

**Town Council Special Meeting
May 7, 2021
9:00 in the Civic Center
Minutes & General Account**

Council Members Present: Mayor Montgomery, Council Members Wolfe, Rayborn, Capes, & Straughn

Staff Members Present: Dave Treme, Matthew Johnson, Katie Weiner, Anna Hawryluk, & Beth Koonce, Town Attorney

Call to Order- Mayor Montgomery called the meeting to order.

- Roll Call- Weiner took roll call as follows:
 - Council Member Wolfe- Present
 - Council Member Capes- Present
 - Mayor Montgomery- Present
 - Council Member Straughn- Present
 - Council Member Rayborn- Present

Weiner stated that a quorum was present.

- Pledge of Allegiance- Mayor Montgomery led everyone in the Pledge of Allegiance.
- Moment of Silence- Mayor Montgomery called for a moment of silence.

Discussion regarding proposed Land Development Ordinance (LDO) Amendments- Johnson stated that Council had been given binders that included the Land Development Ordinance with the proposed revisions. He added that Jim Lanik, attorney with Waldrep Wall Babcock & Bailey, had completed a meticulous review of the LDO. Johnson said that there had been changes made by staff, consultants with Benchmark Planning, and Jim Lanik. He added that most of the edits were due to formatting issues that resulted from using Microsoft Word. He asked Council if they had any questions.

Council Member Wolfe said that she had gone through the revised LDO and had noted several typos.

Council Member Rayborn asked staff if it would be reasonable to pay a copy editor to go through the LDO to ensure its accuracy.

Treme stated that staff planned to have the document codified in the upcoming fiscal year. He added that any other inconsistencies would be addressed through the codification process. He added that a copy editor could also review the LDO.

Council Members discussed the codification process of the LDO with Treme.

Council Member Wolfe spoke about the details of the fence ordinance with Hawryluk and Johnson.

Council Member Straughn discussed the requirements around galvanized fencing with Johnson. Council Member Straughn spoke about whether or not some citizens would be considered grandfathered in and exempt from some of the requirements around galvanized fencing. Johnson stated that staff would add

language into the ordinance regarding repair and replacement of existing fencing to make expectations clear.

Council Member Rayborn spoke about the fence height requirements with staff. She spoke about giving citizens the option to maintain the height of the fence if there were dips in the landscape of the property. Johnson said that the ordinance did not currently allow that possibility. There was a consensus among Council that it was reasonable to allow citizens to maintain the height of the fence. Johnson said that staff would make that change.

Council Member Wolfe noted the following changes that needed to be made:

- P. 22 should be “2.13-7” instead of “2.12-7”
- P. 32 “AUTO WRECKING” should start a new section for the definition
- P.75. TRC section: “One (1) member of the Planning Board (Vice-Chair or his/her designee)” should be “Chair” instead of “Vice Chair”
- p. 81 “planning board” should be “Planning Board”
- p. 150-152: Council Member Wolfe spoke about the details of the acreage requirements for a piece of property to be considered a PUD. She also noted that she would like more specific language about the protection of heritage trees. Johnson said that a change like that would need to go through the formal approval process. Council Members discussed the details of the PUD ordinance with staff. Council Member Rayborn said that there needed to be consistency about the phrasing of “site specific plan,” “master development plan,” etc. throughout section (E). Johnson agreed and said he would change the language to “site specific master development plan” throughout.
- P. 159 the section of the table at the top of the page should be on the previous page
- P. 163 the label for the image should be “8.4-10” instead of “8.1-1”
- P. 188 the numbering for the table was incorrect
- P. 194 the numbering for the table was incorrect
- The LDO page numbers jumped from 194 to 200 which would impact the page numbers after 194.
- P. 237 there needed to be a “5” next to “Permitting”
- P. 240 the sections listed skipped “10.2”
- p. 287 “B” not listed in section 12.12-5
- p.316 section 16.2-13 (A) had a blank that needed to be filled
- p. 324 sign standards for election season was inconsistent and needed to state that election signs must be removed within 7 days after election
- p. 374 section 19.5-2 (A) should be “sq. ft.” instead of “sq. t.”
- p. 383 19-16.11 states “up to three (4) re-submittals” and needed to be changed to “up to three (3) re-submittals”
- p.396 numbering error with (2) listed twice
- p. 412 need to correct reference number in section (H) from “19-16” to “19-18” for “Appeals”
- p. 413 need to correct reference number in last paragraph from “19-16” to “19-18” for “Appeals”
- p. 413 (H) Duration definition needs to be a separate section
- p. 472 lettering needed to be corrected from “b. Spills” and “c. Nuisance” to “(C) Spills” and “(D) Nuisance”
- p.473 section should be “19-28” instead of “19-23”

- p. 551 the first paragraph said “(90) daytime period” and needed to be changed to “(90) day period”

Hawryluk stated that she had also added explanations for the abbreviations at the bottom of the permitted use table.

Koonce said that she had reviewed the enforcement provisions. She noted that on p. 502 under section “23.5-2 Extension of Time to Remedy” that the Planning Director was given the authority to grant a single extension. Koonce stated that she did not think that allowed enough flexibility. She suggested that the Planning Director be allowed to grant at least two extensions and maybe up to three. Council discussed the potential change with staff. Treme suggested that the Planning Director be given the option to grant up to three extensions before the issue came to Council. Council agreed that the additional extensions were reasonable.

Council Members briefly discussed the details of the sign ordinance with Johnson.

Adjournment- Council Member Straughn made a motion to adjourn. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

The meeting ended at 10:33 am.

Mayor

Town Clerk