



SEDALIA TOWN COUNCIL MEETING / PUBLIC HEARING
SEDALIA TOWN HALL
May 1, 2017
7PM
MINUTES

- **OPENING:** The regular scheduled meeting for the Town of Sedalia was called to order at 7:00 pm at the Sedalia Town Hall by Mayor Morgan.
- **PRAYER:** Time was allotted for silent prayer and meditation.
- **PLEDGE:** Time was allotted for pledge to the U.S. Flag.
- **ROLL CALL:** Councilwomen Wrenwick, Councilwoman O. Jones, Mayor Morgan and Mayor Pro Tem V. Jones were present at roll call.
- **ABSENT:** Councilman Meachem

A. MOTION to approve the meeting agenda was made by Councilwoman Wrenwick and a second was made by Mayor Pro Tem V. Jones. Motion carried

B. MOTION to approve the minutes was made by Councilwoman V. Jones and a second was made by Councilwoman O. Jones. Motion carried.

C. DISCUSSIONS/REPORTS/GUEST

Public Hearing Case # 17-04-SEPL-01605

Mayor Morgan read through the public hearing case and the nature of the request, which was submitted by Guilford County Planning. The request was for the approval of a Special Use Permit regarding property located at 6050 Burlington Road, which is 5.79 acres. The legal description for the Guilford County tax parcel is #0120461. The property is currently zoned Limited Business (LB), which is intended to accommodate moderate intensity shopping and services close to residential areas. Per the Guilford County Staff Report, the applicant is Anna Marie Robinson and the owners are Ricky Cauthren, Donna Cauthren, Robert Cauthren and Lorie Hancock. It was noted later that Robert Cauthren was a typo and it should be Robert Hancock. It was also noted by Mayor Morgan that the property in question was not to affect the whole 5.79 acres. Instead it would be the 2.75 acres opposite of the existing salon. The request of the permit is to operate an event and planning center as shown on the submitted site plan.

Dervin Spell and Paul Lowe, with Guilford County Planning, were present and Mr. Spell reported on the existing land use of the property (residential and commercial) and the surrounding uses. Per the Department of Transportation (DOT), there is an average of 9,300 trips per day on Burlington Road, and the projected traffic generation is a maximum of 100 trips per event. The Town of Sedalia's Land Use Plan recommends commercial, which is generally located along major thoroughfares that contain a wide array of

commercial uses. The proposed event center use is permitted in the LB District with an approved Special Use Permit.

During consideration of the Special Use Permit, the Sedalia Planning Board determined the Finding of Facts had been satisfied based upon relevant and credible evidence presented during the previous public hearing.

Mayor Morgan asked the Clerk if she would give the time limits for the speakers. Cam Dungee, Town Clerk, stated that each speaker in favor or in opposition will have 3-5 minutes to speak regarding the request and she asked that they each sign in before she administers the oath. There were four individuals that signed in, 3 for and 1 against. The Town Clerk administered the oath to all four speakers. Latarsha Miller, Anna Maria Robinson, Bobby Hancock and Dave Larock took the oath as follows, "Do you swear (or affirm) to tell the truth, the whole truth and nothing but the truth so help you God?" Below are general comments from the 4 speakers who wished to be heard.

For: Latarsha Miller (applicant), stated that she is one of the partners with Bellermina's Event & Planning Center and they have been in the process of applying since Nov. and has done everything asked of them. At first that type of business was not allowed so they applied for a text amendment and it was approved. There was a hearing before the town Planning Board last month to consider approval of a Special Use Permit, and it was recommended for approval. They earlier had the option to apply for a rezoning, but decided not to apply and do that at a later date. Instead, they would prove themselves by working under the current conditions that are set on that property and show that they are attempting to work in harmony.

For: Annamaria Payne-Robinson reiterated that they have been applying and doing what was needed to go forward with this business. She said that she wants Bellermina's Event & Planning Center to be a business where they can host events that create memories which would last forever. She wants people to be able to enjoy themselves, and this is not about running a night club or a party center or anything related. They are looking to host nice wholesome events for themselves and their families. They want to cater to the community and right now she already has a list of several churches and organizations lined up that want to hold their events with them.

For: Bobby Hancock, one of the land owners, said that he has been working with these two ladies and they have been pretty adamant about running their business, and he's trying to help supply them a place that fits their needs. He's been happy to do everything he could up until this point, but he does have some questions about the site plan and he's hoping the Council would be willing to work around some things. He thinks what the ladies want to do would be a great thing for the community and he is all for it.

Against: Dave Larock stated that he is the property owner next door and he also applied for a permit about a year ago for the lot next door. He wanted to run his golf shop at that location where he would live. It's a great location and was a good opportunity for he and his wife Tina. He stated that he does have a big problem with an event center literally 20 feet from his home. He understands that starting out, the applicants are limiting the events to 50 people and will be trying to keep everyone inside. Unfortunately, he doesn't feel that this will be able to be obtained very long. He's worried about the noise volume and he's worried about his neighbor to the right of him. He does want to build up the business district in Sedalia, but he firmly opposes a business having the potential to be outdoors. When the applicants apply to rezone and the business does well, the numbers could go up to 100 or 200 people. His residence is next door and he has a problem with that. If it could be contained to the dwelling, he would have no problem at all with it. He's been in business for 13 years and he knows the applicants are only doing what they need to do to get their foot in the door. The property owners there have been great, and they keep things up well, he just doesn't agree to running that type of business there.

Comments from the floor and from the Town Council

The Town Council discussed the request at hand and asked questions of the applicants and the property owner for clarity. Councilwoman O. Jones asked Mr. Hancock if he is ok with the updates that this property must have in order to run that particular kind of business.

Mr. Hancock answered that he had just received the site plan on Thursday, so he just started getting cost estimates for everything. He does have some questions about it because his understanding was that the Council has the authority to deviate from some of the county and town plans that are set in place. He was told that the county can't change anything for the town, but the decision would be up to the Council. He would like to entertain the idea of some changes being made.

Councilwomen Wrenwick stated that the whole idea of the hearing is to consider approval of the site plan and the applicants adhering to that plan.

Mr. Hancock said according to the site plan, there is one line along the back corner that goes about 700 feet long, and he doesn't see the need for a 25 or 30foot plant bed because there's already woods along the back corner of the house. If it's necessary, he doesn't have a problem with building a plant bed for part of that area for a border, but he doesn't see the need to incur the cost of planting over 200 bushes and 40 trees for that entire 700 feet that is already wooded.

After much back and forth conversations regarding the planting yard on the site plan, it was noted that the site plan was prepared for the entire property, not just for the area where the proposed event center will be located. Mr. Hancock stated that he would not be able to handle the cost of building the border all the way down.

Mayor Morgan added that the process was the same when the Town Hall was built because we're in a residential area. Guilford County gave the required buffer regulations for the town hall and the town was not allowed to deviate from the plans. There were also DOT requirements, and the town followed those too. With the Dollar General up the road, it was the same way and it would be the same for anyone else as well. If this goes through, the Council needs to know that the applicants will be able to fulfill the requirements of the site plan and to know that it's contingent on everything getting signed off on. He said when he spoke with the county permit department last week, there were several things that hadn't been signed off on yet, like DOT, the fire department and the building inspector. The Council doesn't want to start deviating away from site plans because businesses must be done a certain way when there is traffic coming in and out.

Latarsha Miller said that, since they started, they have already invested over \$750, so if they apply for permits and don't get approved, they don't get that money back. The smart decision for them as a small business owner was to get approved first, and then go get every permit they need. In the beginning, they were given wrong information when it was said they only needed one application, but the town later found out they needed more. As the applicant and the business owner, they plan to do their part, but for right now, they decided to hold off on writing checks.

Mayor Morgan responded that he totally understands how Mrs. Miller doesn't want to keep applying for permits if they haven't yet been approved for the Special Use Permit. What he is saying is that the Town Council must consider approval of the site plan, so he wants to know if you can live up to it. This is all that is being asked as things move forward. It is a lot to put in, but that's what is required and this gives a buffer to the property owner next door. The Council didn't draw out the map, the county has the professionals, and they know what's required.

More discussion went on about whether the business is applicable, how it would affect the surrounding residents, things to consider as Mr. Larock did when he was applying for his business, as well as whether the site plan that was before the council for approval should have been more accurate or not. There were also discussions on whether Mr. Joseph Stutts prepared the site plan correctly and/or according to what he was given and how much light or noise might come from different events held there. Mr. Hancock added that he would like to be able to sit down with the council to talk about deviating from the current site plan, because he knows he can't afford to build the buffer as it shows.

Paul Lowe, G.C. Planning Department, added that regarding the landscape, he was aware that the back part of the property is wooded, so in his email he stated that the applicants could either provide a Type B buffer or show how the current conditions of the property will equal a Type B buffer. When the site plan came in, what the Council sees now is what was submitted. His thought process was that the buffer would need to be a Type B buffer near the parking area.

Dervin Spell, from the G.C. Planning Department, added that the surveyor did have the opportunity to show that the back portion of the property meets or exceeds that Type B standard. When the Planning Dept. is working with an engineer or surveyor, they almost always correspond with each other, so things like this can be addressed. If the surveyors tell them as an example, this portion of the property is wooded and it measures up to a Type B buffer, then the Planners would say, ok, just show that on the site plan, which expresses that it meets or exceeds the buffer plant yard requirements.

More conversations took place concerning the possibility of amending the map, running the business under the current conditions, how erecting a privacy fence still stands, and how it was previously said at the Planning Board meeting that the applicants were 99% complete on requirements. The only thing left was to write in the dimensions for the four parking spaces. Paul Lowe added that the building permit hadn't been signed off yet because they needed a larger paved handicap spot.

Mr. Hancock asked if the handicap spot could be gravel, because he didn't know it was supposed to be paved. He was required about 5 or 6 years ago to pave in between the two handicap spaces so a wheelchair could turn around on it. Councilwomen O. Jones mentioned that she's been on the property several times and doesn't remember ever seeing a paved area for the handicap spots.

More discussion was had about parking and the minimum spaces required now that the type of business is changing from having 1 or 2 people coming in and out to having 40-50 vehicles at a time. There was discussion about the cost of doing a parking lot and the estimated cost for the buffer. Also, Mr. Hancock stated how the site plan would have looked different if he was able to revise it before the hearing.

Mayor Morgan asked the Council if they were ready to entertain a motion.

MOTION was made by Councilwomen Wrenwick, stating that it appears the council is not interested in deviating away from the submitted site plan, so the applicants need to adhere to that. Now, there just need to be a vote on approving the Special Use Permit. She read through the Nature of the Request so the Council was clear on the things to be considered prior to the vote. This is her motion.

Mayor Morgan asked for a vote by show of hands to approve the Special Use Permit, adhering to the existing site plan. The Town Council voted and the vote by show of hands was 1 against (Morgan) and 3 in favor (Wrenwick, O. Jones and V. Jones). The request for the Special Use Permit, Case #17-04-SEPL-01605 was approved.

II. 2017/2018 Budget Review

Councilwomen Wrenwick reported that the 2017/2018 Budget will need to be approved by June 30th, so the Council walked through the changed line items that were discussed during the board's last agenda meeting. These items included Travel & Training increase from \$6,000 to \$10,000, Attorney Services increase from \$12,000 to \$15,000, Website Management increase from \$300 to \$1,000, Fire Inspection Services increase from \$600 to \$1,200, Founder's Day expense increased from \$2,000 to \$5,500 and the Town Council & Planning Board Retreat (new line item) set at \$1,000. The remaining line items are the same including Public Safety: Code Enforcement Services & Demolition, which is set at \$16,800.

III. Retreat Update

Mayor Morgan reported on the retreat that was held for the Town Council and the Planning Board. The time spent started out with a light breakfast and he mentioned that the facilitator was Deborah Torrain who worked for the Center for Creative Leadership, which is one of the top leadership companies in the world. Ms. Torrain also grew up in Sedalia. She opened with an activity to help everyone get to know each other on a more personal level. One of the main activities was titled "From Here to There" and she took everyone through a thought process that helped lay out a vision of the town and what the board members would like to see. The town was fortunate to have someone of that caliber to lead the retreat. After lunch, there were also discussions on the zoning ordinance and the towns permitted uses. There are now different types of businesses that the town should begin considering, which may not be listed in the permitted use schedule because they weren't popular in this area back then. Some of the businesses discussed were tattoo parlors, hookah bars, shooting ranges, solar farms, sweepstake café's, race tracks and tiny homes. We discussed what category these type businesses would fall under, and what kind of impact would it have in the town.

IV. 2017 Spring Litter Sweep

Councilwoman O. Jones gave an update on the Spring Litter Sweep that was held on Saturday, April 29. Everyone gathered at the Town Hall and got pickers, gloves, vest and bags. The group went out in varies areas to clean up trash along the roadsides. There were a couple bags filled from Rockhurst Drive and Rolling Acres Drive. The other 5-6 bags were filled with trash from Burlington Road, Sedalia Road, Blue Lantern Road and Simmons Lake Drive. The bags will be collected by the DOT Maintenance Dept. The town provided a dumpster in the Town Hall parking lot for residents to use if they need to discard of unwanted items from around their homes. Appliances and household chemicals were not allowed.

V. Tree Removal on Burnside Road

Cam Dungee, Town Clerk, reported that there is a section of Burnside Road that is not open, and there is a dead tree that would be in the path of this road if it were open. A resident

that lives close by is concerned that if the tree falls, it will damage their fence. There's been conversations back and forth about who is ultimately responsible for taking the tree down or repairing things if it does indeed fall and damage something. The Clerk contacted DOT to see if they would handle the matter. She was told that DOT would not be responsible because that road is not state maintained. It was a hard call on who is responsible between the property owner or the town. She thought about the option of having the cost divided between the two, but she needed to get more of a consensus from the Council since she has only heard back from two so far. After discussion between the Council, it was decided that the property owners on either side of the tree would be responsible. If it was opened, the town would be responsible. Right now, it's more like an easement. The owners should either have the insurance company to pay for any damage done if it falls, or get together and have the tree cut down before it falls. Even if they apply to have the road closed, the property would be divided and whosever side is closest to the tree would still be responsible.

VI. Town Website Update

Cam Dungee, Town Clerk, reported that the Council is working on revamping the town website. There were some issues with GoDaddy and them ending the previous website builder, which meant our webmaster needed to relearn a new software. The process has taken a long while, but she thinks things are getting close to having the new site up and running. The color scheme remained the same, we just need to switch out the pictures to whatever works for the group. The last few months, the Clerk has been pushing Mrs. Gilly to just maybe pull something together so the Council will have something to start with. It's also difficult because the Clerk can only speak for herself and what she thinks looks nice. The Council, as a whole, may have a total different idea. She said Mrs. Gilley plans to attend the June meeting so that all the details can be discussed and things can be finalized for the overall look of the new site.

CITIZENS COMMENTS

Rufus Russel, 314 Martingale Drive, reported that there have been some loose dogs running around that come from a house on Blue Lantern Road. One is a brown Lab and the other is a Doberman. The house has a lot of people coming in and out, so he's not sure who all lives there. Sometimes there is also shooting going on too and this is dangerous for our community.

Cam Dungee, Town Clerk, replied, that she has received calls about that property and the owners have been sent a notice to inform them about these two situations. The actual property owners live at another location. She made sure that the letter included that there is a leash law, so dogs are not allowed to run free around the community and also some information was inserted about target shooting regulations and how far away you must be from other occupied homes.

Councilwoman O. Jones stated that there is a section on Rolling Acres Drive where the road has been compromised and the asphalt is lifting. The town may need to look into that to see what can be done to repair it.

D. ANNOUCEMENTS

All regular scheduled meetings are held at the Sedalia Town Hall at 7pm.

- The towns first Founder's Day meeting will be held on May 6th
- The next Planning Board meeting will be held on May 18th
- The Town Council Agenda Meeting will be held on May 22nd
- The Town Hall will be closed on May 29th in observance to Memorial Day

Meeting adjourned

Submitted By:

Approved By:

Cam Dungee, Town clerk

Howard Morgan, Mayor

Date

(SEAL)