TOWN OF WILSON'S MILLS
REGULAR TOWN COUNCIL MEETING
February 15, 2021

PRESENT: Mayor Jim Uzzle, Mayor Pro-tem JC Triplett, Councilmembers David McGowan, Phillip Wright, and Randy Jernigan.

ABSENT: Councilmember Carolyn Dobbin

OTHERS PRESENT: Town Administrator/Clerk Leighanna Worley, and Town Attorney Gabriel Du Sablon.

CONVOCATION: Mayor Jim Uzzle declared a quorum present and called the meeting to order at 6:30pm.

INVOCATION: Councilmember Phillip Wright gave the invocation.

PLEDGE TO FLAG Mayor Uzzle led the pledge of allegiance to the flag.

APPROVAL OF AGENDA: Mayor Uzzle asked for the approval of the agenda.

A motion was made by Mayor Pro-tem JC Triplett and seconded by Councilmember David McGowan to approve the agenda as submitted. Motion carried unanimously.

APPROVAL OF MINUTES: Mayor Uzzle asked for any comments or corrections to the minutes for Regular Town Council Meeting for January 19, 2021.

Regular Town Council Meeting- January 19, 2021:

A motion was made by Councilmember David McGowan and seconded by Mayor Pro-tem JC Triplett to approve the Regular Town Council Meeting Minutes for January 19, 2021 as submitted. Motion carried unanimously.

Special Council Meeting- February 4, 2021:

Mayor Uzzle asked for any comments or corrections to the minutes for the Special Council Meeting for February 4, 2021.

A motion was made by Mayor Pro-tem JC Triplett and seconded by Councilmember David McGowan to approve the Special Council Meeting Minutes for February 4, 2021 as submitted. Motion carried unanimously.

1st OPEN FORUM Mayor Uzzle opened the 1st Open Forum at 6:32pm.

Sean Hanlon of 124 Waber Court stated concerns about the possible rezone of property on Swift Creek Road. He stated that he was concerned about possible noise or traffic affecting the neighborhood and wanted to know what the guidelines were for the applicant.

Mayor Uzzle told Mr. Hanlon that discussion about the rezone is next on the agenda and he would be able to express his concerns during that portion of the meeting.

With no one else wishing to speak Mayor Uzzle closed the 1st Open Forum at 6:35pm.

PUBLIC HEARING ORDINANCE to Rezone Property on Swift Creek Road

Development Compliance Officer Wendy Oldham explained that this is a conditional rezone and this property is going from single family residential to vehicle service repair. She said that it is located at 1737 Swift Creek Road and is 7.24 acres. She said all the acreage will not be used and none of property lies within the 100-year floodplain. Mrs. Oldham said there are wetlands on the property, but they will not be disturbed. She stated that said that this is a conditional hearing so the conditions approved will go forth with the approval if approved by Council. Mrs.

Oldham reviewed the standards for approval and the applicant's responses as listed below:

FINDING NO. 1: All applicable specific conditions as described in the Town's Code of Ordinances pertaining to the proposed use have been or will be satisfied.
Applicant response: We will follow all Ordinances or the Town of Wilson's Mills and will go above and beyond to make sure we are an asset to the community.

FINDING NO. 2: Access roads or entrance and exit drives are or will be sufficient in size and properly located to ensure automotive and pedestrian safety and convenience, traffic flow, and control and access in case of fire or any other emergency.
Applicant response: The driveway will be on Swift Creek Road and will be installed to NC DOT standards.

FINDING NO. 3: Off-street parking, loading, refuse, and other service areas are located to be safe, convenient, allow for access in case of emergency, and to minimize economic, glare, odor and other impacts on adjoining properties and properties in the general neighborhood.
Applicant response: The parking will be in front of the building. All cars will be kept inside the building or in an enclosed fenced in area in the back. There will be a buffer along each side of the property.

FINDING NO. 4: Utilities, schools, fire, police and other necessary public and private facilities and services will be adequate to handle the proposed use.
Applicant response: County water and sewer are available and will be utilized. Schools will not be affected. There should be minimal needs from fire, law enforcement and emergency services.

FINDING NO. 5: The location and arrangement of the use on the site, screening, buffering, landscaping, and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts.
Applicant response: There should be no adverse effects from this property change.

FINDING NO. 6: The type, size, and intensity of the proposed use, including such considerations as the hours of operation and number of people who are likely to utilize or be attracted to the use, will not have significant adverse impacts on adjoining properties or the neighborhood.
Applicant response: Our hours of operation will be Monday-Friday 8:30 a.m. to 6 p.m. There will not be a multitude of people coming/going from the business. There should be no adverse effects on the neighborhood.

Mrs. Oldham said that Planning Board reviewed the application on the 29th of December and recommended approval of conditional rezone. She reviewed the options for Council which were approval, approval with conditions, or denial.

Mayor Uzzle asked if the applicant will be restoring antique cars and Mrs. Oldham confirmed that the application is for a restoration facility for old cars. Mrs. Oldham said that it will be only restoration, not repairs. Thomas Nelson stated that he is the applicant and that it will not be a late model repair shop and they do not accept vehicles after the year 1980.

Mr. Nelson thanked Council for taking the time to review his application and said that he is very excited about coming to Wilsons Mills. He said that this business has been in place since 2005 and that they are licensed, bonded, and insured. He

said that the business is operating out of Raleigh right now and they are currently renting but wanting to own a shop instead of continuing to rent. He said that the business will operate under normal business hours and he plans to be at the shop so there would be no absentee ownership. He also said that he would like to apply to annex into the town limits in the future. Mayor Pro-tem JC Triplett asked Mr. Nelson how many employees there would be, and Mr. Nelson said there would be 5 employees including his wife and himself. Mayor Pro-tem Triplett asked what the size of the building would be, and Mr. Nelson stated that he plans for it to be 7500 square feet.

Councilmember David McGowan asked about having a tow truck and Mr. Nelson stated that he has a half ton Z71 with trailer and an enclosed trailer. Councilmember McGowan asked about bright lights for security and Mr. Nelson said there will be lights, but they will not be too bright. Dan Simmons stated that he is the design engineer and there will area lights and wall packs only. Councilmember McGowan asked about the wetlands in the area and Mr. Simmons said that he has had someone to look at the site and approximately 2 of the acres are not wetlands. Councilmember McGowan asked where any liquids or lubricants would be disposed of and Mr. Nelson said that he has 50-gallon drums that are picked up and the contents are recycled.

Sean Hanlon of 124 Waber Court stated concerns about oil and other fluids that may accidentally leak from the vehicles. Mr. Nelson said that all fluids are drained into the appropriate pans and placed into the 50-gallon drums. The applicant's wife, Nancy Nelson reiterated the cleanliness of the facility and stated that inspectors will come to check that protocols are being followed. Mr. Hanlon requested that the lights at the facility be sensor lights or timed to avoid disturbing the neighbors. Mr. Simmons said that reflectors can be put into place and Mr. Nelson said he is willing to compromise. Mr. Hanlon stated concerns with an alarm system that might be put in place and Mr. Nelson said he is unsure about alarms right now but there will be cameras. Mr. Hanlon said that he wants the neighborhood to remain peaceful and Councilmember McGowan said that by applying for the rezone the applicants are required to follow the town ordinances.

Morgan Kasanda of 210 Waber Court expressed concerns about keeping the neighborhood the same and Mr. Simmons showed on the map what area will be affected.

Persida Ramos of 104 Waber Court stated that she wants to see the area remain residential. She stated concerns about how many acres will be used as well as what kind of building will be erected. She also stated concerns about the facade of the building and said she hopes the building will not stick out. She also said she would like to know if the applicants have pictures of what they plan the building to look like. Mrs. Nancy Nelson said they are currently renting in Raleigh and want to move to a facility that they own. Mr. Simmons said that there will be a facade that will be split face block. Ms. Ramos stated concerns about the value of homes going down and wants to know how it will benefit the rest of the community. Mr. Nelson said they will be using an opaque fence to keep it out of street view, and they want to be respectful to others.

A motion was made by Councilmember David McGowan to approve option 1 on the application which stated "based on the testimony and hearing record before us, I move to find the pending application by Mr. Thomas Nelson for a Conditional Rezone of 1737 Swift Creek Road from Single Family Residential to Vehicle Service Repair, to be approved based on standards set forth in the Wilson's Mills Unified Development Ordinance, Comprehensive Land Use Plan, and Future Land Use Map." Motion was seconded by Councilmember Phillip Wright.

Mayor Uzzle asked for discussion on the matter and Mayor Pro-tem JC Triplett said that he would prefer option 2. Councilmember David McGowan said that everything stated in option 2 is covered under the UDO and application. Development Compliance Officer said that the applicants did apply for option 2.

After further discussion Councilmember David McGowan withdrew his previous motion.

A motion was made by Councilmember David McGowan to approve option 2 on the application which stated:

Based on the testimony and hearing record before us, I move to find the pending application by Mr. Thomas Nelson for a Conditional Rezone of 1737 Swift Creek Road from Single Family Residential to Vehicle Service Repair, to be approved based on standards set forth in the Wilson's Mills Unified Development Ordinance, Comprehensive Land Use Plan, and Future Land Use Map, and with the following conditions:

1. Use shall be for an Automobile Repair Service (Major or Minor) and shall meet the following requirements:
    a. Per Article 10.1-4 B of the Wilson's Mills Development Ordinance:
        I. Vehicles awaiting repair shall not be parked in public right of way.
        II. No outdoor automobile work areas are to be in the front yard setback area.
        III. All outdoor automobile work areas and/or vehicle storage areas shall be screened from adjacent uses with a six (6) foot tall opaque fence and a type D buffer: planting shall be on the exterior side of the fence.
2. The attached site-specific development plan shall be considered to a part of this request.
3. Business hours shall be between 8:30 a.m. and 6:00 p.m.
4. Construction plan approval from the Town and a driveway permit from NCDOT shall be approved prior to any site construction activity.
5. Preserve existing vegetation in perimeter landscape buffers to the greatest extent possible. Supplemental plantings to meet buffer requirements shall be determined at construction plan review.
6. AND additional conditions in attached statement from owner.

Motion was seconded by Councilmember Phillip Wright. Motion carried unanimously.

REGULAR BUSINESS

MAYOR JIM UZZLE – Mayor and Sewer Report:

Mayor referenced the letter from Johnston County Manager Rick Hester in Council's packets regarding the county's plans to begin updating their Comprehensive Land Use Plan.

Discussion of County Plan Updates

Mayor Uzzle asked if there were any questions and there were none.

MAYOR PRO-TEM JC TRIPLETT – Street Department Report:

Mayor Pro-tem JC Triplett said that the new Public Works Supervisor will start soon and start bids for the paving of certain town streets will be able to go out soon.

COUNCILMEMBER RANDY JERNIGAN – Maintenance Department Report:

Councilmember Randy Jernigan said that with the hiring of the new Public Works Supervisor Council will need to discuss the Street and Maintenance departments being combined into one department.

Discussion Regarding Combining Street and Maintenance Department Report

It was the consensus of Council to combine both the Maintenance, Streets, and Animal Control departments into one – the Public Works Department.

Discussion Regarding Public Works Liaison(s)

Councilmember Randy Jernigan said that Council also needs to decide who will be the liaison for the new combined department. He said that it could be himself, Mayor Pro-tem JC Triplett, or both of them. Mayor Pro-tem Triplett said that he doesn't have a preference and Councilmember David McGowan said that he thinks it's a good idea to have one person as the liaison. Town Administrator Leighanna Worley said that normally at the beginning of the year the Mayor will appoint the liaisons. She said that if everyone agrees it could be marked as a consensus. Mayor Pro-tem Triplett said that he thinks the Mayor should take everything into consideration and let everyone know that he thinks at the next meeting. Mayor Uzzle said that he will discuss with everyone and announce at next meeting.

OTHER:

Town Administrator Leighanna Worley presented what was spent on the Maintenance vehicle since October of 2020. She said that $1,029.75 has been spent and if Council would like to see anything from past fiscal years it can be pulled from the finance files.

COUNCILMEMBER PHILLIP WRIGHT – Events Report

Councilmember Phillip Wright stated that an application was received by Jessica George of Clayton to be appointed to the Events Committee. He reviewed the application in Council's packets. Town Administrator Leighanna Worley said that Mrs. George seems to be very eager to join the committee.

Appointment of Events Committee Member-Jessica George

A motion was made by Mayor Pro-tem JC Triplett and seconded by Councilmember Randy Jernigan to appoint Jessica George to the Events Committee. Motion carried unanimously.

COUNCILMEMBER CAROLYN DOBBIN – Planning Report:

Mayor Uzzle referenced the information in Council's packets. Mayor Uzzle asked for questions and there were none.

COUNCILMEMBER DAVID McGOWAN – Police Department Report:

Councilmember David McGowan deferred to Chief Williams. Chief Williams stated that Officer Staci Hunter resigned from her full-time position on January 22, and she will now be working as a part-time officer. He said that Officer Hunter was replaced by Officer Raymond Barton. Chief Williams stated that there is a plan to implement a citizens care program for residents ages 65 and older. He stated that he will have more information in the future.

FINANCE OFFICER'S REPORT – Sherry Hudson:

Mayor Uzzle referenced the report on the financials for the month ending January 2021 in Council's packets.

Review of Financial Statements – January 2021:

Mayor Uzzle asked Council if there were any questions and there were none.

ORDINANCE to Amend the Budget for Fiscal Year 20/21 #2

Town Administrator Leighanna Worley referenced the budget ordinance in Council's packets. She referenced the CARES Act funding that was received is being placed into the contingency line. She stated that if the ordinance is amended as recommended there will be $135,901 in the contingency line.

A motion was made by Councilmember Randy Jernigan and seconded by Councilmember David McGowan to adopt the following Ordinance to Amend the Budget #2 for Fiscal Year 2020-2021. Motion carried unanimously.

AN ORDINANCE TO AMEND
AN ORDINANCE TO APPROPRIATE FUNDS AND RAISE REVENUE
FOR THE FISCAL YEAR BEGINNING JULY 1, 2020
AND ENDING JUNE 30, 2021

TOWN OF WILSON'S MILLS
FY 20-21 BUDGET AMENDMENT #2

BE IT ORDAINED by the Town Council of the Town of Wilson's Mills, County of Johnston, State of North Carolina, and meeting in Regular Session this 15th day of February 2021 that the Town Budget adopted on June 15, 2020, for FY 2020-2021 is hereby amended and adopted.

Section I. That the following Revenue items in the General Fund Budget be DECREASED by the following amounts:

	DECREASED REVENUES	
Account No.	Line Item	Amount
10-3701-000	CARES Act Funding	$89,468.00
10-3840-800	Misc. Collections	$1,969.00
		$91,437.00

Section II. That the following Expenditure items in the General Fund Budget be INCREASED by the following amounts:

	INCREASED EXPENDITURES	
Account No.	Line Item	Amount
-	Governing Board	-
10-4110-191	Audit Fees	$1,871.00
10-4110-192	Legal Fees	$7,500.00
10-4110-193	Professional Fees	$10,350.00
10-4110-451	Insurance & Bonding	$1,265.00
10-4110-491	Dues	$418.00
10-4110-498	Contingency	$89,468.00
10-4110-693	Christmas Party	$1,054.00
-		-
	Administration	
10-4120-260	Office/Dept. Misc. Supplies	$2,500.00
10-4120-331	Utilities - Electric	$400.00
10-4120-334	Utilities - Water	$120.00
10-4120-335	Utilities - Trash Service	$50.00
10-4120-351	Maint. Bldg & Grounds	$1,000.00
10-4120-370	Advertising	$625.00
10-4120-439	Equipment Rent	$4,795.00

10-4120-451	Insurance & Bonding	$84.00
	Police	
10-4310-126	Salaries - Part Time	$23,750.00
10-4310-184	LEO 401k	$6,520.00
10-4310-265	Ammo & Guns	$230.00
10-4310-311	Travel	$550.00
10-4310-321	Telephone/Fax/Internet	$349.00
10-4310-325	Postage	$44.00
10-4310-331	Utilities / Electric	$500.00
10-4320-334	Utilities - Water	$120.00
10-4320-335	Utilities - Trash Service	$50.00
10-4310-352	Maint. - Equipment	$113.00
10-4310-491	Dues	$50.00
10-4310-610	Community Police Program	$622.00
	Animal Control	
10-4380-321	Telephone/Fax/Internet	$80.00
10-4380-331	Utilities / Electric	$450.00
10-4380-334	Utilities - Water	$120.00
10-4380-335	Utilities - Trash Service	$50.00
	Streets	
10-4510-260	Dept. Supplies	$1,046.00
10-4510-352	Maintenance - Equipment	$400.00
10-4510-331	Utilities / Electric	$450.00
10-4510-334	Utilities - Water	$120.00
10-4510-335	Utilities - Trash Service	$50.00
10-4510-351	Maint. - Bldg & Grounds	$250.00
10-4510-353	Maint. - Vehicle	$1,030.00
10-4510-451	Insurance & Bonding	$62.00
	Planning & Zoning	
10-4910-199	Professional Services	$11,729.00
10-4910-331	Utilities / Electric	$450.00
10-4910-334	Utilities - Water	$120.00
10-4910-335	Utilities - Trash Service	$50.00
10-4910-199	Professional Services	$11,729.00
10-4910-359	Contracted Services	$22,455.00
10-4910-451	Insurance & Bonding	$39.00
		$205,078.00

Section III. That the following Expenditure items in the General Fund Budget be DECREASED by the following amounts:

	DECREASED EXPENDITURES	
Account No.	Line Item	Amount
-	Governing Board	-
10-4110-185	Unemployment tax	$150.00
10-4110-311	Travel Expense	$300.00
10-4110-395	Education expense	$500.00
10-4110-398	Citizens Academy	$1,000.00
10-4110-495	Ordinance Codification	$450.00
10-4110-498	Contingency	$10,409.00
	Administration	
10-4120-185	Unemployment Tax	$2,000.00
10-4120-311	Travel	$3,000.00
10-4120-491	Dues	$320.00
	Police	
10-4310-185	Unemployment tax	$2,900.00
10-4310-212	Uniforms	$1,000.00
10-4310-251	Gasoline & Oil	$1,000.00
10-4310-260	Office/Dept./Misc. Supplies	$3,000.00
10-4310-380	Software Support	$2,500.00
10-4310-553	Capital Outlay - Vehicle	$6,992.00
	Animal Control	
10-4380-311	Travel	$150.00
10-4380-352	Maint. - Equipment	$300.00
10-4380-395	Training	$550.00
10-4380-398	Drug Testing/Vaccines	$600.00
	Streets	
10-4510-185	Unemployment tax	$466.00
10-4510-354	Maintenance - Streets	$500.00
10-4510-395	Employee Training	$300.00
	Planning & Zoning	
10-4910-121	Salaries & Wages	$55,820.00
10-4910-181	Payroll FICA	$3,100.00
10-4910-182	Retirement	$5,390.00
10-4910-183	Group Insurance	$3,993.00
10-4910-185	Unemployment tax	$1,360.00
10-4910-311	Travel	$1,600.00
10-4910-395	Employee Training	$100.00
10-4910-491	Dues	$500.00

	Park & Events	
10-6120-694	**Seniors Program**	**$3,391.00**
		$113,641.00

Adopted this 15th Day of February 2021

Mayor Uzzle asked about the CARES Act funding from the county and asked what that was used for. Town Administrator Leighanna Worley reminded Council that these were funds that were given by the county based on population and the amount Wilson's Mills received was $89,468. She said that the funds could only be used for specific things and the funds we received were used for salaries for the police department.

TOWN ADMINISTRATOR'S REPORT – Leighanna Worley:

Town Administrator Leighanna Worley referred to her monthly report with nothing to add.

Councilmember David McGowan asked if there will be any information from the Clayton Rugby Club by next month. Ms. Worley stated that she received a draft agreement from the Rugby Club and H&H Homes on the work they will do in the future. She said that she has spoken with Bryant Spencer from H&H Homes about encroaching on the Town's property at the park and he is speaking with his surveyor. She said once that is straightened out, they can move forward.

Councilmember McGowan asked if they would have an on-site manager for the work to be done in Ives Landing. Development Compliance Officer Wendy Oldham stated that there will be an on-site manager, but she doesn't have a name yet. Councilmember McGowan asked if there will be a construction sign put up and Mrs. Oldham said she will contact the appropriate parties about that.

Award Bid for Maintenance Building

Mayor stated that the bid from Arco went up in price and on February 24th the price will go up again. He also said that the Council previously discussed Premier which was a cheaper price.

Councilmember David McGowan expressed concerns about the Acro price going up continually. Mayor Uzzle said that it would be 16 to 22 weeks before the building would be delivered.

Councilmember Randy Jernigan also expressed concerns about the prices continually going up and suggested the possibility of putting out for public bid for the build to be constructed. Councilmember David McGowan agreed with Councilmember Jernigan and expressed concerns about the bid from Premier not being detailed enough.

Mayor Pro-tem JC Triplett asked if Premier is offering the same services of Arco. He stated he wants to make sure everything is covered. Councilmember David McGowan again expressed that he would like for this to go out as a formal bid request.

Councilmember Randy Jernigan said that beyond the building itself, electrical and plumbing costs also need to be considered. He said that the bid needs to be put out for local businesses to bid on and possibly include electrical and plumbing in the cost.

Town Attorney Gabriel Du Sablon stated that he feels like Council would be on better footing if they were to put out a public Request for Proposal (RFP).

Mayor Pro-tem JC Triplett said that he feels a decision should be made tonight to avoid having to wait 2 more months.

A motion was made by Councilmember Randy Jernigan and seconded by Councilmember David McGowan to have the maintenance building work published as a public bid. Voting in favor of the motion were Councilmembers Randy Jernigan and David McGowan. Voting in opposition to the motion was Mayor Pro-tem JC Triplett and Councilmember Phillip Wright. Per the Town's charter, a tie vote shall be broken by a vote from the Mayor. Mayor Uzzle voted in opposition to the motion; therefore, the motion was denied 3 to 2.

A motion was made by Mayor Pro-tem JC Triplett and seconded by Councilmember Phillip Wright to accept the bid from Premier Building for $45,640. Voting in favor of the motion were Mayor Pro-tem JC Triplett and Councilmember Phillip Wright. Voting in opposition to the motion were Councilmembers Randy Jernigan and David McGowan. Per the Town's charter, a tie vote shall be broken by a vote from the Mayor. Mayor Uzzle voted in favor to the motion; therefore, the motion carried 3 to 2.

Scheduling Budget Session #1 for Fiscal Year 2021-2022

Leighanna Worley stated that the new fiscal year is approaching, and Council needs to discuss when the first budget session will be for the 2021-2022 fiscal year. After discussion it was decided that the first budget session meeting will be on March 18th at 4pm.

A motion was made by Councilmember David McGowan and seconded by Mayor Pro-tem JC Triplett to call a meeting for Budget session #1 for the 2021-2022 Fiscal Year to be on March 18, 2021 at 4pm. Motion carried unanimously.

2nd OPEN FORUM:

Mayor Uzzle opened the 2nd Public Forum at 8:25pm.

With no one wishing to speak, Mayor Uzzle closed the 2nd Open Forum at 8:26pm.

MOTION TO GO INTO CLOSED SESSION:

A motion was made by Mayor Pro-tem JC Triplett and seconded by Councilmember David McGowan to go into Closed Session at 8:26pm pursuant to N.C.G.S. 143-318.11(a)(5) regarding acquisition of property owned by Alan Wellons located on Swift Creek Road. Motion carried unanimously.

MOTION TO COME OUT OF CLOSED SESSION:

A motion was made by Councilmember David McGowan and seconded by Councilmember Phillip Wright to come out of Closed Session at 8:57pm. Motion carried unanimously.

ADJOURN:

A motion was made by Mayor Pro-tem JC Triplett and seconded by Councilmember David McGowan to adjourn. Motion carried unanimously.

The meeting adjourned at 8:57pm.

_____
JIM UZZLE, JR., Mayor

ATTEST:

_____
EMILY MATTHEWS for LEIGHANNA WORLEY, MMC, NCCMC
Town Administrator / Clerk