

The Butner Town Council Work Session Meeting was convened in the meeting room at South Granville Water and Sewer Authority (SGWASA) located at 209 West C Street, Butner, NC 27509 on Wednesday, **May 20, 2009**, beginning at 7:00 PM.

Present and Presiding:

Mayor:

Council Members:

Thomas Lane
Vicky Cates
Christene Emory
Linda Jordon
Elbert Oakley, Jr.
Edgar Smoak
John Wimbush
Thomas S. Marrow
James C. Wrenn, Jr.
Dianne E. White

Town Manager

Town Attorney

Town Clerk

1. WELCOME AND CALL TO ORDER ... by Mayor Lane
2. ROLL CALL ... by Clerk
3. INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Wimbush gave the invocation followed by Mr. Smoak leading the group with the Pledge of Allegiance.

4. APPROVAL OF MAY 7, 2009 MEETING MINUTES (See Attached)

Minutes were approved on a motion by Mr. Smoak, seconded by Ms. Jordon ... all voted in favor.

5. ADJUSTMENTS TO AND/OR APPROVAL OF MAY 20, 2009 MEETING AGENDA

The Manager had a budget amendment for Council consideration. Mayor Lane placed this new item as 13a.

6. MONTHLY FINANCIAL REPORT (To Be Distributed)

Howard was not in attendance; however, he and the Manager had reviewed reports in advance ... Marrow said:

- Sales taxes are down roughly 10%
- Utility State shared taxes – some down, some up. Explanation for those “up” – Marrow said they were estimated too low due to no prior history.
- Hold the line on last three (3) months (April, May and June) of the fiscal year “for dear life” Marrow said ... taxes have been paid, sales

tax appears to go down – control expenses as best possible to make numbers work by June 30th. He noted Butner’s payment to the State for Butner Public Safety (roughly \$1.1 Million).

- Overall, the Manager reported Town of Butner is in good shape financially.

The Mayor encouraged all to review the reports and get with the Manager if questions/concerns. ***The group accepted the financial report on a motion by Ms. Emory, seconded by Mr. Wimbush ... all voted in favor.***

Marrow said there may be several budget amendments (cleaning up year end items) at the next Council Meeting.

7. PUBLIC COMMENT PERIOD ... None
8. PUBLIC HEARING(S) ... None
9. REVISIT WYNNGATE SUBDIVISION EXPANSION (REZONING REQUEST TABLED AT 5/7/09 MEETING)

Rezoning Request – REZ -09-001

Wynngate Subdivision Expansion (East Lyon Station Road) (**Please bring ATTACHMENTS from 5/7/09 meeting on this matter**) ... Bob Anderson of Barton Development Group is requesting a rezoning from the existing Suburban Residential zoning to a Conditional District for Planned Unit Development (CD-PUD) to expand the Wynngate Subdivision. The proposed additional phases total 46.47 acres and the submitted concept plan shows 89 new lots. The proposed rezoning would be along the east and west sides of East Lyon Station Road from the existing phases 1, 2 and 3 of the Wynngate subdivision to the intersection at Gate #2 Road. More specifically, the properties are identified as Tax Map #08752891722 and 087502786804. The Planning Board has recommended approval.

At the last meeting of the Town Council, a public hearing was held for the rezoning of Wynngate Subdivision Phases 4A and 4B. At that hearing, a concern was raised about school buses not entering the subdivision and the safety of the students walking to the bus stop with no sidewalks and waiting for a bus stop along East Lyon Station Road. Mr. Marrow, Town Manager, spoke with the Director of School Bus Operations for Granville County Schools System and determined the school buses are, in fact, managed by the school system. The reason buses do not enter the subdivisions is not due to roadway design, but because they are private streets. The Town of Butner could appeal to the School Board to enter subdivisions with the permission of the Home Owner’s Association. Additionally, according to the Butner Land Development Ordinance

Section 14.4, sidewalks would be required along one side of new and existing local streets and collectors and sub-collector streets. This would require new sidewalks to be installed on one side of all the streets within or abutting these two (2) new phases of Wynngate. With the sidewalks, children should have a safe way to walk to the bus stop, and they could stand on the sidewalk while waiting for the school bus. It is noted this sidewalk requirement would only be for future phases of Wynngate and is not retroactive to the existing three (3) phases of the development.

Town Planner Hodges informed the group of notice from Tracey Parrott with Summit Consulting requesting tonight's decision be deferred until next Council Meeting (June 4). Attorney Wrenn said the public hearing was closed at the Council's prior meeting ... no further evidence can be presented (and/or considered).

Hodges recommended the Town petition the School Board to have buses enter subdivisions with private streets with permission of the Homeowners Association(s). Roads are built to NCDOT standards (a requirement in Butner's ordinance). Hodges did not recommend a wider road for the subdivision streets (18' wide with right-of-way of 45'). For Phases 4A and 4B, a 50' right-of-way has been proposed. Butner's ordinance requires sidewalks along one side of all new and existing collector, sub-collector and local streets within or abutting the new phases. All new streets within the subdivision are considered local streets. Sidewalks are not required on cul-de-sacs or permanent dead end streets less than 800' long. East Lyon Station Road is, at minimum, a sub-collector road (which would require a sidewalk down one side to include Green Road and Shining Water Lane).

Further recommendations: Developer submit revised concept plan with note 16 amended to state all street names and addresses will be approved by the Town of Butner and any other applicable authorities. Additional note stating at least two (2) parking spaces per dwelling unit. Lastly, to require street lights in the development at each intersection/ every 500 feet.

Mr. Smoak made a motion to approve conditional zoning with recommendations above by the Town Planner plus require sidewalks installed as mandated by the ordinance. This was seconded by Ms. Cates. More discussion evolved with the motion being withdrawn.

Wrenn informed Council the applicant has to accept conditions for this matter to be valid. Mr. Parrott said regarding acceptance, "I don't think we can." East Lyon Station Road is not currently built to accommodate a sidewalk he said. Street lights and street names, however, didn't seem to be an issue. Mayor Lane said he and Council are pleased with the

development – good for citizens; however, on the other hand, the adopted ordinance must be followed. Parrott said the first two (2) phases were handled/approved through Granville County and now for other phases, a different process. Wrenn mentioned possible alternatives ... applicant comply with ordinance – they request a variance on any particular problems (such as sidewalk requirement) OR Council deny the rezoning, applicant withdraw application and/or file new application.

A new motion was made by Mr. Smoak and Ms. Cates to approve the conditional rezoning with the Town Planner's recommendations. All voted in favor.

10. CONSIDER POSSIBLE TOWN LOGOS ... (See Attachments, both color and black and white)

Hodges reported the COG and BENCHMARK have donated time/expertise with proposed Butner logos and seals. There were many samples for the group to review.

Some minor adjustments were noted on various options ... Hodges to bring back with adjustments.

11. CONSIDERATION - APPROVAL OF CONTRACT BETWEEN TOWN OF BUTNER AND HAGER SMITH DESIGN, PA (ARCHTTECT SELECTION FOR NEW TOWN HALL DESIGN AND CONSTRUCTION)

12. CONSIDERATION - APPROVAL OF FEE SCHEDULE - HAGER SMITH DESIGN, PA

With regard to above items 11 and 12, plans are to gather more definitive info (total fee package). ***Therefore, this matter was tabled until the Council's next meeting on 6/4/09 on a motion by Mr. Smoak, seconded by Mr. Oakley – all voted in favor.***

13. CONSIDER HIRING BRENDA DANIEL AS A TEMPORARY EMPLOYEE (DEPUTY CLERK) FOR PLANNING BOARD AND ZONING BOARD MEETINGS

Ms. Daniel will be attending, taking and transcribing Planning Board and Zoning BOA Meetings as Deputy Clerk. She will be paid \$250/meeting. She will be hired as a temporary employee/as needed basis reporting to the Town Manager. Employment is "at will". Payment will be made upon satisfactory approval of minutes; Planner to notify Manager (by memo). Ms. Daniel is not eligible for benefits and is considered a W-2 employee.

This item was approved on a motion by Mr. Oakley, seconded by Ms. Jordon. All voted in favor. Daniel received accolades by both Mr. Smoak and Mr. Wimbush.

13a. **Budget Amendment**

Marrow told the group about two (2) ragged industrial park signs ... there have been complaints about the unkempt condition and the sign(s) not being visible, etc. The Town Manager estimates lighting to run approximately \$750. Plans are to take the signs down, sandblast and repaint for a nice fresh look. Marrow pointed out this could make a difference with potential clients coming to the area. He will have painting estimates by the Council's next meeting.

A motion was made by Mr. Oakley, seconded by Ms. Emory to allocate up to \$3,000 (from General Fund). All voted in favor.

14. **REPORTS**

- Town Manager
 - Sports Arena Bid opening was held yesterday (**SEE ATTACHMENT "A" – Bid Tally**). An estimated figure was \$620,000. Low bidder was Diamond Contracting (\$535,809). Engineer, Manager and Contractor will review bid documents on May 28th ... plans are to take this matter for approval to Council on 6/4/09.
 - Howard and Marrow have a first draft of the 09-10 Budget ready ... a Finance Committee meeting is in order.
- Attorney
 - Butner Public Safety situation continues to be monitored ... Rep Crawford feels confident that BPS will remain a State agency ... will report more definitive info later.
 - Wrenn introduced Rob Brown who is joining Wrenn's law firm – Brown is a native of the Rocky Mount, VA area.
- Planner
 - Rezoning matter/public hearing to be held at 6/4/09 Council Meeting (vacant Exxon station on Central). Mr. Oakley had questions pertaining to the small lot size, etc – Mr. Smoak suggested LDO be revisited. The Attorney warned about discussing specifics at this point in time.
 - Website meeting has been set for May 29 with Kathy Wolford ... further update to Council on 6/4/09.
 - Land Use Plan draft was taken to LUP Committee last week. Tentative schedule for Committee to meet again in June, to Planning Board in July and to Council by August.

- Butner was awarded the Pedestrian Planning Grant, a \$30,000 project (80-20 match, Butner to shell out \$6,000). This opens up additional funding for sidewalks – eligible on DOT streets only. However, once Butner completes Pedestrian Planning Grant Study, DOT monies are available on any/all streets.
- Playground Equipment has been ordered – should be shipped 5/28 – plans for installation May 28-29. One slide may not be ready by 5/28 – worse case scenario a week later. Butner PW Department will perform the installation ... supervision by Hodges with Mike McFadden on hand as well.

15. OTHER MATTERS

- STATUS/UPDATE ... New Town Hall --- Marrow said he and L. Mize with SGWASA have discussed floor plans; getting closer to giving Architect info and ultimately approval by the full Town Board.
- STATUS/UPDATE ... Community Building --- The Mayor said this group was scheduled to meet last night; however, he didn't send out a notice and only three (3) attended. There was some discussion among the three (3). Lane said future notices will go out relative to meeting date (third Tuesday of the month).

16. COUNCIL COMMENTS

Mike McFadden, at the request of Mr. Wimbush, updated the Council on Greenways ... two (2) have been fully funded (Butner & Granville County). McFadden said Scottie Wilkins has resigned from the County Planning Office. Scott Phillips has assured McFadden CMAQ trail(s) will be shovel ready as required ... building of Butner greenway trails should start in Sept/Oct. Marrow said "our hands are tied" until Grant Agreement is in place – DOT Board isn't meeting until mid June or so. Butner cannot incur any costs until DOT Board meets. Wimbush, representative on the Granville County Human Relations Commission, will be submitting future reports and info from that group.

Ms. Emory said the park looks great.

Ms. Cates noted the Chicken Pickin event scheduled for 6/6/09 – there is a planning meeting tomorrow night at the First Presbyterian Church at 7:00 PM.

Mr. Smoak said he's happy to see the new A/C unit; however, it needs to be turned on in advance for the room to be comfortable. He also noted potential needed changes to the LDO.

Mr. Oakley remarked about a sign in front of the post office pertaining to recycling bins should be removed. Wynne Sanitation said utilization of the bins is back up (since the relocation).

Mr. Wimbush requested comments/update on Chicken Pickin by Mr. Dixon. Things are on schedule Dixon said.

The Mayor called for a Closed Session regarding personnel at approximately 8:30 PM. Mr. Smoak motioned to convene to Closed Session, seconded by Ms. Jordon. All voted in favor. No announcement followed.

17. ADJOURNMENT

The meeting stood adjourned on a motion by Mr. Wimbush, seconded by Mr. Oakley at approximately 9:00 PM. All voted in favor.

Respectfully submitted,
Dianne E. White, CMC
Town Clerk

Thomas Lane, Mayor
Town of Butner