



**SEDALIA TOWN COUNCIL MEETING
SEDALIA TOWN HALL
6121 Burlington Road
December 5, 2022
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:** Mayor Morgan, Mayor Pro Tem Faison, Councilwoman O. Jones, Councilwoman Wrenwick, and Councilman Sharpe

A. MOTION to approve the agenda was made by Mayor Pro Tem Faison and seconded by Councilwoman O. Jones. Motion carried.

B. MOTION to approve the minutes from the previous meeting was made by Councilwoman Wrenwick and seconded by Councilwoman O. Jones. Motion carried.

C. DISCUSSIONS/REPORTS/GUESTS

I. Code Enforcement Report

Clerk Dungee provided the report in Mr. Lucas's absence.

At **6117 Burlington Road**, case opened due to minimum housing violation, nuisance vehicle, and open storage. No noticeable action has been taken. He will work with Chris Curry to determine how to abate the property. At **903 Rockhurst Drive**, case opened due to open storage. The property is still in violation, but significant progress has been made. At **902 Rockhurst Drive**, case opened due to building materials and debris in the yard and on a trailer. The trailer has been removed, but there is still debris in the yard. At **6111 Gateway Drive**, case opened due to trash cart on side of the road on a non-trash pickup day and an apparent disabled vehicle. The vehicle is operable, but the trash cart remains. A hearing has been scheduled.

At **6103 Gateway Drive**, case opened due to a junk vehicle and brush pile. Progress is being made but is slow. Will continue to monitor. At **203 Simmons Lake Road**, case opened due to overgrowth on a vacant property. Notices of Violation were sent but there has been no response or action. Someone is willing to mow the grass, but he needs to be given a price. At **6124 Burlington Road**, case opened due to overgrown lot. Notices of Violation were sent but there has been no response or action. Someone is willing to mow the grass but needs to be given a price. The Town thought the mowing would be free, but now it is what is Town is willing to pay. Two of the violation cases have no structures, and Clerk Dungee commented the Council needs to discuss whether overgrown properties with no structure need to be mowed. Code Enforcement is following the Town's ordinances. If these properties do not need to be mowed, then the Town's ordinances will need to be amended.

Case abated and closed at **6145 Burlington Road** (overgrown lot) and **911 Rockhurst Drive** (overgrown lot). Six other cases have been abated, and they were removed from the report for the sake of space.

Councilwoman O. Jones stated the residents at 6305 Rolling Acres Drive needed to be reminded again that their trash carts being left at the curb is an issue and the carts need to be pulled back to their house following trash pickup.

II. ETJ Planning and Development Regulation

Mayor Pro Tem Faison reviewed a summary of the extraterritorial jurisdiction (ETJ) regulations provided by the UNC School of Government. Following are some main bullets from the summary: A city may not extend its regulatory or police powers beyond the city limits without specific legislative authority. The general statutes allow cities to protect public health and safety within one mile of its incorporated limits. A concern with granting extraterritorial power is lack of political representation for extraterritorial residents.

When a city adopts an extraterritorial boundary ordinance the city acquires jurisdiction for all its ordinances and the county loses jurisdiction. However, a city may elect to extend some, but not all, of its development regulations in the extraterritorial area. Currently, cities with populations less than 10,000 may extend up to one mile from the city limits. The boundary must be described sufficiently so landowners can determine whether their properties are covered. Satellite annexations, annexations that are not contiguous with the city, are allowed. However, ETJs cannot be extended to the land adjacent to that area unless it is within the city's authorized extraterritorial area. When ETJs of two cities overlap, the boundary is the midway point unless the cities agree otherwise.

Extraterritorial areas are set by an ordinance adopted by the governing board and are subject to newspaper notice, mailed notice and public hearing requirements. Mailed notice to affected property owners is required when zoning jurisdiction is being extended to an extraterritorial area. Sometimes county approval must be given for a city to exercise its extraterritorial powers. A city exercising its extraterritorial authority must expand membership of its planning board, board of adjustment and any board exercising its functions in the extraterritorial area to include a proportional number of residents in the extraterritorial area. There are two steps to establish extraterritorial zoning – establishment of the ETJ and zoning of the extraterritorial area.

The Council is contemplating adopting an ETJ but will need to prepare a plan for the intentions of the additional property and the services that can be offered.

III. Adopt 2022 Budget Amendment

Councilwoman Wrenwick reported on the amendments to the annual budget ordinance for the fiscal year beginning July 1, 2021 and ending June 30, 2022. The General Fund expenditures for administration, finance, public buildings and grounds, and budgetary appropriations increased to a combined total of \$61,820. The General Fund revenues increased for local option sales tax, directed grant, and private donations to a combined total of \$83,000 and decreased for property tax and fund balance appropriated to a combined total of \$21,180. It was noted that the private donation of \$25,000 is from the

donated land on Simmons Lake Road and Dansby Road. Originally the property had been inserted in the budget with a value of \$96,000, but this was not the total value. The budget amendment increases that value by \$25,000 more.

MOTION to approve the budget ordinance amendment was made by Councilwoman Wrenwick and seconded by Mayor Pro Tem Faison. Motion carried.

IV. Consent Agenda & Action Agenda Discussion

Clerk Dungee reviewed the proposed layout changes to the meeting agenda. The purpose is to streamline and shorten the length of the meetings. The proposed agenda includes a section for guests, reports, consent agenda items, action agenda items, and citizens comments. Consent agenda items would be items discussed in previous meetings but require a motion and vote. A brief description will be included under each consent agenda item. All items on the consent agenda will be voted on with a single motion. At the beginning of the meeting, Council members may move an item from the consent agenda to the action agenda if further discussion of that item is needed. Action items will be discussed in detail but may or may not need to be approved. Although all the meetings are open, items are not voted on during agenda meetings, only the regular Town Council meetings.

It was decided agenda meeting minutes will now be prepared and published so residents that do not attend the agenda meeting will be informed of the discussions. Clerk Dungee stated meeting minutes are posted on the Town's web site every three to four months. However, residents can contact her for a copy of the previously approved minutes. The Town recently had new audio-visual equipment installed so residents could attend meetings remotely. However, it has not been decided whether meeting videos will be posted online. It was decided to try the new agenda format in January, and the town can determine its effectiveness in streamlining the meetings.

V. Diamondback Town Center Design

Mayor Morgan summarized a meeting with the Town of Jamestown regarding a proposed mixed-use development by Diamondback Investment Group on a 466-acre property. Diamondback Investment Group sought rezoning of the property with no conditions. They responded positively to local requests but did not want to put these in writing. The rezoning request was disapproved because the project did not comply with the Town's long-range plan or development ordinance. DR Horton purchased the property and began a conditional use rezoning process. Jamestown hired Tom Terrell, a local land use attorney, to work with the staff and officials in drafting a development agreement. The Sedalia Town Council has met with the Town of Jamestown, read notes from their Council meetings, and watched a YouTube video of the Jamestown Town Council meeting where the proposed project was denied. For Sedalia, there are several things that need to be considered as the town moves forward with the proposed town center design project.

Clerk Dungee asked about the reason Diamondback Investment Group sold the property after the Council's denial rather than trying again to get the project approved. Jamestown was not asking for anything unreasonable. They wanted to continue their Town's history

and protect open space. She expressed concerns about spending 1.5 years working on the project only for it to be denied. Also, the Sedalia Town Council and the Planning Board submitted several comments to Diamondback Investment Group regarding the proposed town center design that was presented over a month ago. They did not address any of the comments and only suggested taking a field trip to view home designs. Councilman Sharpe expressed concern that the Town has seen only a small section of the proposed development. He too was concerned that Diamondback Investment Group did not address any of the comments submitted by the Town.

Diamondback Development Group will need rezoning approval from the Town and the Town will need a development agreement. There are concerns that Diamondback Investment Group would not prepare a development agreement with Jamestown. It was suggested the Town work with Tom Terrell, the land use attorney who worked with Jamestown. Also, Jamestown had a concerned citizens committee, and it was suggested the Town form a similar committee. The committee could be represented by a diverse group of people in the community. The Town could contact those that participated on the Land Use Plan committee. However, it was noted the Town still does not know whether the City of Greensboro will provide water and sewer services for the development and therefore questioned whether this is the appropriate time to form a concerned citizens committee.

VI. ARP Project Budget Discussion

Councilman Sharpe reported the Guilford County Board of Commissioners awarded the Town \$500,000 in ARP funds for a walking trail and parking area and for sidewalks for Blue Lantern Road. The Town must submit detailed project descriptions including overview, need, timeline, budget, and success measurements. The Town cannot complete both projects with the funds awarded. Sidewalks on Blue Lantern Road would cost about \$518,098; wide paved shoulders would cost between \$99,153 and \$102,643. The plan is to use the ARP funds for the walking trail and parking area, then add Powell Bill funds for the sidewalks.

The park and walking trail will be constructed on town-owned property on Dansby Drive. The park will provide a recreational area and open space. The sidewalks will provide safe and adequate accessibility to the park and trail. It is anticipated the project will be completed by July 2026. Once a design has been created a cost estimate will be developed. Success will be measured by the ability to add and/or match state funds, public engagement for community input, and public use and enjoyment.

Project overviews have been sent to Guilford County. The Town has some project cost estimates from several years ago, but the cost of services and materials have increased since then. Councilwoman Wrenwick added the Town was allocated \$156,000 in ARP funds. So, along with the existing total, the Town has \$656,000 that must be used by 2026 otherwise the funds must be returned.

D. CITIZENS COMMENTS

*Robert Jones commented that the Town's new welcome sign was installed across from Zaxby's and a few people have commented that it looks nice. He asked about the other

Town sign. Mayor Pro Tem Faison responded that the other sign had to be redone and it is hoped it will be installed soon.

*Clerk Dungee asked Council members about the training date for new audio/visual equipment at the Town Hall. It was decided December 19th worked best.

*Mayor Morgan commented that someone vandalized an electronic substation in Moore County resulting in power outages for 48,000 people.

E. ANNOUNCEMENTS

All regular scheduled meetings are held at the Sedalia Town Hall at 7:00 pm.

- The Senior Luncheon will be held on December 7th at Noon
- The Christmas in Sedalia event will be held on December 10th starting at 5 pm
- The Planning Board and Town Council Agenda meetings have been canceled due to the Christmas holiday
- The Town Hall will be closed for Christmas on December 23rd and December 26th
- The next Town Council meeting will be held on January 2, 2023

Meeting adjourned.

Submitted By:

Approved By:

Cam Dungee, Town Clerk

Howard Morgan, Mayor

Date

(SEAL)