

TOWN OF WILSON'S MILLS
REGULAR TOWN COUNCIL MEETING
January 17, 2023

PRESENT: Mayor Fleta Byrd, Mayor Pro-tem JC Triplett, Councilmembers Randy Jernigan, David McGowan, Carolyn Dobbins, and Tim Brown.

OTHERS PRESENT: Town Administrator/Clerk Leighanna Worley, Deputy Clerk Emily Matthews and Town attorney Gabriel Du Sablon.

CONVOCAATION: Mayor Byrd declared a quorum present and called the meeting to order at 6:32pm.

PLEDGE Mayor Byrd led the pledge of allegiance to the flag.

INVOCATION: Town Administrator Leighanna Worley gave the invocation.

APPROVAL OF AGENDA: Mayor Byrd asked for the approval of the agenda. Mayor Byrd adding agenda item 7a(i) "Proclamation Declaring February 2023 as All In Red Month for the Town of Wilson's Mills."

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

APPROVAL OF MINUTES: Mayor Byrd asked for any comments or corrections to the minutes for the Regular Town Council Meeting for December 19, 2022.

Regular Town Council Meeting- December 19, 2022:

A motion was made by Councilmember McGowan and seconded by Councilmember Tim Brown to approve the Regular Town Council Meeting Minutes for December 19, 2022, as amended. Motion carried unanimously.

Special Council Meeting – December 29, 2022:

Mayor Byrd asked for any comments or corrections to the minutes for the Special Council Meeting for December 29, 2022.

A motion was made by Mayor Pro-tem JC Triplett and seconded by Councilmember Carolyn Dobbins to approve the Special Council Meeting Minutes for December 29, 2022 as presented. Motion carried unanimously.

PUBLIC HEARINGS

Mayor Byrd opened the public hearing at 6:33pm.

Ordinance to Rezone -- 366 Powhatan Road

Development Compliance Officer Wendy Oldham referenced the application to rezone. She said the property is currently a mobile home property and it is requested to be rezoned from SFR-3 to mixed use conditional. Mrs. Oldham referenced the following conditions:

Mrs. Oldham said Council can revise the conditions or add to them. Councilmember McGowan asked what size the buffer will be and Mrs. Oldham said the buffer will be 12 and a half feet. Councilmember McGowan asked if there has been a response from the adjacent property owner and Mrs. Oldham said she is waiting for Council's decision on the rezone before contacting the adjacent property owners. Councilmember Brown asked the square footage of each unit and Mrs. Oldham said each unit will be 1256 square feet and each unit will have a paved driveway. She also said there will be sidewalks on Powhatan Road.

With no one else wishing to speak, Mayor Byrd closed the public hearing at 6:44pm.

Councilmember Jernigan asked how big the turnaround area is for emergency vehicles. Mrs. Oldham stated it is currently 24 feet but Council can require a turnaround.

A motion was made by Councilmember David McGowan and seconded by Mayor Pro-tem JC Triplett to adopt the following Ordinance to Rezone 366 Powhatan Road with the following conditions: HOA to be established for maintenance of all open areas and stormwater; water and sewer to be supplied by County; townhomes to face Powhatan with driveway and parking to be in the rear; no fence as referenced on site plan but instead do a buffer and reduce by two and a half (2.5) feet; add 'NO PARKING' signs next to road and between driveways; check with adjacent property owner and get his/her input on buffer preference; with the addition of a turnaround area for emergency vehicles. This rezone is consistent with the Town's Adopted Comprehensive Land Use and Master Plan as well as the Future Land Use Map and the Town's Unified Development Ordinance. This rezone is reasonable and meets all the criteria of these items. Motion carried unanimously.

AN ORDINANCE AMENDING THE WILSON'S MILLS ZONING ORDINANCE

**PROPERTY OWNED BY
TYLER INVESTMENTS HOLDINGS, LLC.
1.07 ACRES LOCATED AT 366 POWHATAN ROAD FROM SINGLE FAMILY
RESIDENTIAL HIGH DENSITY (SFR-3)
TO
MIXED USE – CONDITIONAL REZONE (MU-CZ)**

WHEREAS, a petition has been received from the Wilson's Mills Planning Development Officer on behalf of RRT Development to rezone a 1.07-acre tract of land from SFR-3 Single Family Residential High Density to MU(CZ) Mixed Use - Conditional Rezone; and

WHEREAS, the required newspaper notices have been given, adjacent property owners notified, the recommendation from the Wilson's Mills Planning Board received, and a public hearing held at a Regular meeting on January, 17 2023 with members of the public soliciting input on the matter.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL of the Town of Wilson's Mills that:

Section 1. The Zoning Ordinance of the Town of Wilson's Mills is amended to change the following area from SFR-3 Single Family Residential High Density to MU(CZ) Mixed Use - Conditional Rezone, and to amend the Wilson's Mills Zoning Map to show the area change:

BEGINNING at an existing iron pipe in the eastern right of way of SR #1918, said state being a corner with property now or formerly owned by W.G. Wilson III, and runs as Wilson line North 76 degrees 10 minutes 00 seconds East 58.20 feet to a new iron pipe, a new corner with Floyd S. and Grace B. Parker; thence as a new line with Floyd S. and Grace B. Parker North 08 degrees 47 minutes 00 seconds West 344.26 feet to a new iron pipe, another new corner with Floyd S. Parker; thence a new line with Floyd S. Parker South 81 degrees 13 minutes 00 seconds West 166.0 feet to a new iron pipe in the eastern right of way of SR 1901; thence as the eastern right of way of SR 1901 and continuing as the eastern right of way of SR 1989 the following courses and distances: South 20 degrees 25 minutes 00 seconds East 237.43 feet; South 29 degrees 05 minutes 00 seconds East 50 feet; and South 40 degrees 15 minutes 00 seconds East 82.0 feet to the point of BEGINNING, and continuing one (1) acres more or less, according to a map entitled "Property of Floyd S. Parker and wife, Grace B. Parker" prepared by Gene E. Woodard, RLS, dated February 10, 1985. And being the same property conveyed to Tyler Investments Holdings, LLC by Deed dated May 2, 2019 and recorded in Book 5343, Page 36 of the Johnston County Registry. For additional reference, see North Carolina General Warranty Deed of

Correction dated December 2, 2022 and recorded in Book 6388, Page 973 of the Johnston County Registry.

Section 2.

The aforementioned rezone is subject to the following conditions:

1. HOA to be established for maintenance of all open areas and stormwater;
2. Water and sewer to be supplied by County;
3. Townhomes to face Powhatan with driveway and parking to be in the rear;
4. No fence as referenced on site plan but instead do a buffer and reduce by two and a half (2.5) feet;
5. Add 'NO PARKING' signs next to road and between driveways;
6. Check with adjacent property owner and get his/her input on buffer preference and
7. Addition of a turnaround area for emergency vehicles.

Section 3.

All laws and clauses in conflict with this Ordinance Amendment are hereby repealed.

Section 4.

This Ordinance Amendment shall be effective immediately upon adoption.

**Ordinance to
Rezone – Parcel ID
17J07013C – 5081
Wilson's Mills Road**

Mayor Byrd opened the public hearing at 6:50pm.

Development Compliance Officer Oldham said this property is requested to be rezoned from agriculture to commercial. She said there are no conditions on this rezone but it is in sync with the town's comprehensive land use plan. Mrs. Oldham also said the Council wanted more commercial property as part of their strategic plan. Councilmember Brown asked what kind of zoning C-70 is. Mrs. Oldham said C-70 would be anything commercial such as retail, warehouses, or storage units. David Orringer said this is a 52 acre site and they plan to divide the property between a storage facility and 6-8 flex buildings.

With no one else wishing to speak, Mayor Byrd closed the public hearing at 6:59pm

A motion was made by Mayor Pro-tem JC Triplett and seconded by Councilmember Carolyn Dobbins to adopt the following Ordinance to Rezone Parcel ID 17J07013C – 5081 Wilson's Mills Road. This rezone is consistent with the Town's Adopted Comprehensive Land Use and Master Plan as well as the Future Land Use Map and the Town's Unified Development Ordinance. Motion carried unanimously.

AN ORDINANCE AMENDING THE WILSON'S MILLS ZONING ORDINANCE

**PROPERTY OWNED BY
CHARLES B GORDON, JR.**

**51.75 ACRES LOCATED AT 5081 WILSON'S MILLS ROAD AND IDENTIFIED
AS PARCEL ID 17J07013C FROM AGRICULTURE (AG)
TO
COMMERCIAL (C-70)**

WHEREAS, a petition has been received from the Wilson's Mills Planning Development Officer on behalf of Charles B Gordon Jr. to rezone a 57.75-acre tract of land from AG Agriculture to C-70 Commercial; and

WHEREAS, the required newspaper notices have been given, adjacent property owners notified, the recommendation from the Wilson's Mills Planning Board received, and a public hearing held at a Regular meeting on January, 17 2023 with members of the public soliciting input on the matter.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL of the Town of Wilson's Mills that:

Section 1. The Zoning Ordinance of the Town of Wilson's Mills is amended to change the following area from AG Agriculture to C-70 Commercial, and to amend the Wilson's Mills Zoning Map to show the area change:

LEGAL DESCRIPTION Beginning at North Carolina Geodetic Monument "Electric" N= 668282.0483, E= 2188492.9629, thence North 74 degrees 54 minutes 24 seconds West 396.01 feet to said True point BEGINNING; thence S.72°49'08"E., a distance of 14.91 feet; thence S.70°47'46"E., a distance of 128.23 feet; thence S.01°50'22"W., a distance of 509.61 feet; thence continue Southerly along said line, a distance of 12.00 feet; thence S.34°06'56"E., a distance of 57.70 feet; thence S.50°54'23"W., a distance of 33.10 feet; thence S.01°24'41"W., a distance of 49.01 feet; thence N.73°08'49"E., a distance of 31.20 feet; thence S.42°28'45"E., a distance of 63.35 feet; thence S.85°55'12"E., a distance of 13.61 feet; thence S.39°56'45"E., a distance of 26.84 feet; thence S.54°06'34"E., a distance of 63.83 feet; thence N.70°09'33"E., a distance of 23.83 feet; thence S.37°16'42"E., a distance of 29.86 feet; thence S.29°18'17"W., a distance of 50.56 feet; thence N.78°43'07"W., a distance of 19.96 feet; thence S.42°41'09"W., a distance of 68.22 feet; thence S.75°32'51"E., a distance of 15.98 feet; thence S.22°32'26"E., a distance of 16.74 feet; thence S.27°29'11"W., a distance of 23.56 feet; thence S.67°57'20"E., a distance of 27.44 feet; thence S.12°20'43"W., a distance of 47.70 feet; thence S.61°29'21"W., a distance of 16.75 feet; thence S.17°20'20"E., a distance of 27.63 feet; thence S.26°07'17"W., a distance of 31.68 feet; thence S.04°45'55"W., a distance of 48.53 feet; thence S.78°29'26"E., a distance of 145.96 feet; thence N.75°53'59"E., a distance of 75.85 feet; thence S.57°59'41"E., a distance of 80.28 feet; thence S.17°40'31"E., a distance of 67.10 feet; thence S.23°10'29"W., a distance of 96.65 feet; thence S.47°32'31"E., a distance of 43.24 feet; thence S.39°41'36"E., a distance of 87.21 feet; thence N.61°09'06"E., a distance of 23.91 feet; thence S.33°10'07"E., a distance of 70.80 feet; thence S.29°21'34"W., a distance of 47.21 feet; thence S.14°19'40"E., a distance of 41.83 feet; thence N.89°39'48"E., a distance of 33.43 feet; thence S.70°00'00"E., a distance of 87.19 feet; thence S.10°36'31"E., a distance of 162.18 feet; thence S.06°56'46"W., a distance of 94.34 feet; thence S.07°38'13"E., a distance of 49.55 feet; thence S.17°03'21"W., a distance of 54.71 feet; thence S.31°13'03"E., a distance of 112.61 feet; thence S.51°20'02"E., a distance of 302.71 feet; thence S.16°08'36"E., a distance of 117.88 feet; thence N.51°32'32"W., a distance of 3,817.57 feet; thence N.02°58'22"E., a distance of 218.17 feet; thence S.89°08'56"E., a distance of 51.78 feet; thence continue Easterly along said line, a distance of 120.80 feet; thence continue Easterly along said line, a distance of 120.67 feet; thence continue Easterly along said line, a distance of 120.68 feet; thence continue Easterly along said line, a distance of 120.82 feet; thence continue Easterly along said line, a distance of 605.95 feet; thence S.16°29'15"W., a distance of 226.01 feet; thence S.89°15'33"E., a distance of 100.17 feet; thence N.16°27'16"E., a distance of 225.77 feet; thence S.88°51'38"E., a distance of 6.26 feet; thence S.67°54'12"E., a distance of 75.27 feet; thence S.68°35'00"E., a distance of 101.77 feet; thence S.09°04'54"W., a distance of 408.72 feet; thence N.89°12'21"E., a distance of 242.76 feet; thence N.51°08'44"E., a distance of 117.98 feet; thence N.08°40'04"E., a distance of 194.77 feet; thence S.70°53'58"E., a distance of 193.75

feet to the POINT OF BEGINNING. Containing 2,239,484.65 square feet or 51.4115 acres, more or less.

Section 2. All laws and clauses in conflict with this Ordinance Amendment are hereby repealed.

Section 3. This Ordinance Amendment shall be effective immediately upon adoption.

**Ordinance to
Rezone – Waterview
Way/Marlin Lane**

Mayor Byrd opened the public hearing at 7:01pm.

Mrs. Oldham said the developer of this property wanted to rezone from SFR-3 to Mixed Use conditional to put townhomes in. Mrs. Oldham stated she is waiting on revisions in regard to the overflow parking in that area. Mrs. Oldham reviewed the following conditions:

Mrs. Oldham handed out information and maps to Council. Councilmember Brown asked about the square footage. Donnie Adams of Adams and Hodge Engineering, 314 East Main in Clayton said each unit will be 1450-1500 heated square feet. Councilmember Brown expressed concerns about conditions d and e. He stated he feels that the developers should be responsible for the repairs of the streets.

Alberto Perez of 98 Waterview Way expressed concerns about the new townhomes blocking the view of the pond near his home.

With no one else wishing to speak, Mayor Byrd closed the public hearing at 7:29pm.

Mayor Pro-tem Triplett stated that he would like conditions D and E to be removed.

A motion was made by Councilmember David McGowan and seconded by Mayor Pro-tem JC Triplett to adopt the following Ordinance to Rezone Waterview Way/Marlin Lane with the following conditions: Annexation of any area/areas that are not already in town limits; four (4) foot strip of land as shown on the site plan between the road and townhomes be removed so that occupants of the townhomes could turn straight into their driveways off of the street and gain additional parking in driveways; parking for overflow if revised plans are not acceptable; revise plans/drawing for DCO to send to our consulting agency for review of driveways/parking areas; with the removal of conditions d and e, inspection of all streets before new construction begins and once it is completed; shared costs of road improvements, proportionately. This rezone is consistent with the Town’s Adopted Comprehensive Land Use and Master Plan as well as the Future Land Use Map and the Town’s unified Development Ordinance. This rezone is reliable and meets all the criteria of these terms. Voting in favor of the motion were Mayor Pro-tem JC Triplett, Councilmember Randy Jernigan, Councilmember David McGowan, and Councilmember Carolyn Dobbins. Voting in opposition of the motion was Councilmember Tim Brown. Motion carried 4 to 1.

AN ORDINANCE AMENDING THE WILSON’S MILLS ZONING ORDINANCE

**PROPERTY OWNED BY
JOCO OPCO, LLC.**

**2.475 ACRES LOCATED ON WATerview WAY/MARLIN DRIVE AND
IDENTIFIED AS PARCEL ID 17K08030Y FROM SINGLE FAMILY
RESIDENTIAL HIGH DENSITY (SFR-3)**

**TO
MIXED USE – CONDITIONAL REZONE (MU-CZ)**

WHEREAS, a petition has been received from the Wilson’s Mills Planning Development Officer on behalf of JoCo OPCO, LLC to rezone a 2.475-acre tract of land from SFR-3 Single Family Residential High Density to MU(CZ) Mixed Use - Conditional Rezone; and

WHEREAS, the required newspaper notices have been given, adjacent property owners notified, the recommendation from the Wilson’s Mills Planning Board received, and a public hearing held at a Regular meeting on January 17, 2023 with members of the public soliciting input on the matter.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL of the Town of Wilson’s Mills that:

Section 1. The Zoning Ordinance of the Town of Wilson’s Mills is amended to change the following area from SFR-3 Single Family Residential High Density to MU(CZ) Mixed Use - Conditional Rezone, and to amend the Wilson’s Mills Zoning Map to show the area change:

BEGINNING at a point on the eastern right-of-way line (allowing 50 feet) of Waterview Way, said point also being located on the northern right-of-way line (allowing 50 feet) of Marlin Way, thence continuing with the eastern right-of-way line of Waterview Way the following 6 calls: (1) along a curve to the right having a radius 25.00 feet, an arc length of 35.27 feet and a chord bearing and distance of north 40 deg. 10 min. 01 sec. west 32.42 feet to a point (2) along a curve to the left having a radius of 325.00 feet, an arc length of 59.53 feet and a chord bearing and distance of north 04 deg. 59 min. 57 sec. west 59.44 feet to a point, (3) along a curve to the left having a radius of 325.00 feet, an arc length of 31.56 feet and a chord bearing and distance of north 13 deg. 01 min. 42 sec west 31.55 feet to a point, (4) north 15 deg. 48 min. 39 sec. west 210.51 feet to a point, (5) along a curve to the left having a radius of 325.00 feet, an arc length of 85.94 feet and a chord bearing and distance of north 23 deg. 23 min. 11 sec west 85.69 feet to a point and (6) along a curve to the left having a radius of 325.00 feet, an arc length of 89.12 feet and a chord bearing and distance of north 38 deg. 49 min. 38 sec. west 88.84 feet to a point, thence leaving the eastern right-of-way line of Waterview Way and with the eastern property line of Lot 81 north 49 deg. 03 min. 35 sec. east 106.05 feet to a point, thence leaving Lot 81 and with the Johnston Farms Private Open Space property (Plat Book 86, Page 250, Johnston County Registry) the following 6 calls: (1) south 40 deg. 46 min. 35 sec. east 22.65 feet to a point, (2) south 62 deg. 47 min. 21 sec. east 79.69 feet to a point, (3) south 29 deg. 35 min. 14 sec. east 60.95 feet to a point, (4) south 12 deg. 53 min. 57 sec. east 202.00 feet to a point, (4) south 40 deg. 30 min. 36 sec. east 123.80 feet to a point, (5) south 80 deg. 35 min. 02 sec. east 101.01 feet to a point and (6) south 63 deg. 46 min. 53 sec. east 180.45 feet to a point, thence leaving the Johnston Farms Private Open Space property and with Johnston Farms - Lot 73 (Plat Book 86, Page 250, Johnston County Registry) south 54 deg. 33 min. 00 sec. west 135.82 feet to a point, thence leaving Lot 73 and with the northern right-of-way line (allowing 50 feet) of Marlin Way the following 3 calls: (1) along a curve to the left having a radius of 50.00 feet, an arc length of 81.44 feet and a chord bearing and distance of north 82 deg. 06 min. 38 sec. west 72.73 feet to a point, (2) along a curve to the right having a radius of 25.00 feet, an arc length of 21.03 feet and a chord bearing and distance of south 75 deg. 19 min. 21 sec. west 20.41 feet to a point and (3) north 80 deg. 34 min. 54 sec. west 202.95 feet to a point, the BEGINNING point.

Section 2. The aforementioned rezone is subject to the following conditions:
1. Annexation of any area/areas that are not already in town limits;

- 2. Four (4) foot strip of land as shown on the site plan between the road and townhomes be removed so that occupants of the townhomes could turn straight into their driveways off of the street and gain additional parking in driveways;
- 3. Parking for overflow if revised plans are not acceptable and
- 4. Revise plans/drawing for DCO to send to our consulting agency for review of driveways/parking areas.

Section 3. All laws and clauses in conflict with this Ordinance Amendment are hereby repealed.

Section 4. This Ordinance Amendment shall be effective immediately upon adoption.

Ordinance to Amend the Wilson’s Mills Code of Ordinances – Section 4-40

Mayor Byrd opened the public hearing at 7:31pm.

Mayor said the revisions in Council’s packets are for section 4-40 of the Wilson’s Mills Code of Ordinances and this section is regarding owning chickens in town. Mrs. Oldham said the charge for a special use permit for chickens would change from \$500 to \$100. Councilmember Brown asked if there have been issues with chickens running round in town. Mrs. Oldham said there are residents who own chickens and are allowing their chickens to be free range. She also stated that some people have stated that they are keeping chickens as a food resource for their families. She also stated that most people agree to not allow roosters and are also okay with limiting the number of hens allowed. Councilmember Brown asked why 10 was the limit decided on. Mrs. Oldham said after researching surrounding towns, most allow between 10 and 12 chickens.

With no one else wishing to speak, Mayor Byrd closed the public hearing at 7:39pm.

A motion was made by Councilmember David McGowan and seconded by Councilmember Randy Jernigan to adopt the following Ordinance to Amend the Wilson’s Mills Code of Ordinances – Section 4-40. Motion carried unanimously.

**AN ORDINANCE TO AMEND
THE WILSON’S MILLS CODE OF ORDINANCES
LIVESTOCK AND WILD ANIMALS**

BE IT ORDAINED BY THE TOWN COUNCIL of the Town of Wilson’s Mills that the “*Ordinance to Amend the Ordinance Regarding the Regulation of Livestock and Wild Animals for the Town of Wilson’s Mills*” adopted by Town Council on October 15, 2011 and the “*Ordinance to Amend the Ordinance Regarding the Regulation of Livestock and Wild Animals for the Town of Wilson’s Mills Regarding the Keeping of Chickens*” adopted by Town Council on August 20, 2012 are hereby repealed; and

BE IT ALSO ORDAINED BY THE TOWN COUNCIL of the Town of Wilson’s Mills that Chapter 4, Article II – Livestock and Wild Animals, Section 4-40 of the Wilson’s Mills Code of Ordinances be replaced with the following wordage:

Sec. 4-40. - General prohibitions.

No person may keep within the town limits any wild animal, livestock or

fowl except in accordance with this article.

(1) For the purposes of this section, livestock shall include horses, mules, cows, pigs, hogs, goats, sheep, ponies, chickens, ducks, guinea fowl, turkeys, peacocks, llamas, and all other animals that typically are kept primarily for productive or useful purposes rather than as pets.

(2) Wild animals shall include an animal that typically is found in a non-domesticated state and that, because of its size or vicious propensity or because it is poisonous or for any other substantial reason, poses a potential danger to persons, other animals or property, or is classified as a wild animal by the state wildlife resources commission so that any person wishing to possess the same is required by state law to obtain a permit from the state wildlife resources commission.

(3) Animals which are usually kept as household pets shall not be considered domestic livestock or fowl. The keeping of certain domestic livestock, fowl or wild animals shall be allowed with a special use permit by the town council on properties zoned for low-density residential (SFR-1, SFR-2, SFR-3) and residential agricultural (AG) development, provided that the following conditions are met:

a. Cows, bulls, horses, ponies, llamas and other hoofed animals are kept in a quantity of one animal per acre in accordance with the state department of agriculture guidelines.

b. Under no conditions shall the keeping of hogs be permitted within the corporate limits unless the operation is such that it is considered a bona fide farm which falls under the permit of the United States Department of Agriculture with a permitted waste management plan, inspected by the Division of Water Quality (DWQ) and the County Soil and Water Conservation District.

c. No permit may be issued for any wild animal unless the owner thereof has also obtained a permit from the state wildlife resources commission authorizing him to keep such an animal.

d. The keeping of chickens is allowed without a Special Use Permit with the following requirements:

1. Limited to ten chickens (no roosters). Hens must be kept inside a pen and not allowed to run free in the yard.

2. The coop shall be set back 15 feet from the property line. The coop shall not be located in the front yard of the dwelling. If the lot is a corner lot, the coop shall not be located on a side yard, on the street or the front yard.

3. The pen shall be set back five feet from the property line or right-of-way.

4. Minimum fence height of six feet, with an

additional six inches buried in the ground. The applicant may, with approval from the zoning officer, secure a wire fence to a board or timber around the bottom of the pen instead of burying it. Approval is made at time of application and confirmed at time of inspection of site by zoning officer.

5. A plot plan is required showing the following:

- (i) Location of coop and pen.
- {ii} Location of other buildings, including dwelling, on lot.
- (iii) Distance from other buildings.
- (iv) Distance from lot lines.

6. A limited agriculture permit is required from the planning department. A building permit will be required if the coop is over 144 square feet.

(i) If the chicken coop is located within general zoning district SFR-1, SFR-2, or SFR-3, an inspection of the site will be required by a zoning officer.

(ii) For lots located within an approved subdivision, the applicant must have written approval of adjacent property owners-. The consent forms become part of the application.

(iii) A completed application is required, signed by the applicant and/or property owners.

(iv) The code enforcement officer, on notice from any person of the existence of any conditions, including, but not limited to, noise, odor, an accumulation of rubbish or trash of any kind, which may be detrimental to adjacent property owners, from the coop and/or pen, shall investigate as may be necessary to determine whether, in fact, conditions do exist that need to be addressed.

(v) Upon a determination that conditions are present, the code enforcement officer shall notify, in writing, the owner, occupant, or person in possession of the premises in question, of the conditions that are present at the coop and/or pen that need to be corrected. He shall order the prompt correction be made within 1s days from the receipt of the written notice.

7. Any variations from this Ordinance must be submitted to, reviewed by and approved by the Development Compliance Officer.

1st OPEN FORUM

Mayor Byrd opened the 1st Public Forum at 7:40pm.

With no one wishing to speak, Mayor Byrd closed the 1st Open Forum at 7:41pm.

REGULAR BUSINESS

MAYOR FLETA BYRD:

**Proclamation
Declaring All In Red
Month**

Mayor Byrd said she attended the Mayors meeting earlier this month and has enjoyed getting more information on the activities going on in the county.

Mayor Byrd read the following proclamation:

**PROCLAMATION
DECLARING FEBRUARY 2023 AS
“ALL IN RED MONTH” IN
THE TOWN OF WILSON’S MILLS**

Whereas, the well-being of our community is of paramount importance and maintaining excellent health among our citizens is a top priority, February marks the one-month County-wide heart health awareness campaign entitled “**ALL IN RED**”, presented by Johnston Health and Aramark, and organized by the Johnston Health Foundation; and

Whereas, In the United States, North Carolina, and Johnston County heart disease is the leading cause of death among men and women; and

Whereas, Heart Disease and Stroke rank among the top five health priorities in Johnston County; per the 2019 Johnston County Community Health Needs Assessment Implementation Plan; and

Whereas, per the Center for Disease Control and Prevention (CDC), about 80% of deaths from premature heart disease and stroke could be prevented by changes in physical activity, diet, education, management of common medical conditions; and

Whereas, **ALL IN RED** is an opportunity to increase heart health awareness, while addressing the growing needs of local heart patients; and

Whereas, the **ALL IN RED** campaign invites all Johnston County residents, business owners and visitors to participate in this initiative by **wearing RED on February 3, 2023**, National Wear Red Day, and/or **running a RED promo or fundraiser in February**; and

Whereas, the financial challenges of a heart patient are enormous; all funds raised within this campaign period will benefit local heart patients through the Johnston Health Foundation’s Heart Fund; and

Whereas, on this day, we recognize heart disease and stroke survivors, those battling the disease, their families who are their source of love and encouragement, and applaud the efforts of our medical professionals who provide quality care; and

NOW, THEREFORE, the Honorable Fleta Byrd and the Wilson’s Mills Town Council do hereby proclaim February 2023 as “**ALL IN RED MONTH**” and encourage businesses, industries, and citizens in the community to support and participate in this event.

**TOWN
ADMINISTRATOR’S
REPORT – Leighanna
Worley:**

Ms. Worley said she will be attending the Triangle East annual meeting tomorrow.

**FINANCE OFFICER’S
REPORT – Sherry
Hudson:**

Finance Officer Sherry Hudson referenced the financials for the month ending December 2022 in Council’s packets and asked if there were any questions.

**Review of Financial
Statements –
December 2022:**

Ms. Hudson said the audit for the 2021-2022 fiscal year has been completed and the auditor will be at the February Council meeting to present the findings. She also said the Local

Government Commission (LGC) only had one question about the audit, it was resubmitted and approved.

**PLANNING AND
ZONING REPORT –
Wendy Oldham**

Development Compliance Officer Wendy Oldham referenced the Planning department report and said the department has had success with sending letters about abandoned and nuisance vehicles in town. Many of the owners have complied with what was asked in order to get the vehicles removed. She said the Mill Creek and Cottages subdivisions are built out and once the infrastructure is complete the subdivisions will be complete.

**EVENTS REPORT –
Emily Matthews**

Events Coordinator Emily Matthews said the 2023 Farmers Market season will start in April and there are returning vendors from 2022 as well as new vendors. Mayor Byrd asked if this will take place at the Community Park this year and Ms. Matthews confirmed it will be at the park.

**POLICE DEPARTMENT
REPORT – Chief
Williams**

Sergeant Barton referenced the Police Department report and there were no questions.

**2022 Annual Police
Department Report**

Sergeant Barton referenced the Police Department Annual report in Council's packets and asked if there were any questions.

Sergeant Barton said he is proud of all the growth that has taken place in the department since he came on board. Councilmember McGowan asked about the boat that is listed in the report and what it is used for. Sergeant Barton said since the ETJ is so close to the Neuse River, if there were to be flooding it would be useful for any rescuing purposes during bad weather. Councilmember McGowan asked where the boat and trailer are being stored and Sergeant Barton said they are currently being stored at the Police Department. Councilmember McGowan asked about the generator listed in the report and what it is used for. Sergeant Barton said he is unsure but could check with Lieutenant Hilliard because he would know. Councilmember Brown asked if there are any officers in the department that are certified to check child car seats. Sergeant Barton said there is an officer who plans to recertify, and other officers want to become certified as well in the future. Mayor Byrd thanked all officers for their hard work for the department.

**PUBLIC WORKS
REPORT – Patrick Moore**

Public Works Supervisor Patrick Moore referenced the Public Works report in Council's packets and asked if there were any questions.

Councilmember McGowan asked if all the cameras have been installed and Mr. Moore said that he and Chief Williams are meeting with engineers on Friday and then will be installing the last 2 cameras. Mr. Moore said the wire for the cameras had to be changed, which delayed the installation.

**COUNCILMEMBER
COMMENTS:**

Councilmember Brown asked if there were any updates on the sewer. Ms. Worley said the county Commissioners reviewed the wastewater plan at their meeting last month and everything is still on track for completion.

Councilmember McGowan stated concerns about the children in Wilson's Mills and said there are families in town that need food or other necessities. Councilmember McGowan suggested the Council along with the Police Department, Fire Department, and churches come together and help the families in need. Town Administrator Leighanna Worley said Chief met with the local church leaders last year and plans to meet again in the spring. She said this could be a chance for the churches to get involved.

Mayor Byrd thanked the Council for their ability to work together and look at the betterment of our community.

2nd OPEN FORUM

Mayor Byrd opened the 2nd Public Forum at 8:10pm.

With no one else wishing to speak, Mayor Byrd closed the 2nd Open Forum at 8:11pm.

ADJOURN:

A motion was made by Councilmember Randy Jernigan and seconded by Councilmember David McGowan to adjourn. Motion carried unanimously.

The meeting adjourned at 8:11pm.



ATTEST



FLETA BYRD, Mayor



EMILY MATTHEWS
Deputy Clerk