



**Town of Fairview
Regular Town Council Meeting
October 8, 2018**

The following Council members were present: Mayor Phil Thomas, John Biggers, Jerry Clontz, Patricia Kindley, and Gary Wilfong.

Others present: Joe McCollum, Town Attorney; Darrell Baucom, Financial Officer, Ed Humphries, Land Use Administrator / Deputy Clerk and Teresa Gregorius, Town Clerk

Agenda Changes

None

Approval of Agenda

Jerry Clontz made a motion to approve the agenda. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Public Comments

None

Consent Agenda

- a) Accept Financial and Tax Reports as Information
- b) Accept Land Use Report as Information
- c) Park & Rec September Draft Minutes --- Minutes Accepted as Information
- d) Planning Board September Draft Minutes --- Minutes Accepted as Information
- e) Approve Council Regular Minutes for September 10, 2018

Gary Wilfong made a motion to approve the consent agenda. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Items of Business

Item 1: Public Hearing: Conditional Use Permit #CUP-S 18-097 request by Bethlehem Presbyterian Church to add a LED scrolling sign within the present church monument sign. Ed Humphries presented the permit information.

Mayor Thomas opened the public hearing

No public comments

Mayor Thomas closed the public hearing

“Finding of Facts”

- 1) John Biggers made a motion that conditional use permit CUP-S 18-097 will not endanger the public health or safety because it will be beneficial for the church to advertise. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).
- 2) Patricia Kindley made a motion that conditional use permit CUP-S 18-097 will not substantially injure the value of adjoining or abutting property because there are no major changes taking place. Jerry Clontz seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).
- 3) Jerry Clontz made a motion that the conditional use permit CUP-S 18-097 will be in harmony with the area in which it is located because other signs similar are in place in the community. John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).
- 4) Gary Wilfong made a motion that the proposed conditional use for CUP-S 18-097 will be in general conformity with the land use plan, thoroughfare plan or other plan because the property has been vetted by the Planning Board. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Discuss Approval of request: Council members discussed the permit and questioned the frequency of changing the message from a minimum of 1 minute up to a maximum of 1 year as recommended by the Planning Board.

John Biggers made a motion to approve conditional use permit CUP-S 18-097 with the amended frequency of changing the message to 30 seconds. The proposed zoning amendment under consideration is found to be reasonable and consistent with the recommendations of the Town’s adopted comprehensive plan, the Town of Fairview Land Use Plan(Revised August 11, 2014), and the Town of Fairview Land Use Ordinance (effective July 1, 2005). Jerry Clontz seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 2: Review of Rules of Procedures Policy

Mayor Thomas presented the Rules of Procedures and the Council discussed various changes to be made.

Patricia Kindley made a motion to approve the Rules of Procedures as amended. Gary Wilfong seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 3: Update on New Office Space

Ed Humphries informed the Council that all items have been moved from the fire department office into the new Town Hall office space.

Item 4: Update on Fairview Fall Festival

Lisa Thomas, Chairman, Park-Rec & Event Committee, reported that the Fairview Fall Festival was a success. She received many positive comments on everything from the children's activities to the music. She informed the Council that it takes many, many people to pull off this festival and this year there were not enough volunteers. The volunteers that worked to set up all day Friday also worked all day Saturday and also ended up cleaning up after the festival closed. If the Town wants to continue to have this great festival there will need to be more volunteers recruited. Several individuals that worked at the festival spoke regarding needing more volunteers. The Council discussed ways to bring in volunteers and allotting additional funds to help with the festival.

Gary Wilfong made a motion to increase the festival budget by \$5,000.00. Jerry Clontz seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 5: Update on Haigler Property Purchase

Ed Humphries informed the Council that the LGC approved the financing agreement between the Town and Harry and Sandra Haigler. Attorney McCollum is working on the agreement and Mr. Humphries anticipates the closing to be before the end of the year.

Mr. Humphries suggested that the Council consider appointing Mayor Thomas to handle all aspects of the house (i.e. renting, repairs etc.) located on the newly acquired park property. Council members agreed.

Council Comments

Gary Wilfong stated that he had received positive feedback regarding the Fall Festival and he thought the festival was great. He was approached about renting the park for events such as car shows or music festivals and suggested that the Park-Rec & Event Committee come up with procedures for these type of events at the park.

John Biggers stated that the Park-Rec & Event Committee did a wonderful job on the Fall Festival and the festival and park have been a great asset to the town.

Patricia Kindley stated that the Fall Festival was great. She noted that she recently attended a fire funding meeting with the mayor and she also attended a Made in Union County breakfast. She is currently working on a “Holiday Lights” contest. She met Jim Wright at the park on several occasions and he spoke with her regarding his willingness to help keep the trees trimmed at the park. He is a retired owner of a tree trimming business. She will pass along his information to Lisa Thomas.

Jerry Clontz suggested that for the next Fall Festival all food vendors will need to furnish mats under their tent areas to preserve the grass. He noted that he had been feeding the fish in the pond and they are growing. He questioned Mr. Humphries about the town ordinance/land use regarding whether the new 2-bay building at the fire department had to have a brick front. Mr. Humphries stated that it was a temporary structure that would be moved when the new fire department is built, therefore, the requirement did not apply.

Mr. Clontz informed the Council that he would recommend terminating the current lawn maintenance contract with Performance Lawn & Landscape by giving them 30 days written notice. Maintenance issues have arisen on various occasions that have not been satisfactorily handled. He has spoken to the next lowest bidder, Taylor’s Landscaping Service, Inc., and Mr. Taylor is willing to finish out the contract in the amount of his bid. Council discussed.

Jerry Clontz made a motion to submit a 30-day termination notice to Performance Lawn & Landscape and offer the remainder of the contract to Taylor’s Landscaping Service, Inc. and authorize Mr. Clontz to handle the notifications. John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Mayor Thomas reported attending the fire funding meeting and subsequently emailing the assistant county manager with his recommendations on the options presented at the meeting. Mayor Thomas reiterated Mr. Wilfong’s statement regarding possible procedures for renting the park for various types of events after being approached by Rick Greene with the Village Green Band.

John Biggers made a motion to adjourn. Jerry Clontz seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Respectfully submitted,

Teresa Gregorius
Town Clerk

Phil Thomas
Mayor

Approved this 12th day of November, 2018