

**YANCEYVILLE TOWN COUNCIL
MEETING MINUTES
AUGUST 13TH, 2019
7:00 PM**

The meeting of the Town Council was held in the Council Chambers at the Yanceyville Municipal Services Building on Tuesday, August 13th, 2019 7:00 PM.

Council Members present: Mayor Alvin Foster, Mayor Pro Tem Odessa Gwynn, Brian Massey, Margie Badgett-Lampkin, and Keith Tatum

Staff: Town Manager- Brian Collie, Town Attorney- Lee Farmer, and Town Clerk- Kamara Graves

Item 1: Call to Order

Mayor Alvin Foster called the Town Council Meeting to order at 7:00 PM. The meeting opened with a prayer. He asked all to stand for the pledge of allegiance. Mayor Foster also stated that the Yanceyville Town Council rules and procedures reflect the revisions of the North Carolina open meeting law of the North Carolina General Statutes, a copy of the Yanceyville Town Council rules and procedures are available upon request.

Item 2: Review and Adoption of Agenda – Mayor & Council

Mayor Foster asked Town Council for a motion to adopt the Agenda with the addition of Closed Session: Contractual and Personnel between agenda items nine and ten. Mayor Pro Tem Gwynn made a motion to adopt the Agenda with said changes. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Item 3: Consent Agenda- Minutes from July 9th, 2019

Mayor Foster asked Town Council to review the minutes from the July 9th, 2019 Town Council Meeting. After a short review, Mayor Pro Tem Gwynn made a motion to adopt the minutes from the July 9th, 2019 Town Council Meeting as presented. The motion was seconded by Councilwoman Badgett-Lampkin and passed a unanimous vote.

Item 4: Public Comment

Scott Oakley, 1425 Baynes Rd, Burlington NC. Mr. Oakley stated my Father in law, Billy Taylor ran a Welding and Machine Shop at 207 NC Hwy Old 86 North Yanceyville NC for over 40 years. I'm sure many of you knew him. When Billy passed away a few years ago my wife and I inherited this property. At that time the property was in a state of great despair and we have spent significant time and money getting his shop restored in hopes that a business could someday reopen at this location. In early July I heard there had been some zoning changes in Yanceyville so I started doing some on- line research.

Yanceyville Zoning Ordinance and Zoning Map was readopted by Town Council in full on May 7th, 2019. The old zoning destination for the property was Restricted Manufacturing (M1) and the and the current zoning destination is Residential Suburban (R12). Mr. Oakley stated that I next called Town Manager Collie in early July and he informed me that zoning changes had been made and I should have received a letter notifying me of the zoning changes. I described my situation and issues and he recommended as a first step I should come to speak to Town Council on tonight. I was able to a copy of the letter that was mailed from Town Clerk, Ms. Kamara Graves. The letter was clear about the public hearing in April and how to find out information about the proposed changes. I don't recall receiving a letter, but certainly could have and just missed it. In summary my Father in law has an established business on Old Hwy 86 for over 40 years, my wife and I have already made a significant investment of time and money in doing renovations and restorations. We would like to re-establish a business at this location at some point in the future. My request tonight is to request feedback on what next steps I should take to request the zoning be changed back to Restricted Manufacturing (M1).

Mayor Foster stated your request is to have the property zoning destination return to Restricted Manufacturing (M1)? Mr. Oakley, replied yes. Mayor Foster noted that Town Council does not take action during Public Comment. He thanked Mr. Oakley for coming before Town Council, and noted that all of the information presented will be taken under advisement.

Item 5: Public Hearing- Discussion to Consider Text Amendment to Zoning Ordinance, Adult Gaming Establishments

Mayor Foster asked Town Council for a motion to convene to Public Hearing. Mayor Pro Tem Gwynn made the motion to convene to Public Hearing. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Town Manager Collie updated Town Council Adult Gaming Establishments. Town Manager Collie stated that this is a Recessed Public Hearing from July 9th, 2019 regular Town Council Meeting. He explained that on July 9th Town Council reviewed the Yanceyville Planning Board recommendations and listened to testimonies of citizens in reference to Adult Gaming Establishments. Town Council wanted clarity on Adult Gaming machines located in Convenient Stores that offer the sale of alcohol not to be consumed on premise. The question at that time, is it allowed? Town Manager Collie explained since the past meeting the Alcohol Law Enforcement Agency (ALE) with the state of North Carolina has shut down Adult Gaming Machines at several businesses within the Town of Yanceyville that have a North Carolina State Alcohol permit to sell alcohol on premise. Town Manager Collie referred to the Adult Gaming Establishment Regulations Ordinance that was adopted on May 7th, 2019 by Town Council.

Adult Gaming Establishments Regulations:

- a. Adult gaming establishments may operate from 9:00am until 12:00am, Mondays through Saturdays, and 10:00am until 12:00am on Sundays.
- b. Adult gaming establishments shall not be located in the same building or on the same property where any public or private education facility, church, synagogue, temple, or any other religious building, bar, child care center, all residential dwellings, any general gaming establishment as a principal use, or any other existing adult gaming establishment is located. Adult gaming establishments shall also not be placed on properties within 200 feet of any of the aforementioned uses, measured from the closest point between the building housing the adult gaming establishment and the building housing the use from which the establishment must be distanced.
- c. *Adult gaming establishments are prohibited in or as a part of any check cashing facility.*
- d. All alcohol sales and consumption of alcohol is prohibited.
- e. No adult gaming establishment shall permit any person under the age of 18 to conduct games in the establishment or to supervise games in the establishment.
- f. The maximum number of terminals/computers/machines/gaming terminals and the maximum number of patrons using the electronic machines at one time shall be 20.
- g. The parking requirements for Indoor commercial recreation shall apply to all adult gaming establishments.

Mayor Foster stated that the purpose of the Public Hearing that took place on July 9th and recessed until tonight is to address hours of operation on Sundays changing the hours from 10am -12am (midnight) to 1 pm -12am (midnight) and the possible removal of church, synagogue, temple, or any other religious building from the Adult Gaming Establishment regulations. He noted to be fair to both Adult Gaming Establishments and Churches in consideration of distance. He mentioned that it would not affect the landlord's ability to rent to a church and or Adult Gaming Establishment but it gives separation to the different types of businesses. Mayor Foster asked Town Manager Collie to update Town Council on what recommendations from the Planning Board. Town Manager Collie explained that the Planning Board recommended to change the hours of operations from 10am-12am (midnight) to 1pm- 12am (midnight) on Sundays, and NOT to remove church, synagogue, temple, or any other religious building from the Adult Gaming Establishment regulations.

Mayor Foster noted that if anyone would like to speak and offer public comment during the Public Hearing to come to the podium and state their name and address for the record.

Michelle Adkins, 205 Dudley Street Danville Virginia, affiliated with Hot Spot, Adult Gaming Establishment. Ms. Adkins stated that she spoke at the previous Public Hearing. Ms. Atkins stated that she would like to offer public comment on the hours of operation for Adult Gaming Establishments. She explained that she would like to know what could be done to potentially have the hours of operation of Adult Gaming Establishments amended. She explained that if the Adult Gaming Establishment hours of operations on

Sundays is an issue for churches, Hot Spot would consider closing for a period of time on Sundays to prevent conflicts. Ms. Adkins noted that Hot Spot has been in operation for several years and the hours of operation has been 24 hours. She explained that Hot Spot receives the majority of their business between the hours of 7pm to 5am daily. She mentioned that closing at midnight daily would greatly affect their business. Ms. Atkins added that she wanted to understand what steps could be taken at this point to potentially amend the hours of operation for Adult Gaming Establishments.

Mayor Foster explained that the current hours of operation for Adult Gaming Establishments are Mondays- Saturdays 9am -12 am (midnight) and Sundays 10 am- 12 am (midnight) which were adopted by Town Council on May 7th,2019. He added that at this time the purpose of this Public Hearing is to address hours of operation on Sundays and the potential removal of church, synagogue, temple, or any other religious building from the Adult Gaming Establishment regulations. Mayor Foster explained to Ms. Atkins that she would need to contact Town Manager Collie and work through steps in order to revisit this matter. Town Manager Collie explained that all property owners with Adult Gaming Establishments businesses located on their property that the Town is aware of received a letter and notification explaining the regulations that were adopted by Town Council on May 7th, 2019. Town Manager Collie mentioned that time restraints and the location of an Adult Gaming Establishments are noted in the regulations. He explained that Adult Gaming Establishments that were in operation before the re-adoption of the Zoning Ordinance will not be affected by the setbacks and locations requirements they are grandfathered. However, time restraints are enforceable and will have to be enforced. He explained that letters were sent out, but the time aspect has not been enforced in order to give businesses the opportunity to adjust and to get a clear understanding of what the regulations and requirements are for Adult Gaming Establishments.

Mayor Foster asked if anyone had any other comments?

Town Attorney Farmer suggested after this Public Hearing is complete Town Council should consider a date for enforcement to start and forward the request to Caswell County Sheriff Durden. The Town and the Sheriff's Department will be uniformly enforcing the Zoning Ordinance in reference to Adult Gaming Establishments at that point.

Mayor Foster asked Town Council for a motion to go out of Public Hearing for Discussion to Consider Text Amendment to Zoning Ordinance Adult Gaming Establishments. Mayor Pro Tem Gwynn made a motion to go out of Public Hearing. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

Mayor Foster asked Town Council for a motion to return to Regular Session. Mayor Pro Tem Gwynn made a motion to return to Regular Session. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

Mayor Foster asked Town Council for a motion on Text Amendment to Zoning Ordinance, Adult Gaming Establishments. Mayor Pro Tem Gwynn made a motion to amend the hours of operation on Sundays from 10am-12am (midnight) to 1pm -12 am (midnight) and remove church, synagogue, temple, or any other religious building from the Adult Gaming Establishments regulations. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

Mayor Foster noted that the amendments made tonight should be forwarded to Sheriff Durden. Town Manager Collie stated that he would like to speak with Sheriff Durden to see which Adult Gaming businesses are still in operation that would fall under the definition of Adult Gaming Establishments, and at that point contact the property owners as well as get the lessees contact information to inform them as well of the amendments

Item 6: Veterans Memorial Update- Fred Smith

Mr. Fred Smith thanks the Town of Yanceyville for the generosity of allowing the Veterans Memorial to be located on the property and especially where the site is located from Highway 86 in straight eye sight to the Old Historic Courthouse. Mr. Smith stated Mayor Davis in December of 2013 approached my wife Sallie and I about the possibility of a Memorial at the site chosen. My "Big C" was diagnosed in January 2014, the dream was put on hold until 2015. In 2015 our committed members were chosen, two from each Veteran organization in the County and others were chosen because of their commitment to work on this project. Most of the initial members are still committed and serving. Our first official meeting was March of 2016, our first major fundraiser was May of 2017 with a budget goal of \$ 175,000. With fundraisers including selling of shirts, hats, hotdogs, BBQ, quilt raffles, a Henry rifle raffle, car shows, even about 20 individuals mostly Veterans have matched my initial donation of \$1,000, the Field of Honor for the last two years and generous donations from a lot people that want to see Memorial built to honor all that have serve, but most of all to honor the Veterans that gave their lives for our freedom. As of today, we have raised \$ 121,000, take away \$30,000 given by two very generous individuals keeping in mind that no corporate money or foundation money has been received, the remaining money is from hard work of our committee members, Ruritan Clubs, and others committed to making sure we get the funding to build the Memorial. At this time, we have been reviewing the contract to order the black granite with a price tag of \$85,000 hopefully the order will be completed by Thursday August 15, 2019. This is the first phase, the next phase is putting the footers, pricing the landscaping (bricks and granite oavers0 meaning from the Memorial to the sidewalk in the Memorial Park., beyond that lighting and three flag poles and most of all continuing to raise funds to make our goal of \$175,000 of the donations all are tax deductible. When the granite is ordered we are planning on for 9-12 months having a Veterans Memorial in Caswell County. The next fundraiser will be in the Filed of Honor on the Memorial property this is a fundraiser for anyone for a \$10 donation you can honor anyone by having a 12 by 18 American flag displayed on the Memorial Field beginning November 1st until December 15th. At the Hoedown on Saturday, September 21, 2019 we will have a car show and those funds will go towards the Memorial. At the Hoedown you will be able to purchase a Field of Honor flag and make a donation also. Remember we still need

your donation; we have to raise 175,000 to complete the Memorial. The black granite wall will have the names of all Veterans and POW's from Caswell that lost their lives beginning with World War I up until the present time will be etched in the wall. Colby Richmond was the last we lost and hopefully the last. One Veteran was lost at sea. We have five people doing research on Veterans from Caswell County that should be etched in the wall.

In closing thank you for the time I was allowed tonight to give an update on the Veterans Memorial, but most of all thanks to the leaders of the Town of Yanceyville for allowing the Memorial to be constructed on Town property.

Mayor Foster thanked Mr. Smith and members of the Veterans Memorial committee for their commitment and dedication.

Item 7: Security Camera License Plate Readers Discussion - Mayor Foster

Mayor Foster updated Town Council on security cameras license plate readers. He noted that he participated in a presentation with the Sheriff's Department and Property Managers of the Apartment complexes within the Town presented by Flock Safety a company out of Atlanta Ga. He explained that Flock Safety has a system that includes cameras and software that reads every license plate that goes by the camera as well as takes a picture if you walk by. He mentioned that Town Council has discussed security within the Town several times in the past. Mayor Foster mentioned that the Town has been unable at this point to restart the Police Department and felt that this software could be an alternative that would add an extra level of safety in the Town. The cameras are able to be moved throughout the Town. Each camera will cost \$2,000 and if the camera is damaged the company will replace at no charge to the Town. Mayor Foster ask Town Council to consider viewing a presentation presented by Flock Safety. Town Manager Collie noted that he would contact Flock Safety to secure a date and update Town Council with information.

Item 8: Town Attorney Report

Town Attorney Farmer updated Town Council on security issues. He mentioned that after the shooting in El Paso, Texas and Dayton, Ohio he received a mass email from the National Municipal Attorney's Association reminding all Municipalities that a primitive security system should be in place within all Town facilities to help provide safety.

Item 9: Town Manager Report

Town Manager Collie updated Town Council on the Town of Yanceyville website. Town Manager Collie stated that during the Town of Yanceyville's participation in the Downtown Strong Initiative, the need for a greater website presence was heavily discussed. He added that the Town of Yanceyville received a grant from the North Carolina Department of Commerce for \$9,500 grant to provide infrastructure and training to Town staff and community members to help to improve Search Engine Optimization

for the Town and businesses in Yanceyville. He noted that Small Town Soul has been contracted to assist the Town with the SEO project. It became evident after expending funding that the Town needed to update the website in order to maximize SEO for the Town and businesses. Town Clerk Graves explained that the Town website has not been updated in a while and the need to update is very important and potentially creating a Facebook page for the Town would also take full advantage of the SEO project. Town Clerk Graves added that Leniece Lane, Small Town Soul consultant is willing to provide Town Council on the need of a social media presence.

Town Manager Collie added that the Town of Yanceyville has asked Downtown Strong, the consultant hired to execute the deliverables for the Downtown Strong grant, to provide the Town with a scope of work to revamp or build from scratch the 4 main websites that could fill the community's needs. Town Manager Collie added that a funding opportunity will also be discussed at the Joint Council Meeting on August 15th, 2019 that would help build a better website presence for the Town of Yanceyville, Caswell County, Town of Milton, Caswell Chamber of Commerce, and Caswell County EDC that showcases the uniqueness of each site yet offers viewers a combined experience that covers local government needs, small business needs, economic development and tourism. Town Manager Collie added that SEO will help the Town be more apparent to the public such as searching things like Town of Yanceyville First Friday dates, etc. Town Manager Collie added that our current website is neither app friendly or mobile friendly.

Town Manager Collie announced the Quarterly Joint Council Meeting (Town of Yanceyville, Town of Milton, and Caswell County) will be held on Thursday, August 15th, 2019 at 6pm hosted by the Town of Yanceyville and will convene in the Maud Gatewood meeting room at the Municipal Services Building.

Town Manager Collie announced First Friday will take place Friday, September 6th, 2019 at 7pm featuring the Buttermilk Creek Bluegrass Band along with a Cruise-in at the Yanceyville Pavilion. In case of rain the concert will take place in the Yanceyville Museum of Art at the Municipal Services Building. Food will be provided by the Central Caswell Ruritan Club for purchase.

Town Manager Collie reminded Town Council that the September Town Council is scheduled for Tuesday, September 10th, 2019 at 7pm.

Town Manager Collie announced that on Wednesday September 25, 2019 9am-12pm The Juvenile Crime Prevention Council will host their Public Awareness Brunch at Caswell Pines Golf Club.

Item 10: Closed Session- G.S. 143-318.11- Contractual and Personnel

Mayor Foster asked Town Council for a motion. Mayor Pro Tem Gwynn made a motion to go into Closed Session General Statues 143-318.11 Contractual and Personnel. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

After Town Council re-entered the chambers from Closed Session, Mayor Foster asked for a Town Council motion to come out of Closed Session. Councilman Massey made a motion to come out of Closed Session. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

Mayor Foster asked Town Council for a motion to go back into Regular Session. Mayor Pro Tem Gwynn a motion to go back to into Regular Session. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Mayor Foster noted that while in Closed Session Town Council doesn't have any information to present at this time. However, personnel were discussed during Closed Session and will be placed on the Agenda for September's Town Council Meeting regarding employee salary start date.

Item 11: Informal Discussion/ Public Comment – Discussion & Comments must directly relate to agenda items

None

Item 12: Adjournment

Mayor Foster asked Town Council for a motion to adjourn the Town Council Meeting. After no further discussion, Councilman Tatum made a motion to adjourn the Town Council. Councilwoman Badgett- Lampkin seconded the motion that passed with a unanimous vote.

Brian Collie- Town Manager and Kamara Graves-Town Clerk prepared the above minutes. They represent a brief description of those matters that were addressed at this meeting. A detailed account of this meeting is available for review on tape at the Yanceyville Municipal Services Building.

Respectively Submitted:

Alvin Foster, Mayor

Brian Collie, Town Manager

Kamara Graves, Town Clerk

