowded. Ridge Road keeps getting worse, and Duncan Road is a route to and from the schools. Recently, the Town named the three most hazardous intersections in the Town, and Ridge Road and Unionville-Indian Trail Road was one of them. There is a whole lot less burden on roads and schools with age-restricted zoning. With almost 80 houses planned for this development, the burden of age-restricted housing is less on schools. The traffic is not as heavy with 55 and older age-restricted housing. You can figure two cars per house plus two teenagers add up. Unionville Development's Mr. Tarlton spoke with him when he was an owner and asked what Mr. Price thought of the idea of age-restricted housing. If it is developed at all, he hopes it will be age-restricted. There is no burden on the schools, less traffic and the hazardous intersection. There is not as much stress on schools with age-restricted development. Mr. Price read from the

minutes of the July 9, 2009 meeting. If it was good enough in 2009, why is it not good enough now? This is a peaceful community. On July 6, 2009, Mayor Simpson made inquiry as to Planning Board, and Jana Finn stated that the Planning Board gave a favorable recommendation, and Town Council approved the age-restricted housing 4-0. There is not enough infrastructure in roads for this community. He spoke from his heart. Mr. Price asked Council to look at what was voted on in 2009. He has nothing against Darrell or Randy Baucom. He's concerned about the overcrowding in schools and the intersection. Putting in seventy or eighty houses is going in the wrong direction. Keep Unionville Unionville, and this is not a step in the right direction to keep Unionville Unionville.

Mr. Baucom addressed Council again and stated that Planning Board unanimously recommended approval of the RA-40 rezoning of this property. He feels like it will be good for the community. He respects Lynn's opinion, but this property is under a different ownership, and he wants to go a different direction.

Mr. Price addressed Council again and stated that the minutes confirmed that Mr. Baucom was part of the original ownership group. He doesn't want 80 homes in his front yard. An age-restricted community is more positive on the community and traffic.

There being no one else to comment, Mayor Simpson declared the Rezoning Public Hearing adjourned.

Mayor Simpson opened the public hearing regarding Annexation #22 on Neal Boyce Road and Deese Roads. There being no one to speak, Mayor Simpson closed the public hearing.

Upon motion duly made by Andrew Benton, seconded by Jaren Simpson, Council unanimously agreed to reconvene the regular meeting that had been recessed.

Unionville resident Rita Edwards made inquiry as to other developments in Unionville in that same area. Land Use Administrator Gaddy stated that she has no requests for other subdivisions in that area. Ms. Edwards clarified that she was inquiring about the old Stallings property. Mrs. Gaddy stated that the property is located in City of Monroe.

There being no corrections to the minutes of the public hearings and regular meeting of May 16, 2016, Mayor Simpson declared them approved as reviewed by Council.

Mayor Simpson recognized Budget and Finance Officer Darrell Baucom, who reviewed the financial report, a copy of which is appended with these minutes. Mr. Baucom noted the cash balance in the money market account of \$1,000,000; \$250,000 in the BB&T account and \$1,164,000 in the certificate of deposit. Mr. Baucom referred to the budget amendments. He also stated that the Town is \$7,222 ahead of budget in revenues, mostly in ad valorem taxes. On the expense side, he tried to adjust so as not to be over budget, and shows \$15,000 under budget in all categories, mainly in contributions. In Transactions by Account, last month payments of \$8,000 to Union County for solid waste treatment and contributions to UCCAC of \$1,200 and Council on Aging of \$2,000 were made. Pending Bills include annual dues to NC League of Municipalities, Unionville Community Center bills from May,

2015 – April, 2016 and lawn maintenance to Barbee Lawn Care. In considering adjustments to the budget, the franchise taxes received were less than anticipated; Investment Income was higher; payroll expenses were increased due to more hours; and legal fees were less than anticipated. The Town also received alcohol sales taxes. Upon motion duly made by Edd Little, seconded by Randy Baucom, Council unanimously approved payment of pending bills. Upon motion duly made by Edd Little, seconded by Randy Baucom, Council unanimously approved Amendments to 2015-2016 Budget. A copy of this record is appended with these minutes.

Mr. Baucom introduced the proposed 2016-2017 Budget, using a \$.02/\$100 valuation ad valorem tax rate, a copy of which is appended with these minutes. Income of \$255,000 includes \$155,000 paid in addition, which equals over \$400,000. Budgeted expenses include \$85,000 for contributions and \$12,000 for maintenance and repairs, totaling \$255,000. He reviewed the listing of assumptions at last month's meeting. Mayor Simpson set the 2016-2017 Budget Public Hearing for Monday, June 27, 2016 at 7:00 p.m. and called for a special meeting to consider the 2016-2017 budget at 7:15 p.m. on Monday, June 27, 2016.

Upon motion duly made by Jaren Simpson, seconded by Edd Little, Council unanimously approved advertisement of 2015 delinquent taxes in the Charlotte Observer on Wednesday, June 29, 2016 for \$112.00.

Mayor Simpson recognized Ms. Ashley Lantz, Executive Director of Turning Point, who thanked the Town for their past support. She stated that Turning Point is a domestic violence shelter for the county, which has operated for 30 years. Last year, Turning Point took over Safe Alliance's Tree House Sexual Assault Advocacy Center. Last year, Turning Point served 179 domestic violence victims, and 305 through the court in education activities. This year, they have served 144 women and children at the shelter and 862 outside of the shelter. Last year the Tree House served 156 children and already this year they have served 188. Their Second Chance Boutique resells donated clothes and furniture to provide funds for programs, and their clients also shop there for free. Mayor Simpson made inquiry as to their 501C-3 status. Ms. Lantz stated they are a 501C-3 organization, and she will provide a financial statement, if requested. Their total budget is \$1,825,000 for their 42-bed shelter for women and children. Mayor Simpson also inquired as to their paid staff percentage of total budget. Ms. Lantz stated that 86 percent of their expenses go to programs, and the paid staff are included in that percentage. Nine percent of their budget goes to fund-raising and five percent to administration. Their stores provide 32 percent of their revenues. Upon motion duly made by Randy Baucom, seconded by Jaren Simpson, Council unanimously approved a donation of \$1,500 to Turning Point Women's Shelter.

Mayor Simpson recognized Ms. Sheila Crunkleton, Executive Director of Union County American Red Cross. Ms. Crunkleton presented to Council last month and stated that they have five lines of service--blood, health and safety, international, service to armed forces and disaster relief that are available to anyone at any time. Mayor Simpson and Commissioner Benton both stated that they have spent a lot of time working with the Red Cross when clients had nowhere else to go. Upon motion duly made by Edd Little, seconded by Randy Baucom, Council unanimously approved a donation of \$3,000 to Union County American Red Cross.

Mayor Simpson recognized Mrs. Cara Tarlton with Unionville Elementary School PTO. Mrs. Tarlton stated that the PTO has submitted an application for 501C-3 status to be tax exempt, as most other schools' PTOs already have this tax-exempt status. They are asking that the Town reimburse the \$1100 application and consultation fees. Council will consider this contribution at their July 18, 2016 regular meeting. This will apply to the school and the PTO.

Mayor Simpson recognized Ms. Pate Butler, with NC Department of Transportation. Mrs. Butler stated that the Mayor had contacted them, requesting a review of the traffic pattern at Unionville Elementary School during drop-off and pick-up times. She observed both morning and afternoon patterns, met with Principal VonCannon and UCPS Safety & Security Director Jarrod McCraw, and has proposed a plan, a copy of which is appended to these minutes. Although the current plan is impressive, she feels this plan is necessary, as she witnessed volunteers standing in the road directing traffic, and cars and buses driving on the wrong side of the road, which is illegal and dangerous. This proposed traffic pattern will be implemented by the NCDOT in August with the new school year. Parents will be notified by the school. The low cost of changes will include re-striping the parking lot and eliminating a few parking spaces and two sections of fencing. NCDOT will cover all expenses except the removal of the fence, which will be covered by the school.

Union County School Safety and Security Director Jarrod McCraw spoke on behalf of Unionville Elementary School. He stated that the school staff will implement this plan, as they feel it will work to get traffic off the street during drop-off and pick-up times. The school's Site-Based team has already approved this plan and it will be communicated during the summer to parents through the ConnectEd phone system and during Open House. Mayor Pro-Tem Baucom made inquiry as to another parking lot. Mr. McCraw stated that would not be necessary. Mayor Simpson thanked NCDOT and Unionville Elementary School for this information. Council took no action on this proposal.

Mayor Simpson postponed the consideration of Rezoning ZC-16-01 to rezone two tracts of land on Duncan Road from R-40-CUP for age-restricted development to RA-40 until the July 18, 2016 regular meeting, as the required quorum is not present.

Upon motion duly made by Edd Little, seconded by Jaren Simpson, Council unanimously approved Annexation #22, twelve parcels along Neal Boyce Road and Deese Road.

Mayor Simpson set a public hearing to consider applying the Town's zoning to Annexation #22 parcels for Monday, July 18, 2016 at 7:00 p.m. prior to the regular meeting.

Mayor Simpson recognized Deputy Clerk Melody Braswell for an update on the light pole proposal for Town Hall. Mrs. Braswell had quotes from Hinson Electric and Duke Energy last month, and requested a quote from Trull Powerline, at Council's request. She contacted Trull, but they declined to submit a quote. Currently the two quotes we have include Hinson Electric's quote of \$14,300 for five lights not including maintenance and upkeep and Duke Energy's quote of \$5,696.81 per light including maintenance plus \$19.86 utility fees per month per light. They will also deal with NCDOT requirements and pursue anyone who damages a pole, unless it becomes repeatedly hit, they would ask the Town to relocate the pole. Scott Barbee has agreed to replace lights as necessary should the Town choose to

contract with Hinson Electric. Comparable poles are located along Town of Wingate and Wingate University. Commissioner Randy Baucom made inquiry as to the right-of-way setback. Mrs. Braswell stated that it has not been determined yet, but would probably be 20-30 feet. Mayor Simpson made inquiry as to Wingate's cost. Unionville resident Cara Tarlton volunteered to provide that information. Trull Powerline also gave some suggestions such as a different meter box and landscaping responsibilities. Council requested that Mrs. Braswell provide more information at the July 18, 2016 regular meeting.

Mayor Simpson recognized Clerk Sonya Gaddy, who reported that the Shop 'N Go store located at 3825 Morgan Mill Road has applied for the sale of beer and wine through NC Alcohol Beverage Control. The Town has previously provided a zoning compliance statement for the store. The ABC board is now asking the opinion of the local government prior to approval and the Town has 15 days to respond. She spoke with Union County Sheriff's Office and there have been no reports of illegal activity. In order to give this opinion, the Town must pass a resolution indicating what officer should provide this opinion. A copy of this resolution is appended to these minutes. Attorney Ken Helms stated that the ABC Board is simply looking for an opinion from Unionville; the decision is theirs to make. Upon motion duly made by Randy Baucom, seconded by Andrew Benton, Council unanimously approved the resolution appointing the Mayor to respond with the Town's opinion. Upon motion duly made by Randy Baucom, seconded by Jaren Simpson, Council unanimously gave an unfavorable opinion to the sale of beer and wine at 3825 Morgan Mill Road due to the close proximity to the church and day care.

Mayor Simpson drew Council's attention to the July 4<sup>th</sup> festivities on Saturday, July 2, 2016.

In other business, resident Kathy Oropesa requested that the Town request a flashing light at the intersection of CJ Thomas Road and Unionville Indian Trail Road, as she has observed several motorists who do not observe the stop sign. Council asked Clerk Gaddy to contact the NC Department of Transportation for this request.

There being no other business, Mayor Simpson declared the meeting adjourned.

Respectfully submitted,

Sonya W. Gaddy  
Clerk

Approved as to form:

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R. Kenneth Helms, Jr., Town Attorney