

## **TOWN OF UNIONVILLE MINUTES OF REGULAR MEETING**

The Town Council of the Town of Unionville held its regular meeting on Monday, April 19, 2021 at 8:04 p.m. in Benton's Cross Roads Baptist Church Gymnasium, 109 E. Lawyers Road, Monroe, NC. Mayor Baucom and all Commissioners were present. Town Attorney Ken Helms was also present.

Everyone stood and recited the Pledge of Allegiance to the United States flag, after which Commissioner Broadaway led the prayer of invocation.

Upon motion duly made by Ken Brown, Council unanimously agreed to move Agenda Item #10 to Item #4 and Agenda Item #9 to Item #5.

Mayor Baucom drew Council's attention to Agenda Item #10, consideration of Conditional Use District and Permit Rezoning #ZC-20-03, rezoning a two-acre portion of parcel #08129024, located at Sikes Mill Road/Love Mill Road intersection, from RA-40 to CUD-B-2 for a Dollar General store. At this time, the Council was free to discuss this matter. Commissioner Broadaway made inquiry of the 8-10 store employees and the safety of the typical 1-2 female employees per shift. Mr. Almazan stated that they do not do the hiring, but typically two employees work per staggered shift, and they will bring in other full and part-time employees as needed for stocking, etc. Commissioner Broadaway made inquiry as to the cleanliness of the stores. Mr. Almazan compared it to having residential rental property. As owners, they will stay engaged with the tenants and make sure the managers do their jobs to be an asset to the community. It will be a reflection on the community, and they will hire local residents. Commissioner Broadaway asked about installing more windows to open the line of sight for deputies. Mr. Almazan will bring this up to Operations officials but assured that Union County Sheriff's Office does periodic checks when the store is open and closed. Commissioner Brown made inquiry of sprinklers. Mr. Almazan stated that sprinklers are not required for this store. Commissioner Benton made inquiry about grounds maintenance. Mr. Almazan stated that the owner will be responsible for their own maintenance and they typically hire someone local for ease and less expense. Commissioner Brown stated that the closest fire hydrant is at the existing store and asked if they would be willing to add a hydrant on the right side of the store entrance on Love Mill Road to avoid shutdown of the roundabout in case of emergency. Mr. Almazan stated that they would be willing to install a hydrant, and this could be added as a condition. Commissioner Benton made inquiry as to the opaque wood screen and asked if they were willing to adjust to a metal or vinyl fence including landscaping screening instead of the wooden fence. Mr. Almazan agreed to this request. Attorney Fox stated that the condition would need to be amended to reflect this change. Mayor Baucom made inquiry as to the stormwater regulations being governed by North Carolina and reviewed by Raleigh officials. Mr. Justin Church assured Council that this site will meet NCDEQ standards, as it is regulated by federal and state requirement. This will be reviewed during the development process by state stormwater office of NCDEQ and NCDOT. He assured that they will go above and beyond the minimum state requirements. Attorney Helms stated that a

Condition #9 could be added, requiring that NC Department of Insurance approve inspections on this project. Mayor Baucom reiterated the additional conditions agreed upon: 1) metal fence with landscaping and maintenance, 2) fire hydrant on Love Mill Road, 3) stormwater plan and approval from NCDEQ. The applicant agreed to all these conditions.

Upon motion duly made by Ken Brown for approval of the rezoning from RA-40 to CUD-B-2 for a Dollar General, and seconded by Gene Price, Council defeated the approval of the rezoning 3-2. The Council then considered the four findings of fact.

Commissioner Ken Brown made a motion that the public health or safety will not be endangered, based on the willingness of the applicant to install a new fire hydrant. This motion was seconded by Gene Price, and Council unanimously agreed.

Commissioner Gene Price made a motion that the value of adjacent and abutting properties will not be substantially injured based on the information given by a professional appraiser, stating they will not be affected. Council unanimously agreed.

Commissioner Ken Brown made a motion that the rezoning will be in harmony with the area it is proposed for, based on the Land Use Plan. This motion was seconded by Gene Price, and Council defeated this motion with a vote of 3-2.

Commissioner Ken Brown made a motion that the rezoning conforms with the Town's Land Use Plan, adopted in 2006. This motion was seconded by Gene Price, and Council unanimously agreed.

Commissioner Jeff Broadaway made a motion that the rezoning will be denied based on Finding of Fact #3, that the rezoning is not in harmony with the area. This motion was seconded by Jaren Simpson and passed with a vote of 3-2.

In considering Annexation #26, Essex Pointe subdivision, upon motion duly made by Ken Brown, seconded by Jeff Broadaway, Council unanimously approved this annexation. Upon motion duly made by Gene Price, seconded by Ken Brown, Council unanimously applied RA-40 zoning on this annexation.

Mayor Baucom recognized Finance Officer Darrell Baucom, who reviewed the Financial Report, a copy of which is appended to these minutes. Mr. Baucom reported that the Balance Sheet shows normal cash balances with no real changes. In Profit & Loss, the Town is favorable on all income items by \$17,000. On the expense side, the Town is unfavorable \$56,000, largely due to the air packs donated to Unionville VFD. In Transactions by Account, there are no unusual items. Items to be Paid include the new copier and quarterly lawn maintenance of Town Hall. Upon motion duly made by Ken Brown, seconded by Gene Price, Council unanimously approved payment of pending bills.

Mr. Baucom drew Council's attention to the 2021-2022 Audit quote from J. B. Watson and Company for \$8,750 plus \$130 per hour for any Single Audit procedure, if applicable. He recommends approval, as they did a good job this year and have remained at the same price. Upon motion duly made by Jaren Simpson, seconded by Jeff Broadaway, Council unanimously approved this quote.

Upon motion duly made by Ken Brown, seconded by Jeff Broadaway, Council unanimously approved the letter to NCDOT from Town Council opposing the all-way stops at Sikes Mill and Tom Boyd Roads and Old Camden and Morgan Mill Roads.

Upon motion duly made by Jeff Broadaway, seconded by Andrew Benton, Council unanimously approved the letter to North Carolina Speak of the House of Representatives and North Carolina Senate President Pro Tempore opposing Senate Bill 349/House Bill 401, Increase Housing Opportunities, as it usurps local control of land use decisions, undermining the rights of existing property owners and damaging existing home values.

Upon motion duly made by Ken Brown, seconded by Jeff Broadaway, Council unanimously approved awards for Piedmont High School's male and female senior athlete and Top Ten Seniors. Clerk Gaddy is working with Principal Dylan Stamey and Athletic Director Kim Cantey to determine those seniors we will recognize.

Upon motion duly made by Ken Brown, seconded by Jeff Broadaway, Council unanimously approved the Proclamation Honoring Emergency Medical Services Personnel. A copy of this proclamation is appended to these minutes and will be sent to Union County Emergency Medical Services.

In other business, Clerk Gaddy reminded everyone of the Land Use surveys which have been posted on our website and Facebook page and are also available at Town Hall for resident to complete. They will be sent to churches also. Deputy Clerk Braswell reported we have received 130 responses. She encouraged Council members to like and share the Town's posts to get maximum exposure.

Clerk Gaddy also updated Council regarding the Litter Sweep in Unionville on Saturday, April 24, 2021 beginning at 8:00 a.m. at Town Hall.

Mayor Baucom thanked Benton's Cross Roads Baptist Church for the use of their facilities for three meetings and suggested the Town make a monetary contribution for their generosity. Upon motion duly made by Ken Brown, seconded by Andrew Benton, Council unanimously approved a donation of \$250, along with a thank-you letter.

In other business, Commissioner Gene Price stated that the Town had disapproved several applications for mini-warehouses and made inquiry as to the appeal of the decision on Sikes Mill Road. Attorney Helms state that he has not received a response from Attorney John Burns. Upon motion duly made by Gene Price, seconded by Jaren Simpson, Council

unanimously directed Attorney Helms to appeal the courts to dismiss the appeal and directed Planning Board to consider a text amendment to remove mini warehouses from the Land Use Ordinance.

There being no other business, and upon motion duly made by Ken Brown, seconded by Jeff Broadaway, Council unanimously adjourned the meeting.

Respectfully submitted,

Sonya W. Gaddy  
Clerk

Approved as to form:

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R. Kenneth Helms, Jr., Town Attorney