

**TOWN OF HILDEBRAN  
COUNCIL'S CHAMBER  
ALBERT PARKHURST  
MUNICIPAL COMPLEX**

**JANUARY 27, 2020  
7:00 PM**

**REGULAR MEETING  
MINUTES**

**CALL TO ORDER**

Mayor Hildebrand called the regular meeting of the Town Council to order at 7:00 p.m.

**INVOCATION**

A moment of silence was observed.

**PLEDGE OF ALLEGIANCE**

Addyson Sanders led the Pledge of Allegiance to the United States Flag.

**COUNCIL PRESENT**

The following members of the Board were present: Mayor Wendell Hildebrand and Council Members Derek Cline, Ben Honeycutt, Mike Smith and Terry Weaver. Council Member Cole Herrell arrived at 7:05 p.m.

**STAFF PRESENT**

The following staff members were present: Attorney Redmond Dill, Town Manager Logan Shook, Town Clerk Alice Sanders, Finance Officer Fredrick Rankins and Town Planner Hunter Nestor.

**CITIZENS & MEDIA  
PRESENT**

See attached sheet.

**APPROVAL OF AGENDA**

Council Member Smith made a motion to approve the agenda with the amendment of moving the vote to consider the adoption of resolution of a NCDOT street name change (SR 2503 Neuville Ave) to New Business, section "h." All voted in favor.

**APPROVAL OF MINUTES**

Council Member Smith made a motion to approve the December 16, 2019 regular meeting minutes as presented. All voted in favor.

**PUBLIC COMMENTS**

Rick Barnes, President of East Burke Youth Athletic Organization, addressed the conditions of the gym and concession stand building and requested repairs and layout changes.

**PUBLIC HEARINGS  
ZMA 2020-1**

Mayor Hildebrand opened the public hearing at 7:11 p.m. to consider ZMA 2020-1. Planner Nestor reported that a proposed rezoning of the property located at 9080 Bridges Ave from Residential Low Density (R-20) to Neighborhood Business (N-B) is presented for consideration. The property owner plans to use the property as an event center/wedding venue.

The Town does not currently have a definition for “event center/venue.” This topic is being researched by staff and may be considered by Planning Board in the future. The Town does allow for “community centers and clubs and lodges” in the current zoning. Mr. Nestor stated that the property owner’s proposed use could also be considered one of these without a specific text amendment.

Mr. Nestor then reviewed the permitted and conditional uses allowed in N-B. He stated that a “Community Center” is permitted in N-B. He stated that the potential text amendment for “Event Center/Venue” would potentially make it a conditional use.

Mr. Nestor further stated that the proposed zoning map amendment (ZMA 2020-1) is consistent with the recommendations of the Comprehensive Plan. The current surrounding uses and zoning are consistent with the proposed zoning map amendment. He stated that staff recommends that the current ZMA 2020-1 (rezoning to N-B) be approved and that the Planning Board unanimously recommends approval of the rezoning.

There being no public comments, Mayor Hildebrand closed the public hearing at 7:14 p.m.

Council Member Honeycutt made a motion to approve Zoning Map Amendment 2020-1 concerning the rezoning of 9080 Bridges Ave and finds that the proposed map amendment is consistent with the Town of Hildebran Comprehensive Plan and other officially adopted plans and is reasonable and in the public interest and are consistent with surrounding uses and zoning. All voted in favor.

ZTA 2020-1

Mayor Hildebrand opened the public hearing at 7:14 p.m. to consider ZTA 2020-1. Planner Nestor reported that ZTA 2020-1 is to consider including restaurants (with drive thru, drive-in or walk up) as a Conditional Use in the Central Business District (CBD) zoning district. He stated that Chubby’s of Hildebran, located at 511 U.S Hwy 70 SW D, inquired about putting in a drive thru at their location, located in the CBD zoning district.

Mr. Nestor explained that a Conditional Use Permit is granted by the Hildebran Board of Adjustment after the Board holds a public hearing, which authorizes a use which would not generally be appropriate throughout a

particular zoning district, but which, if controlled as to number, size, location, or relation to the neighborhood, would promote the public health, safety, and general welfare. In granting such a permit, the Board of Adjustment may designate such conditions in connection therewith as will conform to the requirements and spirit of this Ordinance. The Board can also deny the permit if they believe it will negatively affect the above mentioned areas.

Mr. Nestor stated that staff and Planning Board recommend the approval of the proposed text amendment ZTA 2020-1.

There being no comments, Mayor Hildebrand closed the public hearing at 7:16 p.m.

Council Member Herrell made a motion that the Town Council adopt the proposed Zoning Text Amendment 2020-1 and find that the proposed text amendment is consistent with the recommendations of the Hildebran Comprehensive Plan and that the proposed text amendment is consistent with other officially adopted plans. All voted in favor.

NCDOT STREET NAME  
CHANGE (SR 2503  
NEUVILLE AVE)

Mayor Hildebrand opened the public hearing at 7:17 p.m. concerning a NCDOT road (SR 2503) name change from Neuville Ave to Synergy Way.

Dinah Cruse, MFX, spoke against the name change citing that it would be an inconvenience, increase costs and consume time unnecessarily for her company with no added value.

Jody York spoke against the name change due to the inconvenience to other businesses that reside on the road. She asked for compromise by putting up company signs but leaving the road name the same.

Elena Azzarita, from SynergyLabs, spoke in favor of the name change citing that there is value to their retail customers so that they can relate their company with the name of the road. She stated that SynergyLabs is willing to compensate the businesses on the road for any inconvenience

There being no other public comments, Mayor Hildebrand closed the public hearing at 7:25 p.m.

OLD BUSINESS: None.

NEW BUSINESS:

CONSIDER APPROVAL OF  
RESOLUTION ADOPTING  
THE UNIFOUR HAZARD  
MITIGATION PLAN

Planner Nestor reported that a Unifour Hazard Mitigation Planning Committee was created, consisting of representatives from each of the 28 participating jurisdictions, to develop a plan. The counties and municipalities bound together to develop the plan because each county was required to have one by state and federal law. The plan was prepared in coordination with FEMA and the NC Division of Emergency Management and includes conformance with FEMA's latest Local Mitigation Planning Handbook and Local Mitigation Plan Review Guide. The federal government offers FEMA relief to municipalities who have FEMA-sanctioned hazard mitigation plans like this one. The plan will be active for five years.

Council Member Herrell made a motion to approve the resolution adopting the Unifour Hazard Mitigation Plan as presented. All voted in favor. A copy of the resolution is hereby incorporated by reference and made a part of these minutes (Attachment A).

CONSIDER APPROVAL OF  
SERVICE AGREEMENTS  
FOR STREET MOWING,  
PARK MAINTENANCE  
AND WEEKEND  
CLEANING AT THE PARK

Town Manager Shook stated that the service contracts for street mowing, park maintenance and weekend cleaning at the park are currently held by Steve Young with The Grounds Keeper LLC. These contracts are currently two-year contracts that expire June 30, 2020. Mr. Shook has been working with Finance Officer Fredrick Rankins and Mr. Young and has provided information about the work involved in each contract as well as pricing for the three contracts up for consideration.

Mr. Young has agreed to enter into a three-year contract with the Town, keeping his pricing the same with the exception of the additional costs associated with 1<sup>st</sup> St SE and 4<sup>th</sup> St Pl, SW. These roads have kudzu issues and Mr. Shook has asked that Mr. Young cut these areas 6' – 8' from the road. One other cost increase involves additional mulching in the park for the two playground equipment pieces that have been installed since the original contract (swing sets and yellow dome). Mr. Shook stated that the new contracts include a cancellation clause at any point during the contract, from either side, provided there is at least a six-month notice.

Council Member Herrell asked about cost for rubber pieces instead of mulch at the park. Mr. Young stated that the cost would be about four times more expensive.

Council Member Herrell made a motion to approve the service contracts with The Grounds Keeper LLC for street right-of-way maintenance, park maintenance and weekend cleaning at the park, effective July 1, 2020 and ending June 30, 2023, as presented. All voted in favor. A copy of the first two (2) pages of each contract are hereby incorporated by reference and made a part of these minutes (Attachment B, C, D).

CONSIDER APPROVAL OF  
CITIZEN ADVISORY  
COMMITTEE POLICY

Mr. Shook presented a policy adopting a citizen advisory committee that was modeled after a UNC School of Government template. He highlighted key points of the policy. Council Member Herrell made a motion to approve the policy adopting a citizen advisory committee as presented. A copy of the policy is hereby incorporated by reference and made a part of these minutes (Attachment E).

CONSIDER APPROVAL OF  
CONTRACT FOR AUDIT OF  
FY 19-20

Mr. Rankins provided a brief summary of the audit contract of FY 19-20 for consideration. He stated that the minor changes from last year's contract reflect changes required by the Local Government Commission (LGC). The contract price increased slightly by 3.5%. He recommended approval of the contract.

Council Member Smith made a motion to approve the contract to audit accounts of FY 19-20 with S. Eric Bowman, PA as presented. All voted in favor.

CONSIDER APPROVAL OF  
2020 TOWN EVENTS

Clerk Sanders provided a list of proposed Town events for 2020 to include the farmers market, two yard sales, a Christmas craft show and the Christmas parade. Council Member Smith made a motion to approve the Town events for 2020 as presented. All voted in favor. A copy of the events is hereby incorporated by reference and made a part of these minutes (Attachment F).

CONSIDER APPROVAL OF  
ORDINANCES DECLARING  
TEMPORARY ROAD  
CLOSURES FOR THE 2020  
CRUISE IN, FESTIVALS  
AND PARADE

Clerk Sanders stated that the NCDOT had officially approved the temporary road closures necessary to hold the four cruise ins, the September festival and the Christmas parade. The next step is for Council to approve ordinances declaring the temporary road closures which will then be sent to NCDOT for its records. Council Member Smith made a motion to approve the ordinances

declaring temporary road closures for the 2020 cruise ins, the September festival and the Christmas parade as presented. All voted in favor. A copy of the ordinances are hereby incorporated by reference and made a part of the minutes (Attachment G, H, I, J, K, and L).

CONSIDER APPROVAL OF WEEKLY ONE (1) HOUR RENTAL IN AUDITORIUM

Mr. Shook stated that Pastor Keith Barrett from Bridge Worship requested to use the auditorium for one hour on the weekend for band practice. Currently, the church rents the auditorium 3 hours on Sunday mornings and 3 hours on Wednesday nights, each week. The current policy requires a 3-hour minimum each rental. Pastor Keith has asked that the 3-hour minimum be waived for this special rental since they already rent the auditorium 6 hours a week. Staff recommends that if the request is approved, that it should be conditional that any other 3-hour rental will take precedent. If Bridge has already paid for one evening, and another three-hour rental is booked at the same time, Bridge would be allowed to use the auditorium for that one hour another night during the same week, or staff will credit the fee for another week.

Council Member Herrell made a motion to approve the request from Bridge Worship to allow them to rent the auditorium for one hour on the weekends, waiving the three-hour minimum, with the condition that any other three-hour rental will take precedent. If another three-hour rental is booked during the time that Bridge Worship has scheduled, staff will reschedule Bridge Worship to another time during the same week or credit the hour to another week. All voted in favor.

CONSIDER ADOPTION OF RESOLUTION OF A NCDOT STREET NAME CHANGE (SR 2503 NEUVILLE AVE)

Council heard comments from the public regarding the proposed street name change from Neuville Ave to Synergy Way at the beginning of the meeting. Council had no further discussions. Council Member Herrell made a motion to adopt the resolution regarding a NCDOT road name change in the Town of Hildebran (SR 2503) from Neuville Ave to Synergy Way. Council Members Cline, Herrell, Smith and Weaver voted in favor of the motion. Council Member Honeycutt was opposed. The motion carried. A copy of the resolution is hereby incorporated by reference and made a part of these minutes (Attachment M).

DECEMBER FACILITIES REPORT

The report was presented for review.

DECEMBER DELINQUENT TAX REPORT Tax Collector Sanders provided the December tax report. A copy of the report is hereby incorporated by reference and made a part of these minutes (Attachment N).

DECEMBER DEPUTY REPORT The December Deputy report was provided for review.

COMMITTEE REPORTS Transportation Advisory Committee (TAC) and Technical Coordinating Committee (TCC) – Mr. Shook reported on street issues that are being reviewed by DOT. Council Member Herrell reported that the Pedestrian Plan is at least 10 years old. DOT had drastic budgetary cuts which is why some projects are taking longer than planned.

WPCOG Policy Board – No report.

Burke Economic Development – Council Member Cline had emailed his report earlier this month. He stated the committee wanted to know more about what is going on in Town.

Recreation and Tourism Committee – No report.

Water Resource Committee – No report.

VEDIC – Council Member Weaver reported that VEDIC had helped create more than 100 jobs in our area this past year.

Library Board – No report.

OTHER BUSINESS None.

ANNOUNCEMENTS None.

CLOSED SESSION Council Member Herrell made a motion at 7:57 p.m. to recess to closed session pursuant to NC General Statute 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee and/or 143-318.11. All voted in favor.

Council Member Smith made a motion to return to open session at 8:05 p.m. All voted in favor.

LEASE OF TWO VACANT OFFICES

Mr. Shook reported that staff had been approached today by a non-profit organization to lease the two vacant offices in the Albert Parkhurst Municipal Complex as well as renting the community center a couple of times each month. Staff asked that the organization put their requests, concerns and questions in a letter to be presented to Council at the March meeting.

SR 2503 SYNERGY WAY

Mr. Shook reported that the name change of SR 2503 Synergy Way will most likely take place April 1<sup>st</sup>. There was concern of the timing and Council Member Herrell asked that staff reach out to DOT and the businesses on the road about their needs and report back to staff.

STREET SIGN

Council Member Smith requested that the school crossing street sign near the intersection of Hwy 70 and S. Center St. be replaced.

ADJOURN

All business being concluded, Council Member Honeycutt made a motion at 8:15 p.m. to adjourn. All voted in favor.

I attest these are the approved minutes of the Board.

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Alice Sanders, Town Clerk

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Wendell Hildebrand, Mayor