

MINUTES OF THE WHITSETT TOWN COUNCIL

September 13, 2022

Whitsett Town Hall Building

REGULAR COUNCIL MEETING

The regular meeting of the Whitsett Town Council was held on Tuesday, September 13, 2022 at the Whitsett Town Hall. The following members of the Town Council were present: Mayor Richard Fennell, Mayor Pro Tem Jerry Rice and Council Members Cindy Wheeler, Lee Greeson and Craig York. Also present were Wright Archer and Stephen Robinson from the NCDOT and Juan Pleitez, Representative Jon Hardister's assistant. There were also 3 citizens present.

Mayor Fennell called the meeting to order at 6:00 p.m., and noted that a quorum was present.

Mayor Pro Tem Jerry Rice gave the invocation.

SPEAKERS FROM THE FLOOR

Mayor Fennell recognized Wright Archer and Stephen Robinson who were at the meeting to give us an update on our roads and to answer any questions. Mr. Archer discussed the Rock Creek Interchange in Stoney Creek, saying it was way behind schedule at this point. He stated that the growth in that area has been huge and it is going to continue to grow in all directions. He is asking for help from our Council and our citizens to give input on this situation. Mayor Pro Tem Jerry Rice asked about the stop light at Brightwood Church Road and Highway 70, saying that we had been promised that for more than 25 years. Councilman Lee Greeson added that there is a school on Brightwood Church Road and it has yet to even been designated as a school zone. He added that when school lets out in the afternoon the traffic is horrible because of people waiting to turn onto Highway 70. Mr. Archer let the council know that the stop light at this intersection is currently being discussed.

Mayor Fennell asked if there was any way that the DOT would extend Springwood Church Road to connect to the interstate to help with highway traffic and Mr. Archer said probably not. He did state that there may be something else they can do and he will get the congestion management team to look into it. Mr. Archer invited any ideas the Council may have.

Mayor Pro Tem Jerry Rice asked who does the quality control work on the paved roads stating that the group who did the paving on University Road behind Elon did a terrible job; the road is just as rough now as it was before they paved it. Mr. Archer replied that was a DOT responsibility. Mr. Rice suggested that he ride that road. He also said the intersection on Webb Avenue and Davis Street are getting into bad shape as well.

Councilman Craig York asked if the DOT was still planning on doing the large community meeting that Jon Hardister spoke about when he was at the Council meeting a few months back. The answer is yes, but one important way they know about the needs of the community is through the Council Meetings and communication from citizens in public forums. Councilman Lee Greeson and Mayor Pro Tem Jerry Rice shared some other areas that need attention with vines and branches hanging down that need mowing and trimming. Mr. Archer explained that they have had some budgeting issues and have gotten behind on work that needs to be done. They welcome comments, complaints and ideas. He wants to come to Council meetings when he can and wants us to stay in touch with him.

Council person Cindy Wheeler brought up Whitsett Park Road. She said they have tried to do something to keep trucks off of that road. There are children that live on that road that the community wants to keep safe. She stated that trucks can come in a different way and that they are using this road as a short cut. Mr. Archer said that is something that they can look into for us. Mrs. Wheeler also asked if the DOT was responsible for cleaning out ditches in our area and Mr. Archer replied yes, but they have not had the budget, staffing or resources lately to do that sort of thing unless it is specifically pointed out to them by the community.

Councilman Craig York asked if the DOT website was current regarding projects with their dates listed. Mr. Robinson said that depends on what site you go to. The website that is the most up-to-date is the NCDOTSITMAP. The reprogramming must be approved by the Federal Government in the fall of 2023.

Mr. Robinson brought handouts for the Council to review of upcoming projects that are going to be re-evaluated and prioritized. There is a handout on if you know of transportation needs, how to go about turning that into a project for the DOT to work on. These projects are given a numerical value based on certain criteria of need and then compared with other projects to have them put in order of priority. Mr. Robinson invited the Council to combine a list of needs in our community and submit it to his office for review and they will do whatever they are able to address those issues.

Mayor Fennell asked who is responsible for putting in traffic lights or caution lights. The answer is the Traffic Engineering section of the DOT. Once there is a request, they come out and do a variety of traffic studies to get a good idea of that area. The mayor brought up the area off of Highway 70 where Brightwood Church Road and Penn Lo do not line up to make an exact 4-way intersection. Mr. Robinson said that those road alignments have been looked at and deemed that issues needs to become a project to be accomplished. One of the citizens that attended the meeting, Jerry Nix, stated that this particular issue has been ongoing for over 20 years and something needs to be done to get the roads to align and to put in a stoplight. The Council also feels very strongly about having this issue corrected.

Mr. Nix also expressed his concern about the intersection at Rock Creek Dairy Road where there is a concrete barrier in the middle of the road which narrowed the road. There is also an opening at the service station on that road that is less than a car length which also causes dangerous conditions. The DOT office has had several calls regarding this area. Mr. Archer and Mr. Robinson restated that we need to make a list of things that need to be addressed and send it to them and they will do what they can to get them corrected.

Councilman Craig York asked Juan Pleitez if he would let us know when the community meeting would be that Jon Hardister had spoken about a few months ago. It has been put off due to people being hesitant to meet in a large space due to covid. Mr. Pleitez thinks that maybe now people would feel more comfortable and they will look at getting this meeting scheduled. He stated that Representative Hardister and himself are here to help out our community in any way that they can.

Mayor Fennell asked Mr. Pleitez about General Statute 160-D which is a re-formation of zoning and ordinances for all of North Carolina to bring them into compliance. Representative Hardister had told Mr. York that his office would be happy to help us review those ordinances to be sure we are in compliance. Mr. Pleitez explained how that process would work for us and tell us what the law says about those ordinances, but not give legal advice. Mr. Pleitez said that he was not very familiar with that statute but would be glad to research it. Mayor Fennell asked how restrictive is the statute and could it basically overhaul our zoning ordinances. Mr. Pleitez said that because of the amount of pushback from the smaller municipalities, that the legislature decided not to move forward with it at this time. He said that he had not heard of this proposal being re-examined again by the legislature, but he will check to confirm this information. Mr. York told Mr. Pleitez that the proposal is actually already on the legislative books, which Mr. Pleitez was not aware of. Mr. Pleitez said he would look into this further.

Finally, Mr. Robinson got information that Penn Lo was on schedule to be realigned with Brightwood Church Road and he would follow up with more information about when this will happen and about the light signal.

OLD BUSINESS

1. Adoption of the Minutes

- Mayor Fennell asked if he heard a motion to accept the minutes from the August 9, 2022 Town Council Meeting. Council member Craig York made a motion to adopt the July 12 minutes; motion seconded by Mayor Pro Tem Jerry Rice. Adoption of the August minutes was carried by unanimous vote.

Any Other Old Business

- Mayor Fennel asked if there was any further Old Business and there was none.

BOARD AND COMMITTEE REPORTS

1. Planning Board

- Planning Board Chairman Tyler Harris let the Council know that the Board is currently working on reviewing the Whitsett zoning ordinances. They have chosen three in particular to start with – fences, compliance and tree line borders. He hoped to give the Council an update at the next meeting. Councilman Craig York stated that even though Mr. Preitez had stated earlier that he believed 160-D is frozen, it is not. He said that it is imperative that these ordinances are in compliance and done so as quickly as possible so that our town is protected. We will be officially joining Piedmont Triad Regional Council (formerly COG) tonight and they can also advise us as to our ordinances. We need to start with looking at the Land Use Plan.

Mr. York introduced Shawn Dowell, a citizen of Gibsonville, who is a commercial real estate and zoning compliance specialist. He offered to be a resource for us as well in making sure our ordinances are under compliance. Mr. Dowell said that Gibsonville is using PTRC to help them update their ordinances as to what their future plans are. The mayor stated the Whitsett has two residential zonings, RS30 and RS40. RS30 is the maximum a property can be zoned for. His concern is that this could be in jeopardy. Mr. Dowell replied that his understanding is that if we don't have updated documentation, then 160-D has some wording that states if we are not in compliance, then the property can be zoned as anything. Mayor Pro Tem Jerry Rice said that the Planning Board needs to review the ordinances and the Land Use Plan no matter what 160-D says because those are what will protect our town and they need to be in compliance. Mr. York asked Mr. Harris if he thought the Planning Board should meet more frequently to be able to get the ordinances in compliance, and Mr. Harris responded that he would have to ask the Board if this is something they felt they could do since that board is totally voluntary.

2. Enforcement Officer/Town Administrator

- Barbara York, Town Clerk, spoke for Town Administrator Elaine Garner who was unable to attend the meeting stating she did not believe that Mrs. Garner had heard back from our attorney regarding the questions she asked about the seriously passed due water bills for the Saunders and Baity properties.
- Ms. York also reported that 7056 Crescent Road appears to be building a large room onto the back of their home and they have not been to the Town Hall to get a DCC. She called Guilford County Planning Board and they sent someone out to do a site visit and let the owners know they needed to get permits before any further building takes place. Mayor Pro Tem Jerry Rice explained that we have now been told by Oliver Bass that instead of home owners coming to the Town Hall first to get a DCC and then going to Guilford County to get permits, the owners are now to go to Guilford County. They go there first with an application, then the county reviews the plat drawing to make sure that is in compliance and then they are to come back to the Town to get their DCC. Mayor Fennel Ms. York to get in touch with Guilford County permitting department to let them know what is happening there and to ask Mr. Bass what he found out.

3. Town Administrator

- Ms. York gave the Council an update about the Fall Festival plans. We are having a bake sale and selling our newly designed T-shirts. She gave an overview of what to expect at the festival as far as games, crafts, vendors, and food. Parking and traffic were discussed. Council person Cindy Wheeler asked where we are financially with the festival and Ms. York responded that we have spent about \$6000 thus far, reminding the Council that we had nothing to have a festival and had to buy everything. She asked if this money was in our budget to use and Councilman Craig York let her know it was coming out of the building and grounds fund for right now. He then reminded the Council that having an event like this at the Town Hall will be important in our efforts to get the grant to renovate the Town Hall, showing that it is used for community events. Ms. York reviewed with the Council how the festival will make money this year and how it will make more money next year due to vendor fees that will apply then.

● Ms. York let the Council know that Susan Brothers McKinney has done an outstanding job helping to clean out all of the trash and organize all of the important materials that were all over the parlor and the museum room. She is working hard on saving and organizing the historical information for a future museum in the Town Hall. Ms. York let the Council know that every room now on the first floor with the exception of the kitchen has been deep cleaned.

NEW BUSINESS

1. Estimate for mowing ballfield and lawn around play area, meeting with Gibsonville Parks and Rec Council Member Lee Greeson discussed his meeting with Patrick Heath. Mr. Greeson showed Patrick all of the areas that needed attention and what needed to be done prior to the festival. Ms. York, the Town Clerk, let the council know that Mr. Dupree from Gibsonville Parks and Rec met with her and Gibsonville is still going to maintain the ballfield during the seasons that they use it. Patrick Heath recommended that we let them continue mowing when they can, because they will do it for free and that would be more cost efficient for the Town Hall. Gibsonville will mow during the months of April through June and August through mid-October. Ms. York let the Council know that Patrick has been spraying the back lot for weeds and Mr. Dupree from the Parks and Rec has a tractor that will scrape the dead grass out of the lot. This will make the backlot look so much better. Mr. Dupree has let us know that his department will help us in any way that they can. We can contact him even in July if we need the ballfield mowed.

2. Revisit the water deposit of \$120 for everyone and attorney consult. Ms. York stated she didn't know a lot about this topic but wanted to confirm that the deposit was only for all new customers, where they are renting or buying the property. That was correct. She let the Council know that we had received an email from our attorney who stated that there is really nothing we can do about collecting the past due water payments from the Saunders or Baity accounts.

3. PTRC/COG The Mayor signed the application today for Rejoining Piedmont Triad Regional Council (PTRC, formally COG) The Mayor then read the resolution to the Council. Mayor Pro Tem Jerry Rice made a motion to accept the resolution, and Councilman Lee Greeson seconded. The resolution to join PTRC was carried unanimously.

4. Update on grant spending on generator and HVAC Councilman Lee Greeson reported that the man who is selling us the generator is waiting on a carburetor that has been ordered. Mr. Greeson said he would touch base with this man again to get an update and when it might get installed.

5. Any items from Council Members. Mayor Pro Tem Jerry Rice stated that at the last meeting there was a recommendation to remove RM12 from the Whitsett Ordinances. He stated that the Council needs to set up a Public Hearing for this to be taken care of. Councilman Lee Greeson made the motion to set up the Public Hearing for October 11, 2022 to remove RM12 from the Whitsett Town ordinances, Mayor Pro Tem Jerry Rice seconded and the motion carried unanimously.

6. Announcements There were some discrepancies in the invoice that Patrick Heath sent for the preparation of the grounds for the festival. Ms. York will speak with Patrick and get this cleared up.

7. Speakers from the Floor The Mayor asked if there were any Speakers from the Floor and there were none.

ADJOURNMENT With no further business before the Council, Mayor Fennell invited a motion to adjourn. The motion to adjourn was made by Councilperson Cindy Wheeler and seconded by Council Member Craig York. The motion carried; and the September 13, 2022 Town Council meeting was adjourned at approximately 7:40 p.m. The next regular meeting of the Whitsett Town Council as well as a Public Hearing is scheduled for 6:00 p.m. on Tuesday, October 11, 2022 at the Whitsett Town Hall.

_____/S/_____

Elaine Garner, Town Administrator

_____/S/_____

Richard Fennell, Mayor APPROVED

APPROVED: OCTOBER 11, 2022